



Bullying and Harassment If you're treated unfairly at work

By Roving PMS
December 2020

New employees should read their practice Anti Bullying policy.

We will not tolerate harassment or bullying in this practice.



Being bullied

Bullying is behaviour from a person or group that is unwanted and makes you feel uncomfortable, including feeling:

- frightened ('intimidated')
- less respected or put down ('degraded')
- you're made fun of and it makes you feel uncomfortable ('humiliated')
- upset (insulted or 'offended')

Examples of bullying in the workplace could include:

- someone has spread a false rumour about you
- someone keeps putting you down in meetings
- your boss does not let you go on training courses but they allow everyone else to
- your boss keeps giving you heavier workloads than everyone else
- your team never lets you join social events

The bullying might:

- be a regular pattern of behaviour or a one-off incident
- happen face-to-face, on social media, in emails or phone calls
- happen in the workplace or at work social events
- not always be obvious or noticed by others

When bullying is harassment

By law, it's harassment when bullying or unwanted behaviour is about any of the following (known as 'protected characteristics'):

- age
- disability
- gender reassignment
- pregnancy and maternity
- race
- religion or belief
- sex
- sexual orientation

Pregnancy and maternity are different from the other protected characteristics, in how the law on harassment treats them.

Find out more about harassment at www.acas.org.uk/if-youre-treated-unfairly-at-work/being-harassed

What you can do

In some cases, the person upsetting you might not realise the effect of their actions so you can try talking with them, if you feel you can.

It's a good idea to:

- explain how their behaviour makes you feel
- be firm, not aggressive
- stick to the facts

If you do not feel comfortable talking to the person face-to-face, you could:

- put this in an email
- ask for support from a trade union representative, if you have one

If you do not feel comfortable doing this or the bullying carries on, you should talk with someone at work you feel comfortable with.

This could be:

- your boss
- another manager
- someone in HR
- a counsellor, if your employer provides one
- your trade union or staff representative, if you have one

It's also a good idea to keep a diary or record of the bullying, including:

- how the bullying made you feel
- dates and times it has happened
- any witnesses
- any evidence, for example emails or screenshots of social media posts

If you need to speak to someone talk to your line manager or the practice manager. If the person causing this feeling is one of them then speak to a Practice Partner – particularly if you have one who is identified with overseeing Human Resources matters in the practice.

What your employer must do

Your workplace should have a policy on bullying that says how it should be handled.

Even if there is no policy, your employer has a legal duty of care to protect you while you're at work. This includes dealing with bullying issues.

If you have to leave your job because of severe bullying that your employer did nothing about, you might be able to make a claim to an employment tribunal for constructive dismissal.

Where can you get help? First speak to your line manager if you can. If not speak to a practice partner – there may be one with a responsibility for HR or you can contact your union or Local Medical Committee.

- [Acas helpline](#)
- [Citizens Advice: problems at work](#)
- [Equality and Human Rights Commission \(EHRC\)](#)

Practice Managers can get more information at

ACAS guidelines:

www.acas.org.uk/discrimination-bullying-and-harassment

ACAS guidelines on bullying

archive.acas.org.uk/index.aspx?articleid=3379

Social media and bullying – useful ACAS video

www.youtube.com/watch?time_continue=4&v=5Jx0gEC1hxY&feature=emb_title

NHS Confederation. Tackling bullying in the NHS.

www.nhsemployers.org/retention-and-staff-experience/tackling-bullying-in-the-nhs

The legislation:

Equality Act 2010 www.legislation.gov.uk/ukpga/2010/15/contents

Employment Act 2008 www.legislation.gov.uk/ukpga/2008/24/contents

Other hints and Tips:

Remember to **review your practice policy** regularly. Free templates are available on line at ACAS and CIPD (Chartered Institute of Personnel Management and Development) as well as a sample policy on **Team Net**. It is amongst many other useful policies in the Master Documents section.

Some practice Managers do not feel that HR is their strong area and, in these circumstances, do contact your PCN colleagues for peer **support** or the LMC. Some practices choose to **buy in HR services** to help with such matters, these can be from companies such as Peninsula (www.peninsulagrouplimited.com/services/hr/) or Croner (<https://croner.co.uk/>) or local independent HR providers.

There are many **providers providing different services** and training and the Primary Care Development Centre (PCDC) also offer some helpful training on www.pcdc.org.uk as does Blue stream and so do many law firms offer short employment law webinars. Training does not always have to cost the practice money.

ACAS is always a good place to start. They can offer advice to both employee and employer and they are seen as a bench mark should the matter be escalated to a tribunal.

Always remember to contact the **practice insurers** to see if they will cover any given situation, and then follow the steps that they require to ensure that you are covered. Start this early. If using other outside help, ask if they indemnify their advice.

There is a dedicated Practice Manager Induction item on where you can **get support** here on Team Net.