



EASTERN HEALTH BOARD
Bord Slainte an Oirthir

POLICY ON
BULLYING/HARASSMENT
AT WORK

It is Eastern Health Board policy that all our employees are free to perform their work in an environment that is free of bullying and harassment.

To ensure that we achieve this key policy objective, this detailed operational policy has been produced in consultation with line management and staff representative organisations.

Bullying and harassment will not be tolerated in our Board, and any breach of this policy will be dealt with under disciplinary procedures. This policy clearly sets out the rights and obligations of all parties, in what is a complex and sensitive area.

Finally, the responsibility to ensure that our work environments are free of bullying and harassment rests with all of us. Accordingly every staff member at every level in our Board should take the time to ensure that the content of this policy document is fully understood.

MARY KELLY
Personnel Officer

January 1999

1. Principles:

The Eastern Health Board recognises the right of everyone to be treated with dignity and respect at work, and is committed to ensuring that all staff members are free to do their work without harassment or bullying. Managers have a particular responsibility to ensure that the proper environment exists in the workplace In this regard.

Bullying or harassment can damage the health and wellbeing of individuals and groups of staff. It can create an environment in the workplace which damages morale and hinders effective work performance. Such behaviour is not acceptable, and may be unlawful.

Bullying or harassment will not be tolerated in the Board.

2. Description:

- **Bullying** can take a number of forms but essentially occurs when a person treats another, on a regular and persistent basis, in an aggressive, intimidatory or derogatory manner, which is perceived by the recipient as offensive, demeaning and/or threatening. The bully, intentionally or unintentionally, misuses the power of their position, knowledge or personality to domineer over or humiliate others.
- **Harassment** is related to bullying but usually involves negative attention to an individual because of factors such as gender, race/ethnicity, religious beliefs, and sexual orientation, among others. Harassment is any such act or conduct which is unwelcome and could reasonably be regarded as offensive, humiliating or intimidating. It is important to note that it is not the intent of the perpetrator that is key in deciding whether harassment has occurred, but whether the behaviour is unacceptable by normal standards.

2.1 Examples of Harassment and Bullying:

- Aggressive behaviour/attitude, including shouting and uncontrolled anger, verbal abuse, offensive language.
- Intimidation, whether physical, psychological or emotional.
- Humiliation, in front of others or in private, including name-calling, ridicule, derogatory jokes or malicious tricks.
- Deliberately ignoring or isolating someone.
- Targeting someone by excessive scrutiny, undermining authority, making impossible demands or persistently refusing reasonable requests.

- Offensive sexual conduct, including, unwelcome physical contact or verbal suggestions, sexually derogatory statements or jokes or the display of pornographic or sexually explicit material in the workplace.

The above is not an exhaustive list - other forms of bullying/harassment may occur.

- 2.2 Managers have a right and responsibility to ensure reasonable behaviour and work performance. Legitimate criticism by a line manager of a staff member's behaviour or performance is not bullying or harassment as long as it is conducted with fairness, courtesy and respect.

Bullying/harassment can be perpetrated by managers, colleagues, subordinates or members of the public.

3. Recognition of effects:

People who are being bullied/harassed may notice the following:

Physiological

- Feeling sick, sweating or shaking
- Stomach/bowel problems
- Loss of energy
- Sleeplessness, tenseness

Psychological

- Anxiety, fear, depression, feeling withdrawn
- Demoralisation, confusion, loss of self confidence, feeling isolated
- Anger, irritability
- Dreading going to work

In a workplace, increased sickness/absenteeism, higher staff turnover, increased industrial relations problems, low morale or reduced efficiency may be signs of a bullying/harassment situation, though they can also arise from other causes. More particularly a tense or unpleasant atmosphere, social isolation, cliques or factions, and a noticeable improvement in atmosphere when a particular individual is not there, are warning signs.

4. What to do if you feel you are being bullied/harassed

- You can talk to friends, family or colleagues for advice. It is important to get support for yourself and not be isolated.
- Recognise clearly what is happening to you. If you are being bullied or harassed it is important to deal with it at an early stage, as the demoralisation resulting from it can make it harder to act as time goes by.
- You can make either an informal or formal approach to your manager or the Personnel Department for advice or action on the situation. Section 5 sets out in detail how you can do that.
- You can talk the situation over in confidence with the Staff Counsellor (Telephone 679 0555 or 679 7477 ext. 2787 or 635 2787) to get support and look at your options.
- You can check with colleagues to see if anyone else is receiving similar treatment.
- You can talk to your Union Representative.
- If possible, you should make it clear to the bully - verbally or in writing - that their behaviour is unwelcome and ask them to stop. (Such an approach needs to be considered carefully.)
- You should keep a written record for future reference, listing dates, times, places, any witnesses to the incident, and how you were affected by it. This can be useful even in clarifying for yourself what is happening.

5. Handling of complaints

Every employee of the Eastern Health Board has a right to work in a safe and healthy working environment. In this context, all staff have a responsibility to their colleagues to ensure that this right is respected.

In so far as bullying violates the rights of staff members to work in such an environment, it is considered to be an extremely serious matter.

Accordingly, all complaints of bullying or harassment will be treated seriously and must be dealt with promptly and sensitively, and with due regard to the rights of both parties.

Depending on the nature and circumstances of the offensive behaviour it may not be necessary to make a formal complaint.

In such circumstances it may be advisable for the recipient to either alert the alleged bully/harasser as to the unwelcome and/or offensive nature of their behaviour and request that it be discontinued, as suggested in section 4, or raise the matter informally with management.

Informal Procedures

In many circumstances formal complaint and investigation may not be required in order to address the concerns of the victim and to ensure that the behaviour complained of ceases. In such circumstances if management are alerted informally it may be sufficient for management to inform the alleged bully/harasser that their behaviour is offensive/intimidating to a particular individual and should be discontinued.

It is not necessary at this stage for management to investigate or decide if bullying or harassment is occurring or not. The approach taken is non-judgemental and the basis of the informal approach is to alert the alleged bully to the effect of their behaviour and to ensure that the alleged bully is aware of its effects. In many cases a bully may not be aware of the effect of their behaviour and often it will be enough to draw to the attention of the alleged bully that their behaviour is felt to be detrimental. In any event attention can be drawn to the Board's policy and the unacceptability of harassment/bullying taking place.

Where an informal complaint has been made, and addressed, the line manager should continue to monitor the situation, to ensure that the situation is resolved, and that there is no backlash or victimisation.

If the informal route fails to resolve the issue, or if it is not considered desirable in the first instance to utilise the informal procedures, a staff member may make a formal complaint. In addition, if a complaint is made on an informal basis, yet the nature of the issues complained of is sufficiently serious, the Board reserves the right to initiate a formal investigation.

Formal Procedures

Where an individual considers that they are the victim of harassment/bullying, and such harassment/bullying is considered to be serious in nature, a staff member has the right to make a formal complaint to management in relation to that issue.

A formal complaint should be made in writing to the staff member's immediate manager or if that is not considered appropriate directly to the Personnel Officer [Appendix I to this policy sets out guidelines for written formal complaints].

Once a formal complaint has been received an independent investigator may be appointed to conduct the investigation.

As part of the investigation process the parties will be interviewed separately and both parties will have the right to be accompanied by a representative.

Clear details of the complaint will be given to the alleged bully/harasser and reasonable time and opportunity will be given for them to respond.

Throughout the investigation process the confidentiality of all parties will be maintained as far as possible. Where specific individuals are named in either the original complaint document or in the alleged bully/harasser's response, the investigator may seek to interview them, or any other witnesses who may be able to assist, when there is conflict of evidence.

Every effort will be made to maintain the confidentiality of such witnesses.

When the investigation is finalised the findings will be communicated to both parties. If bullying or harassment is found to have occurred, appropriate disciplinary sanction will be considered, in the context of existing disciplinary procedures.

If the outcome of the investigation is that the claim is unproven, such circumstances must be managed sensitively in the interest of both parties.

In either of the foregoing situations complainants will have no fear of prejudice regarding their future employment prospects.

If a complaint is considered to have been of a vexatious/malicious nature then disciplinary sanction will be considered.

Prevention:

All staff members have a responsibility to ensure that the workplace is free from harassment and bullying. Managers and supervisors have a particular responsibility in this matter. Programme Managers/Functional Officers and professional and administrative line managers, including departmental supervisors, should be generally alert to the possibility of such behaviour. They should make themselves familiar with these guidelines and ensure that the staff whom they supervise are in no doubt about the official policy in this regard.

As bullying can at times be unintentional, all staff members should examine their own treatment of other staff members in the light of these guidelines.

Each staff member can contribute to creating a friendly and respectful climate in the workplace. Above all, managers and supervisors should seek, through their own behaviour, attitude and example, to ensure that staff members can carry out their work in a climate of respect.

Good communication should be encouraged in the workplace to allow early identification and resolution of problematic work relationships.

In the event that you feel you have to make a formal complaint, the following guidelines may be used to assist you in setting out your complaint in writing.

Please state:

- Your (the complainant's) name
- Your job title/grade
- Your location
- Name of alleged bully/harasser(s)
- Job title(s)/grade(s)
- Location (s)
- Nature of conduct complained of
- Details
- Timescale
- Incidences (i.e. dates, witnesses, location(s) etc.)
- Effect
- Efforts to resolve (if appropriate)