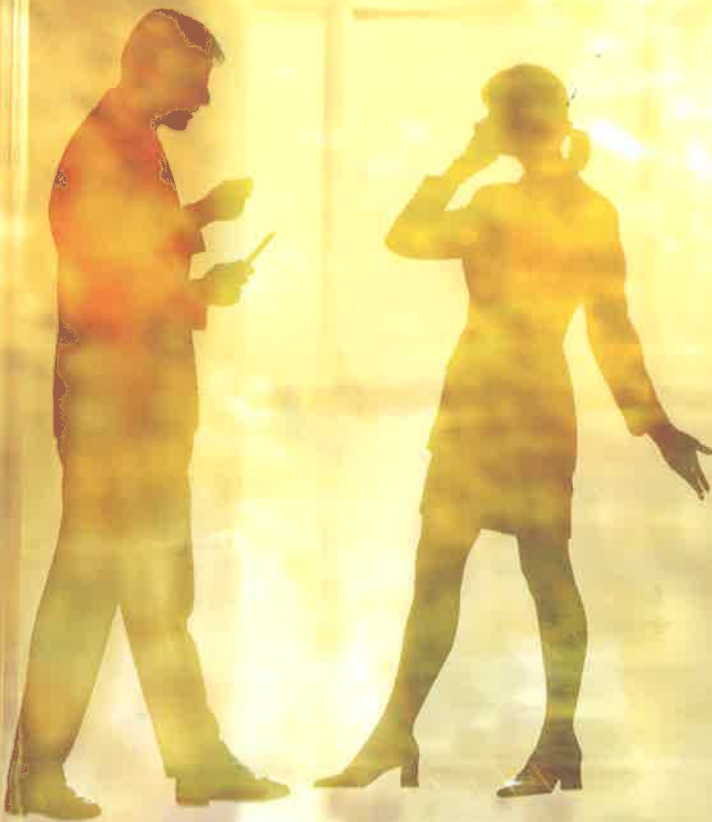# Beat bullying in the workplace

Report on research
findings on tackling
workplace bullying
and harassment

at WORK
DIGNITY

CONTENTS

I am pleased to introduce this report on findings from research on bullying and harassment in the workplace, carried out on behalf of the Dignity at Work Partnership by the University of Portsmouth Business School.

The partnership commissioned the research with the purpose of gaining an up to date view of how the problem is dealt with. In particular, researchers were asked to identify which methods are most effective in dealing with bullying and harassment so that best practice can be made available to other organisations.

Unfortunately, many of the findings confirm that not much has changed over the years – the problem continues to proliferate and the responses to dealing with it tend to be ineffective. But there are organisations that demonstrate bullying and harassment can be dealt with effectively by adopting a zero tolerance approach.

The research results will be used to progress the next phase of our work, which is to help organisations create a culture where respect for individuals is regarded as an essential part of the conduct of all employees. Dignity at work should lie at the heart of every organisation.

Bullying and harassment is bad for business and must be tackled head on. Workers who have positive feelings about their employer and their jobs are more likely to deliver higher standards of work, learn new skills, accept change and are less likely to be absent or suffer from low morale. This is endorsed by the findings in the report.

Some of Britain's biggest employers have joined the partnership and are instrumental in promoting the cause of dignity at work. I invite you to join them by making your organisation a partner too. Just log on to the Dignity at Work Partnership website and sign our voluntary charter.

My thanks go to Professor Charlotte Rayner and Dr Karen McIvor of the University of Portsmouth Business School for conducting the research. The findings will make a substantial contribution to the next stage of the partnership's work. I would also like to thank everyone who took part in the research and gave up their time to discuss the issues. The information you have provided is invaluable and will enable us to move forward.

Baroness Anne Gibson
Chair, Dignity at Work Partnership

The Dignity at Work Partnership is a project set up by Amicus the Union, to raise awareness of workplace bullying and harassment and the damaging effect it has on employees and organisational development.

The project aims to identify the most effective ways of dealing with the problem and to encourage the adoption of best practice by employers throughout the UK.

The partnership was established in July 2004, following a successful bid by Amicus of £1 million from the Department of Trade and Industry (DTI). It continues to be funded jointly by both bodies.

Set to run for three years, the project seeks to encourage trade unions, employers and employees to work together to foster greater respect and dignity for all through a zero tolerance approach to bullying and harassment at work.

Organisations are invited to join the partnership and sign a voluntary charter committing to pursuing dignity at work values. In return they will receive a package of support to help deal with bullying and harassment.

Previous research has confirmed that bullying and harassment at work is a serious and widespread problem. Left unchecked it directly impacts on the profits and effectiveness of organisations and businesses. At worse it can lead to expensive and damaging litigation.

Research conducted in 2000, by the University of Manchester Institute of Science and Technology (UMIST), found 1 in 10 employees said they had been bullied during a six month period. They also suffered the poorest health, lacked motivation and had the highest absenteeism figures as well as low productivity compared to those who were not bullied.

Department of Health research indicates the cost of absenteeism from work due to stress is more than £5 billion a year, and it estimates bullying, a major cause of stress, costs the UK economy £1.3 billion a year.

A more recent report (2005) from the Chartered Institute of Personnel and Development states bullying costs UK employers more than £2 billion a year.

The amount of funding and its duration makes the Dignity at Work Partnership the world's largest anti-bullying project. The steering group is chaired by Baroness Gibson of Market Rasen, who introduced the Dignity at Work Bill in Parliament. Representatives from the Health and Safety Executive, ACAS, the TUC and the DTI compliment the group's membership.

Leading practitioner and expert on bullying and related issues Angela Ishmael is adviser to the group, and specialist advice is provided by the anti-bullying charity, the Andrea Adams Trust. The partnership is led by Amicus and coordinated on behalf of the union by Mandy Telford.

Other organisations in the Partnership include; BAe Systems, BT, Connect: the Union for Professionals in Communications, Legal and General, Remploy, Royal Mail and The Chemical Industries Association.

>> ...the cost of absenteeism from work due to stress is more than £5 billion a year, and bullying, a major cause of stress, costs the UK economy £1.3 billion a year. <<

This is a report on findings from research conducted by the University of Portsmouth Business School as the first phase of the Tackling Workplace Bullying and Harassment Project. It is funded by Amicus and the DTI and commissioned by the Dignity at Work Partnership.

The aim of the research is to identify examples of good practice in dealing with bullying and harassment. Data collected will be used as the basis for the next stage of the partnership's work which is to devise a package of intervention tools and strategies. This will include a customised and confidential bullying survey of employees, training for workplace representatives and human resources managers, and development of employee harassment counsellors. It will be made available to all organisations joining the partnership as part of its campaign to raise awareness of the issue and promote a zero tolerance approach to bullying and harassment.

The method

The methodology was structured to gain insight from as wide an audience as possible within time and resource constraints.

Researching the problem can be difficult for a number of reasons, not least because of the changing nature of what constitutes bullying and harassment. Because of this an in-depth qualitative method of research was used.

Participants in the research provide examples of how bullying and harassment manifests itself in the workplace and these are used as illustrations in the report. However, identities of participants have not been revealed due to the sensitive nature of the topic and quotes are not attributed to individuals or organisations.

The participants

These are made up of four main groups:

❖ expert interviews from sectors and professions with specific interest in the issue. These include industry bodies, inspectors in the public sector and organisations already working in the field such as the Andrea Adams Trust and Roffey Park

❖ practitioner interviews provide an operational view from both management (often human resources (HR) practitioners) and union representatives. These organisations were found through Amicus or directly by the researchers. Employees who experienced positive change and could provide a rounded and realistic picture were chosen

❖ general focus groups, comprising a range of HR, trade union and general employees were held around the UK. Participants were recruited via Amicus by a market research company. People who had positive ideas for tackling the issue were selected. Current victims of bullying and harassment were excluded as sensitivity to their plight might inhibit group discussion. Groups were run in Glasgow, Leeds, London and Cardiff. The Belfast session was cancelled due to lack of recruits

❖ special focus groups were held to ensure that minority opinions were included. These consisted of groups already set up by Amicus and covered disability, lesbian, gay and transgender issues. In addition, targets' views were gained to balance out their exclusion from the general focus groups through the Dignity at Work Now (DAWN) organisation.

>> ...you can never be complacent and think you've solved the bullying problem, because people who don't have people management skills get promoted. It's something you need to constantly work on. <<

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The data

The interviews conducted were in-depth lasting between 60-90 minutes. The majority were taped with permission and transcribed. The remainder were recorded using notes.

Focus groups lasted around 90 minutes and a semi-structured approach was used for all sessions.

In all, 46 formal interviews were carried out and 15 focus groups set up, gaining feedback from a range of public, private and third sector organisations. The main thrust of the research deals with larger organisations. Involvement of small businesses was minimal because of time and cost constraints. It was also felt that the power relationships in these workplaces required a special approach.

All work was conducted within the University of Portsmouth Business School's ethical guidelines which ensure good practice in research.

The findings

Research findings are divided into two parts.

Part 1 **The Challenge** looks at the influences on organisations and their underlying dynamics. It builds a business case for dealing with bullying and harassment in the workplace, which can be used by organisations to assess the costs of failing to do so.

The findings offer a contemporary review of forces that affect the workplace when tackling bullying and harassment.

Part 2 **Tackling the Challenge** gives commentary on better practice and shows how to avoid bad practice with possible intervention measures.

Participants in the research agreed on many issues and there was considerable debate about them. Each section of the report highlights areas of agreement and disagreement.

The findings suggest organisations that are fully engaged with their workers and have a strong set of values are less likely to have a bullying and harassment culture. This reflects conventional good practice.

However, the findings also reveal the complexity of achieving this in practice, particularly where there are workplace performance targets. This creates an imbalance between the pressures on employees to perform and the support available to them. This is especially relevant with the changing roles of HR departments and trade unions.

In addition, the findings show it is more cost-effective to intervene early when resolving disputes, as this improves the prospect of retaining a committed and engaged workforce which is necessary for achieving business goals.

Adoption of formal procedures plays a key role in showing an organisation's willingness to deal with bullying and harassment. Successful intervention to prevent this type of behaviour from occurring also helps to promote a positive work environment.

>> Business is there for the shareholders, that's just the way it is. This means things are only on the agenda if they raise profits or reduce costs. Organisations don't recognise the moral argument. <<

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KEY FINDINGS

A zero tolerance approach

Key to the research findings is the adoption of a zero tolerance approach to harassment and bullying. The more successful organisations who achieve this have common attitudes and approaches to staff relations. Engagement with their workforces is fundamental, as is accepting harassment and bullying as an organisational issue and not a problem between individuals.

While the research found the best companies and experts fully support a zero tolerance approach, most focus groups and several organisations baulked at the suggestion of implementing this, feeling it is too tough and unrealistic.

The business case

The need for a business case is accepted by all respondents. It is understood that management and employee time spent dealing with the issue needs to be justified, both financially and in terms of damage to reputation.

Three main cost savings reasons are suggested by participants:

- ❖ loss of finance through employees leaving and sickness absence

- ❖ lower productivity with time taken to deal with grievances and the ripple effect of low morale

>> Remember at the end of the day you are dealing with people, never forget that. <<

- ❖ damage to an organisation's reputation. A threat to its competitive edge and ability to recruit and retain employees.

The strongest argument for a business case is the long term benefits of a motivated workforce which is committed, engaged and aligned with business objectives.

Participants make it clear the project must be open about the cost of interventions so it can be balanced against potential savings.

What's in a name?

Defining bullying and harassment is crucial. There is a need to clarify behaviours associated with bullying in policies where definitions are too prescriptive or too vague to be useful. Some policies are often written by individuals or small working groups without any discussion of definitions and their implications. This might mean policies fail to support the ground-level understanding of bullying and undermine intervention or prevention measures.

Policy issues

Having a policy enables discussion and prevention of bullying and harassment in the workplace. But it is more than simply a guide for when problems occur. It often sets standards for behaviour and provides actual examples to help employees understand what is acceptable.

Policies are seen as more effective when they have been developed with employees and involve training. This is more likely to lead to ownership and creation of a zero tolerance culture.

The leadership role

Leadership is fundamental, especially the behaviour of the top leaders and senior managers within organisations. Not being seen to tackle bullying and harassment leads employees to believe the organisation does not take the issue seriously.

The research has uncovered a lack of skills and knowledge among those at middle and lower management positions, leading to an increase in bullying issues and ineffective handling of complaints.

Training and awareness raising is crucial. Managers also require mediation and conflict resolution skills to perform a preventative role.

In addition, they should also have good working relationships with trade union representatives, HR and other advisers to achieve early informal resolutions. This is seen as a cornerstone by the better organisations.

Interventions

Early and informal action is core to effective intervention. The lack of training in informal intervention is highly criticised. Training managers and trade union representatives to deal with complaints early is seen as paramount. The belief is that bullying and harassment is best nipped in the bud.

There is general agreement that the more interventions the better. A number of options are available to organisations wishing to improve the working environment. But there is not an off-the-shelf set of interventions that suits all.

Advisory services

Advisory services are common and often effective in supporting individuals. Most services are relatively simple to set up and reasonably low cost to run, but the recruitment of suitable advisers needs careful attention as does their training and subsequent support.

Training

Awareness raising programmes and training are important in achieving change, but unless mandatory and interactive, their effects are limited. They are particularly valuable in engaging and challenging participants on the informal ways of defusing situations.

The absence of conflict management and mediation training for managers is of concern. Additional training is required to support managers and build their confidence in dealing with situations early on. Formal training might be backed up by mentoring or coaching interventions.

The role of HR and trade unions

There is unwillingness on the part of both HR and the trade unions to get involved at the informal stage, which potentially escalates situations. HR is viewed with suspicion by some as being legal defenders of the organisations and not concerned with the pastoral care of individual employees.

Participants generally agree that bullying at work is best tackled through a partnership of management, HR and trade union representatives.

Ripple effect of stress

Stress is a key issue in harassment and bullying and reports from all focus groups show it not only affects the target, but can cause stress to co-workers. Respondents describe employees who witness bullying as suffering from stress. They worry that they may be next in line, or do not know how to react to what is going on around them, or are re-thinking their own commitment to their employer.

People-focus

The research revealed UK workplaces are pressured target driven environments. The need to achieve targets is a consistent topic of discussion, with performance scoring leading to real anxiety about job retention. As organisations strive for global competitiveness the focus is on task-related work rather than the individual. There is a danger that people-related work will disappear with the pendulum swinging to a command and control culture.

After the event

Few interviewees consider what happens after a dispute occurs, the expectation being that one or both parties will leave the organisation.

Although some organisations have introduced ways to help employees return to a positive and productive working environment, these are in the minority. This is a neglected but essential part of the intervention strategy that needs to be addressed.

Participants reveal that more successful organisations have common attitudes and approaches to employment relations. Engagement with their workforces is fundamental, as is accepting harassment and bullying as an organisational issue and not just a problem between individuals. Only by demonstrating clear and observable action to curb bullying and harassment, can employees be convinced that an organisation takes the issue seriously.

A range of practice

A wide variety of circumstances are reported in sample organisations. No one suggests that bullying and harassment can be eradicated, but it could be minimised by organisations having a clear set of values that actively deal with the problem. Organisations which are effective in tackling the issue have clear differences in values and actions compared to unsuccessful organisations. Some organisations fail to acknowledge the problem at all, although these are in the minority given the sampling used in the research.

Engagement with employees

A key finding for the next phase of the Dignity at Work Project is the engagement with employees at all levels of the organisation for change to be effective and owned. Consequently, ownership and engagement are words that recur throughout this report. Achieving buy-in from employees needs to be an integral part of any further research.

An organisational problem

The persistence of bullying and harassment are symptomatic of deeper issues. If it is accepted that it is not just a problem of personality clash between individuals, another set of dynamics emerge.

Someone who bullies or harasses is influenced partly by the climate in which they work. Considerations such as: can I get away with it; what happens if it is found out; is it acceptable behaviour; and how the bosses react, may all play a role. In some organisations bullying and harassment are effectively encouraged by rewarding performance irrespective of how that performance is achieved.

The need for action

Bullying and harassment is often about what people do not do, such as withholding essential information from individuals. Failure in intervention and dignity initiatives is dominated by inaction, such as ineffective mediation.

While the presence of a policy and procedure is necessary, this in itself will not change attitudes. Employees make up their own minds based on their own observations. What is needed is a zero tolerance mindset that actively deals with all situations of bullying and harassment.

As the project moves into its second stage organisations will be asked to commit to anti-bullying and harassment interventions, which will require investment of time and money.

Respondents indicate a need to show clearly how much it costs organisations that fail to deal with the issue both financially and in terms of their reputation. This is the impetus for a clear business case.

>> Don't look at it in isolation. Don't just tackle the bullying issue. Look at the reasons behind it... <<

The need to draw up a business case for dealing with bullying and harassment was accepted by all respondents. It is understood that management and employee time spent dealing with the problem has to be justified. Tangible benefits include reduced costs from lower employee turnover and absenteeism. Less tangible benefits include the indirect savings from being known as a positive employer. The strongest argument is the long-term benefits of a motivated workforce which is committed, engaged and aligned with business objectives.

Participants suggest three main cost saving reasons to be included in a business case:

❖ a reduction in the direct financial costs incurred through employees leaving and sickness absence

❖ lower productivity through time taken by management and co-workers to deal with grievances and the ripple effect of reduced morale

❖ damage to an organisation's reputation. This is a threat to its competitive edge and can limit its effectiveness in recruiting and retaining employees.

Moral reasons are rarely cited. The human cost of those suffering from bullying and harassment and the subsequent trauma is raised on several occasions, but not within a business case context.

There is wide variation in the actual use of the business case for tackling bullying and harassment. Examples of less-good practice (non-optimal situations) and better practice are described below.

Non-optimal situations

In the non-optimal organisations, the business case for achieving savings in human wastage is not made. Measurement of indicators is weak, and without such data a business case is difficult to establish. While some data might be kept, this may not be collated (especially in larger organisations) or systematically reviewed, and senior managers are left uninformed. In other cases data is collated, but there is a tolerance of wastage as reviews are perfunctory and have never led to change.

The ripple effect on general productivity is not calculated, and reputation damage is not seen to be significant.

Better practice

In most cases, the key for the business case is financial, however no one suggests that they have successfully added up the full impact and cost of bullying and harassment. Partial costs are calculated, the easiest of which are rates of retention and sickness absence, together with early retirements. Better organisations collate their costs and review them at least annually.

Direct costs

The cost to the organisation is seen as crucial. However, national statistics, for example 1.8m days lost to sickness absence in 2004/5 (Health and Safety Executive, 2006), are not enough to focus effort within organisations. A rubric to estimate local costs would be helpful.

Retention costs

There are direct costs associated with workplace bullying with 25 per cent of individuals bullied leaving their jobs and around 20 per cent of witnesses to this behaviour leaving (Rayner, Hoel and Cooper, 2002).

>> It's too easy to say that bullying is a clash of personalities. It's unfair treatment where the vulnerable get picked on. <<

Retention is seen by all parties as a key issue, especially for organisations that need skilled employees. But detecting employees who have left early as a result of bullying or harassment is seen as problematic, unless there is knowledge of specific cases. Many better organisations have re-instated exit interviews, although ex-employees might not be entirely open about the reasons for leaving as they do not want to compromise future references. Unless there is a tribunal case the key reason for leaving is unlikely to be tracked and may only be known to co-workers.

Better organisations analyse leavers' data annually to detect and cost hot spots of difficulty. Easily identifiable are instances where employees are compensated through voluntary agreements or early retirement deals. Better organisations report the need for detailed examination of such cases as the official reasons given for leaving often hide incidents of bullying and harassment to avoid future litigation. These cases are significant learning opportunities, exposing patterns of failure, mostly through inaction or delayed action.

Analysis of employee sickness

This is seen as a problem by most organisations due to difficulties in sickness reporting. In non-optimal situations sickness absence is poorly tracked, and return to work interviews are sometimes seen as contributing to the bullying or harassing situation.

Targets might find it difficult to be open at such interviews for fear of losing their jobs, particularly if it is conducted by the perpetrator. On the other hand, asking HR specialists to undertake the interview is often viewed as too costly and inappropriate by many less optimal organisations. In this way, bullying and harassing situations will continue to go undetected and unchallenged. In many less-optimal organisations, return-to-work interviews are not undertaken at all.

Better organisations also find sickness reporting to be difficult. Self certification and illegible sick notes mean little information is available. However, overall analyses of sickness absence levels are undertaken in better organisations, with hot spots identified for management action. This action is constructive, not rooted in blame-sharing, but working with local managers to solve the problem. Clearly there are many reasons for absence, including bullying and harassment, but the costs are high and these organisations want a positive approach.

Organisations that work in partnership with trade unions have more opportunity to identify such situations. Although not normally involved in monitoring of sickness absence, trade union representatives can do so by having informal discussions with employees. By gauging the nature of the problem, they can advise and support the individual and the organisation to work towards a solution.

INDIRECT COSTS

Stress ripples

While stress is an issue for targets of bullying and harassment, and connected to sickness absence, it has a ripple effect. Research respondents describe employees who witness bullying not knowing how to react in relation to what is going on around them, or re-thinking their own commitment to their employer.

Consistent reports from all focus groups worryingly show the complaints process can also cause stress to co-workers. Stress is seen as something to be avoided as dealing with it is time-consuming and distracts from the achievement of targets. Low morale, lack of trust and commitment to the employer are also potential fall-outs. The effect on productivity is seen as hard to measure, although participants suggest this is negative. This is a fundamental area for data-gathering for the project.

On-site occupational health departments are seen as politically neutral by respondents, and an underused source of useful information for senior managers. Occupational health professionals express frustration at the lack of opportunity to pass on information about targets of workplace bullying and harassment, together with their estimates of costs.

Better practice organisations with occupational health professionals collect information from them on a quarterly basis. They also usually request an annual report highlighting issues such as harassment and bullying. Such information needs to be anonymous to avoid alienating employees.

Many larger organisations now employ Employee Assistance Programme (EAP) providers. Their use by employees vary. While they can and do help some employees to cope, they are generally unable to get to the root of problems because they are external. The less optimal organisations perceive EAP provision as a cure-all, while those with better practice employ many different methods of detecting and dealing with these issues, sometimes including EAPs.

>> **Bullying affects not just the individual, but the motivation of other staff. It rebounds on productivity and people eventually leave.** <<

Complaints and investigation costs

A pivotal finding is the cost of complaints. Two types of organisations avoid much of this cost. Firstly, the organisation which has an ineffective complaints procedure so hardly ever actually process any. Secondly, the sophisticated organisation which successfully defends so many complaints (internally and publicly) employees have given up making them.

Most organisations operate between these extremes. There are a considerable number of comments about poor complaint handling, which costs money. These have been incorporated into Part 2 Tackling the Challenge.

It is easy to lose sight of the bigger picture. When complaints, formal and informal, are not dealt with in a consistent and defendable way, it sends out the message that bullying and harassment is acceptable. It condones the actions of the harasser and encourages others to offend.

All informants report the substantial amount of management time spent dealing with complaints is hidden from the true costs and major savings could be made if formal investigations are avoided.

Threat to reputation

In general the threat to reputation is either of high or little concern to employers. Reputation is a key issue for third sector organisations, which gain funding from trusts, government or charities. A single press report of bullying or harassment is seen as hugely damaging for a small voluntary sector organisation.

An example of this is an organisation which relies on charities for medically-related funding. A respondent described how when Investors in People (IiP) and other box-ticking exercises are carried out, employees are told that failure to show a clean image will jeopardise their funding. The individual also suggested that several employees, who were bullied and harassed, left the organisation without making a complaint for fear of endangering funding and their colleagues' jobs.

Balancing the books for the business case

As the business case is about justifying spending on anti-bullying and harassment initiatives, it is important to look at the costs and savings. Each organisation is different and will need to work out its own response with attendant costs. The research participants make it clear that the project must be open about the costs of interventions so that these could then be balanced against potential savings. Balances are shown in Table 1 on opposite page.

TABLE 1

Summary of costs and savings

EFFECTIVE ACTION	INEFFECTIVE ACTION
Investment	**Costs**
Selecting employees on the basis of task and people skills	Difficulties in recruitment thus higher costs
Creating strategies and disseminating policies	Lower trust and commitment, low morale and productivity
Generating and reviewing data, including the infrastructure to do so	High sickness and absence rates
Training and awareness raising, engaging employees in programmes to achieve culture change	No training or other engagement processes
Advisory services e.g. counselling, unions, occupational health and harassment advisers	No specialists or advisory services
Improving management skills and tools	Managers fail to spend time on formulating or reviewing strategy
Training those involved in complaints Funding investigations	More investigations and commensurate costs in management time
Dealing effectively with valuable employees who have been found to bully or harass	
Returns	**Liabilities**
Enhanced reputation and easier recruitment	Damage to reputation, poor recruitment and negative image affecting competitiveness
Lower absence and exit rates	High employee exit rates without complaints being made
Lower levels of litigation and internal investigations	More litigation, high costs in management time, legal fees, potential damages against the organisation and dealing with negative publicity
Committed, diverse workforce, strong inclusive culture and positive effect on productivity	

Harassment on the grounds of age, race, gender, disability, sexual orientation, religion and belief are understood generally to be against the law. Respondents are familiar with race and gender issues because of legislation and this made it easier to accept the impending law against age discrimination.

Defining bullying caused lively debate in the focus groups, and interviewees regard this to be an issue fraught with nuances. The ambiguities over the definition of bullying provide a challenge which the project needs to address.

There is a need to clarify behaviours associated with bullying in policies where definitions are either too restrictive or too vague to be useful. Some policies are often written by individuals or a small working group without any discussion of definitions and their implications. This might mean policies fail to support the ground-level understanding of bullying, and undermine intervention or prevention measures.

Where to start?

All agree that the experience of bullying and harassment is affected by perception, and the reactions to it are feelings of powerlessness, intimidation and fear. There is some agreement that bullying could be defined by the reaction of the target rather than individual behaviours. The opposing argument is that it is much easier to achieve change if specific behaviours are identified as bullying. This would make employees more aware of how their behaviour could affect others. It is also felt by some experts and general focus group attendees that leaving the definition to the target might prompt more malicious accusations. And because employees find complaining difficult, leaving the definition to the recipient is unhelpful.

Is context relevant?

Should workplaces have different acceptable behaviours in different parts of the organisation? Some informants said this is appropriate where an organisation has different departments or sites. But others are against this approach. Some think it probably unlawful and others that some behaviour should be unacceptable throughout an organisation. This suggests the ambiguity of different acceptable behaviours would create confusion for employees and those attempting to reinforce policy. This is a key issue and a cornerstone for any overall organisational strategy.

There is strong agreement that physical abuse or threats are always unacceptable and that people should not be intimidated or work in fear. There is no consensus on any other behaviour that could be defined absolutely as bullying.

Jokes are acknowledged to be particularly troublesome. Some experts suggest those that might affect people negatively should be banned. While there was some acceptance of this theory within the focus groups, the idea of a ban was rejected. Are the experts ahead or are they unrealistic? This is a key question for the steering group and is significant to its position on definition.

Several focus group members suggest people could always complain in ambiguous situations, but as employees find complaining difficult this was rejected. Instead participants agree that organisations need to take more responsibility. This points to a process approach for definition, such as having a workplace Dignity at Work group, which we recommend.

Codes of conduct

Many groups agree that a written code of conduct that defined bullying and harassment in writing and could be used in training is helpful. The code needs to be constantly reviewed as acceptable behaviour can change over time. Again, it is felt that central to its success is involvement of employees in agreeing acceptable behaviour. Organisations with codes of conduct say that they do not guarantee a harassment-free workplace.

The leadership role

It is agreed that leadership, including management, boards and executives, play a key role in defining acceptable behaviour through their own actions and reactions to the behaviour of others. Their behaviour is watched and followed by others throughout the organisation and it is crucial they understand this. The commitment of top management by walking-the-talk is agreed on by all in the research as essential.

Almost everyone participating in the research cite examples of poor behaviour at top level with senior managers bullying and harassing. In addition, senior management seen avoiding, proactively covering up or excusing bullying and harassment is regarded as bad as the perpetrators. They are judged as colluders by all participants, and create an unsafe environment which is reflected in the comment 'If you sit on the bullying fence, you get splinters'. While everyone is responsible for their own behaviour, cues from senior management act in two ways: they make bad behaviour appear acceptable and they infer anyone acting against such behaviour will be unsupported. This is not to say either is true, but it is how the social reality of workplaces becomes constructed.

Making definitions real

It is agreed that good training helps understanding of policy definitions by providing real-life bullying scenarios. Where training or awareness raising do not occur, a definition is not usually present.

Some organisations with better practices embed anti-harassment and bullying information and skills in all forms of employee development. They feel this communicates the message that their organisation takes it seriously rather than seeing initiatives as stand-alone or add-ons.

Harassment has a firmer base

In general, it is agreed that harassment based on a specific reason, such as gender, race, religion, sexuality, and disability, is understood in workplaces. Recent age discrimination legislation is mentioned several times in the focus groups and does not cause any perceivable anxiety. The informants have grasped the basics of discrimination and issue-based harassment and are confident about including age as an issue. Why informants cannot grasp something similar in connection to bullying lies perhaps within the difficulties connected to establishing a definition.

When bullying is lack of action

Workplace bullying is not just about what people do, but also about what they do not do, such as exclusion of information, training and other development opportunities. Since much bullying is passive, this presents a challenge to definition and issues of proof. Lack of action is hard to prove, and raises the question of whether someone in such a situation could say they are bullied if their organisation's definition is based on action. Definitions could be left to the target's reaction, but informants feel this would make people open to malicious accusation.

Do we need a new name?

The re-naming of bullying is initially raised in the interviews and then explored in several focus groups. Several experts feel strongly that it needs to remain as it is, to give it the shame related playground connection. Other experts feel the association is not helpful and should be avoided, as it produced complex emotional reactions in targets such as shame and unwillingness to admit to being bullied. The focus groups failed to agree. Some saying they didn't care what it is called as long as the behaviour is dealt with.

Others feel 'bullying' as a word does not encompass the many forms of passive-aggressive behaviour and the associated shame.

To design interventions that effectively challenge bullying and harassment there has to be an understanding of why it occurs. The evidence gathered for this project is used as the basis to form ideas and concepts around these dynamics.

Acceptability starts with managers

Previous research has identified acceptability or the social normalisation of bullying and harassment within the work culture as key to its existence. Leaders' behaviour communicates acceptance of bullying and harassment if they are doing it themselves, or not acting against it. Their influence should not be underestimated as their attitudes are contagious throughout an organisation. Doing nothing is not neutral.

Leaders can achieve positive behaviour by being good role models and also actively dealing with bullying and harassment situations.

Participants agree that problems could be dealt with at an early stage, yet many managers avoid dealing with the issues.

Various explanations are given for managers' complacency:

❖ they do not know what to do and lack skills to intervene

❖ they might know what to do (e.g. have been trained) but lack confidence in applying their knowledge

❖ they chose to ignore it as it detracts from the task – dealing with it would waste valuable time and energy which should be spent on productivity

❖ there is no point in reacting as they would not get support themselves

❖ they have not reacted in the past and so why now?

❖ they fail to identify behaviours as bullying and harassing.

It is crucial that the second stage of the project addresses each of these points.

The target pressure cooker

The research revealed UK workplaces are pressured and target-related environments. The need to achieve targets is the consistent focus of discussion, with scored performance being a key driver (through benchmarking, league tables, quality measures etc.), leading to real anxiety about job retention.

What is the affect of a target-driven culture on bullying and harassment?

The classic divide between task-related and people-related management style provides a base for interpretation of the findings. As UK workplaces have strived to achieve global competitiveness, the focus has been on task-related work. While such a focus is commendable, there is a danger that people-related work will disappear, with the pendulum swinging to a command and control culture.

Promotion practices in the UK

Bad promotion practices are a topic of consistent comment. The current practices appear to produce managers who are not ready and willing to deal with harassment and bullying. Many participants comment that employees are promoted on the basis of their technical expertise with insufficient training to prepare them for people management. General management training courses, often one or two days, does not equip new managers to deal with people-related issues such as valuing and empowering employees. This theme resonated in all interviews and focus groups.

Several organisations, often multinationals, have restructured their promotion systems so that technical excellence can be rewarded without going down the traditional UK promotional route of people management. Status and other rewards can be given to employees for technical merit, allowing them to continue in these roles without needing to manage people.

A mindset of responsibility

Organisations which handle bullying and harassment well are extremely performance focussed, but also embrace people management as a core activity. They see effective people management as contributing directly to high performance. Their approach to bullying and harassment is clear. They see it as most likely to occur when people work in negative environments. They accept responsibility for the environment, acknowledging the problem belongs to and should be owned by the organisation, rather than be seen as a problem between individuals. In this way they adopt a more business-like mindset where the situation is not personalised and individuals blamed.

The approach is not to ignore bullying and harassment but to expect it to happen sometimes, and when it does, to work through problems to enable fast resolution. The successful organisations seek out complaints so that issues can be dealt with quickly and informally. They also equip managers, especially those new to the grade, with people management skills through training, mentoring, or coaching. In this way there is a balance of tolerance, as long as someone dealt with their own behaviour. Because these incidences are caught early damage to other employees is unlikely.

>> There is a childline for children being bullied; there is a need for something similar for adults. <<

Better organisations employ measures to look out for problem situations. Managers walk the corridors, offices, factory floors and despatch yards to engage with their employees, picking up and proactively resolving any disagreements. Such zero tolerance practices are deeply entrenched in the better organisations which expect professional behaviour from all employees, without exception. Although it takes management time, it is more than compensated through not having to deal with complex disputes.

Changes in HR and trade union roles

As personnel has evolved into more strategic roles in HR management or a business partner function, its pastoral role has often been dropped. As a result a shift has occurred in the sources of individual support for employees. Where trade unions are present, the more effective organisations worked constructively with them. This is reported in management and union interviews alike. Both parties see themselves as coordinating resources to assist individuals caught up in bullying and harassment cases. This individual support is often led by the union, with management taking responsibility for the wider work culture to ensure zero tolerance. But this situation is unusual and as trade union representatives and HR specialists have different agendas, they are dealt with separately in the following sections.

Dynamics within HR roles

HR professionals may not want to be involved in individual managerial issues if they see this as the domain of line managers. This falls down when management are the bullies or harassers, leaving the target in a difficult position. With a redefining of roles there is uncertainty as to who should provide the pastoral care, and lack of support for employees is repeatedly reported.

It is noted that HR is often willing only to get involved in formal complaints, which potentially escalates a situation unnecessarily. Sometimes this means that those seeking support from HR on an informal basis are turned away.

The way HR specialists understand bullying and harassment is critical as they often act as a screen for complaints. There are several situations where HR employees consider each reported incident separately, rather than examining the picture as a whole. This can lead them to rejecting a complaint even when it is prompted by a series of events. Further confusion arises when an organisation has a range of policies under which a problem can be considered, rather than just one. It appears that HR specialists want complainants to have sufficient grounds within a single policy area, rather than trying to build a composite complaint across several policies. The reality of situations do not always match the neatness of policy design.

Even if HR departments have a more strategic role, they often keep a close hold over policies relating to HR. This includes anti-bullying and harassment policies, and accompanying training and development programmes. As such, HR retains a strong role through the provision of some key organisational systems, which will be examined in detail in Part 2.

Rarely is HR perceived as impartial. In the achieving organisations their function is respected for sorting out problems at their core. In less successful organisations, HR is viewed with suspicion and unlikely to be supportive to employees, their role seen as legal defender of the organisation. This is easy to understand as changes in employment law have placed considerable demands on HR departments. As part of a strategic approach, organisations may wish to review the position of HR in this legal guardian role and understand the full effect it has on employees.

>> Dealing with bullying is the role of leaders at every level: to lead by example, to support, to challenge and to discipline. <<

Another effect of HR withdrawing from the pastoral role is their absence on-site, and many focus group members report having no face-to-face contact with HR specialists. This needs to be addressed, and those who plan the HR function must factor-in the need for daily contact with employees so they are aware of the workplace culture and the impact of bullying and harassment on employees.

Organisations that use the HR function as a business partner working on-site with line managers, appear to be better informed of the workplace culture and more prepared to deal with situations as they arose.

The greater the distance between HR and employees, the less likelihood of any real working relationships that can lead to informal resolution during times of conflict. Non-optimal organisations lose more employees and receive more formal complaints as they are unable to deal informally with the issue.

Dynamics within trade union representative roles

As the first point of contact for many employees who have problems, trade union representatives in unionised organisations find they are increasingly taking on the pastoral role no longer provided by HR.

While this has implications for trade union resources, it creates an opportunity for union representatives to develop an overview of incidents occurring on the ground that managers and HR professionals may miss.

It also allows them to collect data which could be fed into a more strategic approach to dealing with bullying and harassment.

In some unionised workplaces respected trade union reps also play an effective role in dealing with bullying informally at an early stage, therefore preventing damaging situations from escalating.

Participants in the research were in general agreement that bullying at work is best tackled through a partnership of employers and employee representatives. This is reflected in comments suggesting the worker versus manager mentality is old fashioned and counter-productive, and that cooperation leading to partnership was often the best way forward. Participants described the ways in which regular union, HR and management meetings built trust and reduced feelings of cynicism, and at the same time providing a forum within which bullying could be discussed and addressed.

Some participants caution against this approach because union representatives may be seen as being too cosy with management.

Respondents also suggest union representatives should receive specific training as they need to be confident and skilled to deal with difficult situations. In the words of one contributor: "If you don't understand what bullying is, how can you represent someone who is being bullied?"

Tackling imbalance in support roles

Increasing legislation, HR no longer having a pastoral role, and the pressure on trade union representatives, means employees in the non-optimal organisations face little or no support, which is likely to lead to more employees leaving.

If organisations want to avoid the costs of employees leaving, they need to have advocacy and support services, which encourage the positive involvement of trade unions. While Employee Assistance Programmes (EAPs) offer helpful and professional services to individuals, the way in which they operate means they cannot solve an employee's bullying and harassment issues as they are unable to get to the source of the actual problem i.e. the harasser.

Where management and trade unions are in constant conflict, there is unlikely to be opportunities for resolution, except in major cases brought formally. In these instances both employees and organisations end up as losers. Training for management, HR and trade union representatives must emphasise the need for positive working relationships.

Support for people

The desire for organisations to be more people focussed has emerged in subtle and varied ways. In several focus groups remarks are made such as 'we are not human resources, we are people'. There are comments about individuals being absorbed into roles, and the contribution these make to performance targets being more important than the individual. The distancing of HR and the highly functional approaches of task driven management appeared to be pushing many organisations into a command and control culture. Questions are raised regarding who might champion employees in the absence of unions.

While EAPs are welcomed, their distance from the problem mean their influence is limited to emotional support for the target. Also their common approach is to restructure the way employees think of their problems so they can learn how to cope. The underlying assumption is the problem is for the individual to resolve, whereas the problem could lie in the organisation's approach to the issue or with the perpetrator. So 'restructuring' targets can be highly inappropriate and does not deal with the source of the difficulty.

Patterns of silence

Respondents reveal employees, whether or not they are targets of bullying, remain silent and rarely express their views or grievances for a number of reasons:

❖ they believe there is no point in making or supporting a complaint because nothing will happen as a result

❖ they keep quiet to protect themselves through fear of retribution

❖ they think remaining silent will protect their organisation and everyone's jobs. (This comment was made principally by voluntary sector representatives).

Reasons for employees voicing opinions and concerns vary:

❖ to show consensus with the majority view because they believe their own views have no importance

❖ to make comments out of self-protection, perhaps blaming the target for being a timewaster or a trouble maker, or joining in with attempts to evict the target from the group so that everyone can get back to work

❖ to support the target because it is in everyone's interests and the interests of the organisation to tackle workplace bullying and harassment.

Training for targets and witnesses or bystanders to enable them to negotiate these difficulties would be highly beneficial for the organisation.

BRINGING THE STRANDS TOGETHER

The Management Support Systems Model

In conclusion three aspects to the dynamics of workplace bullying and harassment are found:

❖ **appropriate management:** where managers are selected on their people management capabilities as well as their task related skills; managers do not bully or harass; and actively and consistently deal with situations as they arise

❖ **support for individuals:** where trade union representatives, advisers, training and other forms of support are in place, individuals feel able to raise issues early with confidence that problems will be resolved

❖ **systems:** which prevent bullying and harassment or are triggered when it occurs and are fair and open.

FIGURE 1

The Management Support Systems Model
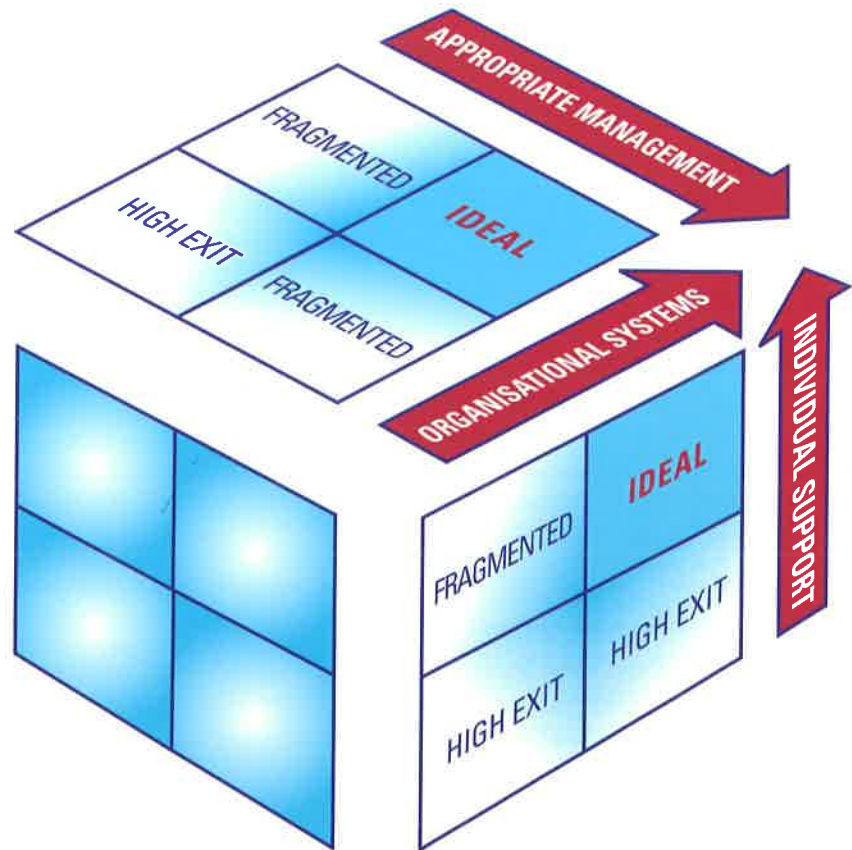
Ideally all three aspects should function well with appropriate management underpinning anti-bullying and harassment systems and allowing support for individuals in a strategic way. Away from this idealised view, it is suspected the reality differs, and the negative effect on individuals and the organisation can only be assumed. Organisations need to aim to be in the top 'ideal' segment in order to reap the benefits of anti-bullying and harassment interventions. Further comments are made on this model in part 2, where the systems and support mechanisms are fully examined.

BRINGING THE STRANDS TOGETHER

Comparing organisational approaches

Part 1 discussed a variety of aspects which distinguish organisations in their approach to tackling harassment and bullying at work. Illustrations of successful organisations that take a strategic approach have been given. Organisations that do not achieve this strategic position vary in their practices, and we have developed a typology extending to four typical organisational situations.

A developmental typology

Organisations can use this to reflect on where they see themselves currently, where they want to be, and have a starting point for developing their strategy.

Uniquely the strategic organisation owns bullying and harassment as an organisational problem and does not consider it to be a matter for individuals to resolve between themselves. It measures outputs and reviews progress at least annually, using a round-table discussion of employees responsible for, or representing those involved in systems, management and support for individuals. It proactively identifies problems which it seeks to resolve at an early stage. Employees contributing to resolution have considerable contact with each other and have built up relationships of trust and respect.

At the other end of the spectrum lies the organisation which apparently has little problem with bullying and harassment. This is due to incorrect identification of the problem. It will be experiencing high exit rates and other costs associated with failure to address the issue. It may not experience many formal cases since employees know the issue is not taken seriously and leave rather than make a complaint. The organisation invests little, but has high costs from the effects of bullying and harassment, which it is unlikely to track, and is unaware of savings it might reap from effective action. We have termed this type of organisation 'oblivious'. It does not think it has a problem as bullying and harassment are so deeply embedded in the culture they fail to be recognised.

One step away from the 'oblivious' is the fragmented approach. This is where a few employees have recognised the extent of harassment and bullying and been able to take some action. But these actions are, as the term suggests, fragmented in nature, and unconvincing to employees. There is some investment, but haphazard systems and support and uneven management approaches mean that they are unlikely to see any reduction in exit rates or other costs. Measurement is unlikely.

'Near' organisations have evolved from the fragmented organisations and are likely to be engaged in many of the positive activities which typify strategic organisations, but with two exceptions. First, they still approach most situations as if they are problems between individuals. Second, they fail to take a full strategic approach and do not have a coherent set of systems and support, or reap the full benefits from savings. It is likely that anti-bullying and harassment initiatives have reasonably high priority and profile, but the impact may vary across the organisation due to the absence of a strategic approach. They are likely to spend as much on initiatives as the strategic group, but not enjoy the lowered costs. They may have slightly better morale, but again are not reaping the full rewards.

The Typology is shown in Table 2.

What message will affect change? The researchers are convinced only a responsible zero tolerance strategic approach will result in change. This message is in harmony with equality agencies such as the Equal Opportunities Commission, the Commission for Racial Equality, and the Health and Safety Executive. It is recommended that these groups are brought into the project so that national players and other DTI agencies, such as ACAS, and the HSE, share a coherent and vibrant message.

Part 1 has identified the challenge for the organisational strategy which tackles bullying and harassment. An interconnected web of issues has been described which may help us understand why so few organisations tackle the issue effectively. Part 2 Tackling the Challenge looks at the initiatives which support the individual and the organisational systems.

TABLE 2

Typology

	OBLIVIOUS	FRAGMENTED	NEAR	STRATEGIC
Attitude to bullying and harassment	Accepted as part of the culture and not seen as a problem	Recognition that it occurs and causes concern, but overall approach is passive	Issue is recognised and causes concern. There is acknowledgement of weaknesses in systems set up to deal with it	Proactive approach to dealing with the problem with regular monitoring and developments
Whose problem is it?	Bullying and harassment is not recognised as a problem	Seen as a problem between individuals	Seen as a problem between individuals	Recognised as the organisation's problem and not solely between individuals
Number of incidents	High level	High level	Medium level	Low level
Level of investment in anti-bullying and harassment measures e.g. training and appointing advisers	None	Some awareness raising at induction and occasional training sessions. No specialist advisers but possible training for employees appointed to support targets of bullying	Strong levels of investment in specific areas. Policy communicated to staff. Support for targets is variable. Possibility of training for nominated specialists in investigation, advice and mediation	Investment is high and embedded. High expectations of management. Time is allocated for strategic reviews and the development and support of personal and professional networks
Returns from investment	None	None	Lower levels of sickness, absenteeism, and staff turnover. Organisation has reasonable reputation	Cost of contesting bullying and harassment claims avoided, higher attendance and retention levels, good reputation and greater success in staff recruitment
Residual costs due to lack of investment	Face major cases of litigation which they lose.	Fewer cases of litigation but organisation often found to be at fault	Few cases of litigation. Organisation sometimes found to be at fault	Few cases of litigation. Organisation rarely found to be at fault

	OBLIVIOUS	FRAGMENTED	NEAR	STRATEGIC
Residual costs due to lack of investment (cont.)	Poor reputation, recruitment difficulties, management time spent dealing with complaints	Poor reputation, recruitment difficulties, management time spent dealing with complaints high	Fewer formal complaints made thus saving time and money	Clear understanding among staff of unacceptability of bullying and harass-ment in the workplace
Training level	Very little training provided	Some information given. Occasional awareness raising sessions provided	Some awareness raising and more interactive forms of training provided	Strategic approach to training and education for all staff as part of a zero tolerance approach
Levels of tolerance towards bullying and harassment	Completely tolerated. Seen as part of the job	Tolerance levels are high but people do have the opportunity to complain	Low levels of tolerance, but occasionally incidents are allowed to go unchallenged	Zero tolerance, no exceptions
Selection and training of managers	Recruited on their ability to meet targets and not their people management skills. Training unlikely	Target orientated and training unlikely	Task and target driven with some emphasis on people management. Some training given and possible mentoring	Strong emphasis on people management and attainment of targets. Mentoring for managers
Human Resources	Few HR personnel. Emphasis on protecting the organisation's position and avoiding complaints	Not powerful. Acting primarily as the organisation's legal guardian. Behaving bureaucratically	Empowered. Strong on rules and procedures. Often decentralised with local monitoring	Strong informal networks. Works with trade unions as partners, high involvement in the workforce and respected by line managers
Trade Unions	Weak. Constantly fire fighting	Some strength but fire fighting	Strong but bureaucratic	Strong informal networks. Good relationship with HR. Push to solve problems early and fast

The research illustrates a wide range of initiatives. These are categorised into four sections:

❖ preparing the ground e.g. having effective planning and review systems which include strategy, policy, measurement and assessment processes

❖ preventative measures e.g. actions which addressed the

❖ climate where bullying and harassment might occur

❖ intervention measures e.g. improving complaint procedures after bullying or harassment have occurred

❖ post-incident measures e.g. counselling for both the complainant and the accused, provision of training, conciliation and team building exercises

During the project the Event Hierarchy (see Figure 2 – page 35) is used to illustrate the escalation of bullying and harassment cases. Whilst the section on 'preparing the ground' applies to all situations, preventative measures are largely aimed at the bottom of the hierarchy. This is to ensure minimal levels of bad behaviour and that situations are dealt with before they become damaging, sometimes reaching into the sense-making (informal enquiries) and informal complaints sections.

Intervention measures are concerned with all aspects from sense-making through to formal complaints. All are affected by the organisational culture. An area not included on the diagram which the research for the first time systematically highlights is that of post-incident measures which optimise return to work.

PREPARING THE GROUND

A strategic approach

Organisations that achieve an anti-bullying and harassment climate have a variety of attributes (see Table 2) and key is a strategic approach. They incorporate the best of health and safety risk management into their practices.

This includes:

❖ identifying the nature of bullying and harassment

❖ identifying the tangible and intangible costs to the organisation

❖ agreeing their risk appetite (how far they were willing to take on the risks of bullying and harassment) and what this means in terms of their tolerance levels. This defines where they want to be

❖ identifying the prevalence of bullying and harassment in their organisation. This defines where they are now

❖ identifying strategies and practices which align their organisation to their risk appetite. This includes the setting of goals over time

❖ implementing their strategies

❖ monitoring their progress and adapting their strategies for the achievement of goals.

Other features present in these organisations are the:

❖ involvement of a senior person to act as leader for the programme

❖ collection of data, and its analysis at least annually to monitor performance related to bullying and harassment issues

❖ coordination of an operational policy which services the strategy

❖ coordination of training and other resources to deliver the operational goals of the strategy

❖ support and coordination of the various contributing groups (such as trade union representatives, diversity officers, harassment and bullying advisers, EAP representatives, HR, Health and Safety and Occupational Health employees).

>> I think the major pitfall to avoid is to talk about doing things and not do anything. <<

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The following roles are necessary in the management of this strategic system:

- ❖ a high profile leader of the initiative

- ❖ a strategy coordinator to ensure action was taken where necessary. This might be a diversity officer, a trade union representative, or a member of HR

- ❖ a monitor to collect data on all aspects of bullying and harassment. This would be someone familiar with handling qualitative and quantitative evidence

- ❖ an evaluator to analyse the data. This would either be the monitor or a member of the finance department

- ❖ an auditor to ensure the reliability and validity of the data.

These employees should meet at least annually to give feedback on progress to a larger group which involves HR, trade union representatives, those with diversity portfolios, harassment advisers, EAP representatives, trainers and line management representatives. Meetings should be chaired by the senior manager and minutes taken. Whether or not the proceedings are public would depend on the sensitivities involved, but a summary would always be available to employees.

Policy issues

Having developed a policy, the biggest mistake is for the organisation to think the job is done. The policy is a working document which actions the strategy. An organisation without a strategy has a policy which lacks sufficient context and purpose.

Participants in the research regard the written policy as a key document, which would include:

- ❖ articulating in writing the organisation's ownership and opposition to bullying and harassment

- ❖ defining bullying and harassment (as closely as possible, with examples) – this might include a code of conduct

- ❖ advising what employees should do informally (including the role of the advisers, trade union representatives etc.)

- ❖ advising what employees should do formally, if no informal solution had been achieved

- ❖ the complaints procedure.

Most policies are actually descriptions of activities to prevent and resolve incidents of bullying and harassment, not policies as such. It is not suggested that this is changed, but that the strategic element is added in order to create what might conventionally be defined as policy. Many policies contain too much information and are over long and complicated.

A short single page handout, which outlines the help available and early steps to be taken with signposting to later action (e.g. formal complaints) is sufficient. As such the written policy is part of the armoury of preventative measures to use against bullying and harassment.

The nature of the policy

There are notable differences in the naming and emphasis of policy documents. Many public sector organisations have separate policies for unlawful harassment with an anti-bullying policy covering the remainder. This reflects their need to show they conform to legislation. Respondents report that too often, the result is a piecemeal policy. Employees are confused as to which part of which policy applies to their situation, and there are reports of employees being overwhelmed and giving up. It is recommended that organisations adopt a single policy/system approach, which is agreed by the enforcing bodies, such as the Commission for Racial Equality and the Equal Opportunities Commission.

Some policies focus on the importance of positive behaviours giving dignity at work for everyone. These are well received as they give a baseline of decency for all employees. But the push toward positive behaviours could mean negative behaviours are not highlighted and cannot be addressed or challenged. It is important that bad behaviour is recognised, so that it can be dealt with.

When there is a weak organisational system where policies are not demonstrably enforced, they are criticised on the grounds of tokenism. Poor policy documents use legal jargon and are complex in structure.

This gives the impression they are written and designed by lawyers, corporate managers or HR specialists, to protect the organisation from being sued, rather than for those experiencing difficulty in the workplace. All policies need to be written concisely and in plain English to make them accessible to all.

The process of policy-making

This cynicism with the perceived intentions of some policies is counterbalanced by an inclusive approach by organisations where management, unions and employees are involved in policy making. Where organisations have multiple-sites, particular importance is placed on having representatives from each site. Central policies imposed on different parts of the organisation cause alienation and feelings of being devalued.

An inclusive approach to policy development encourages engagement, ownership and commitment from every layer of the organisation. It also maximises the likelihood of it meeting the needs of the workforce and being embedded in the workplace culture. Trade union and management representatives from such organisations express more confidence in policies developed through cooperation.

There are arguments for off-the-peg and bespoke solutions to policy documents. Given the financial and expert limitations of some organisations many off-the-peg policies are pirated from the Internet. They have advantages in that they can be introduced quickly; they cost little or nothing; no expertise is required and presumably,

they have been tried and tested. But adopting an off-the-peg policy as such would be less successful than one customised for the company by internal negotiation with stakeholders. It is recommended that organisations involve and engage employees in the forming of policies.

Communicating the policy

The policy needs to be communicated to employees. Most organisations post the policy on their intranet and send it by e-mail to all employees. But if the polices are long, recipients may have little time or inclination to read them. Keeping the policy web page updated is also a problem for most organisations. It is necessary for other forms of communication such as posters and company newsletters to raise its profile to make employees aware of it.

Other communication methods include cascading information through team briefings. This is viewed positively as it is an organisational message and implies management takes the issue seriously. But if the message is poorly delivered, it might imply the organisation is paying lip service to the policy. Awareness raising sessions for a new policy are ineffective unless they are mandatory. They could suffer from being information sessions rather than skills training to equip employees to deal with challenging the issue. Interactive personal training would reinforce the message and the organisation's commitment (see Training in part 2).

Organisations with compulsory interactive sessions, report greater understanding of the policy, the definitions of harassment and bullying, and awareness of preventative measures by their employees.

Where training is voluntary take up varied with often only the converted attending. Some organisations operate internal markets where departments have to pay for employees to do the training. Predictably, in these cases, attendance is low, and it is suggested that the centre needs to pay for the training.

The effectiveness of communicating the policy, briefing and training can be assessed through annual employee surveys. Most organisations state this is an area for further development.

Participants suggest all organisations should review their policies with a view to:

❖ simplifying it using plain English

❖ shortening the document

❖ providing the information in forms suitable for different learning styles (e.g. flowcharts, case studies etc)

❖ pre-screening to determine attendees needs for awareness raising or training programmes

❖ improving the communication of the policy, awareness raising and training.

>> I think a policy needs to be thought provoking. <<

Measuring bullying and harassment

Part 1 emphasised the need to build the business case underpinned by data. In this section the focus is on the gathering and analysis of data to support formal monitoring of the nature and level of harassment and bullying. This can be used to evaluate intervention programmes and the development and review of strategy.

What should be measured?

Specific indicators and the processes for measuring these are considered in this section. Quantifiable data should be collected as part of any effective employee management system. This includes information on complaints, sickness, absence, and on those leaving the organisation. It also includes time spent by those providing support for employees involved in bullying or harassing situations.

Formal complaints:

❖ number, location and demographics regarding the complainant, and the person accused

❖ procedures associated with the complaint in terms of timescales, and the number of people involved and in what capacity. Ideally this should include a measure of time spent by each party so that costs can be tracked

❖ the outcome and follow up actions.

Employee sickness and other absence

Sick notes are notoriously difficult to interpret, but this should be attempted. Patterns of long-term sickness absence need to be examined as an indicator for harassment and bullying, often in the form of stress-related complaints. Obviously, stress has many sources, not just bullying and harassment, but proper analysis would give a clearer picture and meet HSE guidelines on stress.

Early leavers

There are three categories in this area:

❖ those who take early retirement. These need to be categorised carefully to ensure that those relating to bullying and harassment are identified and costed

❖ employees who leave due to bullying and harassment. These can leave without making a complaint and be difficult to identify. But overall patterns of exit can be analysed to discover hot-spots in turnover which may be linked with bullying and harassment. In addition, exit interviews can be conducted

❖ employees who leave due to bullying and harassment but not included in the previous categories. These might be those who have received compensation payments for stress at work, or those who have resigned after making complaints.

Clearly there is crossover between these three groups, but an organisation needs to be clear about their criteria for categorising to achieve successful year on year benchmarking.

Informal complaints

No one participating in the research is collecting information on informal complaints and it is probably unrealistic to do so. But time spent dealing with them by trade union representatives, harassment advisers and EAP specialists could be taken as indicators.

Reports from supporting professionals

Feedback from trade union representatives, EAPs, advice counselling services, and occupational health on the number of employees using their services and the nature of enquiries is suggested. However, individuals are suspicious about revealing confidential information (such as that given to harassment advisers) that may be fed back to the organisation and this is a barrier to the use of support services. Those providing services need to be entirely open about the nature of the communicated information. Where this happens, problems are not reported. Sometimes this data is collected from the agencies or through the employee attitude survey – ideally it should be both.

>> I think we need to measure what we've put in place, what works, what doesn't work and find out why. <<

Training

Assessing the delivery of the training as well as its effect is recommended. The best way of achieving this is by examining other indicators such as the employee survey and sickness/absence rates.

Reports on other initiatives

These should identify what has been done, where delivery has taken place and any measurable outcomes. Like training, their actual effect is likely to be picked up in other indicators.

All the above data can be collated at department or site level by local or central management or HR and the supporting trade unions and other employees. This information is essential for strategists within organisations to help them understand the challenges and identify patterns of achievement.

Other indicators

Whereas the above indicators are measurable, employee attitudes are more difficult to assess, but crucial in detecting harassment and bullying. The better organisations demonstrate that good preventative initiatives have a positive effect on employee attitudes and leads to trust, commitment and higher productivity. The HSE has guidelines for employers to carry out stress risk assessments, which acknowledge bullying and harassment as a source of stress.

How much bullying and harassment is going on?

Asking direct questions such as: 'Have you been bullied or harassed in the last six months?' is a point of contention between organisations involved in the research. Some are reluctant to use the words bullying or harassment in surveys for fear they would be legally bound to act. Instead, they opt for oblique questions that give clues to bullying. For example, 'Have you been isolated or excluded at work?' This approach can technically work as around half those questioned also labelled themselves as bullied or harassed. But by not asking direct questions employees can be prompted to ask why and distrust the organisation's intentions.

Organisations prepared to ask direct questions about bullying found it helpful in a number of ways. Such questions are unambiguous and could be compared against other indicators such as the number of complaints received. Where there is a marked discrepancy in the actual number of complaints shown, surveys provide an empirical argument for reviewing current intervention strategies.

Asking direct questions also gives more hard hitting data for management to use. Using the same survey questions year on year means the data can be compared over a period of time within/between departments and organisation-wide. Direct questions could be seen as encouraging unhappy employees to give answers in retribution. But better organisations welcome the chance to track such data annually and they seem unaware or unperturbed by the legal implications.

The benefits of asking direct questions are persuasive, but it is recommended that advice is sought on the legal status. The current recommendation of providing questions so that organisations can benchmark themselves against others involved in the project is supported.

The effects of training and other initiatives

The benefits of increased trust and commitment of employees to an organisation with a bullying and harassment-free workplace should be measured. This can be done in employee attitude surveys. Questions can be asked to identify possible weak links such as:

❖ how far are employees confident that their manager has the skills and confidence to sort out local disputes?

❖ how often have employees used the services of trade unions, and relevant other support services?

❖ what are the confidence levels in such services?

❖ how many employees know where to find policies relating to harassment and bullying?

❖ how many employees feel able to speak up about these issues to the various relevant parties (trade unions, HR, advisers etc.)?

>> Some people will think about it and change their behaviour... whereas others don't think. <<

- how far do employees trust the organisation to support a fair resolution of harassment and bullying situations?

- would employees raise a formal complaint?

If an organisation reviews its position and weaknesses within the management-support-system model, it can use the results when crafting strategy.

Administration of surveys

Having learnt from experience, many larger organisations use external providers to ensure trust in the confidentiality of findings for participants. Survey question design can be tricky and external specialists were praised by participants. The HSE requirements for stress risk management provide useful impetus for gathering data in this way. Organisations which conduct regular surveys found the data a driver for prioritising change and making the business case for positive action.

Raising expectations

Respondents caution that surveying employees' attitudes and views could raise expectations of positive change. Practitioners recognise that a perceived lack of action could add to employees' frustration, leading to cynicism and low morale. A way of countering this is to include questions on practical issues that could be addressed quickly, such as improved catering or other facilities. This would show positive action whilst the longer term strategies are taking effect.

Pulling the information together

There are many sources of data and the better organisations stressed the need to bring this together to review the strategy. This should be done annually to identify reports of bullying and harassment for coordinated management action as well as tracking long-term trends.

Auditing the policy and strategy at ground level

The use of desk reviews to gather information to monitor and change policy and strategy has already been recommended. Two of the organisations involved in the research are already auditing every department on a three year cycle. Their experience provides some valuable guidelines for the Dignity at Work project, and is presented in Case 1.

The effect of overt monitoring

The openness of data collection and its annual review appear to be an anti-bullying and harassment initiative in itself. Respondents suggest that it sent out a message that negative workplace behaviour was being taken seriously. But like any system, it will only be as strong as its weakest part and if the information gathered is not acted upon, there is potential for backlash.

CASE STUDY ONE

The purpose of the audit is to check compliance with corporate policies on diversity, harassment, discrimination and bullying. This is done through a document review, an inspection of the department and interviews with 10-15 per cent of employees, with a particular emphasis on those from minority groups. This approach proved effective as employees had no doubts about the company's intention to provide a bullying and harassment-free workplace.

The document review is thorough, covering the presence and currency of policy statements in the employee handbook, local diversity self assessment records, demographic data in diversity score cards, investigation notes, disciplinary records, grievances, complaints, exit interviews, sickness and absence figures etc. This allows the auditors to check the self-monitoring of the local site.

The next audit phase is an on-site inspection to ensure high visibility of positive messages such as policies, the absence of demeaning graffiti or literature. These checks, although simple and inexpensive can be a powerful preventative measure for bullying and all forms of harassment. In addition, the inspection identified individuals working in isolation, who represented a higher risk for bullying and harassment.

Finally the audit team interviews employees, particularly those from minority groups, to test awareness of the policies and to discover their perceptions of the working environment and how it could be improved. The findings were then taken as a whole, and reviewed with local managers and representatives.

PREVENTATIVE MEASURES

Prevention is effective in organisations that have zero tolerance to bullying and harassment, and act early before damage is caused either to the individuals concerned or to the organisation.

Effective prevention relies on:

- ❖ good management practice
- ❖ employment practices which take bullying and harassment seriously
- ❖ clear messages at induction
- ❖ the willingness of employees (bystanders, witnesses and colleagues) to challenge behaviour as it happens
- ❖ the physical environment.

Good management practice

How can appropriate management behaviour be encouraged to prevent bullying and harassment? Almost all informants report managers failing in this regard. It is only in the strategic zero tolerance organisations where backing from managers is achieved.

As well as their own behaviour, managers need to be seen to act against incidents of harassment and bullying, and this means being aware of it in the first place. Better organisations have clear definitions and insist that managers deal proactively with incidents as part of informal daily practice. They require managers to meet individual employees weekly or monthly to listen to and pick up on their concerns and take action. While this is time consuming, it is far outweighed by the benefits of avoiding conflicts that may escalate at a later stage. Many of the participants interviewed cite communication breakdown as underpinning problems with bullying and harassment.

Effective organisations have strong informal networking relationships between line managers, HR, trade union representatives and other support employees. These organisations ensure the groups meet frequently and know each other as people as well as by their role functions. This way trust is established which could then be used to placate any incident.

Less frequently mentioned preventative measures are pre-employment screening, induction programmes and peer support.

Pre-employment practices

Informants suggested that open references are difficult to obtain and often only give dates of employment to the future employers. This makes a thorough interview crucial for selection.

As part of positive practices the selection process involves probing candidates' attitudes on the treatment of others. The valuing of work colleagues is seen as essential for all employees. Employers ensure new recruits who do not possess the skills to mediate and diffuse situations would be trained. Communicating the importance and seriousness of people skills sends a clear message to applicants about their new employer.

Induction

For the better organisations, induction is an important opportunity to communicate the culture, values and expectations placed on all employees. It embedded zero tolerance from the start. Bullying and harassment policies might be introduced separately or as part of induction. Research participants perceive prevention as beginning with induction.

In weaker organisations induction is not taken seriously. Individuals have a short basic briefing about the organisation (often its structure and products), and are given copies of the company policies as part of a checklist. They miss the opportunity to instill the anti-bullying and harassment culture and other company values in the mindset of new employees.

>> We have harassment advisers, help lines, independent volunteers, procedures and employee assistance programme providers. <<

Bystander support

Many people observe and know of bullying and harassment of colleagues. If employees recognise their responsibility to challenge unacceptable behaviours, directly or through superiors, then a zero tolerance culture can be achieved. Those behaving badly might be unaware of the distress caused to others, and challenging it before it gets out of hand is a cornerstone to identifying and tackling the problem. Although there are barriers to bystanders speaking up (see part 2), unchallenged behaviour is likely to become normal and accepted.

There are two ways bystanders can be supportive. The recommended option is to expect all employees to challenge behaviour. In reality it is not always safe for people to speak up about harassment and bullying. An alternative is to recruit and train volunteers from across the organisation in peer support and mediation. The volunteers' details are publicised on leaflets and posters, so they can be contacted to defuse situations before they escalate.

While bad behaviour should be tackled at management level, participants constantly point out that bullying often started inadvertently and continued because it remained unchallenged. All parties say that the objective should be to maintain a positive and productive working environment. Peer intervention is highly effective in defusing a situation, and is a role taken by some trade union representatives.

The physical work environment

A number of initiatives seek to improve the physical work space to reduce bullying and harassment. These include changing the working layout of small offices to open plan to reduce the opportunity of covert confrontations. Some organisations identify employees working in isolation where there is potential for intimidation to go unnoticed.

Conversely, there is also a need to have confidential space. Employees such as managers, advisers and trade union representatives need a quiet and private place for discussions. This should not be labelled as a 'problem' area otherwise its use would be limited.

Home workers can experience bullying and harassment through aggressive emails (flame-mail), telephone calls and intimidating home visits. Most email users realise that messages can be printed and used as evidence, so flame mail is decreasing. It is important that physically isolated employees are kept in touch with regularly to ensure they do not suffer bullying and harassment alone and in silence. This could be a valuable role for trade union representatives or advisers.

INTERVENTION MEASURES

The research shows that many individuals and organisations have a strong commitment to resolving bullying and harassment.

Culture change

By far the most sweeping and challenging initiatives are those aimed at culture change. A number of participants come from established organisations which have a history of endemic bullying. The research team is impressed by the resolve with which senior management and specialist teams tackle the issue. This is illustrated in case study two.

>> If you have a line manager who lets things slide, nothing gets done. <<

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This case involved a remote site where, over a number of years, the employees became disaffected, perceiving themselves as an undervalued subsection of the organisation as they had not been consulted over a series of policy decisions. This resulted in employees on the site becoming uncooperative and allowed an element to adopt an intimidating and bullying style which threatened even their line managers. The head office only became aware of the problem when they were investigating a perceived troublemaker, who was actually a lone whistleblower complaining about supervisory and management practices. The organisation was swift to respond once the problem was identified, sending in a senior employee and an experienced member of HR, who between them conducted a large number of interviews in order to find out the underlying causes of the problem.

Over a period of months and with constant consultation with employees, trade union representatives and managers on the ground, problem employees were removed, ineffective line managers retrained or replaced, awareness raising and anti-bullying training was given to all employees. Working conditions generally were eventually improved and brought up to the standard of other sites. Senior managers reinforced their commitment to the remote site by attending many of the training sessions, and by setting up stronger communications links, such as reciprocal visits between head office and site employees.

Employee surveys confirm employees working at the remote site have apparently much higher morale and greater trust in the organisation and its commitment to them. The measure of the effectiveness of this exercise has been reductions in sickness, absence and resignations, increased productivity and a willingness to embrace changing working practices.

Those involved in culture change are trying to alter many of the management and support systems simultaneously. Clearly this is difficult and will take time as people test the new systems, watch for management mistakes and gain trust in their new support. Several organisations suggest doing highly visible and practical changes, such as introducing better uniforms or catering facilities to show their care and commitment. Such changes foster confidence in achieving the harder psychological task of changing the work culture.

These participants also cautioned against short time scales when tackling culture change head on as it could be perceived as a purge, resulting in suspicion and withdrawal of cooperation by employees. A more successful approach is to gain cooperation by communicating the benefits to the workforce. Change brought about in this way is also seen as more sustainable than that imposed by management as it allowed better insight and understanding by all parties.

Advisory services and individual support

Advisory services are mentioned frequently and are fundamental to individual support in tackling bullying and harassment. This advisory role could be undertaken by trade unions or specialist teams. Where they are working effectively they are highly regarded. In the Event Hierarchy (see diagram – page 35), they are active at the stages of informal enquiry, informal complaint and formal complaint, but play different roles in each.

Many organisations find specialist advisers or teams useful in providing information and support to employees on bullying and diversity issues. These advisers are often called Dignity at Work, or bullying and harassment advisers. They are rarely employed full-time in these roles and usually work on a reactive basis (depending on the number of people approaching them), whilst carrying out their normal contractual duties.

Advisers are trained depending on the way the role is interpreted by their organisation. For instance, their duties are variously described as "…to provide informal (or formal as required) unbiased support… to help by using a sounding board, to see what they want," and to offer "more support which could be counselling or listening and trying to help somebody understand what is happening to them". Although their titles suggest an advisory role, there appears to be a considerable overlap between signposting, advisory, listening and counselling roles, with some organisations emphasising the counselling or signposting role almost to the exclusion of offering advice.

This is potentially confusing and unhelpful to people using the service who might expect a more proactive interaction and discussion about the issue. It is important to ensure consistency in the expectations of users of the service as any misalignment could undermine its reputation and future use. This consistency should be straightforward, but is only achieved rarely and needs to be stressed as an area of concern in any guidance offered by the project.

Some participants are concerned about the way advisers are selected. Although it might be difficult to find volunteers, comments about inappropriate advisers demonstrate the importance of proper recruitment. These include: "… the choice of people they have actually used as harassment officers seemed a little strange. They seemed more likely the people who would do the harassing."

Some organisations use a quota system, taking the best people first and then going through volunteers until the quota is achieved. While quotas, such as one volunteer per 50 employees, are helpful in assessing how many advisers are needed, there should be a minimum standard for their selection as in any job vacancy.

>> We developed a system of dignity at work supporters so people could have an informal chat. <<

The need to be accredited through a skills development programme is seen as important. This way volunteers feel they had graduated from training, which added pride in their job. New volunteers appreciated mentoring and buddying by co-volunteers, to discuss situations and offload stress. Those introducing a system for the first time find external agencies help volunteers gain confidence, particularly where they also provide the initial training.

Once advisers have been recruited and trained, they can form a network offering informal support and an opportunity to share experiences with each other. In some cases these networks can be supported by external facilitators.

Advisers use these networks to make suggestions to unions and managers to help diffuse conflicts at an early informal stage.

Employers require data from advisers, but this is contentious. Although advisers are keen to feedback on their activities, they also want to protect the anonymity and confidentiality of employees who use their services.

In general, formal reporting of their activities only involve the number and nature of enquiries, but is valuable information for strategic reviews.

Some organisations do not employ bullying or harassment advisers for fear of signalling a problem. This is uncommon in the research sample, but it may be prevalent, and the project needs to ensure that the benefits of signposters and advisers are made clear.

To sum up, advisory services offer a relatively cost effective means of showing an organisation's commitment to dealing with bullying. But before using these services, organisations must clarify what employees need in the ways of signposting, advice or counselling, and from whom they would like the support. This would allow an appropriate service to be designed to meet the needs of its users. It is another example of the positive outcome of consultation and a strategic approach.

Some organisations ask trade union representatives or HR to undertake advisory positions, whilst others only involve them in formal complaints. There is a need to be clear about roles to avoid turning the situation into a formal complaint too soon, and limiting the opportunity for early intervention. In the better organisations, HR and trade union representatives are able to take on the different roles of adviser, mediator and conflict resolution facilitator.

The impression gained from the focus groups is that some HR and trade union representatives would gain from further training in the role of informal intervention. This training needs to include knowledge of the benefits, and the skills to take action.

In some organisations both HR and trade union representatives appear to have a blind spot about their potential roles in informal intervention.

Awareness raising and training

Training and induction as preventative tools for new recruits has been discussed. These are classic interventions, which give strong messages to employees. They provide the opportunity for employees to explore and increase their understanding of bullying and harassment and how behaviour including their own, could affect colleagues. It is also considered crucial for a supportive working environment. There are a variety of sources from information giving to challenging attitudes, which should be understood by those designing training and induction programmes.

Training which involves just giving information requires minimum interaction with the trainee and provides little opportunity to clarify points they do not understand. This is distinguished from training which has a higher skills base and equips participants with useful skills and knowledge. This might involve understanding the policy and being able to challenge bullying or harassing behaviour, or knowing what and how to react if they find themselves in such a situation.

A further and deeper level of interaction requires attendees to examine their own attitudes and behaviours, which creates a sustainable and preventative bullying and harassment environment. The better organisations recruit individuals who place high priority on employee well being, and also use education sessions to reinforce the message. They allow employees to reflect on their attitudes and evolve with the organisation as it achieves higher levels of understanding and sophistication.

A common pattern amongst non-optimal organisations was for them to doubt whether the level of bullying warranted specific attention. This reflects organisations in the Oblivious stage (Table 2 – page 20). Better organisations seem unconcerned whether anti-bullying and harassment messages are delivered in education training sessions or embedded into other programmes. All agree that training is necessary to sustain early and informal intervention.

Designing and delivering training programmes

A wide range of programmes were discussed with organisations, including feedback of the benefits and drawbacks of bespoke and off-the-peg training. Other methods of training included computer-based systems, face-to-face learning and the use of in-house or external agencies. Each was seen as having its own merits.

Computer-based versus personal delivery

Computer-based systems are seen as offering low cost flexible training and ideal for giving information. But they are less suited where the objective was to win hearts and minds and achieve behavioural change. It gave basic training on the formal policy, but its scope is limited.

Personal training engages employees face-to-face, but are run at set times and take employees away from their normal duties. This is particularly difficult where employees have little flexibility. But the investment in training and educational programmes can be justified in a business case. Little mention is made of the advantages of matching the learning to the individual style and needs of the users, but this is a point that could usefully be explored.

The case has been made to interpret what bullying and harassment behaviours mean locally. This is best explored by participants in a face-to-face setting, ideally by in-house trainers as it communicates the organisation's commitment. It needs to be managed skillfully, as it is an important prelude to gaining ownership of the issues by employees.

The importance of interaction in delivery

Training that failed is linked to lack of interaction and engagement by delegates, with employers using it as an information-giving session rather than being educational. Passive attendance is unlikely to lead to organisational change; instead it is time wasted.

>> It's all about performance management processes. Managers get training on process but little on managing people. <<

Another key problem is the failure to provide concrete examples in training sessions of successful action against bullying and harassment. Confidentiality protocols in some organisations preclude this. In such cases, examples which mirror reality are a substitute. But if the overall impression is one of inaction, examples would not impress.

The better programmes are made more relevant for participants, by using local examples to illustrate the benefits of early intervention and the costs of ignoring situations. The business case needs to make clear to employees that the initiatives are connected to an overarching strategy, leading to better working environments and higher productivity. If accepted, the management support systems model could be used as a framework to show the strength of small interconnected activities.

Part 1 reported that definitions come alive during training. Better organisations see it as an opportunity for employees to test local definitions of bullying and harassment and discuss the boundaries. Training is an important vehicle for helping to develop strategies, to gain ownership, and influence the workplace culture. This is another example of where involving employees in initiatives is as important as the initiative itself in achieving a positive working environment.

Experts and organisation representatives stress the need for role playing, case analysis and practising skills. Developing employees' confidence is seen as paramount. This includes confidence in voicing problems, dealing with them early and having trust in the system if the situation escalates. Of course, the system and appropriate management also need to be in place for this approach to work.

Better organisations do not underestimate the skills needed to conduct such training, especially the interactive and educational elements. They suggest that external training would be preferable to any unconvincing internal training session. Mass training exercises, although expensive, are seen as opportunities not to be wasted, and treated as long term investments.

Training of managers

Training geared solely to policy and formal procedures, which excludes training in informal intervention is highly criticised. Bullying and harassment are best caught early and this is seen as a missed opportunity. Yet informal intervention involves soft skills which can be harder to teach and learn. Nevertheless, better organisations place heavy emphasis on the development of such skills through a variety of ways.

Training managers to deal with informal complaints of bullying and harassment is paramount. Managers need help in listening for problems, which are often subtle, also with finding their own style of effective informal intervention, and dealing with their own behaviour where they are perceived as the harasser or bully. Role play is crucial in building their confidence and testing their skills.

Formal training sessions might be one part of management development, with buddying, mentoring and coaching as additional forms of support. Organisations underestimate the personal challenge of such training for managers and the need to build confidence. There are many reports of ineffective management training with short low interactive sessions. At worst they raise the issues of bullying and harassment, but left managers without either the skills or confidence to deal with them.

The absence of conflict management and mediation training for managers is of concern. Few degree courses do more than teach the basic theory. A desk review of the major supervisory and basic management qualifications in the UK found that courses could be improved by including these two aspects in management training programmes. All training providers should be encouraged to have practice elements in their courses, so that managers can build confidence in undertaking these roles. The same should apply to trade union training.

In-house training

The weight of evidence shows that in-house training is conducted predominantly by HR and/or trade union representatives, some of whom are self-taught. This approach provides greater awareness of the particular problems and local challenges that bullying and harassment presents. It can also create a higher degree of empathy between trainer and delegates, so long as the trainer is well regarded.

Employees within the same organisation are likely to have a shared understanding of what constitutes bullying and harassment. Unfortunately, if unacceptable behaviours have become part of the social norm, employees may actually have low awareness. A fine line exists between customised training and reinforcing bad behaviour which is the local social norm. The selection of trainers and clear objectives for training is crucial. Better organisations use internal employees where possible to show organisational ownership of the problem. Larger organisations often use standardised training materials delivered by local employees.

Using peers to do the training creates an open atmosphere with real engagement by participants. Where the use of external trainers is necessary, the better organisations ensure that senior employees attend all sessions to demonstrate ownership.

Third party delivery

Third parties delivering training programmes come from specialist companies, management, law and academia, and cover all aspects of bullying and harassment. Experts suggest this training is fertile ground for commercial trainers and warn against those offering quick-fix solutions. Participants are most enthusiastic about the more interactive programmes. They especially praise those which involve actors who present real or made up scenarios to spark discussion. These may be too expensive for many organisations, but using visual aids such as T.V and videos could be a useful alternative.

Evaluating training

Evaluation of training took place straight after the session and tended to be limited. Feedback was on the quality of the courses rather than the impact on negative behaviour, or effectiveness in dealing with the issues. This needs to be measured through tracking of attitudes and reports of bullying and harassment in surveys and other indicators.

Attendance issues

The final aspect of training relates to the selection of attendees. Some consider training best directed at managers, supervisors, HR specialists and trade union representatives, whilst others thought it essential for all employees. Interviewees report that voluntary attendance resulted in severely under-subscribed courses; others suggest that compulsory attendance could lead to a backlash, which could affect the atmosphere and results of the course.

No mention is made in the interviews of pre-training strategies to increase buy-in. Communicating the importance, nature and purpose of the course to prospective attendees prior to it taking place should be considered. This could be done directly or via HR, trade union or other representatives. It is recommended that training is mandatory, but it also needs to be worthwhile for participants and supported by management and unions.

Employees using the systems: Improving complaints systems

Bringing a formal complaint changes the dynamics between colleagues. There are risks of retaliation against the complainant by colleagues, who may also be unwilling to give evidence to investigators as they are worried about long term job security. Better organisations seek out formal and informal complaints proactively to be sure no one is working in a negative environment. This contrasts sharply to the majority of other organisations which regard all complaints as a problem.

>> A colleague was told to keep a diary. They had to go through 7-8 months of bullying to get the diary evidence. It put other people off . <<

The Event Hierarchy (Figure 2 – see below) describes the broad stages of complaint resolution. The role of prevention in reducing incidents of negative behaviour was examined earlier. This section focuses on employee action in the 'Intervention Zone' which is underpinned by education, training and awareness raising initiatives already discussed. The 'informal enquiry' stage is where targets are making sense of their situation, and use colleagues, advisers and perhaps HR and trade union representatives. Arguably at such an early stage the situation can be defused through better communication, resting heavily on prevention initiatives. But targets moving up the Event Hierarchy may use the informal complaint system, and possibly proceed to a formal complaint. If the situation reaches legal redress, no one benefits and this is termed the 'failure zone'. Surprisingly, many informants also felt there were few real winners from the formal complaint stage. Avoiding both formal complaints and legal redress would be welcomed by everyone.

The need for targets to have a speedy resolution of negative situations and get back to normal working relationships was understood by both trade union and organisational representatives. They recognise the financial and psychological costs of protracted formal procedures. Both trade union and HR informants report that by the time a formal complaint is made, parties are often in entrenched positions and the possibility of returning to normal is remote. This means early and informal action is core to effective intervention.
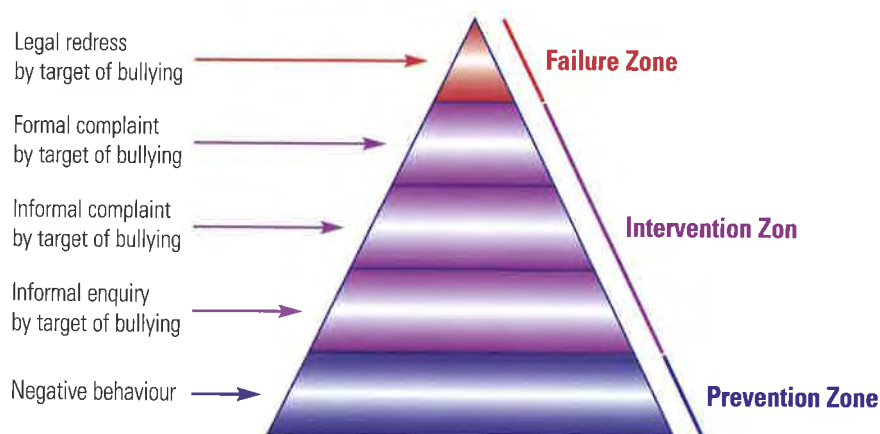
Informal enquiry

The stage of 'informal enquiry' by targets is one of sense-making, when they are trying to understand what is happening. Often phrases like bullying and harassment have not yet been used, but targets are feeling some disquiet or distress about their situation. Bullying and harassment are often a set of small events which singly would not be of concern, but the accumulative effect leads to stress, self-questioning and validation seeking.

A key issue in the sense-making is whether bullying and harassment are occurring. Vague policy definitions, lack of good training and poor awareness contribute to confusion. There is great variation in targets seeking signposting services, or more proactive problem solving through advice. The less trust employees had in the organisation, the less they used the services on offer. The better organisations with a strategy are able to offer a wide range of helpful services.

Those with support roles at the enquiry stage suggest bad communication and confused expectations of managers and colleagues are at the core of 80 per cent of cases. This is echoed by both trade unions and HR. As such supporters could coach either party to clarify, mediate and resolve the problem in an informal way, depending on their role and the organisational strategy. In this way situations did not escalate unnecessarily, and productive work was resumed as soon as possible.

In zero tolerance organisations, colleagues and bystanders would be primed to signpost the advisory services or offer to help themselves, depending on the organisation's strategy. Advisory services in the zero tolerance organisations are found to handle enquiries with skill, tact and discretion, treating enquiries seriously.

FIGURE 2   The Event Hierarchy

Legal redress by target of bullying — **Failure Zone**

Formal complaint by target of bullying

Informal complaint by target of bullying — **Intervention Zon**

Informal enquiry by target of bullying

Negative behaviour — **Prevention Zone**

Actions are underpinned by good networks between HR, unions, and advisory services with trust and open communication between the parties, earning respect from line management. Such relationships took considerable effort to develop with risk taking and trust building. But the end result is a problem-solving forum which shares information (within confidential limits) and ideas for solutions.

Where such positive relations exist it is suggested line managers use them for advice on improving procedures. For example, further input into management training, support of networks, or the provision of more meeting facilities.

Advisers without networks feel they have far fewer resources to offer. Lone advisers believe they are unable to achieve as much as those with networks. Further examination of their situation would be useful.

If asked for support, the response of work colleagues to targets of bullying will depend on their own training, induction and perception of the situation. Where colleagues judge that challenging the aggressor would receive little support, they often recommend the target should adjust or leave. Targets may think from their own observation and stories about previous experiences at work, they will get no help, and make judgements about the situation without asking questions or seeking help. Such scenarios are a strong argument for preventative practices.

Informal complaints

If early attempts at resolution did not succeed then a target may decide to make an informal complaint. For some, this is blocked if they go to HR. Some HR respondents will not deal with informal complaints believing it unethical for the accused not to know who made it or its content. They perceive this as essential for them to deal with the situation. Other HR specialists acknowledge this, but feel the argument for dealing with informal complaints is overwhelming, and this is summarised below:

❖ complaining carries risk, and given that no formal complaint is likely, employees will simply leave. While few constructive dismissal claims have been heard of, this situation could develop

❖ health and safety legislation puts pressure on HR to deal with the stressful situation

❖ they have informal networks and strong relationships which helped them deal with the situation

❖ Better organisations take responsibility, making accusation less personal for the accused.

Advisers suggest the complainant try to resolve the situation directly with the perpetrator, but this can be hard for all parties. Any organisation which expects this to happen before acting is effectively asking employees to leave or withdraw their concerns, and potentially harming itself. Instead, it is recommended there are mechanisms for everyone to make an informal complaint without having to challenge the harasser directly on their own.

In addition, if someone is considering making a complaint, the need to provide evidence is often raised. Complainants are advised to keep a log to record evidence and to allow them to tease apart what actually happened. While this can provide proof, all research informants worry that it risks increasing the trauma. Targets might continually spend the whole time waiting for events to occur to be logged and updated. If others knew of the diary keeping it could lead to ostracising and a worsening situation.

Mediation

Mediation used at the informal stage is viewed positively. Many organisations find it a cost-effective and helpful intervention in the early stages of an informal complaint. It offers a low stress alternative to the formal processes and prevents the polarising of differences between the parties. At best, mediation gives both parties a safe environment to air their problems and find a positive way forward. However, this depends on the skills and perceived neutrality of the mediator. Given the real potential for resolution by mediation, it would be unfortunate if it is jeopardised by a weak mediator. Some organisations recognise this risk and as a result either train their own employees properly, or use outside facilitators.

External mediators are highly regarded as they usually have effective skills and are seen as neutral. They are also used when employees are very senior to allow confidentiality claims to be more transparent.

It is recommended that mediation skills are part of employee development and training.

Helping targets through complaint processes

It is recommended that all organisations set out roles and who performs them. The following roles were found for the sense-making and informal complaint stages:

❖ signposter – giving information about everyone involved and the policy

❖ adviser – working with someone interactively to understand their situation and what they might do

❖ mediator – undertaking hands-on problem solving with the parties

❖ emotional supporter – providing psychological assistance to the target.

All roles require a sound understanding of policy, adequate training to deal with targets and their own support mechanisms for backup.

Formal complaints

The nature and gravity of formal grievances mean relatively few occur. Where formal complaints are made, they are watched by employees. The organisation is vulnerable at this stage. Problems associated with formal complaints and rumours which abound can undermine the trust and the future use of the system.

There is little criticism of investigators. Most suggestions for improvement concerned the investigative system.

Pleasingly, most informants report that interactions at the formal complaint stage are usually conducted with mutual respect.

Achieving trust

There are many suggestions to improve trust. This includes trust in the objectivity and conduct of the process and the personnel involved. The findings indicate the higher the trust, the lower the stress for all concerned. It is also found that words without action negate trust. Strong trust makes decisions easier for everyone to accept.

Several suggestions reflect good practice in complaint handling, but often appear to be ignored when formal complaints of bullying and harassment are made. These include:

Ensuring continuity of employees

Problems arise if personnel change during a formal complaint as employees new to the situation require updating on often complex issues. If timescales for resolving official complaints are too long, there is a risk that the same personnel may not stay with the case creating difficulties in re-establishing trust. Well-kept notes clearly allow for hand-over but avoiding change is paramount.

Keeping momentum

This is affected by good communication. Breakdowns are often associated with silence, which in turn undermines trust. Ensuring openness and consistency, and tightening up timescales for the formal complaint process is a constant message from respondents.

Timescales

It is common to hear of cases lasting many months or more than a year. It might be tempting to think that the faster a complaint is processed and completed the better the system. But timescales are a balance between the need for speed and adequate time for a thorough process, including selecting investigators, obtaining requested information, and getting final decisions from panels.

Many organisations have fixed timescales and feedback on these vary. Some informants suggest they are necessary or investigations could continue interminably. Others argue that an imposed timescale failed to acknowledge differences in complexity and evidence gathering. The negative effects of delays could be lessened by communication and openness between all involved in the case. Breakdown in communication leads to speculation and mistrust.

A formal complaints manager is recommended, with the brief of overseeing the whole process. This would expedite the process, ensuring that investigators acceptable to all parties are appointed and that information requests were processed as quickly as possible.

>> Informal sounds more trivial and easy, but it should include skilled mediation and be about conflict management. <<

The investigation

Initiatives aimed at improving the investigation are less contentious. Participants' focus is on a greater thoroughness and the independence of the investigation team. The complaints process is compromised if the investigator is perceived to have a vested interest in a particular outcome, or connected to one side or the other. Surprisingly, this factor appears to be often overlooked. Participants suggest using managers from other projects, departments or sites (where these are seen as independent), employing external investigators, or having specialist investigation teams. Greater confidence in the outcome is influenced by the perception that the investigation is fair and thorough.

Those who are called on to provide information to investigators vary, and many organisations are open to receiving evidence from any sources. The need to protect those who have witnessed events from retribution by the alleged harasser, their associates or the organisation was commented on frequently. This comes as a surprise, and it is recommended that such quotes from the study be included in management training programmes. Organisations should be alert to the issue of retribution and ensure it does not happen, and be seen to act if it occurs.

>> The investigators need
to be thorough. <<

Advisory and counselling services make a valuable contribution to the support of individuals during the investigation. Their services need to be available to targets, those accused, those in teams affected by the incidents, and also the investigators. Organisation-wide EAP programmes could fill this role.

Many instances are described where those accused of bullying and harassment find little support. The focus groups contained several people who have experienced this and many who had provided support to such individuals. A danger is that other employees can judge the investigation before its outcome is known, and several people state that being formally accused could terminate a career. All informants are highly sympathetic to such individuals and see this as an area that needs to be addressed.

Finally, investigators need to be properly trained. There are many positive comments about existing training for investigators. Yet training needs to specifically include bullying because of the issues surrounding its definition. As stated before, bullying behaviours can appear to be minor if taken separately; it is the overall pattern which should be investigated. There are incidences of untrained investigators using inappropriate strategies.

Instances of racism or sexism, for example, can be so deeply embedded in the organisation's culture they are hard to attribute to a specific person. In such situations, it is suggested the issues are not about personal complaints. Rather they should be dealt with by examining and changing processes that allow discriminatory practices or bullying and harassment. A strategic team may have a role to play here. But the complainant may have difficulty accepting this as they have just brought an individual complaint. They may find organisational action to be some compensation, but most targets want their bully/harasser to be sanctioned.

Discipline

Inconsistent and inappropriate punishment is the final part of the complaint process that concerns interviewees. Some formal complaints appear to result in dismissal; others in nothing happening; and certain hard-to-replace employees such as 'creatives' seem to be protected from sanction. Industry experts reinforce this observation.

In one particular organisation where disparity is evident, the interviewee feels the disciplinary system is further proof of injustice, leading to discontent within the workforce. Research into the patterns of sanctions used to discipline employees would be a useful area for investigation.

Even if targets win their formal complaint they may be moved, rather than the person who harassed or bullied. This situation appears to becoming less common and some organisations expect whoever is successful to stay in post. This means some harassers in smaller organisations lost their job as another position could not be found. In these circumstances it is felt that reported payoffs are inappropriate. In addition, it appears that references for those found to have bullied or harassed are unaffected. It is recommended that legal advice be

sought with the aim of encouraging employers to report such incidents in references. There are several instances reported where it was found that the person dismissed for bullying had left their previous organisation in identical circumstances.

There is unanimous support for those bringing malicious complaints to be disciplined. Although rare, these situations need to be taken into account when designing systems, and included in policy.

Communication of investigation findings

Releasing the results of the investigation is subject to debate.

Many respondents say that it gets out anyway, whilst others work in organisations with strict confidentiality rules. Frustration occurs when good decisions cannot be disseminated because of confidentiality agreements or regular organisational practices. This leaves an information gap, and lessons learnt not maximised.

AFTER THE EVENT

What happens to employees after a formal complaint? Few interviewees addressed the post-incident phase of bullying and harassment. Trade union representatives in particular say that targets leave the workplace whether or not their complaint is successful. It is refreshing to hear that a number of organisations are challenging this assumption and had introduced ways to help return to a positive and productive working environment. How can this be achieved?

Openness re-emerged as an issue with concerns that excessive secrecy leads to scare-mongering and rumours. For instance, transferring the complainant to another department is seen as punishing the target. Likewise, no one knows whether a sideways or promotional move of the accused indicates the individual concerned is the wronged party, or that bullying is condoned by the organisation. Initiatives in this area concentrate on the possibility for greater openness, or rebuilding damaged relationships.

The more astute organisations recognise the effects of bullying spread beyond the individual to the working group. Consequently, their solution is multi-layered and includes the team. The return to work for any party is taken seriously and managed.

>> We now make a conscious effort to use exit interviews. We also look at staff turnover. <<

Phased return to work

It is agreed that return to work for all parties should ideally be phased. This presents a challenge for inflexible organisations. Others see this as essential for the successful re-integration of the target into the workplace.

Full time return to work sometimes takes many months, starting with limited contact, to lessen the trauma. Interviewees regard this to be a cost-effective approach which retains valuable employees and reassured others.

Back to work issues

At the individual level, counselling both complainant and the accused is recommended to allow them to come to terms with their situation, and to determine how they want to progress. In addition, training in assertiveness, confidence building, interpersonal skills and bullying awareness are suggested as helpful in some cases.

To repair the relationship between individuals, impartial support might be needed such as conciliation services to allow a constructive relationship to evolve.

For the team, group training or team-building exercises are proposed as ways forward. It is suggested that a member of HR and the trade union representative meet with the team prior to the parties returning in order to pave the way. At this meeting the team could be given permissible and necessary information to reduce negative speculation, as part of the return to work process.

The challenge of the law

The law rightly influenced our participants' work practices. Yet there are several areas where legal advice stands in the way of tackling bullying and harassment. Although organisations are not expected to go against this advice, a clearer position is suggested to enable them to tackle the issue. The following is offered as food for thought:

❖ some organisations are told that if they cite bullying and harassment in surveys, then fail to tackle it they will be held liable. This means a major device for tracking the issue is barred

❖ organisations are told if they use EAPs, they are less likely to be held liable, with some viewing them as solutions. While being valuable support to individual employees, they do not solve the problem

❖ HR are reluctant to deal with complaints unless they are formal, for legal reasons, which prevents early and effective interventions

❖ organisations are unwilling to release the results of case investigations apparently on legal grounds, which means positive outcomes cannot be fed back to other employees and an opportunity to show the organisation's commitment is lost.

The above are observations only. But there is a need for organisations to focus more on intervening and preventing bullying and harassment.

Many organisations seem to be more concerned about possible litigation than providing a proactive, flexible approach which cares for employees and resolved issues early.

This study does not consider the benefits of a new law for bullying. But the issue is raised by participants and receives divided opinion. Many union and HR specialists comment that a law would help them communicate a strong message to management. Others say that poor organisations would be unaffected by a law, as seen in issues of equal pay and racism.

CONCLUSION

"Remember at the end of the day that you are dealing with people"

Throughout the research a number of words were repeated time and again: commitment, communication, complacency, consistency, engagement, ownership, recognition, training and trust. Each of these is significant and tells a story about the need for a partnership against bullying.

Successful initiatives need commitment both from the top of an organisation and the wider workforce. Unless the leadership demonstrates zero tolerance to bullying and harassment, it is unlikely that managers and employees will consider the issue to be important.

Policies alone will not secure a harassment-free working environment. Employees need to be involved in creating and implementing initiatives, which lead to ownership both of the problem and their part in the solution.

For effective individual support, there has to be awareness raising and training to enable employees to recognise bullying and harassment behaviour in themselves and others.

Zero tolerance is a straightforward approach with the expectation of civil behaviour consistently applying across the organisation.

No one, whatever their status, would be free from censure if they failed to treat others with dignity and respect. In other words tackling bullying and harassment in the workplace requires a partnership based on trust and a culture that values the individual.

>> If an incident is resolved it is incumbent upon the relevant management team to reintegrate the people involved. <<

Recommendations have been identified in response to key findings in the report. These were presented to the Dignity at Work Partnership steering group for consideration on 30 May 2006.

The following are recommendations made in the report, along with those made by the steering group.

A ZERO TOLERANCE APPROACH

Key to the research findings is a zero tolerance approach. Organisations that adopt this position and accept bullying and harassment as an organisational problem tend to be more effective in the way they handle it.

Recommendation

Both the report and steering group recommend organisations should adopt a zero tolerance approach.

In addition, organisations should determine the appropriate action needed to maintain zero tolerance.

THE BUSINESS CASE

The need for a business case is accepted by all respondents. It is understood that management and employee time spent dealing with the issue needs to be justified both financially and in terms of damage to reputation.

Report recommendation

All anti-bullying and harassment policies should clearly set out the business case for taking action. This should be communicated at all levels in the organisation.

DEFINING BULLYING AND HARASSMENT

There is a need to identify and clarify behaviours associated with bullying and include them in workplace policies. Some policies are often written by individuals or a small working group without any discussion of definitions and their implications. This might mean policies fail to support the ground-level understanding of bullying and undermine intervention or preventative measures.

Steering group recommendations

Organisations should use the label of bullying to describe negative behaviours.

The group also recommends that organisations adopt the phrase 'dignity at work' when describing the positive aspects of creating an environment that combats bullying.

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POLICY ISSUES

Reinforcing the message through communication of policies is seen as far more effective when they have been developed with employees. This is more likely to lead to ownership and value systems that embed a zero tolerance culture.

Employees need to know that a policy exists and how it impacts on their work practices.

Report recommendation

The Dignity at Work project should offer guidance on better practice in policy development.

COMMUNICATION

Many organisations struggle to communicate to employees their policies and how they impact on work practices.

Recommendation

The Dignity at Work project should contribute to improving communication in both induction and policy development.

THE LEADERSHIP ROLE

Leadership is fundamental, especially the behaviour of the top leaders and senior managers. If they are seen to be tackling bullying and harassment, employees are more likely to believe the organisation takes the issue seriously.

Recommendation

Managers should be trained in mediation and conflict resolution skills to perform a preventative role.

Steering group recommendations

Organisations should present the business case for promoting Dignity at Work to senior managers who must be offered individual coaching.

Organisations should select a named member of the board to act as a Dignity at Work advocate. Specific awareness training for board members and other managers should also be adopted.

INTERVENTIONS

A number of options are available to organisations wishing to improve the working environment. But there are no off-the-shelf interventions that suit all.

Report recommendation

The partnership should assist organisations in identifying the best way forward for tackling bullying and harassment.

Steering group recommendation

Organisations should use relevant internal case studies as a reference point for adopting appropriate actions. In partnership with unions, organisations must encourage consultation and involvement with employees so that interventions are effectively designed to meet employee needs.

ADVISORY SERVICES

Advisory services are common and often effective in supporting individuals. Most services are relatively simple to set up and reasonably cheap to run, however the recruitment of suitable advisers needs careful attention as does their training and subsequent support.

Report recommendation

There should be a minimum standard for selecting advisers. Employees who volunteer to become advisers should be accredited through a skills development programme.

Steering group recommendation

Organisations should consider the use of EAPs as a potential source of support for employees, making clear in policy documentation when they can be used.

POST-DISPUTE

Few organisations consider what happens after a dispute occurs, the expectation being that one or both parties could leave the organisation.

Report recommendation

On settlement of a dispute measures should be put in place to allow the reintegration of employees.

TRAINING

Awareness raising programmes and training are important in achieving change. They are particularly valuable in engaging and challenging participants on informal ways to defuse situations. Additional training is required to support managers and build their confidence in dealing with situations early on.

Report recommendation

Training programmes should have an emphasis on informal and early intervention techniques.

Steering group recommendation

Organisations should develop training programmes that are designed for specific groups, as well as mandatory awareness-raising.

COMPLAINTS MANAGER

The process of investigation can increase levels of stress. There is a need to find ways of supporting all parties concerned by communicating clearly the progress of the investigation and ensuring its completion within the given timescales.

Recommendation

It is recommended the adoption of a complaints adviser be considered by organisations as a way of managing the investigation process.

THE ROLE OF HUMAN RESOURCES DEPARTMENTS

Changes in employment law have placed considerable demands on HR departments with greater emphasis placed on being a legal guardian and less on the role of pastoral care.

Report recommendation

The partnership should initiate a review of HR's legal guardian role and its impact on employees.

Steering group recommendations

Organisations should encourage HR to develop better working relations with trade union representatives.

Employers should acknowledge the ineffectiveness of some HR functions and invest in making HR more influential.

HR specialists should be trained in specific skills that promote dignity at work