Bullying and Harassment

Everyone at Serco has the right to be treated respectfully at all times in a workplace free from any kind of bullying, harassment or violence. These behaviours are unacceptable, we will not tolerate them, and we will take action against individuals who behave in this way.

How pervasive is bullying, harassment and violence within the 21st century workplace? Is it an occasional problem or is it endemic? The scope and the scale of the issue differ from country to country and from industry to industry, leading to difficulties in establishing conclusive evidence as to the prevalence of the problem. **Despite official surveys, figures can be misleading as many incidents go unreported or are not acknowledged as valid cases.** The reason for this state-of affairs is two-fold. Firstly, during times of job scarcity and job insecurity, an increasing number of employees are reluctant to draw attention to their problems despite having more legal protection and policies in place than ever before. Secondly, and while not an excuse, certain individuals often have a tendency to overstep boundaries due to a lack of self-awareness. In other words, at what point is an office joke funny and at what point is it a problem?

On the one hand, companies want to provide employees with a fun and joyful work environment, as this can boost workplace morale and increase productivity. On the other hand, it is equally important that individuals understand that some jokes, insinuations, stereotypes, and/ or physical conduct might be interpreted as harassment in the eyes of the law. It goes without saying that not every trivial comment will amount to bullying or harassment; however, work banter can very easily get out of hand and complaints made about such dynamics shouldn't be ignored. Especially, because individuals tend to bully and harass others when they feel that they can get away with it, either because they hold the balance of power or because the organisational culture allows them to do so. Therefore, it doesn't matter what the motive is. What's important is the impact it has on the affected person.

Regardless of one's status within a company, everyone ultimately has a duty-of-care towards all of their fellow employees. While unfortunate, it is perhaps not surprising that certain industries and sectors are more susceptible to workplace bullying or harassment than others. That does not mean, however, that we as society have to adhere to such typecasts. As long as societal stereotypes about the behavioural conduct of certain types of professionals are reinforced and not collectively challenged, it is unreasonable to expect such behaviours and practices to independently change within the corporate environment. It has been said that it takes a whole generation for change to effectively take place; however, in the past 10 years the changes experienced by certain demographic groups has been overwhelming. Within this context, generational differences can often cause a lot of friction as different outlooks and practices are challenged on a variety of levels within an organisation's framework. We can therefore argue that greater equality in the workplace is likely to minimize these types of friction.

No one is excluded from the effects of bullying, harassment and violence in the workplace. Everyone can be affected and everyone can be capable of causing emotional, mental and/or

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Bullying and Harassment

physical distress in others regardless of their status within the company, gender, age, ethnicity, sexual orientation, religion, disability, and/or socioeconomic background. These are multidimensional issues that operate in multiple spaces. Bullying is no longer contained within the immediate physical environment of a workplace, and thus the duty-of care required of and by employees is no longer limited to the officially sanctioned workspace or working hours. Instead, it extends to whenever and wherever an employee is in contact with the external/ virtual environment whilst representing the company. As the following diagrams demonstrate, it is essential that individuals adjust their perspectives to acknowledge that **everyone can affect one individual; equally that one individual can affect everyone.**

- Historically we have come to acknowledge that those in positions of power are more, though not exclusively, likely to cross the boundaries with their subordinates. That does not mean, however, that a director, manager or a supervisor is immune to abuse from their staff and peers.
- The 'Customer is Always Right' has been a guiding principle for many companies over the years. However, sometimes that 'right' is abused, as the complaints expressed by customers can turn into staff harassment. Equally, customers should feel free to voice their complaints without feeling afraid for their physical safety or emotional wellbeing. The

same applies for conduct with external suppliers.
- Even though the majority of victims of sexual harassment in the workplace are women, there is increasing evidence that women also sexually harass men. The only difference, however, is that men are even more reluctant to step forward.
- In instances where employees are operating from the client's site, a company has to make sure that: (1) the client is not abusing their position; and (2) that employees are not mistaken about their rights and responsibilities. Working off-site does not mean that company policies can be switched off.
- When employees are attending an official engagement hosted by a third party, the duty of care is still applicable. These situations can be challenging given that, for example, an employee may be sexually harassed by another guest and vice versa.
- Cyber bullying has become the new method for extended victimization, especially because it is often more about the medium than the message. This type of abuse often occurs around the clock (24/7) and thus employers have become particularly concerned about this new type of workplace threat. With the prevalence of social media, a small disagreement between two individuals in the workplace can ignite quickly as it goes viral across Facebook, catching the attention of the entire company and beyond.
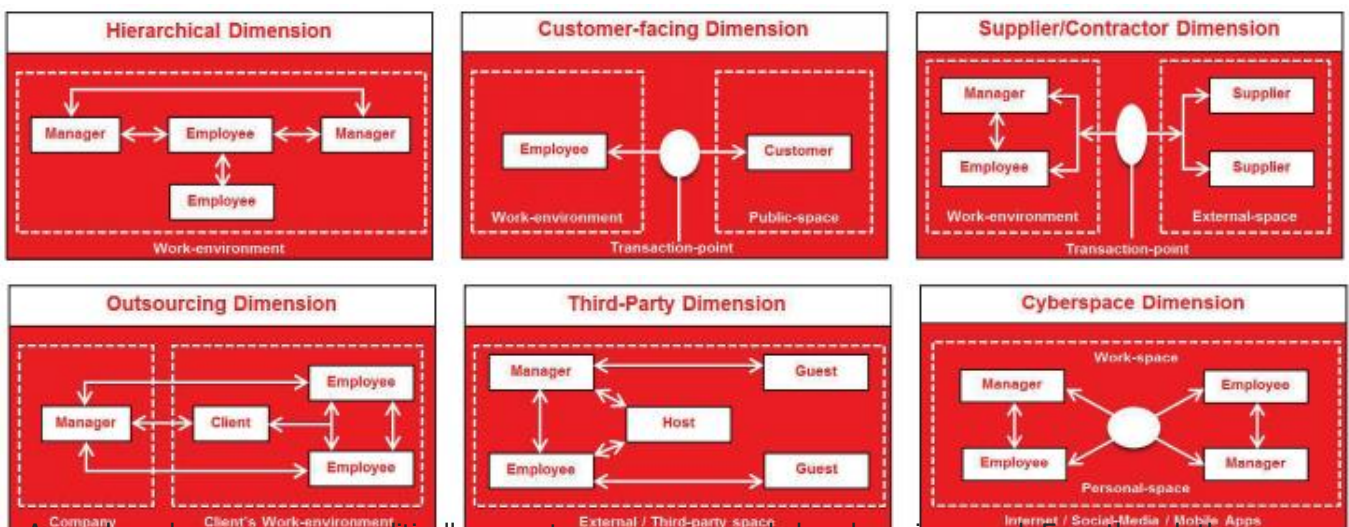
As we have become a more politically correct culture, the standards of behaviour in the

workplace have improved. Even though there may be less highly visible and open conflict across the

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Bullying and Harassment

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workplace, levels of frustration and resentment remain high. This is particularly the case given that many of the workplace conflicts tend to be expressed in a more subtle or indirect fashion. As such, a failure to detect early warning signs and stamp out unwanted behaviour in a timely and appropriate manner can have serious consequences for employers. **Bullying or harassment will not stop by confronting 'old' issues with new countermeasures, as certain outlooks are societal in their origin rather than institutional.** Even with the appropriate legal deterrents in place, these issues will continue to re-emerge given that they are a naturally occurring product of human interaction. Therefore, it is essential that a set of underlying values are established and diffused across institutions so that they can become part of a culture that every employee can use as a first point of reference. Ultimately, all parties involved have to take positive steps to eradicate a culture of bullying, harassment and violence in the workplace. For this approach to succeed, two factors need to be removed from the equation:

Institutionalisation: practices of bullying, harassment and violence can easily be entrenched in the way operations are run. If a certain type of conduct continues to prevail without being challenged, such conduct will not be perceived as 'wrongdoing', but on the contrary will be seen as 'business as usual'.

Internalisation: if the appropriate safety net is not in place via support and corrective measures, the danger arises that victims will internalise the treatment of their bullies as their peers gradually dismantle their self-esteem and physical health. If victims feel alone, isolated and let down by the system, they may begin to think that it is their fault that other people feel inclined to cause them harm and distress.

Even if a company fails to prevent, address and/or remedy the causes and consequences of such an incident, in most cases employees are protected by national laws, which supersede organisational procedures. If and when the only recourse available to an employee is via the legal system, this suggests that the organisation's existing procedures are insufficient, thus carrying risks for both the company and its employees. **Ultimately, prevention and having the appropriate steps in place to avoid the escalation of such incidents is the best remedy.** Left unchecked, incidents of bullying and harassment can quickly lead to victims resigning and/or bringing forward claims for constructive dismissal. By tackling potential incidents at the earliest opportunity, employers can thus avoid potential financial and reputational costs to the business. In addition, a no tolerance policy sends out a positive message to all employees, future applicants, investors, customers and society in general.

Unresolved conflict is highly destructive in any work environment, as it can erode staff morale and productivity which can have an adverse effect on the company as a whole. Therefore, businesses need to face up to this challenge by being both firm and creative in finding solutions to these issues. Managers play a crucial role in determining how bullying, harassment, and violence in the workplace is detected, perceived and subsequently handled.

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Bullying and Harassment

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Additional resources Further Reading

Step 1	Please refer back to Our Code of Conduct.
Step 2	If you would like to know more about Human Rights & Business, the following external links have been selected for your reference:

ACAS – Advisory, Conciliation and Arbitration Service (UK)

ACAS aims to improve organisations and working life through better employment relations. We help with employment relations by supplying up-to-date information, independent advice and high quality training, and working with employers and employees to solve problems and improve performance.

http://www.acas.org.uk/

Bullying UK

Bullying UK has collaborated with HR experts The HR Departments to provide this guide on how employers and employees can tackle workplace bullying.

http://www.bullying.co.uk/bullying-at-work/workplace-bullying/

Committee on Standards in Public Life

The Committee on Standards in Public Life (CSPL) advises the Prime Minister on ethical standards across the whole of public life in England. It monitors and reports on issues relating to the standards of conduct of all public office holders.

https://www.gov.uk/government/organisations/the-committee-on-standards-in-public-life

International Association on Workplace Bullying & Harassment (IAWBH)

IAWBH is a group that seeks to stimulate, generate, integrate and disseminate research and evidence-based practice in the field of workplace bullying and harassment. Through this effort they seek to promote fairness, justice and dignity at work for all.

http://www.iawbh.org

OECD – Organisation for Economic Co-operation and Development

The mission of the OECD is to promote policies that will improve the economic and social well-being of people around the world. Drawing on facts and real-life experience, they recommend policies designed to improve the quality of people's lives.

http://www.oecd.org/employment/

European Agency for Safety and Health at Work

It monitors, collects and analyses scientific findings, statistical information and prevention measures. If you are involved in workplace health and safety, you can use this section to find practical information, guidelines and case studies to help solve a variety of problems.

https://osha.europa.eu/en/practical-solutions/useful-links
https://osha.europa.eu/en/topics/stress

Step 3	Do your own research on the Internet