

Harassment and Bullying at Work Guidance for Staff

The Agency as an equal opportunities employer ensures that it has policies and practices in place to protect staff from harassment, bullying or discrimination and that all staff have equality of treatment in the workplace.

This booklet provides information on what to do if you believe you are being harassed or bullied or if you believe someone else is. It also gives some guidance on checking whether you may be harassing or bullying someone else by your actions.

Even if you have never experienced harassment or bullying, please take the time to read the booklet. All staff have a personal responsibility for ensuring that everyone's dignity is respected in the workplace. This means that your own conduct does not offend others and that you discourage others from harassing or bullying.

The Staff Handbook also contains guidance to staff experiencing bullying or harassment.

What is harassment?

One of the difficulties about harassment is how to define it. There are differing views about what constitutes harassment. But, what really matters is how the person being harassed is affected, not the harasser's intent.

Harassment includes any unwelcome and inappropriate conduct which, whether intentionally or not, creates feelings of unease, humiliation, embarrassment, intimidation or discomfort to the person on the receiving end.

The following are examples of harassment:

- verbal or physical threats or abuse, including explicit, derogatory or stereotyped remarks or statements, which can cause someone to feel intimidated or humiliated;
- displaying or circulating offensive or sexually suggestive material, such as pin-ups or pornography;
- unwelcome attention, overly familiar behaviour, innuendo, mockery or stereotype jokes
- unwarranted, intrusive or persistent questioning about a person's marital status, sexual interests or orientation or similar questions about a person's racial or ethnic origin, including their culture and religion
- suggestions that sexual favours may further a person's career, or that not granting them may adversely affect their career
- offensive behaviour such as leering and rude gestures, touching, grabbing or other unnecessary bodily contact
- physical violence or bullying
- making or sending unwanted, sexually suggestive, hostile or personally intrusive phone calls, e-mails, faxes or letters

Although harassment normally takes the form of repeated actions and incidents, one single incident can also constitute harassment if it is sufficiently serious.

What is bullying?

Bullying is also 'harassment' and is used to describe a threatening or intimidating work environment in which a group of people or an individual may become fearful or intimidated because of the negative or hostile behaviour of another group of people or individual. It is usually persistent, often unpredictable and may be vindictive, cruel or malicious.

However, it can also arise even when a person is unaware of the effect his or her behaviour is having on someone else.

Examples of bullying are:

- verbal abuse, such as shouting or swearing at staff or colleagues either in public or private;
- personal insults;
- belittling or ridiculing a person, or his/her abilities, either in private or in front of others;
- spreading malicious rumours about someone;
- sudden rages or displays of temper against an individual or group, often for trivial reasons;
- subjecting someone to unnecessary excessive or oppressive supervision, monitoring everything they do or being excessively critical of minor things;
- persistent and unjustified criticism;
- setting menial or demeaning tasks which are inappropriate to the job or taking away areas of work responsibilities from an individual for no justifiable reason;
- ignoring or excluding an individual e.g. from social events, team meetings, discussions and collective decisions or planning;
- making threats or inappropriate comments about career prospects or job security.

Customer Service Centres

Erskine House, 68 Queen Street, Edinburgh EH2 4NF, Tel: 0845 607 0161, Fax: 0131 200 3932,
Email: customer.services@ros.gov.uk

9 George Square, Glasgow G2 1DY, Tel: 0845 607 0164, Fax: 0141 306 4424
Email: customer.services@ros.gov.uk

Are you a bully?

It is possible that you are unaware of the effect which your behaviour has on others. For example, do you recognise any of the following:

- do you consider that you are never wrong or that your way of doing a job is always right?
- do you shout at your staff or colleagues to get things done?
- are you sarcastic or patronising to your staff or colleagues?
- do you frequently criticise individuals, sometimes in front of others?
- do you often criticise minor mistakes but fail to give recognition to valuable contributions or good work?
- do you blame others for mistakes in your work area?
- do you refuse requests for leave or time off without giving a valid reason;
- do you ignore a colleague, or spread rumours or malicious gossip?

The effect of harassment or bullying

Harassment or bullying can be one of the most upsetting or humiliating experiences a person can suffer. It can too easily be trivialised. It can lead to increased absenteeism and lack of motivation as a result of emotional stress. It can, therefore, have considerable effects on the efficiency of the work of the team, and on the health and personal well-being of the individual.

Who you can speak to if you are being harassed or bullied

You can speak to the following people for advice:

- **a Contact Officer:** The Agency has two Contact Officers, one in Glasgow and one in Edinburgh. They have been trained to offer advice and discuss your options. They can also accompany you if you want to report the harassment or bullying to a manager. They cannot resolve a complaint as they are only there to discuss your options, but they will offer you support and advice. The service is confidential, though the Contact Officer may have to report instances where there is evidence that serious offences may have been committed.
- **the Welfare Officer**
- **one of the Personnel Advisers**
- **an Equal Opportunities Officer**
- **your Trade Union representative**
- **a line manager OR if the line manager is the one causing the harassment or bullying, someone in a more senior grade.** You can ask that a manager deal with a complaint 'informally'. This does not mean that it will not be taken seriously. What it does mean is that it can be dealt with quickly, without fuss and without the need for formal procedures. This is often the best way to deal with incidents or behaviour which arise because of a lack of sensitivity, misjudged humour or thoughtlessness.
- **a trusted friend or colleague, who could speak on your behalf to any of the above as a first step**

The names and telephone numbers of the Contacts Officers are given below:

Pat Manson — Glasgow

Customer Service Centre, Room G01, Ext. 6436

Sheila Thomson — Edinburgh

MBH2 Complex, Room 041, Ext. 3180

What to do if harassment/bullying continues

- If an individual will not stop the behaviour which you find distressing, or continues to harass or bully you after having agreed to stop you can discuss the next option with the Contact Officer. If you have earlier involved a manager, talk to him or her again and discuss how you would like the matter dealt with. Alternatively, you can contact a Personnel Adviser.
- You may decide to take formal action and write to your manager or Personnel Adviser. Guidance on this is given in the Staff Handbook, Section 5, pages 5.8 and 5.9.

How can I prevent harassment?

As an individual, be aware of the issue and make sure that your own behaviour does not cause offence or misunderstanding.

All line managers have a responsibility to set a good example and to deal promptly and sensitively with complaints of harassment. Full consideration will be given to complaints about conduct which is either deliberately, or likely to be perceived as, harassing or offensive.

What to do if you think someone else is being harassed or bullied

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You should speak to the individual and ask him or her if they find the behaviour a problem. If they do, then you can suggest that they make this clear to the person directly, or speak to a manager or Contact Officer. Offer to accompany him or her if you think that this would be helpful.

False Accusations

Complaints of harassment or bullying will be assumed to have been made in good faith unless there is evidence to the contrary. However, if an accusation of harassment or bullying is shown to be deliberately false and was not a genuine mistake, the Management will consider whether action should be taken against the complainant.

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