Leeds University Business School - Research and Innovation Podcast

[00:00:00] **Sam:** Welcome to the Research and Innovation Podcast. I'm Dr Sam Farley from the University of Leeds. And today I'm joined by Julie Dennis, who is head of diversity and inclusion at the Advisory Conciliation and Arbitration Service, also known as ACAS. Julie - welcome.

[00:00:20] **Julie:** Hi Sam. Lovely to be on this podcast today.

[00:00:24] **Sam:** And today we are going to be talking about workplace bullying. So, Julie, I've got a question to start us off, at ACAS you deal and advise with quite a number of different workplace issues. Where does bullying rank in terms of the things that people come to ACAS for advice on?

[00:00:44] **Julie:** That's a really good question, Sam. And historically our 2015 policy paper that we did when we looked into incidents of bullying and harassment, said that we consistently received around 20,000 calls to our helpline a year on bullying harassment. In other words, that's an average about one call in every eight minutes to the helpline. And our helpline is open all year round. Now, what we know now is calls to our helpline have dropped significantly, to about 10,000 a year between April 20,0 and March 2021.

We saw a little bit of an increase this year, and it's probably explained, explained by the amount of people on furlough, et cetera, or people not in work. However, the ACAS guide for employees, that we have on harassment and bullying has received between 15 to 25,000 visits a month during 2021, which actually is a, is a rise.

So when we receive cases via our reconciliation service, they're usually linked to discrimination on a protected characteristic. That'll be that there's, you know, because there's no jurisdiction for bullying. So, you know, the conciliation stuff that we receive in relation to ET claims, the only way someone can complain about bullying is to directly link it to harassment or discrimination related to protected characteristic.

So the types of things we hear where cases usually are linked to discrimination on protected characteristics include, you know, a claimant who believes they were discriminated for racial reasons, meaning not being given opportunity at supervisor's job or excluded or bullied, or they feel that they're being bullied or harassed or victimized due to their race or their faith.

And we also receive complaints of a lack of investigation into bullying. So for example, one claimant, raised a complaint informally about bullying and harassment from a senior partner. And this was never investigated. So, instead they were actually called for a performance management meeting, so they raised an issue and then they were penalized for speaking out.

[00:03:22] **Sam:** I see. And, so when you get these calls through the helpline, do you get a sense of what the main causes of these complaints are? Is it the case, for example, that it's kind of institutional bullying, is it a very negative work environment or is it that there's one person in the workplace that is making everyone's life miserable. Do you get a sense of that? Do you actually investigate the claims?

[00:03:56] **Julie:** So, we don't investigate the claims. You know, our role at ACAS is to be that impartial, independent body. So, you know, we will get either the employee or the employer phoning up for advice on our helpline.

When we're dealing with conciliation our role is to try and negotiate between two parties to try and get them to resolve that dispute rather than going to an employment tribunal. So we don't investigate, however, our research does show that bullying manifests as a low-level negative behaviour, such as rudeness, disregard for others, or treating others with disrespect, but which may not be considered extreme enough to constitute bullying.

However, our research also finds that these negative behaviours often overlap with bullying and when they're left unchecked or unmanaged, they contribute to the creation of cultures and tactically, they, you know, accept bullying.

This research has consistently shown that workplace bullying is most common in environments with poor workplace climates, and it's often it instigated by someone who has more, a more powerful position than the target. So it's frequently directed downwards from a manager or a senior manager to a subordinate.

That's not to say that we don't see examples of bullying happening the other way, but it's normally at this link with power. What we also know is, you know, poor job design, work intensification, job stresses, workplace conflict, job insecurity, cultures, all self-interest, and that institutional power imbalance all have been identified as organizational factors that can underpin and perpetuate work climates conducted to ill treatment and bullying.

So for example, where a job design and work organization leads to high job demands, a low job resources or limited autonomy, for example, through the use of unreasonable workloads or targets or deadlines, then this can correlate with high degrees of work stresses and greater risk of ill-treatment.

[00:06:14] **Sam:** And it, it seems to me, Julie, that ACAS have got their work cut out in a way because, we know from the, the research on it, that there's different forms of bullying. There can be bullying that's related to what you do in your job, kind of work-related bullying where a person might be very, you know, criticized on a, on a regular basis in an unfair manner, or they might be, ostracized from their team when someone's not, whereas the rest of the team aren't being ostracized, but bullying can also be person-related.

So as, as you noted that related to people's backgrounds, their religious characteristics, their racial characteristics, related to maybe what they look like. And there can also be kind of physically intimidating bullying as well. Combined with the fact that, that you mentioned there's these multiple causes of bullying, that there's, you know, the work environment, job characteristics, and so on, but also people differ from each other don't they just naturally.

So some are more dominant than others. Some might be more provocative than others, although that's a bit of a taboo subject. And so I suppose all this combines to make bullying a very difficult problem to manage, because you've got these different types, different causes, which must mean that each bullying situation that comes to ACAS must be very different.

And so I'm interested in what ACAS will do when they step into mediate. Is the mediation often successful? What happens after the mediation and the arbitration has occurred? Do you have some research on that?

[00:08:07] **Julie:** Not necessarily on that. I mean, you know, I think one of the other things just for me to highlight is, you know, when we did our research in 2015, we also found that certain occupational groups or sub-sectors, where instances of bullying was higher. So these included, you know, public sector, ethnic minority workers, or professional associate professionals in management, occupations, or women that worked in traditionally male-dominated occupations. We also found that workers with disabilities or long-term health problems, LGBT, and also workers in healthcare were probably more likely to be subjected to unfair treatment.

But you know, anywhere where pressurized and toxic workplace environments exist, for a wide range of reasons could be a bullying hotspot. I think the other thing as well, what we've found at ACAS in the pandemic, actually we saw a negative impact. So for example, one in three disabled workers said that they'd been treated unfairly during the pandemic and many report that COVID has made things worse.

You know, one in 13 said that they were being subjected to bullying harassment or being ignored or excluded or singled out for criticism or being monitored more excessively at work. And we also know that 20% of workers said that they'd experienced being bullied in the last three years. And that's a 12% increase compared to numbers of cases reported in the three years up to 2019.

And again, this figure's higher in certain sectors, such as retail, transportation, and educational sectors. So, you know, again, and it all comes down to this lack of clarity. Who, you know, as to what bullying is and, and what the job's about and stuff like that. So I think, you know, in terms for us going in and trying to, you know, negotiate or resolve workplace bullying, it's really, you know, in, in that conciliation role it's really difficult.

Cause like I say, we are just there to try and bring both parties together. Although when our senior advisors go into organizations, you know, their role is more to get underneath what is causing that culture. And that could take along work where, you know, a senior advisor will work very closely with senior managers in that organization, but also go and speak to staff and find out what are the underlying causes.

Because sometimes people don't realize that their behaviour actually is coming across as bullying or intimidating, or, you know, that negative behaviour.

[00:10:56] **Sam:** Mm. Mm. And you noted there that, I mean, it's often very difficult with bullying because we don't always have a very clear idea of what it entails.

Some academic research I was aware of recently, found that across Europe, if you look at thousands and thousands of bullying studies, the proportion of people that were kind of subjected to severe bullying, and by this we mean experiencing negative behaviour on a weekly basis, over a prolonged period of time, was 3%.

So 3% of the workforce experience that really severe bullying, but about around kind of 10 to 12 of the working population experience occasional bullying behaviour. And, in this research also suggests

as, as you know from your own research, it occurs more in places like education, healthcare, public administration, the public sector in general.

And there was, there was kind of two main reasons for that. It was suggested in public sectors, people often have a job for life. So it means, you know, when it is often very difficult for, individuals to move jobs, because they don't want to do that. And it's also more difficult for organizations to get rid of people. And, and so the upshot of that is that managers can often kind of seek to bully people out.

The other reason was that in these sectors, the job role by its nature involves more contact with people. So as a nurse or as a teacher, you have to deal with people in your job role, which makes the chances of you having a negative relationship with someone higher.

Whereas in something like manufacturing, your job is more instrumental, perhaps in that there's less dealing with people, but you also noticed in your response there, the pandemic. And I wondered if you could give us a sense of how you think the pandemic has influenced workplace bullying.

Does it occur more online for instance?

[00:13:27] **Julie:** Yeah. And, and again, Sam, that's a really good question because you know, we know because of the pandemic, you know, a lot more people are working from home. So, you know, bullying, harassment can still happen when employers are working from home. For example, through social media emails, phone calls, or online chat. And examples of bullying, harassment, that can happen remotely include, you know, inappropriately stopping someone from coming to meetings or activities, or for putting humiliating, offensive, or threatening comments or photos on social media; putting someone down in a meeting; revealing sensitive, personal information and spreading false rumours.

You know, all of those things are ways that people can bully, you know, online. I think the other thing as well, the difference with home working is you're letting people into your home, whereas before if you were in an office environment and there's other people around, then people can hear what's going off, but if you are working on your own, you are on a Team's call with somebody else and there's no witnesses, you know, it's you against them really isn't it? So you've not got that evidence as much as to if that person's, you know, treating you differently.

What we also know, again at ACAS is, you know, reports, especially around sexual harassment point, that there's been a rise or simply that it's moved into people's homes. So 45% of women reported experiencing harassment online through sexual messages, cyber harassment, and sexual cause. And that's research that the Fawcett Society did in September, 2021.

And they also found that almost a quarter of women who've been sexually harassed, said their harassment had increased or escalated since the start of the pandemic while they were working from home. That research also showed that ethnic minority workers reported higher rates of sexual harassment than white workers over the last 12 months.

We also know from research done by the Rights of Women in January 2021, that nearly one in two women said that they'd experienced sexual harassment at work, and reported to experience some

of it, or all of it online. And 15% of those women who experienced sexual harassment at work did say it increased during COVID.

And nearly one in three women who had reported sexual harassment to their employers said that the process had been negatively impacted by the pandemic. We're also seeing an increase in, you know, working remotely that has seen corresponding increase in female staff, receiving sexist comments about their appearance online in meetings and comments referring to, you know, the wearing of makeup or wearing of more revealing clothing or increased concerns about offensive and sexist jokes.

And in more extreme cases, you know, there's been examples of female staff who've joined Zoom and Team meetings to find male colleagues in the bath or colleagues exposing themselves, which, you know, it's… I'm, you know, I, I just get astounded, you know, when I read research like that, because it's like, you just wouldn't act like that in an office environment. So why do people think it's acceptable to do that when they're working from home?

[00:16:54] **Sam:** Well, I was going to ask the same, Julie. Did the research tell you why there'd been such an increase in this type of behaviour?

[00:17:03] **Julie:** Not really. I think, you know, reading between the lines, I think it's people feel that they're more comfortable don't they, you know, and I think people's behaviour because they are working from home and it is a more relaxing environment.

So, you know, it's, I think what happened during the pandemic, you know, people were like, oh, well… If you're going into the office, isn't it, you have, you know, a lot of us will have work clothes and you'll, you'll get ready and stuff like that. Whereas working from home people think, well, actually I can wear more casual clothes because I'm at home.

But actually it's still about trying to be, you know, you still need to be professional. And especially if you're having Zoom or Team video meetings, you know, you need to be respectful and actually sat there in your pyjamas or a dressing gown, actually isn't acceptable. Because you wouldn't do that in the office.

You wouldn't be, you know, so informal in the, you know, you are at work. So I just, I don't know whether, you know, the people involved realized what they were doing or didn't realize the impact, you know. I mean, I know some we've spoken before, haven't we Sam, about, you know, I truly believe that, you know, most people don't get up in the morning and think, "right, who am I gonna upset today?"

Or "whose life am I gonna make a misery?" You know, most people, when they, they do something, or because they're working in close contact, sometimes they may be stressed at the time so they may snap at someone. They may have their own demands. So I think most people don't intentionally go out to make somebody's life a misery.

So, yeah, it'd be interesting to see that research that was done to see, well, did they actually speak to those individuals and say, you know, "why did you think it was acceptable to do a Teams call sat in the bath?" Or, you know, exposing, you know, what part of you thought that that was okay. That would be really interesting.

[00:19:02] **Sam:** I know from some of the cyber stuff we've done that, I mean, people often feel less evaluated online. So, they pay less attention to their own thoughts and feelings and less attention to the thoughts and feelings of others which might explain, I suppose, why you get so many kind of very rude comments on social media, why sexual harassment maybe goes up online because you feel less evaluated than you do face-to-face.

Julie: I think the other thing I just wanna say, you know, about cyber bullying, and again, you know, a lot of organizations are, you know, adapting but again, at ACAS, to be honest, we'd say the guides around that is the same principles as what you do when people are in the office.

That said, you know, we would advise employers to include guidance on different communication methods. So including social media bullying, discrimination policies, and actually setting out what's clearly, what behaviour is unacceptable. I think you've also got that duty of care for your staff.

Especially if you are an organization where you may have staff that are using social media to promote your organization. Again, what protection are you going to put in place for those staff? Because we know, don't we Sam, that the world out there, the world of Twitter, for example can be really, really toxic.

So making sure that everybody knows what is acceptable and not acceptable, but also what support you will give to your staff. If they, you know, face that unwelcome treatment from customers and stuff like that, even though, you know, there's no legislation around third party harassment, you still have that duty of care to enable your people to work in a safe environment.

Sam: Thank you Julie. I wanted to end with a question on some of the stuff that's been reported in the media about start-ups and companies and particularly thinking about BrewDog who are now coming under some scrutiny. Companies that grow very fast, I suppose, and that are surprised then when staff come out and say they don't like the work environment - It was too pressurized; there was bullying going on; there was maybe sexual harassment going on as well. Now, if you are a very fast-growing organization, what tips would ACAS suggest implementing to try and prevent bullying?

[00:20:21] **Julie:** So at ACAS, you know, the one thing that we talk about is good employment relations are really key here, especially as an organization expands to include middle managers. So it's about that organization needing to make sure that managers are trained. Training is really key, and more generally encourage a positive workplace climate.

So I would also say it's important to understand, you know, what are the stresses on your managers, especially if your organization is growing. And it's good to highlight the importance of healthy, fair relationships throughout the organization to lessen that risk of them feeling over-worked in their role.

And also I'd say to those organizations, you know, don't forget - what are the stresses faced by your staff? You know, it's not just your managers that will be facing those stresses, but will be your staff. You know, those who are overloaded in their role are likely to experience more negative emotions and subsequently display aggression or bullying.

Also, prioritize designing jobs in a way that ensure staff are clear about which actions to take, to fulfill their role and what the demands of their job are, and what they can do if they cannot meet all

of those expectations. Because as we know, our research shows that one of the drivers for inappropriate behaviour/ bullying in the workplace is poor job design.

So again, it's also important to ensure that your staff feel a level of self-management and control all over their working life and actually providing them with that autonomy to decide how, where, and when to work.

[00:22:01] **Sam:** That's a fantastic answer, Julie, and I suppose as well I think it's good to highlight the ACAS website, which has a whole host of resources for organizations and people who are feeling like they are being bullied in the workplace. So if that's of interest, do check that out. Julie, thank you.

[00:23:55] **Julie:** You're welcome Sam. It's been a pleasure.

[00:24:00] **Sam:** Thank you to our listeners. If you want to research anything more about this, you can find details of the ACAS website in the show notes.