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## Bullying and Harassment

### The Definition of Bullying

Whilst there is no statutory definition for bullying, the Industrial Relations Code (a national code of conduct for employers and employees) states that bullying can be viewed as "repeated inappropriate behaviour, which could reasonably be regarded as undermining the individual's right to dignity at work." It can be behaviour ranging from extreme physical violence to less obvious forms such as ignoring someone. Occasional occurrences would not be characterised as bullying unless they were extreme. The CIPD lists behaviours that could be seen as bullying which are;

- Exclusion
- Verbal abuse/insults
- Physical abuse
- Less favourable treatment
- Menacing behaviour intimidation
- Intimidation
- Aggression
- Undermining behaviour

- Humiliation, and
- Withholding work related information

The defining principles are whether or not the behaviour is unacceptable by reasonable or normal standards of behaviour, and whether or not it is unwelcome to the person/people subjected to it. It doesn't matter if the person didn't intend to bully, if the subject is feeling bullied/intimidated/humiliated etc. then they are a victim.

## The Impact

Bullying can have a very bad effect on your employee's health. A victim of bullying will feel unhappy and insecure. They will be hurt and often quite confused as to why this is happening to them. If it isn't dealt with quick enough and an employee becomes the subject of long term bullying then it can leave them with mental health issues such as depression or anxiety. Also, a victim of bullying is more likely to call in sick because they will try to avoid the uncomfortable and upsetting situations at work. Victims are also more likely to leave their job so that they can fully escape the situation and start fresh somewhere new.

Bullying doesn't just affect the people involved; it can also affect you as the employer and your entire work place as well. It can cost organisations time, money, staff turnover, damaged employer brand, disturbed working relationships, and low morale and commitment. Unhappy employees do not work to the best of their ability and the quality of the services you provide in your nursery will fall.

There can also be a legal impact. If an employee feels that they have been bullied and that this has not been dealt with correctly then they could leave and go on to claim against you for constructive dismissal. As an employer you also have the responsibility to provide a safe and secure working environment, if an employee feels that you have not done so it is possible that you could be sued for breach of contract.

## Your Responsibility

As an employer you have a common law duty under the Health and Safety and Welfare Act 2005 to provide an environment which protects the health, safety and welfare of your employees. Do you have a bullying and harassment policy in your workplace? By having a policy in place you have a formal document which can be referenced to if you ever have to deal with an employee making a complaint of this nature, and it also outlines what behaviour will/will not be tolerated.

## Preventing Bullying and Harassment

A good way of dealing with bullying in the work place is to prevent it. If you want to enforce dignity in the workplace then create an environment where the appropriate behaviours are promoted and supported from the start, rather than waiting for bad behaviour to begin before dealing with it. Create a work culture that focuses on strong and healthy relationships between employees with team building exercises or assertiveness training. Promote employees speaking their minds and solving their disputes in a respectful and healthy way. Employees need to know their rights, how to express themselves, how to say no when they feel uncomfortable, that its ok to make mistakes or to say they don't understand, and most importantly, they need to know they can ask for help. A close knit team is less likely to result in employee bullying.

If you have any more questions about the issues raised in this newsletter, or would like to contact us for more specified information or help, then please don't hesitate to contact us here at Hassle Free HR Ltd.

For clarification of any of the above updates or for advice and guidance on any HR and/or Health and Safety Concerns contact us by emailing [hradvice@hasslefreehr.co.uk](mailto:hradvice@hasslefreehr.co.uk) or by calling 02476 664092.

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