



PRESENTS



**UNITED AGAINST
WORKPLACE BULLYING**
VIRTUAL CONFERENCE
16-19 NOVEMBER 2020

Conference Report



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Foreword

Our mission is to end workplace bullying through the development of meaningful prevention activities for employers and the implementation of effective routes to redress for employees.

The first United Against Workplace Bullying conference took place virtually during anti-bullying week in the UK to help raise awareness and provide education about workplace bullying. The full programme ran across 4 days and over 40 speakers participated, including the pre-recorded Stories of Courage

The purpose of the conference was to:

- Bring together experts from across the world with businesses
- Open up discussions and raise the profile of the topic
- Share ideas and best practice – what works, what doesn't?
- Share opportunities for collaboration – with experts, cross sector, independent bodies
- Identifying gaps and proposing alternatives for Legislation
- End with a call to action based on the outcomes of the panels and talks

“The conference is not just about what bullying is and the existing processes because actually there's a huge amount out there that tells us that that's not really working, so it's about resolution, it's about collaboration and taking action; it's about how we can do things differently.

We're bringing business leaders together who are representing both large and small businesses and a range of different sectors and industries because we want to tie up the expertise with the people who need it. We want to share best practice, seek new approaches and really find those opportunities to collaborate, align that expertise and start more conversations.”

This report shares a summary of the talks provided by each of our speakers and panels. During the conference, we also heard from those people who were brave enough to share their “Stories of Courage”. Every speaker, and a number of volunteers who provided support in the background, gave their time freely to help raise awareness about workplace bullying, and we owe them all a huge debt of gratitude.



Keynote: Time for Change

Nicki Eyre – Founder and Director of Conduct Change



Our mission is to end workplace bullying through the development of meaningful prevention activities for employers and the implementation of effective routes to redress for employees. Nicki shares her own experiences and how they led her to believe that it was time to challenge current practice and legislation around workplace bullying.

“Across business, social media and society we’ve seen the loss of the ability to have respect for others”.

This lack of empathy compassion and respect has meant that despite companies suggesting they have policies in place to deter bullying i.e., zero tolerance programmes, evidence suggests otherwise – multiple studies showing that bullying in the workplace is still prevalent. This has cascading effects as victims of bullying often must leave their jobs which brings on incredible emotional and financial consequences.

25 years of research supports this, showing the impact this has on individuals but also companies as a whole. Despite this fact we have seen very little change. Therefore, it is clear to see that the existing policies, legislation and approaches taken by businesses is not working. The onus is still on asking individuals to stand up and speak out thus putting the responsibility solely back on them, and the nature of workplace bullying can often make that very difficult. Therefore, clearly more needs to be done.

Nicki described her own experience of workplace bullying and elaborated on how it inspired her on the journey towards creating Conduct Change. Her personal experience with workplace bullying was a life changing process and highlighted the lack of clarity surrounding what workplace bullying was, the trauma it inflicted, the process, as well as a lack of accountability.

She explained the devastating personal impacts it had on her. Physical, psychological and of course financial. She said,

*“It’s taken me years to be back to my original level of confidence”
It’s taken me years to even articulate what form the bullying took...But now I can”.*

Nicki’s own personal journey led to the creation of Conduct Change and a mission to help others. It began by collating cases studies, and she recognised that this often brought back or triggered her own trauma, which meant having to take time out to rebuild and stay strong. Nicki also recognised that the only plausible way to do this was not coming from a place of anger as this only builds more barriers.





Speaking of barriers, Nicki went on to explain that there is no legal definition of bullying in the workplace. Previously, there had been an attempt in 2001 for the Dignity in Work Bill to be passed, but this was not successful. Despite this being 20 years ago, there hasn't really been any more progress.

Therefore, clearly legislation is part of this issue, but the root of the issue

needs to be addressed in businesses too. Therefore, Conduct Change aims to change behaviour in businesses. To change the conduct. We know that bullying behaviours will drive toxic cultures, therefore we can assume that positive, inspiring and compassionate behaviours will drive a culture of care and innovation.

Conduct Change's campaigning and research has been supported by Ambassadors to help spread the word, start conversations and keep the topic alive and relevant. The Advisory Board gives support and helps guide the work in the right direction, and they were heavily involved in the creation of the Statement of Intent.

Statement of Intent

Our mission is to end workplace bullying through the development of meaningful prevention activities for organisations and the implementation of effective routes to redress for individuals.

We aim to achieve this by raising awareness and seeking formal recognition of workplace bullying as a problem that injures individuals and damages organisations. We will work with employers and employees, offering preventative training programmes and packages of advice and support.

The law does not provide sufficient protection or redress for people whose employers let bullying go unchecked, making the process of seeking legal remedy in these cases unduly complex and arduous. We will work with lawyers and legislators to identify and close the gaps in legislation.

Workplace bullying is a problem that calls for collective action, beginning with courageous and open conversations about the impact of bullying on both individuals and organisations. We will work with and support organisations with this common purpose at heart, and we call on business leaders to engage with us to create safer working environments for everyone.



Nicki concluded by setting out the clear intentions related to the conference, and future work.

Not many people realize that there are experts in workplace bullying working in these ways, who are available to help both individuals and businesses. We want to open up opportunities for that expertise to be brought into the business world to help end workplace bullying.

We want to help you open up the discussions and raise the profile of workplace bullying.

We want to share ideas and best practice. We want to help you find out what works and what doesn't, and for businesses to feed back to us about what isn't working, and to ask for help to do something different.

There are opportunities for real collaboration with experts across entire sectors, and potential for creating an independent body of support and help.

We want to help identify gaps in legislation and take it further to propose alternatives.

That's a huge amount of work but what we want to do is have a really clear call to action by the end of this conference based on the outcome of the panels and talks.



Workplace Bullying: Is legislation working?

Jess Rowson - Head of Psychiatric Injury & Director at Oakwood Solicitors

Liam Ryan - Barrister, 7BR

Marian Bloodworth – Kemp Little, and Chair, Employment Lawyers Association

Jenny McCullough – Conduct Change Advisory Board member

Emily Commander - Conduct Change Advisory Board member



Despite strong statements about people being the greatest asset, and zero tolerance of bullying, multiple reports have provided evidence that bullying is still prevalent in workplaces, and that most people who feel bullied experience emotional and financial impact, ending up leaving their jobs and often struggling to work again.

In 2019 the Ben Cohen StandUp Foundation ran a Workplace Bullying Conference with attendees from both academic and practitioner backgrounds. 81% of attendees agreed that we need a specific law against bullying.

In the UK the majority of bullying cases are not upheld internally. A case for bullying itself (rather than harassment) cannot be brought to an employment tribunal. After more than 20 years of research showing that workplace bullying is a real problem, why do so many cases still fail? What can we do differently for both employees and employers?

“Employees are almost twice as likely to have experienced bullying than harassment (not sexual harassment) at work over the past three years (15% versus 8%). Just 4% report experience of sexual harassment.”

CIPD Managing Conflict in the Workplace, January 2020

Emily Commander opened the discussion by explaining the complexity of workplace bullying.

“If you take the protected characteristics out of the equation, bullying becomes very difficult to define and to evidence.”



Many people argue that this test is too subjective and leaves people open to vexatious claims. Therefore, it becomes very challenging to define bullying using robust legal terms that can be applied fairly and consistently across a board.

Emily elaborated that *“in every workplace, tough and uncomfortable situations arise from time to time and it can be very difficult to distinguish between firm performance management and overwhelming abuse of power or behave between healthy debate and constant belittling. However, whilst we may wish to draw a line between these different categories of behaviour, we have to be careful that any legal action doesn't inadvertently make it impossible for people to do their jobs effectively.”*

She explained that considering how damaging bullying is, it is strange that it is not illegal.

“Bullying causes disorder in the workplace and beyond and it is in itself a dispute. It infringes the rights and liberties of its targets.”

So therefore, seems like something that the law should be preventing at all costs. Emily elaborated on the trauma bullying can inflict, not only for the individual but for the organisation.

“If you've ever been targeted by a bully the potential impacts range from embarrassment and distress in the moment right through to unemployment or severe and lasting mental and physical health difficulties, but bullying also has a negative impact on organisations. If someone's being bullied, effectiveness and productivity will almost certainly suffer in the short term.” Emily explained that with her own experience of workplace bullying it would be impossible for her to support her team when she was being publicly undermined on a daily basis. Therefore, it's no surprise that bullying can also result in organisations finding it difficult to recruit or retain the best people for a job.

The trouble with bullying is that most people agree that it's a pattern of behaviour that unfolds over a protracted period of time. Emily then used a quote from Dr Agrawal,

“an insidious process starting barely perceptibly then slowly, slowly wearing the target down, stealing their confidence until finally it ends up by robbing them of their competence and possibly therefore of their job too.”

By the time that the situation has got bad enough to need a legal redress it's too late. The harms that have been done are ingrained and even if the bully is removed from the workplace, it may be difficult for you to remain there because of what's happened which will have polluted your perception of everyone around you.

Emily pondered what the best solution could be, *“I would like to see effective measures to prevent, identify and address bullying considered as an essential part of the duties upon employers to ensure the health, safety and welfare of persons at work.”* There are also problems with this approach, particularly with enforcement. Ensuring the physical safety of workers is achievable through the use of protocols guidelines training and inspection. It's arguably much harder to put in place a framework that will prevent, identify and address bullying which is by its very nature insidious and hidden from view. Emily explained that this represents the practical approach most likely to deliver solution to targets of bullying in a timely fashion before they lose their jobs; and the symbolic power of legislating shouldn't be underestimated.

Emily concluded that, *“Writing a duty for employers to prevent or identify and address bullying within the workplace into the law acknowledges the seriousness of the issue both to our well-being*



Nicki thanked Emily for her knowledge and invited Liam to speak about some of the existing routes, that many people may not be aware of. Liam began with explaining how one of the biggest issues surrounding bullying is the lack of understanding about the psychiatric impact it can have. He explained, *“My personal view is there are ingrained social perceptions of bullying formed by our childhoods and an understanding or at least an inappropriate consideration that people should just get up and get on with it because it isn't that bad.”*

But what are we looking for?

Daniel v Secretary of State for the Home Department
[2014] EWHC 2578 (QB)

Sir Robert Nelson

"for bullying to be established the conduct must be genuinely offensive and unacceptable, examples of which may be intimidating, malicious or insulting behaviour intended to undermine, humiliate or denigrate".

Test is both subjective and objective

Note the interplay in the language, and the PHA 1997

Liam explained that this can cause a great deal of frustration to claimants and a great deal of frustration to Courts. Liam explained that *“once an injury is foreseeable as an employer you’ve got to take steps to stop it from happening.”* Foreseeability is what they know or needed to know about the employee, and an employer is entitled to assume an employee can cope with the normal pressures of the job. However, if the job has not changed but an employee is still struggling within their role, employers should be looking for other reasons why the employee is not able to deal with it.

Hatton v Sutherland [2002] EWCA Civ 76, and foreseeability

7BR

Guideline 4

"Foreseeability depends upon what the employer knows (or ought reasonably to know) about the individual employee...."

An employer is usually entitled to assume that the employee can withstand the normal pressures of the job unless he knows of some particular problem or vulnerability."

Guideline 5 (a)

"The nature and extent of the work done by the employee. Is the workload much more than is normal for the particular job? Is the work particularly intellectually or emotionally demanding for this employee? Are demands being made of this employee unreasonable when compared with the demands made of others in the same or comparable jobs?"

Or are there signs that others doing this job are suffering harmful levels of stress? Is there an abnormal level of sickness or absenteeism in the same job or the same department?"

Guideline 5 (b)

"Signs from the employee of impending harm to health. Has he a particular problem or vulnerability? Has he already suffered from illness attributable to stress at work?"

Have there recently been frequent or prolonged absences which are uncharacteristic of him? Is there reason to think that these are attributable to stress at work, for example because of complaints or warnings from him or others?"

"Do you look at, is the work particularly intellectually or emotionally demanding?" Liam explained "If it's not, then one would suggest you need to look a bit deeper, are there other signs that others doing the job are suffering harmful levels of stress? In bullying cultures, there are other people who are suffering from this. It's very often that bullying is not purely targeted to an individual so you combine those two and you look a bit broader.

Has that person already suffered an illness attributable to stress at work? All four of these guidelines together are requiring an employer to step back, look at the entire situation and actually figure out what's going on with this person."

Guideline 6

The employer is generally entitled to take what he is told by his employee at face value, unless he has good reason to think to the contrary.

He does not generally have to make searching enquiries of the employee or seek permission to make further enquiries of his medical advisers'.

Guideline 7

"To trigger a duty to take steps, the indications of impending harm to health arising from stress at work must be plain enough for any reasonable employer to realise that he should do something about it"

7BR

Liam explained that Guidelines 6 and 7 can be problematic. Guideline six, the employer is generally entitled to take what they're told at face value. They don't need to make fast searching inquiries or delve deeper. An employee is needed to actually be vocal about these things. Employees often aren't able to be because they're being bullied. Therefore, part of change is to use guideline six to your advantage.

It is here that guideline seven can be implemented. The indications of impending harm arising from that stress must clear enough for any reasonable employer to realize. This falls on the employee to be open. Liam explained that fortunately mental health doesn't have the same stigma as it used to. Liam further elaborated, *"As counsel, what we focus on is the evidence and if we can start*



communicating to people that these guidelines have historically been used by defendants to bar people from justice, to actually turn it on its head and use it to your advantage."

From here Liam progressed to the management of Health and Safety at Work regulations. Pre-October 2013, if as an employer you failed to take the required steps and if as a result of failing to take that step, that caused an injury, you were strictly liable; you didn't have a defence. However, the Enterprise and Regulatory Reform Act 2013 destroyed that. Liam explained, *"Negligence is applied, you have to go through all the steps of establishing foresight. You can't simply just rely on the breach of such regulation and the real upshot of it is that these regulations really are nothing more than guidelines in a stress context"*.

Liam continued onto the Tort of Intentional Harm. *"Rhodes sets out that where an act is complained of and it's been done, you need to establish intent of causing physical or psychological harm; you are likely to be able to establish the tort."* Liam continued, *"now every single act of bullying at its core is designed knowingly be it negligently or intentionally to cause harm. Within that context it seems that the Tort of Intentional Harm in most cases is likely to be made out and it might be that we have a 18th century tort that is actually going to be perfectly well placed to deal with the problems of today."*

Liam explained that within the Employment Tribunals within the Equality Act, you are able to claim discrimination. *"You are able to claim damages for discrimination, for personal injury where the personal injury arises from the discrimination. In direct discrimination, you also have harassment which must be hinged on the protected characteristic, where someone seems to violate your dignity, creates a hostile, degrading or humiliating or offensive environment, but this is not really reflective of bullying in the wider context. So, we're left with negligence, which is very poorly defined and needs more refinement."*

Liam concluded, *"you've really only got claims in common law for most claims of bullying. That's negligence, the Tort of Intentional Harm. There's little to no legislative protection due to the way in which the government has legislated. Very high-level bullying could fall into Protection from Harassment Act, but most won't. It is unlikely that one will find in the workplace an employer or a worker frequently threatening another employee with violence and being able to prove that. I know there are cases where it does happen but they are they are not the majority of these cases, so we've been left with a somewhat fluctuating and unpredictable approach."*

"We either repeal or reverse section 69 the Enterprise Regulator Reform Act and all of its changes in whole and bring back strict liability, because once an injury is foreseeable due to bullying, risk assessment, social surveillance isn't carried out, then you're likely to be in breach, or we exclude from the application of that Act cases which apply to workplace bullying. That may well be more balanced. We consider including in the Protection from Harassment Act as a third option, a definition of bullying."

However, Liam expressed that best course of action would be a Workplace Relations Act or a Dignity at Work Act. Define it in statute, expressly place it outside the scope of the Enterprise and Regulatory Reform Act, and also seek to bring in the Tort of Intentional Harm in a statutory format. This creates a more balanced playing field legislatively which is more predictable and easier to apply. Liam continued that *"In the in the context of Conduct Change, change starts with the individual and as I've said in guidelines six and seven of Hatton, the main thing we need to do as people advocating for change is to encourage people where they are believed to be very clear to their employers in raising it so that you get over the issue of foreseeable harm because that really is the stumbling block in these cases."*



Liam then passed over to his colleague, Marian Bloodworth to talk about legal perspectives. Marian began with mentioning the employment tribunals again, she explained, *“What feels like an obvious source of legislative protection is the discrimination framework because it specifically talks about protecting you from harassment at work but as we've seen your claim for harassment there could only succeed if you can link it to a protected characteristic. As we've said quite often, that isn't the case either for you or even for the person who's subjecting you to the treatment, so those claims can't always succeed. If they do, as Liam says, and it has made you physically ill, then you may well be able to bring a personal injury element to your claim for damages but you would have been found by the tribunal to have suffered from something called detriment, and that's action that falls short of dismissal but is nonetheless something that has caused you distress in the workplace and you can get financial compensation for that, albeit it's often not very much, particularly if the tribunal realizes that you're actually still in your job.”*

She continued, *“The other form of redress we talk about when we're looking at the employment tribunal as a source of potential remedy is whether you have, as a result of what's happened to you and the behaviour that your employer has exhibited towards you, a claim for constructive dismissal and it's a really serious claim.”*

Marian continued to explain how the law can be quite strict regarding constructive dismissal. She explained that a fundamental breach must be clear to see. *“Unfortunately, unreasonable behaviour by an employer is not always enough to found a claim for fundamental breach, and so we do see cases where individual applicants will not succeed in these claims and then their resignation is effectively seen as a voluntary resignation and no compensation is payable and they have to go and find another job”*

Marian reiterated Liam's point of change,

“We need some changes to our law if everybody is to feel appropriately both protected, and as an employer that they have the remedies they need in order to bring about change within their own workforce.”

She then continued on to say, *“Sometimes it can be hard internally if you are either raising a grievance or then taking it to the next step, because you have to accept that in many ways you are walking away from a relationship, from a workplace. Everybody always says that making a grievance formalises matters. It's quite often then the start of a process that might end up in one party leaving and it can often be the person who's been bullied because they're suffering psychologically, possibly also physically, and it may well actually be that for them that is the right thing but it still results in them having to leave that workplace rather than change being brought about.”*

She explained that despite the law being strict there are other pathways. For example, if we hear of discriminatory, racially discriminatory behaviour in workplaces, that is something that would suggest that there are not healthy cultures in those workplaces, and that the people who are subjecting staff to that kind of behaviour need to be subject to internal sanction. It may also be that the decision is taken as a regulator that they are not fit and proper to carry on working, and that is now being extended generally throughout financial services to the point where bullying and harassment generally and inappropriate behaviours are very much under the spotlight. So, it is possible that whilst the law may not necessarily always afford the right protections, there will be other drivers for change.



Jenny summarised what they had brought to the conference with,

“Where there's not a discriminatory aspect to bullying, the bar of proving injury seems to me to be too high and too costly for the target of the of the bullying”

She introduced some research on effective legislation that has been seen on a more international scale; particularly Scandinavia and the low countries where the distribution came in first. The general conclusion of the review seems to be *“that laws are needed, but for them to work they need to be backed up by action from regulatory bodies”*. Jenny then provided a recent example from a study from the Netherlands; *“where really what's been done is putting into laws a series of measures that really make policies legal.”* Therefore, there's provision for risk assessment and prevention activities and for occupational health interventions and grievance procedures as well.

This review found that although the presence of legislation itself did have a symbolic value; it really signalled that there was national intolerance of bullying as an issue, that there's recognition of emotional abuse in the workplace as a problem, but the law wasn't really working as well as it should have been.

“It wasn't being backed up with the state really coming in to bring to bear its influence in directing and enforcing the law through a strong agency.” Jenny explained how this was a similar situation to the health and safety executive, *“It does have responsibility for mental health at work and last year issued new guidance and the HSE has said that it will investigate if it receives evidence that a number of staff in a workplace are experiencing work related stress or stress related ill health. So, that in itself sounds like it sends out a message, but there's a question then about resources for input, enforcement, and in the absence of anything explicit in the law, whether that's enough to engage employers to take it seriously. So, of course they're looking at legislation and looking at policy changes.”*

Jenny provided two more examples from Australia and France. Jenny explained that Australia has a Fair Work commission and it's possible to make applications to it for orders to stop bullying if behaviour is repeated and unreasonable and creates a risk to health and safety. There's a resolution process that can end up in in court but legislation was found to be insufficient and ineffective, particularly in relation to the federal regime in Australia as opposed to the law in the states. Despite this, there's a very small proportion of applications that were initially made going ahead and an even smaller proportion resulting in in an order. However, Jenny also added, *“I think from the news that I've been reading, it's a topic that is growing in profile in Australia, that there are there are initiatives particularly at state level.”* She also pointed out the work that Evelyn Field had done at the conference discussing concerted campaigning efforts.

In France there's been a law against moral or psychological harassment since 2002, which carries imprisonment penalties as well as fines. *“There's a landmark trial that has taken 10 years to come to conclusion, an extreme case where the people at the top of France Telecom at the time have been found guilty for the first time of institutional harassment. So, they were found guilty even though the individuals on trial may not necessarily have had any contact with the employees who are affected”*.

Jenny then came to Canada as another place to look. She explained there's a new law that's expected to come into force from 2021 and it makes specific provision about psychological violence and it amends the Labour Code, so again going back to health and safety law. It will require preventative measures, to develop harassment and violence prevention policies and will require employers to carry out risk assessments. In addition to this, there is also a penalty scheme. However, Jenny explained that these penalties may not be particularly *“huge”*. She further added



that “They can go up for repeat offenders but there's also the idea that the employers who don't comply will be publicly named.”

Jenny then looked at transnational efforts and campaigns. “There's a relatively new standard the international labour organisation has introduced and begun to get ratified, the Standard on Violence and Harassment in the Workplace. It doesn't mention bullying, but talks about unacceptable behaviours and practices and that are likely to result in psychological harm. there's the concerted call for safe working environments and consistency in regulating and enforcing. It not only raises awareness of the problem and has the potential to bring people together to campaign, but also to act as a lever for change. Two countries have ratified the treaty, ratified the convention already and the processing has begun in Italy as well.”

Therefore, it is clear to see that workplace bullying is an international issue. Jenny further explained how there is more and more coming to light. “Looking at policy developments and news as well as academic studies, I can see that there are still there are stories coming up daily from all around the world and most recently in Ireland, close to my heart for a lot of reasons because it's Ireland and because the employees involved are employees of Parliament, and it always seems to be the pressure from the media exposure, the risks damaging a reputation and ultimately its finances, that's the crucial factor in changing things.”

Nicki concluded the talk with, “I would very much like to see these discussions continue and to actually have a look at how we can address this and make it much easier for people to get that form of legal redress that they are looking for but also support employers”

She then addressed the panel, “Is that something that you would be interested in continuing the discussion around and helping us put some proposals forward at Conduct Change?”

Liam expressed enthusiastic interest and also added that “if any of your colleagues or any of the delegates who perhaps know people who are going through this, seek help. I cannot express this enough...If you don't take that step, you're not going to get anywhere. If you have a problem with your heart or you can't breathe you go to your general practitioner or you go to A&E. There is no reason why you should look at these things in any different way and I think that what we need to do is to try and create those avenues and corridors to assist people to find the right people and hopefully we can take it forward from there, and if I can keep doing what I'm doing and helping people it'll be a privilege.”

Marian also agreed. “I think the work that the regulators are doing is paving the way for a lot of certainty in the financial services sector for employers to help look at conduct and make changes, and I suspect there will be other regulators. Industry groups, industry bodies who are now finding themselves held to account as well so I do think we could do a two-pronged approach. The law as we've seen is something of a blunt instrument. What matters far more is how people behave every day in their workplaces and that's all about tone from the top. As well, I think if those in senior positions would feel strong enough to call it out and make sure that their colleagues are working in an environment that they're proud of and where they feel the right behaviours are exhibited, that too would help because others would feel more confident about speaking up.”



Starting the conversations - how do we get boards and senior management to talk about bullying?

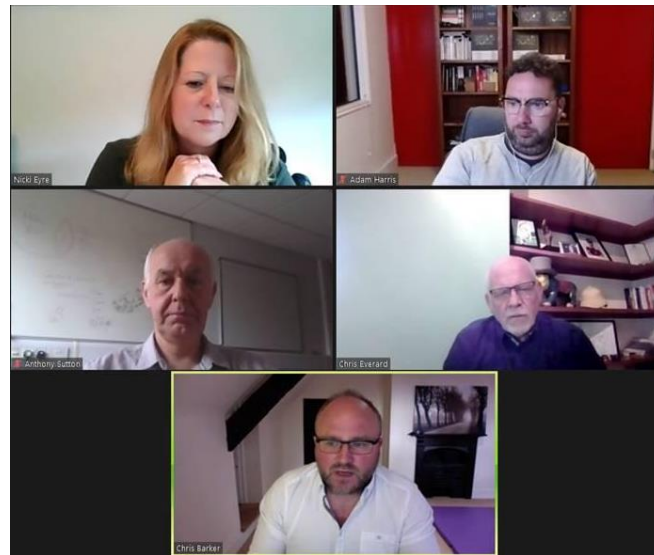
Nicki Eyre – Founder, Conduct Change

Adam Harris - Fresh Mindset

Chris Everard

Chris Barker - Spirit Healthcare

Anthony Sutton - Founder, Cream HR



Workplace bullying is a bigger issue than harassment, causing damage to both individuals and organisations. How do you ask your Board and Senior Management Team to consider bullying as a serious issue that requires constant vigilance and thoughtful monitoring as a standing board-level priority to safeguard and protect an organisation's most critical asset: its people.

What is the need to address this?

After the introductions, Nicki Eyre opened the talk by addressing the need for action:

So, what is the need to get boards talking? What is the need to address this?

The need to address workplace bullying

- The ACAS helpline received around 20,000 calls relating to bullying and harassment in 2015
- 18 million working days lost each year
- The economy-wide impact in 2007 was estimated as £13.75bn

1 in 3 employees state that bullying is an issue in UK companies

- TUC 2015 - nearly a third of people (29%) have been bullied at work
- CIPD 2019 – 27%
- Kew Law 2020 – 31%

In 2015, the ACAS Helpline received around 20,000 calls related to bullying and harassment. Research has shown that this was also on the increase. In addition to this, it is important to acknowledge the fact that this figure is likely inaccurate and worryingly underestimated, as many people do not report the fact that they are being bullied.

ACAS also estimates that 18 million working days are lost each year, and in 2007 estimated an economy wide impact of 13.75 billion that has only increased since.

1 in 3 employees state that bullying is an issue in UK companies. This is supported by the trends of the research. In 2015 the TUC found 29% of employees were bullied at work. CIPD conducted a survey in 2019 which found it to be 27%. Kew Law did another survey in 2020 which demonstrated 31% of employees felt they had been bullied in work. Therefore, this clearly shows a consistent level of workplace bullying.

In organisations, if people are bullied at work and they're being affected, then chances are you've got a huge amount of absenteeism but also presenteeism so people turning in to work and really not being fully functional in their jobs. High staff turnover results in lower organisational performance as well as because of the reduced productivity.



She went on to add that organisational resources add to the expense; management time that is needed to actually cope with running this, so dealing with all the issues, financial penalties compensation, litigation costs. Most importantly, there is a massive breakdown of trust and that is absolutely huge in terms of how it affects staff performance, staff productivity and your reputation in the outside world as well. No matter how much people think that they're keeping things quiet and confidential word gets out.

One of the biggest issues of poor mental health in the workplaces is actually related to bullying and harassment, and it's suggested that up to 40 percent of stress-related absence is due to bullying or harassment. *"Now if the cost to UK businesses was around 46 billion as suggested by Deloitte in their January 2020 report, then there's a potential 18.4-billion-pound savings if we actually address the root of the problem instead of how to deal with mental health issues when they arise so that's absolutely massive."*

The cost of poor mental health

The cost to UK businesses is estimated to be £46bn pa
(Deloitte, Jan 2020)

Research suggests that 40% of stress related absence is due to bullying or harassment

£18.4bn potential savings by addressing the root of the problem: bullying & harassment

When considering staff turnover, remember that people who have witnessed bullying behaviour will also leave. Now it costs at least twice your annual salary to replace an employee and actually if you're working at a higher level or higher skilled it could be up to four times, so the cost for every case of bullying could be between 4 and 8 times the annual salary per bullied employee.

What is stopping people from having conversations about preventing bullying, particularly with boards and directors when there are clearly also financial implications?

Adam explained that ignorance is prevalent. An actual lack of awareness of what's going on. A lack of the right set of skills and materials to deal with the issue of even addressing it. Adam likened the concept to "Opening Pandora's Box". He further emphasised that if an organisation is to address it, they must also address how they will do it and also acknowledging whether or not they actually have the skills and expertise either internally or externally to deal with it and having the foresight to seek that external help if necessary.

Adam also argued that the biggest issue is that it's systematic of the culture within the organisation; embedded from the top down. When you actually look at many Boards, the relationships and the toxic behaviours are the drivers as to how the organisation is run. It's at its core. And when it's at its core, it has a bleeding effect and filters right throughout the organisation.

This however opens the opportunity for external input as well as pushing the importance of governance. External input from non-executives, observers and challengers from organisations like Conduct Change and Fresh Mindset. If organisations are open to this external input this is when you can start having conversations.

Chris Everard then extended Adam's point which was fear was stopping people from lifting the lid off Pandora's Box. Chris explained that business is hard enough when everything is running smoothly. Therefore, instead of looking for issues within the organisation, much of the conversations are dismissed, palmed off and creating a culture of "just get on with it". Perhaps they'll say we'll deal with it if there is a reoccurrence, pushing it down the line, hoping eventually the problem disappears.

He further elaborated that this isn't because people don't care but more of a testament to how difficult running a business and organisation is. And within itself it is a very difficult problem to solve. This is because of the subjective nature of the scenarios. Chris explained that people have different perceptions and opinions of the exact same scenario. He further highlighted that this isn't because people are particularly dishonest but more it's a very difficult thing to try and understand. In other words, there is a lack of clarity surrounding the issue.

Do you think the lack of action by senior leaders and the continuing support of the status quo can be caused by leaders simply being out of their depth in their role and being forced into a position of incompetence and unable to deal with this complex issue?

Anthony Sutton picked this up. It's a requirement of other people's self-awareness to look at yourself. He elaborated that there's very little accountability if you're in the owner manager sector. The consequences for bullying for the CEO or a board of bullies is really limited because they're the people in control, so the challenge is that they can carry on acting with impunity as they wish. So, it's really whether we can educate people to understand the improvements that can really be made. It's through making these conversations more public so more and more people are aware of the fact that there's nothing wrong with admitting your weaknesses.



Chris Barker went on to slightly challenge Anthony's point of there being no accountability. He argued that the owner manager sector more than anyone else in the industry want their organisation to do well. Therefore, there are huge consequences for the business if they don't get it right and they don't allow people to flourish. Chris expanded that there is accountability using the carrot and stick analogy *"...I think there is definitely a carrot that if you get this right then then you can do something really positive for your business and so it's helping leaders, chief execs, directors boards, to understand that. That really is the key for me here."*

Chris Everard then went on to open up about his own experience of being bullied and how it was his own lack of awareness that stopped him from speaking out *"So I think one of the issues that can go back to your question is what could be done about to help employees actually step forward and announce that they're being bullied is actually more awareness of what bullying actually is and how you can identify that you're being bullied"*.

Anthony further supported this point by adding that businesses have to actually be open to those challenges and want to embrace it. It's about building a culture where people do feel comfortable saying what they need to say and creating a framework where you don't victimise someone for making a fair observation or speaking out.

Here Chris Everard challenged the panel with the question **"When does rigor and discipline, drive and persistency and the desire for achievement and success step over the line into bullying?** Chris argued that this was down to expectations set out for the employee and what is expected of the employer. **"What can the employer, the CEO, the managing director really expect from their team and vice versa? What can the team really expect from the managing director?** If there's a fracture in expectations, the fissure opens and rigor, discipline, firmness, accurate and relevant timely feedback can be perceived as being bullied because they don't like to hear what's been said to them sometimes, even though it may be true".

However, it's that ability to challenge in a constructive way that we don't want to lose by saying it's all bullying behaviour.

Adam explained that first you've got the individual. Secondly, you've got the organisation and how they work and operate, but then you take it into an industry or sector. So, one of the things that would be acceptable within or perceived to be acceptable within one sector would absolutely be classed to be completely far end when you go into a new group or a new environment. Some of the things that happen within that part of the culture are part of the DNA and it's been passed down from generations, somebody that has no awareness of that, going into that environment would feel incredibly uncomfortable. Therefore, expectations of both employees and employers must be clear.

Nicki then asked each of the panel **"If you were going to a board right now what would you be asking them to do and what can we help you to do to achieve that?"**

Anthony likened it to how you should have absolutely nothing to hide and asking each member of the board to say how able would they be to do that in the context of what they see happening in the business with regards to bullying.

He further explained that they need to reflect on their own position regarding how they deal with these matters; the concept of holding up a mirror and looking at themselves first, and then actually come back to agree an action plan of what that business needs to do to try and hold itself accountable.



Chris Barker suggested he'd talk about the impacts both on the business and on the individuals- making sure there are individuals on the board not afraid of opening up and making sure that you're vulnerable and being open to feedback and getting it. I think it would be ideal for that to be in a way that's very open and transparent with people giving honest feedback that they have their name attached to."

Chris Everard said that he would ask the board to clearly articulate what they regard as bullying as a real lack of definition is one of the biggest issues faced.

He elaborated *"I would pick a route to get into the heart and soul of the business owner to understand what's really going on in their business"* In other words he would adjust approach depending on the organisation and the business owner.

Adam described using a technique called wargaming and the concept of this is to try and do things before they actually happen so that actually when they do happen, you've gone through the practice and it is not new and uncertain. Adam went onto explain *"So I often go into a board meeting in the last 45 minutes and I always go in with a set of envelopes and in one of those envelopes would be one of the members of the board, and I say [their name] has just been accused of workplace bullying"*. This practice mimics the situation and causes the conversations to be had in anticipation of the real scenarios.

What happens when the bullying is covert and designed to be destructive? Are we doing enough?

Anthony brought it back to Chris' previous point made about helping to educate people about the scope of this and the scale of covert bullying and what really does go on in the workplace. Then as a board put a plan together to build a culture that's far more hostile to that sort of behaviour, if you like, so that it becomes nullified and we can deal with it. Bullying is the biggest problem in the workplace by a long way.

Chris Barker explained that getting people to talk about it and reflecting is what will, in time and with the right actions, lead people to feeling much more comfortable, and indeed better outcomes for people and for businesses.

Adam expressed the need to acknowledge the fact that some organisations are never going to be willing or prepared to address this as an issue. He explained the culture must change from the top down, *"What we need to do is ask the shareholders of the business then dissecting that down to the board of directors and then transcribing that then down into the rest of the organisation."*

He continued that *"I've seen many occasions where organisations they have their mission and they have their value statement and this is the culture that we want, and actually when you just go into the organisation, they're not living those values."* He explained that although we're not where we want to be, it is important that everybody takes ownership and responsibility for getting there so that you are able to create a safe environment for these sorts of conversations. So that wherever they are within the organisation, people feel comfortable, they feel that they can challenge, that they can be 'carefrontational' and that people will feel the empathy and they'll have the understanding that somebody is coming from the right place.



Nicki concluded the talk by explaining when you are able to create that environment and see the impact that it has *“the bottom line goes through the roof but fundamentally, more importantly, the stakeholders that are engaged within that organisation value and they feel valued.”*

Nicki closed with *“I just want to ask one more thing of each and every one of you and will you all commit to taking these conversations to your next meeting with the board whether as a non-exec or your own boards?”* All members of the panel responded with a yes.



What if the prevention of bullying behaviours was at the heart of culture change?

Karl Simons - Chief Health and Safety Officer at Thames Water

Simon Murphy - Founder, Cultureblox

Ina Kjaer – Co-Founder of EOS Deal Advisory

Jenny McCullough – Conduct Change Advisory Board Member

David Howell - Conduct Change Advisory Board Member



Creating a culture of care within an organisation should be at the heart of good business, with value-led behaviours modelled by leaders and embedded throughout the organisation. Effective monitoring of Key Performance Indicators, that can support and enhance the visibility and profile of workplace culture should be a crucial part of your company strategy. Culture is constantly evolving, and every business is at a different point.

Karl opened by explaining that It's very easy to influence behaviour if you get the attitude right. A structural framework that allows representation from many different inclusion groups across the organisation. Karl went on to explain "We're only as successful as an organisation as our partners that work alongside us and I think having a very clear standards and expectations that the supply chain has to tend to is really important".

Karl elaborated on how Thames Water implements these standards through the use of HPI's (health performance indicators). Therefore, anybody bidding for work for Thames Water must comply to these contractual obligations.



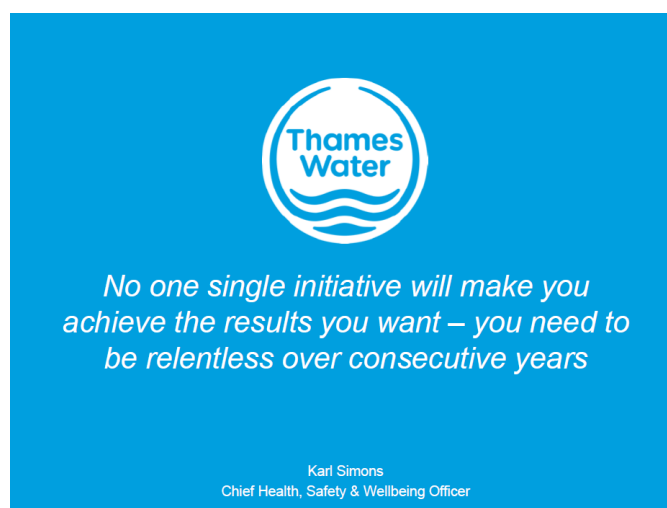
There is a suite of HPIs (health performance indicators) within Thames Water, this allows any organisation working for us or on our behalf to be able to measure themselves at any point in time against the set of performance indicators. This has been picked up by many organisations e.g., Skanska.

Having awareness within an organisation is really important. Karl explained how we look at how they embrace technology to be able to influence awareness raising within the company. Within Thames Water there has been the development of a VR training program that replicates the mental stresses of being bullied.

Karl further argued how workplace bullying should be treated the same way any other workplace illness or injury is. *“If somebody is off work as a result of psychological or physical illness regardless of what's contributed it, but if it's work induced you have a moral and legal obligation to make sure there's a review, there's an investigation, there's learning - to prevent a recurrence”*

Karl also touched on the usefulness of social media as a tool. Karl explained it is very easy to influence behaviour through social media. By keeping it positive it can be used as a catalyst for good. This works well for organisations as the social etiquette within business is everybody is liking what people put in so from a self-esteem perspective it's very powerful in being able to influence culture in a positive way.

Karl acknowledged the fact that you've got to be relentless over consecutive years. He shared his own experience at Thames Water to show how they've actually evolved the company in the right way with all the things that they've actually put in place.



Ina then took over and shared her own experience with how even with a new business, the same problems will be faced.

Ina began by introducing her business, EOS. They believed there was a great opportunity to do something different. Ina highlighted that *“Our industry is notorious for everything bad in terms of culture (very long hours/all-nighters/no diversity). We thought this was a great opportunity to try to change our industry to something that was a more people-centred culture and that we could give an opportunity to people that have left our industry because they couldn't make it fit into their personal lives and then open to new diverse people to be part of it”*

Ina introduced this idea of “Culture Hangover”. This refers to individuals who might be starting fresh in a new company, who bring that hangover from previous jobs and previous experiences they have,



and that's not so easy to let go, even if change is better. Therefore, even a new business struggles to change the culture.

Ina continued to explain that the idea of changing culture is romantic but the reality of it may not be as easy. In other words, the thought of an open and transparent culture at work sounds like a great idea until it asks you too to be open and transparent. The reality is that every employee has to participate. You cannot be waiting for third parties to actually solve your problem; you have to be able to trust the other people in your company. You also have to be very open to feedback because you're only going to grow if you constantly receive feedback which is done nicely and in a polite way, but is that actually constant. The problem here is that people actually don't like the reality of receiving constant feedback.

Next Ina moved onto bullying and how it is very difficult to build this kind of culture. To prevent bullying in an organisation, you have to talk about it very openly and you have to take accountability when you did something wrong. All of us can model bully behaviours at some point even if we don't mean to, but bullying is such a taboo for most people that employees don't want to talk about it because it's uncomfortable, because it's difficult to speak out when you didn't like something, and for somebody else to say I'm really sorry, I didn't mean to, and people to actually move from it and continue their lives. Ina expanded that getting people talking about it and having that taboo at its core is something very important. So, bringing that taboo into the core of our company and trying to speak openly about it is something very important.

Simon began another discussion situating on how organisations are not targeting the right areas of culture. Organisations seem to take this check-list attitude towards culture. Simon said *"when we start to talk to them about culture it's clear that what they're referring to is office space, social events, bean bags, pool tables, cool things that make culture, where we're a cool, nice place to work, which of course is a part of culture but it often seems like the limit of some people's conversations."*

Simon continued and explained how organisations can sometimes take this stance that they've "done it" and no more action is needed. This idea of a value-based culture, for example, once we've decided on our five values and we've got some color-coded posters on the wall with some logos and so on, we've probably built it into an employee appraisal type process, then we've kind of done it. No further action. We have already seen that this does not work and what is needed is a consistent approach to culture.

Therefore, if organisations really want to change the culture, they must understand what is meant by the culture. Simon then went on to give an official definition of what is meant by culture. *"Culture is the aggregate of all of the behaviours that people display, and that those behaviours carry greater influence and have a wider impact the more influential the person is that displays them. That influence may come from seniority; it may come from somewhere else, but when influential people display behaviours and the more repeatedly, they display them, they become the normal. The people follow them, of course, they reject them and leave; someone else comes in; they either leave or they conform to them; and over time they become they become more prevalent."*

When looking at organisations who have built this kind of culture, the next step is moving from these values to actual behaviours. Simon used the value of innovation as an example. He explained that the employees don't really know what it means to them. They use innovation but what does it mean to them? What do I do to be to be innovative? That's where bringing behaviours takes the next step for people to be able to live the value, because they understand the reality.



These behaviours are really important and if they are not defined well or not at all, it creates an unconscious culture. Successful organisations will know what good looks like whether it be in managerial roles or employees as it will be evident in their standards. After this point organisations start to measure culture. Typically, when organisations talk about measuring culture, they talk about measuring employee satisfaction or employee engagement; they're kind of the two big sort of measures that happen and they tend to be survey based - "What do you think of this..." which gives good insights.

The next step or evolution in this is through these types of surveys switching the lens back onto the individual rather than the individual commenting on the organisation, "how regularly do you display the behaviours that we want you to display?". This change in the measurement of culture (to go alongside those employee satisfaction and engagement surveys) is to shine the light back but by giving people feedback on how regularly they display their behaviours, how aligned are they to the culture.

Layered upon that is a set of leadership behaviours that leaders are expected to display behaviours that potentially aren't as applicable to other employees, and from that point each individual then starts to see what their behaviours are and also the impact they have. Often that's a surprise to people; they're often displaying behaviours maybe that they didn't want to or they weren't displaying the good ones as regularly as they thought, and others potentially they thought they were weaker.

This changes the narrative and the measurement of culture from being "I will comment on my organisation" to "I'm now going to be a part of this culture and I'm going to display the right behaviours". Those individual bits of feedback can be aggregated up to help HR teams or whoever else take the right kind of intervention. This allows organisations to target those who need help. Help them with training, with support, with coaching, to help those people bridge that gap. So that really defining what the right behaviours are that bring the values to life; allowing people to understand how well and how consistently they display those behaviours; and then supporting them to display them more - which usually comes down to either a lack of confidence or a lack of skills in those behaviours - and in continuing that cycle of measurement.

Simon referred to Karl's earlier point and wished to reiterate its importance at the end of his own section. *"There is a relentless desire to explain and engage people in the right behaviours and then support them to be able to display them."*

Beginning with "Not every organisation has a great culture and sometimes we find ourselves in these positions", Nicki invited Jenny to speak more on this. She described a report conducted by Dame Laura Cox, who said, ***"that no workplace is immune to bullying but it's a culture of a workplace that allows unacceptable behaviour to be tolerated."***

Jenny also highlighted the importance of the importance of leadership which Dame Laura Cox said was inextricably linked with culture and this is where it is possible to link up with some of the points made above about behaviours. Therefore, the top of the organisation that really sets the tone and leadership that establishes behaviours as the norm that are the culture of the organisation.

How organisations can change and establish healthy cultures and then continue to measure behaviours and monitor behaviours is how bullying is prevented. However, it is very difficult first of all to identify what's going wrong, even years afterwards, and identify the layers, the behaviours and the attitudes that you still can display and can still inform your thinking; that's a really healthy thing to discuss, and also the idea of constant feedback.



Nicki introduced a thought-provoking statement and asked the panel for their thoughts. **“A positive culture is hard to establish but relatively easy to destroy”**

Ina began by explaining that it is down to an organisation's relentlessness. She elaborated that *“if they're relentlessly ignoring the problem then it can destroy a culture very quickly; but if you don't do anything about it either you're never going to solve it.”* Therefore, you must be relentless also in finding the solution.

Simon agreed with the statement, describing it as “inherently true”. He added that humans will remember negative impacts far more than positive impacts in their lives. A Harvard study showed that if you display a negative behaviour towards somebody, you have to display the positive behaviour 19 times before it overrides the one negative. Simon continued to explain that the only way to counteract this is by accepting that building culture is a long-term goal and not to be put off by one bad thing happening.

“There will be backward steps and they will feel bigger than the forward steps but as long as there is a relentless momentum behind supporting people to understand and display the right behaviours consistently, the bad things will be overwhelmed by the good in the end.”

Nicki introduced the next question; **are staff surveys ever useful for determining culture?**

Karl addressed this question. He explained that it is useful if you ask the right questions and you get the right volume of responses. If you solely listen to the vocal minority, you won't get the right outcome that you need. You've got to listen to the silent majority and this requires a survey that most of the organisation will take part in.

The next question was: **How do you agree behaviours with people outside of your organisation?**

Ina began by explaining how her organisation done this by producing their own code of conduct towards their clients and vice versa. Ina explained this as *“How we expect the client to behave and how we expect to behave towards them because we think that's a more positive way of putting up things and starting the conversation so that's what we're aiming to do.”*

Karl also added to this question; he provided a great example from within his own organisation. *“When my members of my team go to work in other external environments and that's where culturally our values shine through. Walking into somewhere knowing what your values are enables us to reach higher and be better and support our customers. It's living those values when we go out into the external environment. So if my developer services team go on to another construction site to actually connect up the water network, because it's a developer, I expect them to walk off that site if culturally that site is operating in an unacceptable way - that's verbally, physically, whatever it may be. If they see something, they are empowered to abort work at that moment in time should they face unacceptable working environments and that comes down to verbal or physical behaviour on sites of others where we don't have direct control over that working environment. Nobody gets in trouble if they walk away and we get examples all the time where people don't feel it's the right environment and they can't uphold the organisations standards and they get patted on the back and this is down to line management again operating in the right way.”*

One final sentence from you each; if you are going to give your top tip to somebody who wants a compassionate culture in their organisation, who wants to prevent bullying, what would that be?

Simon explained the importance of trying to help people understand what behaviours are expected of them and what it means to be a part of a “compassionate culture”. Unless individuals understand



what that is then it's difficult to do it. Simon also addressed the importance of helping individuals understand how well they're doing as well as helping to bridge the gap and unless all three of those elements are in place organisations will not succeed.

Jenny added that *"The essential first step for me if we're trying to change culture is to listen and then to follow that up with action."*

David explained the difference between listening and then understanding as oppose to just listening to report and respond. He explained the need to *"listen to the individual and understand where they're coming from and the context and the perspective that they're coming from."*

Ina added that *"We have a lot of leaders speaking and a lot of employees listening. I think we need the opposite."*

Karl closed this talk by explaining if you're in a leadership position you have to model the behaviours that you would expect others to treat you. He continued, *"If you are responsible for people then you have to model the behaviours because we've all got line managers and what would we expect from our line manager towards us and that does radiate then amongst the employees. High performing teams are only built around trust and integrity and it's all about how we model the behaviours."*



Challenging the Norm – how do you influence behaviour beyond your own business?

Millie Kendall MBE - Beauty Council

Rob Campbell - Corporate Gaslighting

Maggie Brereton - EOS Deal Advisory

Amy Leversidge - FDA Union

Lucy Tallon - Film and TV Charity



Too often, challenges arise outside of the business, but still need a way of being addressed. It could be bullying behaviour from a client or a supplier, or even members of the public, particularly online. Perhaps there are entrenched behaviours within a sector or industry, and it's time for change.

Nicki introduced this talk by explaining how it's important to also be able to influence industries beyond your own, therefore the panel consisted of individuals from different sectors. Millie Kendall from the British Beauty Council, Lucy Tallon from Film and TV, Rob Campbell representing the media industry, Maggie Brereton from deals and Amy Leversidge from the union supporting the civil service.

Millie Kendall began by giving context on the British Beauty Council. She explained that her organisation represents hair and beauty across all services i.e. products, manufacturing, fulfilment etc. She explained that they are relatively new, and act as a sister organisation to the British Fashion Council and prior to them there were little to no advocacy groups. Millie described it as a *"...coordinated organisation working with policymakers and business leaders in the beauty industry."* The aim of the British Beauty Council is to raise the reputation of the beauty industry. Millie explained that there are challenges facing the sector for example, underrepresentation and lack of regulation.

Millie explained the diversity of the industry and the industry is slightly different in the way that people work. 54% of the industry is freelance, and that's in the services sector. She further explained that her organisation is more consumer-facing than the fashion industry. This becomes a challenge as the organisation as diverse as this one is nationwide so it can be difficult pulling everyone together.

Nicki explained that she had connected with Millie following a report by the Victoria Derbyshire show on bullying experienced in the beauty sector. Nicki asked Millie, **"What are some of the**



biggest challenges, and working practices that you think are encouraging bullying behaviours at the moment?”

Millie explained that the report had come about due to the challenge of being an industry which is predominately female and how the public were generally ignorant of female-to-female bullying. Another challenge is that because of the diverse nature of the beauty industry there are a lot of smaller companies who may not have HR departments. So, for those individuals there is no one to turn to. Then on the other hand, even the larger companies who have HR departments face challenges. HR departments tend to have a poor reputation amongst employees and they tend to distrust HR as they believe they will be biased towards the employer.

Another challenge faced is almost the result of the industry’s inclusivity and diversity. Due to the democratic nature of the industry, individuals will be recruited from varying levels of education backgrounds. Therefore, you may have individuals with degrees working at lower-level jobs and individuals in higher positions who started at the bottom. Millie described this as “not quite a level playing field...” and almost sort of a class system. The challenge also arises at executive level due to the diverse nature of the industry; you’ve got individuals who’ve stepped into the role from different levels and areas.

Nicki pointed out that with the diverse nature of the industry you’d expect that those entering in from different areas would bring fresh ideas and be a positive force within the industry in terms of creativity and approach. However, it is clear to see that this is not the case. Millie explained that this is down to communication within the industry as well as previously not being a particularly unified industry.

Nicki asked, ***“In terms of looking at behaviours and potential bullying in the workplace, when you've got such a diverse workforce, what sort of support would you like to see in place? It doesn't have to exist at the moment, but if you could something completely different what would it be?”***

Millie elaborated on how the nature of the industry is complex with all nuances of different jobs. Therefore, it is vital to establish a governing body that is responsible for individuals from different career paths and different level of jobs and having the power to start conversations about tackling this issue. The employee in particular. They must be protected. Millie also suggested there be a legal requirement for employers to establish external links so that employees have somewhere else to go to outside the organisation.

Nicki thanked Millie for her time and asked Rob to continue the talk by explaining his role within the Media industry. Rob clarified his role was based within the commercial creative industry, specifically advertising in culture, fashion, music, technology etc. He explained how the evolution of business has led to the systematic destruction of people's confidence. This was done by stifling creativity in the quest to maximise profits. Rob described this as companies *“selling the value of creativity down the river”*.

Rob manages a successful blog within his industry; he’s used this as a platform to talk about this issue. What he found was many individuals feeling the same way. This led to the creation of Corporate Gaslight. Corporate Gaslight gives people the opportunity to write about their experiences without the risk of being shamed. Rob explained that *“it is in the company's best interest to keep the fear up”* as companies will often make the individual feel they are to blame in order to be perceived as unaccountable. Rob concluded that in his own experience having lived all over the world, that some companies say that their staff is their greatest asset but do not act this way, particularly in the UK and US.



Maggie spoke next, and explained how she and Ina, her cofounder, had left their previous organisation where they were partners on a point of principle because of a cultural issue that was surrounding bullying behaviour. Maggie described it as *“A business well known for its sort of macho culture. It's long hours...deeply entrenched behaviours that come out of that in a very hierarchical system as well.”* Maggie went on to explain how the biggest change that is required to make a difference in the culture is to be open and transparent, although the idea of this is much easier than the reality of it. Everybody talks about having those difficult conversations but may not actually do it and Maggie pointed out the fact that it is this *“...recognition that it does need to change, and that like any other skill you need to train and learn to be able to develop that. And to develop a culture within a business will not just happen because you have your platitudes on a plaque in reception. They will change because it's a real priority and because you're willing to put in the training, and the hard yards, and fall over and fail, and then recognize some of that in yourself, because otherwise if you don't recognize that we are never going to change this.”*

Here Nicki went on to explain the importance of reputation. She explained how too often bullying happens outside the organisation, from a client or another organisation. Nicki then asked Maggie what ideas she had for tackling this issue.

Maggie suggested it's important to start setting that expectation with your clients so that they know that this is what we're trying to achieve, and that actually, this should come from the top down. She further highlighted the importance of changing the subtle behaviours in order to make a difference.

Maggie concluded her piece by explaining how there was a reputational issue for her previous employer after she left as a result of the press. *“Actually, then the regulatory body changed their mind and decided that some of this non-financial behaviour was theirs. That was the change of direction, now it's about continuously moving on that path, and developing a better framework for how you monitor, and actually help, companies get over these problems. Because just constant chastisement isn't going to change anything. That's what drives people underground.”*

Nicki then invited Amy to come and speak about bullying behaviours in the civil service. Amy introduced herself as the Assistant General Secretary at the FDA trade union. This organisation represents senior civil servants, and also represent staff who work in the house of commons. Amy explained that there's been widespread issues with MPs that have been bullying house staff. For a very long time one of the key problems that we experienced was that because MPs aren't employed, they're elected constitutionally, they have their own protections, and it's only the House itself that can expel, or suspend an MP.

There was a policy which Amy described as “dreadful” which left cases where bullying behaviours had been demonstrated up to the MPs' discretion. They were left to regulate their own behaviour. The final option was, if you were an MP and were found to bring the whole house into disrepute, then the MPs could remove you. This can become an issue when there is a risk of MPs going to be biased as they'll want to side with their political allies.

Therefore, clearly there was a need for an independent process. Amy described this as *“One of the most complicated things I've ever done as a trade unionist to try to work out how do you do this, and have enough checks and balances in place to make sure that you're not inadvertently setting up some procedure that could be used in a bad way.”*

Following the #MeToo movement there was a huge push in the press for work practices and accountability. Newsnight in particular did an inquiry into the bullying of clerks. This in turn kickstarted the inquiry led by Dame Laura Cox. Cox had recommended the very things the staff had



been recommending for years. Amy explained that you need the fully independent process; you need the ability to be able to go back and allow people to put in historical complaints where there's been no policy previously.

Amy continued, *"If they didn't implement Dame Laura Cox's recommendations, what other avenues would we have to use? If you can't do it after an inquiry, when are you going to do it? And that was enough to shame some of the MPs to agree to implement the recommendations of Dame Cox's report."*

We had all these proposals, and that went to the House for a vote. Unfortunately, when they put their proposal to have a fully independent process where sanctions and everything would be determined independently, the Leader of the House Jacob Reese Mogg, put in a clause that MPs would be allowed to debate their reports. The final reports that would come with the sanction, that MPs could then debate that because of their constitutional rights. Amy explained how they *"...obviously pointed out that this completely undermines the entire independence, if you're then going to all debate in public while it's being recorded, and heard, possibly by the person who's put in the complaint, and that you're going to debate all these reports, we said that completely undermines fully independent. That's not what Dame Cox had recommended, and, fortunately Chris Bryant, a Labour MP, he put in an amendment to that to take that debate off, and that passed in the House of Commons by a couple of votes."*

She later added, "On the debate we moved it on by having lots of press attention, by keeping going, by continually arguing for the same thing from the very beginning. We were arguing for a fully independent process, and we never veered off of that, and we never accepted anything less.". Nicki thanked Amy and concluded *"...even when other people don't believe that they can be changed, it can take just two believers to keep people on board and keep things going."*

Nicki then invited Lucy to speak. Lucy works at the Film and TV Charity which represents and supports everyone working behind the scenes in film, TV and cinema. Lucy went on to explain that she is Head of Mental Health and Wellbeing so oversaw a piece of research called 'The Looking Glass'. Lucy expressed how she was stunned at the uptake of the survey, with 9,000 participants from an industry of around 200,000 people.

Lucy then explained the worrying findings to the panel. *"Workers in our industry are three times as likely to report having harmed themselves, twice as likely to report having experienced anxiety. They were more likely to experience depression. What was particularly shocking was 50/55% of people in our industry had seriously thought about taking their own lives, and that's compared with the national average of about 20%".*

Lucy continued to research and looked to uncover what was causing these mental health issues amongst those in the industry. She introduced the "Three C's". Conditions, Culture and Capability. Lucy elaborated ***"...under the culture issue bullying was the main thing that kept coming up time and time again. In fact, we found it to be pretty much the primary cause, certainly the primary cultural cause of mental health problems in the industry. 82% have witnessed or experienced bullying"***.

Lucy explained that there's a big loss of people from the industry so it's a very big issue because it's a talent drain, that is what makes the employers sit up and take notice. We found that particularly to be the case with people from ethnic minority backgrounds, where the industry knows that it has a problem, is doing quite a lot of work, spending quite a lot of money trying to get people into the industry, and attracting them, and what we sort of saw was a kind of revolving door effect. They're



attracting them, but they're not doing anything to retain them. They're not moving up into the senior positions.

Lucy opened about the qualitative data she has also collected. She gave the example of *'I'm constantly put down and bullied by my manager who makes my life utterly miserable'*. It was such a constant theme. Lucy explained that there is an issue with the fact that this is perceived as the norm by those within the industry and so it is accepted. There is a narrative of toughness.

Lucy expanded *"Not every industry is for everybody, but that doesn't mean that people can't be properly prepared and can't be just treated like normal human beings. One of the words that came up most commonly, actually, when people were talking about how they felt was 'disposable'. Disposable and expendable."*

There are groups who are particularly vulnerable in our industry; the structure of our industry means that people are particularly prone to mental health issues or to experience situations that are going to put their mental health under pressure. These situations can often involve bullying. Lucy resonated with Millie's own experience in the way that both their industries are highly freelance. Therefore, the employment structures are just as complex. So, wanting to do something on an industry level is quite a bold thing, very bold.

Lucy moved onto the Whole Picture Program. A program which began in October 2020 and will span 2 years. It aimed to tackle the underlying causes of mental health problems. The program is a holistic program with seven strands of work. One of these is anti-bullying at work to address the underlying causes. In isolation they will not work, they all have to work together cohesively as a system.

Lucy continued on what they're doing for bullying. She explained that it's a package of support measures consisting of a digital record tool, a bullying advice tool and a creative directory of self-help resources. Lucy also described how within their workgroup the nuclear option is the pan industry reporting system. Lucy explained that their *"...mandate is, is to come up with a set of recommendations, a proposal...to really flesh it out so we know what the checks and balances would be, who would be in charge, the right to apply the sanctions, that kind of enforcement. Because that body does not exist, that level of self-regulation, of collaboration, currently doesn't exist, but a lot of people are calling for it."*

Within the rest of the work there are other bits that feed into the whole anti-bullying strategy that underlies much of the work, such as putting together a toolkit for mentally healthy productions. So, this will put in place a set of standards at a production level, rather than a company level. Lucy described it as *"...a kite mark"* where people have set up guidelines, and then some really useful examples of best practice. Those examples of good practice are actually the things that are so useful when it comes to an area where definitions sometimes don't exist, or policies don't exist. It's the examples that are really helpful and you can see some of the other things that are being done to support this.

Lucy's final point was on scope. We usually get to this point; people say what do you mean by bullying? The primary purpose is to track incidence of bullying as defined by ACAS and illustrated by the BAFTA/BFI principles so the BFI and BAFTA draw up a set of principles and a long list of guidance. There is no legal obligation to adopt those principles, and there's certainly no enforcing bodies, and much of our work is based around promoting, supporting, amplifying the BFI/BAFTA principles.

Lucy wrapped up the talk with her final point on the digital reporting tool. *"What it's not is any kind of reporting tool yet, and it's not even doing what the financial regulator is doing, it's not even just*



collecting data to monitor it. We're not even ready for that in this industry, trust is so broken in the institutions, people are so tired of trying to report things and nothing happening that in order to rebuild that trust we need to go quite slowly, and this is primarily a support resource, and so the value of it can't be underestimated in terms of recording and reflecting. You know any bullying advisor, or champion, or expert, or lawyer, or counsellor, one of the first things they'll say when you say that you're being bullied, or with something inappropriate going on, unwanted conduct, is they'll say write it down and writing it down in a way that helps you organize your thoughts, identify patterns of behaviour, spot gaslighting and digital tools can do that, you can track it quite easily and it creates a space where you can reflect on it."

There's a lot of talk about needing that independent voice and that independent route for people to go to, and is that something you think would work if there was one body nationally or does it need to be industry-led?

Lucy: I think I'd say industry-led, every industry thinks it's special, our industry certainly thinks that we're special, that we're so creative and different, and, you know, you can't understand what it's really like unless you're in it, but every industry thinks that.

Maggie: I tend to agree but I think there is so much we can share across industries so we don't all have to go and reinvent the wheel ourselves in our own special way, because, although we're all very different in our industries, there's so much commonality on this that I suspect all our wheels would start to look quite similar.

Amy: There needs to be far more shared best practice, I think there needs to be a much beefier role for ACAS in helping small businesses and employers, and do that I think there needs to be a bit of a resurgence of trade union membership as well, because if you can't speak, but you've got someone there for you that can, that is often enough.

One of the really interesting things that (the Film and TV Charity) have done is go to the root of the problem by asking what is the root of the anxiety and stress being caused, and there are specialists in workplace bullying that can really help you with these areas of work. One of the really key things for this conference is to bring experts together to help connect all these pieces of work.

Nicki expressed that she would love to see a specialist body of experts in this area because there's a huge amount of trauma involved, and so a lot of people, when they're actually dealing with people who have been bullied, are not aware of the level of trauma that they're dealing with, and how difficult it can be for people. So, having that expertise in one accessible point is something that would just be amazing. So, is that something that you think would work? So, it's not a sector specific one, but it's one body of expertise that every sector could draw on?

Amy: I think in that respect we're talking about the after impacts of someone who has been bullied, and how you then help that person. And that's one thing to do, the other thing is to work on workplace culture and management processes to make sure that it doesn't happen again. There's almost two serious bits of expertise that needs to be involved.

Nicki added that one of the things that happens is that organisations tend to go for the reporting and the recording approach first, but actually people won't speak up, they won't report and they won't record until they feel safe to do so. Also, when you feel bullied, it quite often goes on for a long time before you even realize that you should be recording anything, and so it always feels like the wrong



place to jump in at, and yet it's the one where people like to jump because it's tangible, and they understand it, and they feel like they're doing something.

Any final words, things that you would ask people to take away from this session, what comes next?

Maggie: Short-term, reputationally, recognizing that you have an issue is incredibly difficult, but until you get over that, and start funding something like this to actually make the change, it will never change. So even just, I think about my own industry, and how you could do that and bring people together, and just get over yourselves to recognize there's no point pretending we don't have this issue, because it is there every single day would be, I think, is quite an amazing achievement.

Amy: I think that, like everyone, you really do recognize bits of your own story in what other people have been saying, and real similarities, and the thing that I would probably want people to take away from that is to keep trying always, even when you're having the most doubtful moments, thinking this can't be done, we can't do this, I would say to everyone to stay courageous, and reach out to other people because there's always someone there that thinks exactly the same thing as you, and you're stronger together.

Rob: I think the biggest thing to remember is that even if you don't quite understand it, or agree with it, if somebody's coming to you it doesn't mean that they're wrong. I think this is the bit where you have to understand it's about them, not you, there's too many people that act as the judge when they need to be acting as the person that's listening. That in itself would have such a huge impact, because being heard, genuinely heard, can make such a big difference,

Lucy: Don't forget that you can do things on different levels, so you can campaign on an organisation level, but don't forget to look after yourself. It's the mental health issues, the damage that can be done to your mental health. It's also about involving the people who are experiencing the issues in creating the solutions.



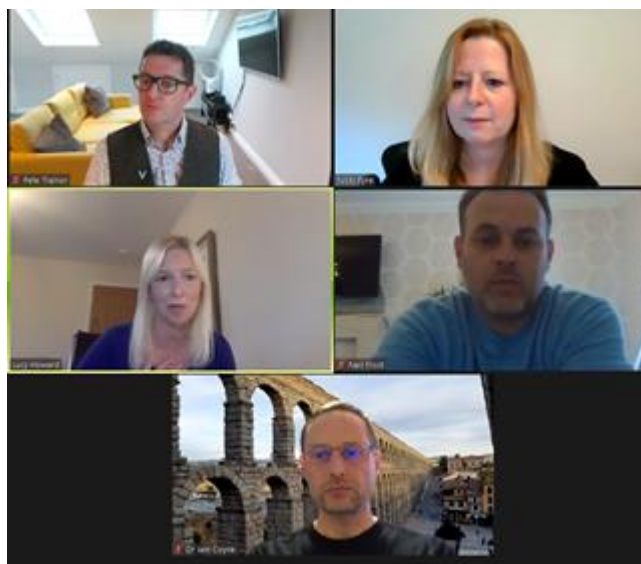
Cyberbullying: societal influences on organisational culture

Pete Trainor - CEO Vala Health

Dr. Iain Coyne - Loughborough University

Lucy Howard - Bullies Out

Neil Frost - Head of Cyber Culture & Engagement at Bob's Business



In business, in politics, in life, and particularly through social media, we seem to have lost the ability to treat each other with respect.

How are societal behaviour norms changing, particularly as a result of the growth of social media?

How effective are campaigns like #metoo and #BLM in changing workplace behaviours?

How has working from home during Covid influenced behaviour and bullying in organisations?

How do we stay safe in an increasingly virtual world?

Pete opened the talk on cyber bullying and societal influences on organisational cultures.

Pete commented that *“the act of bullying someone either intentionally or unintentionally is now intrinsically baked into the very fabric and code of the platforms that we choose to communicate through, it's now part of society in a way that perhaps wasn't there when we were growing up, when we were children.”*

There are ongoing discussions and cases about where the responsibility lies to create safer online spaces. Is it the people that produce the content or force the messaging, or is it up to the platforms themselves to regulate this environment better? How do we decide who is responsible? The platforms are pushing back and saying it's the responsibility of the parents, of the individuals, of the groups, of the colleagues or whoever, to regulate their own behaviour. The High Courts and the people bringing cases are saying that as the platforms provide the tools, so they need to have some accountability here.

We also hear arguments about the right to freedom of speech and expression, and it is very important for people to be able to express political differences, different views, humour and banter.



They're part of humanity, otherwise we would be a homogenous society. However, there is too often a lack of patience, and an inability or lack of desire to debate and be curious about other views, leading to personal attacks or a shutdown of another's views – the cancel culture, often with many others joining in. That's when cyberbullying is at its most horrific.

One of the problems with social media networks is if anything breaches their codes, it's relatively easy for them to recognise and (eventually!) take it down. However, if things don't breach their codes, they're not liable to take it down. Bullying can be subtle enough that it doesn't breach the codes and yet it's seen as bullying, and that extends the problem. In a recent case, a client reported racism on LinkedIn and was advised that it didn't breach their code. They were no longer able to view the comment, but it was not removed from their feed, and anyone who knew that person could instantly recognise it as racism.

So, as we use social media more and more in the workplace, then it is becoming increasingly complicated to police this area, and we need to improve individual accountability and education around what's kind and good and right. Part of that education is to recognise cyberbullying and how easily it can move to cyberstalking and cybercrime, and adopting cyber secure practices.

"Online hatred is so commonplace that the majority of incidents go unreported. According to British government data, 1,605 hate crimes occurred online between 2017 and 2018, a 40% increase on the previous year. But the Home Office admits this figure is probably a gross underestimate."

Home Office "Hate Crime, England and Wales, 2017/18"

What are the solutions?

What about legislation? Action is being taken by the UK government to help make the internet a safer place for both individuals and businesses. The UK Council for Internet Safety was introduced in 2019, and its scope is to improve online safety for everyone in the UK. Priority areas of focus will include online harms experienced by children such as cyberbullying and sexual exploitation; radicalisation and extremism; violence against women and girls; hate crime and hate speech; and forms of discrimination against groups protected under the Equality Act, for example on the basis of disability or race.

It has also played a role in the development of the Online Harms White Paper introduced April 2019, with a full consultation response published in February 2020.

The online harms interim codes of practice provide voluntary guidance for companies to help them mitigate the range of risks arising from online terrorist content and activity and child sexual exploitation and abuse, ahead of the online harms regulator becoming operational.

The new regulatory framework for online safety that this White Paper talks about will set clear rules to help companies make sure users are safe. At the same time, it will protect freedom of expression. **This is especially important when looking at information or activity that is harmful but not criminal.**

The government will **establish a new statutory duty of care to make companies take more responsibility for the safety of their users** and tackle harm caused by content or activity on their services. Compliance with this duty of care will be overseen and enforced by an independent regulator.



As technology advances at such great speed, so too does our need to create agile solutions. **Is Artificial Intelligence the answer?** There are some really interesting examples of some behaviours are being tackled through Artificial Intelligence (AI). Moonshot is using technology to disrupt violent extremism. The company uses a mixture of software and human judgment to identify individuals on the internet who appear interested in extremist propaganda. They then attempt to serve them counter-messaging. Another example is HateLab. Their aim is to provide a more accurate picture of hate speech across the internet. It is the first platform to use AI to detect online hate speech in real time and at scale.

Nicki asked Pete Trainor whether AI could be effective in counteracting cyberbullying.

“The big issue we have with AI is that AI is trained on data. That data is inherently laden with bias, so you're basically training AI systems to look for bias from biased data, so there's a massive problem with what it's looking for. The other thing, and again I'm from an AI background so I'm a huge advocate for automation of systems and services, but the problem we have with bullying is nuance, and machines that, like they look for absolutes and they're not very good at picking out the nuance in natural language processing, which is the kind of AI that we'd be talking about for looking up or highlighting bullying style behaviours.”

What about using **technology to help in the recording and reporting of bullying**, harassment and cyberbullying? Online reporting and the use of apps is on the increase. In some organisations, internal systems and a lack of psychological safety can make it very difficult for people to report, and technology can make this much simpler. However, there is also the need to consider culture and resourcing. What will happen to the reports, which could cover a multitude of incidents and behaviours? Are organisations putting the necessary developments alongside, at both a human and a system level to truly support and resource the problem and be able to take action?

Technology can be phenomenal for helping to identify a problem, a pattern, a trend, but it does not replace human interaction. We can use it to help protect ourselves. We need to be aware of how we use apps and IT and protect ourselves against risks by looking at our privacy settings, looking at who we interact with online, looking at how we share information. We can proactively use it to flag areas of concern; try and identify areas, departments, individuals in the workplace that might be causing risk, or at risk, because of their behaviour, for example, but human interaction would need to be used to support individuals towards a resolution, particularly in relational issues.

The role of Cybersecurity

Cyberbullying and cybercrime are closely linked, and therefore cybersecurity is a key element of tackling cyberbullying at work. Cybersecurity training helps to create a healthy cyberculture.

So, how cyber safe are you? How cybersafe is your business?

In this world where so much work takes place online, and the boundaries between work and home are increasingly blurred, how safe is your information; your identity; your reputation? How can we keep employees safe online? As cyberbullying becomes a growing concern, then linking your prevention approaches to your cybersecurity practice makes perfect sense. We need to check our own behaviours at both individual and organisational levels.



For example:

- How much personal information are you sharing online?
- How safe is the data held by your business?
- What information can be accessed - about your employees, customers, suppliers?
- How are you using and monitoring social media?

Lucy Howard is the Digital Communications Officer with the charity Bullies Out and specialises in cyber bullying information leakage and digital footprints.

“So, with a shift to remote working in 2020, what we are finding now is that our personal, our professional lives are very much blurring together and so with that comes a need to protect ourselves even more so against inadvertent information leakage.”

Here’s a little of the advice that she shared with us at the United Against Workplace Bullying conference in 2020: keeping work and home separate; not allowing clients/customers to see personal information including your home – check what can be seen in the background of video calls; make sure you remain professional even if you’re using your own devices for work. Be aware that bantering can turn to bullying especially without the nuances that come from non-verbal behaviour or misunderstandings from interpretation of words alone.

More businesses are now asking people to use apps on their personal devices. If something inappropriate is posted on WhatsApp, or other social media, even if you haven’t read it, you can be liable if you don’t report it. When you share photos, remember that settings are based on the receiving device and you lose control of it as soon as you press send.

This is why it is so important to include behaviours in your social media policy and making it clear how they link to cyberbullying, harassment, and hate crime. Make sure you are clear about email etiquette.

Neil Frost, Chief Operating Officer at Bob's Business which is an educational awareness company that delivers cyber security training online, also offered some key insights in this area.

He advised that from a security point of view, you should always ask yourself who are you connecting with, and why, because it's common knowledge that data is the most valuable asset in the world, now more so than ever before. Historically, the technology was not historically designed to have people's security in mind; how we interact on those platforms. 90% of security breaches for big organisational enterprises are caused from human related error and criminals focus on that because of the predictability of people's behaviour, making it easy to target. The link between cybersecurity and cyberbullying is around emotion, and one of the key things here is our willingness to share information online, because as people we naturally have an instinct to trust people, which is very easily socially engineered online.

You may think that you are at a low risk if you don’t actively use social media, but others around you may be sharing content about you, particularly if you have a public facing role. Whatever the level of usage, once the information is online, you have lost control of it. So, keep things in boxes – work, play, friends - so that you can always have control of that from a security perspective, and then if something becomes infected or becomes an issue, it's very easy to shut down that box while still maintaining the others and your presence online.

Nicki also asked Neil how easy it is for people to close down their identity, or if someone needed quite specialist technical skills to create the anonymity. He explained that for many mainstream



social media platforms, it can be quite easy. The problem as a user is that you may think that you have protected yourself through your privacy settings, that you're locked down, but the frequency with which platforms change the settings means that unless you are checking each time, you may well no longer have the same level of protection in place, which creates additional difficulties. Operating systems use technology to update regularly, but when we have to become that operating system ourselves for our online accounts, we don't take the time to do the updates or even educate ourselves, even though it can be quite simple to do.

"...the internet has become a "key breeding ground" for extremism and hate speech – emboldened by the increasing ease of dissemination, anonymity and, thanks to outdated legislation, a lack of meaningful consequences."

All-Party Parliamentary Group on Hate Crime

In evolutionary terms, we're still learning the etiquette of behaviour online, and although there are opportunities for great collaboration and good, there are also behaviours being exhibited at an individual and societal level giving great cause for concern.

The human race has had thousands of years to work out how we best communicate with each other and draw our social norms. Despite this, we still make mistakes, still misunderstand or are misconstrued or don't explain ourselves.

Dr Ian Coyne from Loughborough University spoke about the premise that in the digital world, we've only been learning for a number of decades. We're basically still in the naïve stage and haven't yet grown up and learnt how to communicate effectively online, and so mistakes are going to be made while we learn.

"We're at the stage where everyone has grown up with, or become used to, doing everything digitally now. One of the things that we discovered is that sort of more often than not the digital world was encouraging, and has encouraged, people to really miscommunicate, to say things that they don't ordinarily believe; to bully people in a way that in the real world we just wouldn't dream of doing. And it raises the question as to why and what we can do about this growing culture."

Ian also spoke about the loss of personal identity and the taking on of a group identity as *de-individuation*; you become a part of the online group you're interacting in. If that group is one that promotes being abusive, aggressive and outspoken then you're going to take on that cultural, that norm of that particular group, and it then becomes normal behaviour which isn't challenged.

We've also seen movements online like #MeToo, #TimesUp, #BlackLivesMatter, that have changed that power stance completely, and have been massively empowering and it's very much changed the dynamic from someone being bullied who until recently might have thought "What can I do? How can I take on a big company? How can I take on the big boss?" to recognising that they can speak up collectively and influence change.

Ultimately, it is incredibly easy now to say something that can be misconstrued; say something that now forms part of the digital footprint. It exists; it's with you forever; it can impact on you in the future. The BBC have just recently agreed that high profile people that work with them will have to monitor their personal twitter accounts, and so we have an example there of where your personal and your professional are merging together, and anything inappropriate on your personal account



can impact upon your career. More recently, England bowler Ollie Robinson was suspended from international cricket pending the outcome of an investigation into historic racist and sexist tweets.

Social media can be a fantastic tool, and it can empower somebody who is struggling, but it can also be used in a very detrimental way.

The rise and rise of cyberbullying

Cyberbullying is the most rapidly growing type of bullying, and not just for children. It also infiltrates our workplaces, particularly as the boundaries between home and work life become increasingly blurred. and is increasingly also becoming a societal trend. Deep faking. Phishing. Spear phishing. Catfishing. Cancel culture. Online hatred. Trolls. Cyberbullying Cyberstalking. Cybercrime.

So, what is it that makes someone feel able to attack others online in ways that they probably wouldn't in real life? How is this influencing behaviour in our workplaces?

Well, there are a number of factors at play here. Firstly, what exactly is cyberbullying? According to ACAS, it's *"any form of bullying, harassment, or victimisation online"*. It can show up on any form of technology from text messages and emails to gaming and social media.

To understand cyberbullying, the first step is the need to educate ourselves about the different forms that bullying and harassment can take, and the impact that can have on both individuals and organisations. It can, and does take the form of (to name but a few):

- Sharing inappropriate content including images
- Public humiliation e.g., rumours and gossip on social media
- Excessive emails at all hours
- Copying people who don't need the information into emails
- Leaving you out of online communications in order to isolate you and place you at a disadvantage
- Threats of physical violence
- Posing as the target online and publishing defamatory posts

What makes cyberbullying different?

Whilst it could be argued that cyberbullying is the same as traditional bullying but just using technology to do so, i.e., the technology is new but the behaviours and the approach are no different.

Pete Trainor, CEO of Vala Health is the author of a book that looks at new and emerging themes in behaviours, biological changes and the way that humans interact with digital communication and frictionless interfaces. He refers to a phenomenon he calls *"the secret online me"* whereby people have an almost anonymised version of themselves, and whilst in some cases this resulted in positive online engagement, in others, people were doing harm, and this often followed them into the workplace as well.

"Our behaviour, because we're remote, we're anonymous, the cues are reduced, it becomes de-individuated, so we essentially lose a little bit of presence and become more anonymous the more remote our communication is, and as a result of that our behaviour potentially comes disinhibited. For example, we will send off that email, we will fly off a rude message in a way which we wouldn't do face to face. So that remoteness removes us some steps away from it. It also removes us steps away from understanding the impact on the person at the other end."



In addition to this we have to consider viral reach; the speed, and the amount of people that can see the information, see the abusive behaviour, is increased compared to traditional bullying. Power differentials may be slightly different and our traditional views of power in a bullying situation might not be the same online.

Neil Frost, COO of Bob's Business, cybersecurity culture and training experts, explained that when we consider the phenomenon of digital over the last 15 years there has been a tendency to talk about data and communications. In reality, the whole field of digital is exponentially growing; the variety of data; the velocity of comments and people's behaviours; the veracity, the trustworthiness of everything that's being posted; what we're reading and its origins; what is being said about us, commented upon and shared, and we've arrived at a point in time where information about both our personal and professional lives is available digitally, and it's going to come back into the workplace.

He also spoke about the example of expert power; people who are knowledgeable about using systems and computers can hide their identity and create that anonymity because they're technically competent. So, the power in that sense comes through technical power.

Another area to consider is repetition. In bullying one of the key defining features is repetition, where the behaviour is prolonged over time. Some will argue that in cyberbullying you can have a one-off event. One person can write a post or share an image/photo and then withdraw from the situation, or not carry on. Does that count as repetition? Dr Ian Coyne argues that it does, because if that image is then posted elsewhere, it's repeated. It might be a different way, but it's still repetition.

So why do people get drawn into these behaviours so easily? We can consider this in terms of rational choice, weighing up the costs with the benefit of engaging in these behaviours. If we consider anonymity, the action of remotely posting something, often there are little formal or informal sanctions, and there's some argument there about people making rationalisations for the behaviour – 'there wasn't any harm done, they weren't really a victim'.

However, research shows that the links with health and wellbeing of individuals; anxiety, strain, low optimism, burnout, job dissatisfaction, are similar to what we find in traditional bullying. One question to consider is will there be more of an impact on people because they can't escape it? Are they powerless to escape it in that way that you may be able to escape a physical environment?

There is an argument to say that the impact might actually be worse particularly because of the unique features. These can include:

- Indirect as online not face to face
- Perpetrators can remain anonymous
- Can be in separate physical locations
- Remain accessible and visible for long periods of time
- Can be experienced anywhere and at any time from any device
- Potential to be viewed by much larger audience
- More bystander roles – online; with perpetrator when sent; with target when received
- Can occur without the target being aware

Adapted from: Cyberbullying at Work: Understanding the Influence of Technology
Sam Farley, Iain Coyne and Premilla D'Cruz

Published in Volume 3 of Handbooks of Workplace Bullying, Emotional Abuse and Harassment: Concepts, Approaches and Methods



Cyberbullying, Cyberstalking and Cybercrime

When we consider how cyberbullying can impact on our employees, organisations and ourselves, we need to consider how, if ignored, it can move to cyberstalking or even cybercrime.

We then need to check our own behaviours at both individual and organisational levels. With increasingly blurred boundaries between working and home lives, how can we keep ourselves and our employees safe online?

As cyberbullying becomes a growing concern, then linking your prevention approaches to your cybersecurity practice makes perfect sense.

Lucy Howard, Digital Communications Officer with the charity Bullies Out, spoke next about the need to protect ourselves from information leakage even more so with the shift to remote working, and this will become increasingly important as many organisations adopt a hybrid working model moving forward. Here's a reminder of some of the advice that she shared:

- Where possible try and have two devices, one for personal and one for business use as this can help minimise information leakage between your personal and professional inbox.
- Keep any malware up to date.
- Consider that when you do send an image, any settings you have become irrelevant; the person, or group of people you send it to could have different settings which allows images to upload to their camera roll, even across multiple devices in one household.
- Think about what you post on social media and who you are connected to. More and more we connect with colleagues, supervisors and managers through personal social media. We worry about the impact of refusing a friend request or fear missing out on group conversations. How does that blurring of our worlds impact on our career and development?
- When does banter online overstep the mark and become bullying?

Cyberbullying, cyberstalking or cybercrime?

We've considered what cyberbullying is its impact, but what makes it different to cyberstalking or cybercrime?

It can be argued that cyberstalking is a form of cyberbullying but generally it becomes much more intense and can cause great fear. In most cases the person stalking will know their target and have personal information, and sometimes actual passwords and access to online accounts. As with bullying, cyberstalking involves repetition but differs in that the perpetrator acts in a way to let their target know they are being watched online. For example, sending constant text messages, sharing personal information without permission with the intent to cause fear.

According to Wikipedia, Cyberstalking may also include *"false accusations, defamation, slander and libel as well as actual monitoring, threats, vandalism, solicitation for sex, or gathering information that may be used to threaten or harass."* Cyberstalking author Alexis Moore separates cyberstalking from identity theft, which is financially motivated. Her definition is;

"Cyberstalking is a technologically-based "attack" on one person who has been targeted specifically for that attack for reasons of anger, revenge or control. Cyberstalking can take many forms, including:

- 1. harassment, embarrassment and humiliation of the victim*
- 2. emptying bank accounts or other economic control such as ruining the victim's credit score*



3. *harassing family, friends and employers to isolate the victim*

4. *scare tactics to instil fear and more*”

It's immediately obvious that these overlap with workplace bullying behaviours, which is why the Protection from Harassment Act 1997, originally developed to deal with stalking, is now referred to in some bullying cases.

Cybercrime, according to Action Fraud, is *any criminal act dealing with computers and networks* more commonly known as 'hacking' usually with intent to defraud an individual or business. In 2019 the financial cost of cybercrime or fraud to the UK was between £130bn - £190bn a year. 65% of reports were from businesses and 35% from individuals.

However, this omits any reference to hate crime, which is motivated by hostility or demonstrates hostility towards the victim's disability, race, religion, sexual orientation or transgender identity. This is covered by criminal legislation including the Criminal Justice Act 2003 and Crime & Disorder Act 1998.

Nicki concluded the talk with “I think the only thing that I would add is my favourite phrase: don't feed the trolls.”



Creating braver workplaces - the importance of psychological safety and EQ in speaking up

Dr Timothy Clark – Founder & CEO, LeaderFactor and Author of The 4 Stages of Psychological Safety™

Tori Reichman - Vault Platform, Founding MD & Chief Customer Officer at Vault Platform

David Howell - Advisory Board of Conduct Change



Workplace bullying is now reaching the headlines on an all too regular basis, across public, private and charity sectors. Trust in employers has been eroded through the turning of a blind eye to unacceptable behaviour and language. How can we have successful and productive workplaces when people do not feel safe enough in their place of work to speak up without fear of reprisal?

Workplace bullying is best prevented by strategies that focus proactively on creating a psychologically safe environment where people feel able to speak up without fear of retribution. This means that in addition to organisational strategies, individuals must take responsibility for their behaviours and contribution to the culture.

The implications for any business are significant. Not just in terms of court cases and legal fees but also brand and reputation, talent acquisition and retention, and the performance of your employees.

Dr Timothy Clark (Tim) opened the talk by defining psychological safety in five words, it means that you're in a 'condition or **an environment of rewarded vulnerability**'

Tim went on to outline psychological safety: humans go into a social setting regardless of where it is; it could be a school, it could be at work, any social collective, any social setting; they immediately engage in the process of what we call threat detection, and this is a very normal and natural thing to do. Most of the time we do it subconsciously; if we're really worried about an environment then it becomes more conscious, but threat detection is really the process of trying to observe and perceive in the environment to determine if it's safe or unsafe, and if we come to the conclusion that it's safe, then normally we will offer what we call a performance response, which means that we will engage, we will lean in, we will release our discretionary efforts and really try to contribute as much as we can.

But on the other hand, if we come to the conclusion that we're in an unsafe environment, then we're likely to offer what we call a survival response, and that's very different right. A survival



response is characterized by managing personal risk and going into a mode of self-preservation and loss avoidance. So, I hope that everyone will think about, and just kind of reflect on how you do this, because we all do it when we're in a social environment. We're trying to figure out, am I in a safe or unsafe environment? Is vulnerability rewarded or punished? That's the question that we're most trying to answer, and if we can answer that question then we're going to respond accordingly. So obviously workplace bullying is an environment where you're being punished, and you could be punished in multiple ways, so it's the absence, or the lack, of psychological safety in a social environment. So maybe we can just start with that brief introduction.

Tori followed up with explaining how organisations are taking steps to be able to create that psychological safety so that employees feel like they can speak up and share their experiences. She started with data as about a year ago Vault polled a thousand HR and compliance leaders and asked them this question:

'What forms of misconduct do you feel your organisation should address proactively?'

Their research identified that interpersonal misconduct occupies the top three areas that these professionals believe that they should be focusing on, and actually the focus on interpersonal misconduct was even greater than that on white collar misconduct. And we know that this focus has only increased in 2020 with the impact of Covid, and the increase in remote working.

The same poll actually identified employee empowerment, and a culture of speaking up as being the most effective solutions, even more so than the tools and policies and training that are used to achieve a culture of speaking up, and what's interesting here is that the most effective methods are all proactive. They're aimed at preventative maintenance of culture rather than being reactive, and focusing on the repercussions of this. So, employee empowerment is a great thing, and there's actually a whole new industry of tools that focus on this mission. You've got your more traditional methods such as annual or intermittent pulse surveys, but there are a growing number of tools that are out in the market now, that actually help employees organize activism events and share evidence, and then of course we've got social media, and the press, which we all probably know can be a little bit like the wild west, not really knowing exactly what to get on the outside of it.

80% of large businesses expect to see their employees taking to the streets in protest of something that has happened at their own company.

Nearly all businesses, they found in this report, expect to see employees speaking out on social media.

The point here is that employee empowerment is really only good for both the employee and the employer if you also focus on the mechanisms that enable the company to listen and to act.

It's not enough to help employees speak up if the company can't hear them, and it's certainly no good if you can't, or if you don't, act, and just on that last point closing the loop is critical. So, I think to talk to what Dr Clark is saying, employees need to know that they've been heard, and that action has been taken, and in our experience that's really the foundation for creating a healthy speak up culture.

If you think about what employees are looking for, for psychological safety, to be able to speak up in the workplace, Vault created an app where employees have access wherever, and whenever. It lives on their personal device, and it's a way for the company, from their perspective, to be able to showcase the policies and the guidance around that kind of unacceptable interpersonal misconduct, at the time when employees need them most. Something else that we thought was really important



is being identity agnostic. So, it's the idea that whether the employee wants to be able to speak up anonymously, be able to identify themselves, or seek the psychological safety of a safety in numbers approach, we've created all of those mechanisms so that you feel like you're never alone in speaking up. We've also created a platform so it works for everyone in a company's ecosystem, not just employees, but it means suppliers, customers, even the public can speak up to create a healthier workspace, and we've been told by our clients and our legal partners just the mere presence of having Vault can enhance your ethical and cultural health, and it also goes that extra step to demonstrating a legal commitment to looking after your people.

For those who are here that are in charge of ethics and culture at your companies we've created, and we've kept this view of creating, a case management, and a resolution system that are enriched with data, so that you're able to keep your finger on the pulse of the ethical health of your company. So that you can actually become more targeted and direct in your efforts, and your investments, in culture such as training. By now you're probably thinking how do companies encourage people to speak up to that rather than what's out there today, for example a telephone hotline, and our clients are actually finding that just by introducing Vault, they're able to increase the willingness of their employees to come forward internally and tell them what's happening so that they can take action.

I thought I would share a little anecdote, a specific example is that when one of our media clients launched Vault, they had their first case ever of bullying submitted to them within two days, and it actually turned out when they got into the case that the bullying had been taking place, had been recorded, over a period of six months prior. The employee had been compiling their experiences, documenting all the microaggressions just on their own devices, but they actually didn't believe that the company was going to do anything about it, so they sat on the information. And they sat on that feeling that they were having, and started to lose their own productivity. After the report was submitted, and investigated and resolved, the head of HR asked the employee what tipped the balance. Why did they decide to come forward, and they said it was because the act of introducing Vault, by taking a stand, going to every employee in the company and saying we have a zero-tolerance policy for misconduct and we want to hear about it, that was enough for the employee to say okay, great you do want to hear this, you're giving me the olive branch so that I can start to trust you, and I think that's really the first dimension of it.

I think the second dimension, the other component, is giving the employer the ability to demonstrate that they are listening and taking action. I just wanted to drill into this a little bit more. It means that the company can demonstrate they're taking accountability to investigate and get to resolution, and because of the way we've built our technology, employees actually get to see the progress of the case in real time. We took it a step further than just that, and we built a unique way for the employee and the employer to message, because having a secure communication channel that lives within the report means that the person who's investigating the case can get in touch directly with the person who reported, regardless of whether the reporter identified themselves or chose to remain anonymous. What it really means is that the company can make progress on cases where additional information is needed to carry out the investigation. But it also reinforces this kind of shared accountability within the organisation, and it means that employees can know that the case is dependent on them providing more information in order for it to be taken forward. That didn't exist previously.

One of our technology clients told us that they historically had received a number of anonymous reports, and they always struggled to be able to substantiate these reports because there was never enough information that was provided. Since launching Vault, they have been able to resolve, and substantiate, 100% of those cases that had come in because they have the ability to follow up



directly with the person who submitted the case, get the information that they need, get the documentation that they needed to be able to investigate thoroughly and to get to resolution.

I think the underpinning message here is that just the presence of having a tool like vault means that a company can demonstrate that they're taking the employee's psychological, and mental, safety seriously. And it also helps create a culture that normalizes speaking up, which in turn encourages people to be able to feel safe reporting even more serious things.

Just a couple of final thoughts in case there are any sceptics who are joining in that don't think creating psychological safety is a good enough reason to create a speaking culture. There are other reasons why companies need to take measures to protect their employees, so legally of course, they've got to create a safe work environment, and that requirement doesn't change just because employees are at home. There are also requirements for companies to take reasonable steps to protect employees, and these are becoming more stringent through existing and incoming EU regulation.

I was recently interviewed on the Ted talks daily podcast, and the question that I was asked was 'what makes me hopeful about the role that tech is going to play in promoting ethical behaviour in the workplace, in 2021 and beyond?' I thought I would just share my answer with you, and I think it's that tech has really normalized as a part of everyday life, and it's second nature now across generations. And tech underpins the way that we work, now that we've got a distributed workforce which is normalizing, tech has become one of the strongest ways that people, and that teams, can remain connected. So, there's also a carrot and stick dimension to this, and the stick is that with tech nothing ever fully disappears, so all the misconduct we've been talking about is actually more easily verifiable today, and in the future, than it ever was before. The positive side, the carrot, is that people and companies want to exist in healthy and productive environments. People see that they no longer need to suffer in silence, and they see that they have ways of speaking up that didn't exist before, and I hope, hopefully, what you've seen, what you've been able to take away, is that we are seeing that these tools, these methods are being used, and then that circle of trust is really being reinforced to ultimately get organisations to be functioning in the way everyone wants them to.

We returned to Dr Timothy Clark to outline the 4 stages of psychological safety™.

The first stage of psychological safety is what we call inclusion safety, which means that you feel included, accepted, and a sense of belonging in other words. It's not expensive to be yourself, you can be yourself and you're not going to be marginalized, or embarrassed, or punished in some way, and that's really the foundation right. So, if you think about organisations having diversity, equity, and inclusion departments and resources we have to ask ourselves, why is that? We have that because we're still struggling to even create stage one inclusion safety, which is as I say is the foundation.

We progress from there to stage two, and stage two is learner safety. Learner safety means that you can engage in all aspects of the learning process, you can ask questions, you can give and receive feedback, you can experiment, you can even make mistakes, and again you're not going to be harshly criticized, or punished for that.

After learner safety the next stage, and again this is based on the global survey research, is contributor safety. Contributor safety means you can take what you've learned, and you can use it, you can apply it to make a difference, and to join, to participate in that value creation process.



And then the last stage, the culminating stage, is what we call challenger safety. Challenger safety means that you feel safe to challenge the status quo without retaliation or retribution. You won't jeopardize your personal standing or reputation.

What we've learned through the research on psychological safety is that it is stage based, and as you're moving through the stages you are doing a couple of things. You're following the sequence of natural human needs, so you begin with inclusion because that's the first need, and then you move all the way to challenge your safety. The other pattern that we see is that you are climbing a ladder of vulnerability by the time you reach challenger safety, and you're challenging the status quo. That behaviour requires the highest level of psychological safety to protect you, because your level of personal exposure and risk has now come to the highest level. What we've learned is that the understanding based on this progression of stages is very, very important, and we can actually measure a team's level of psychological safety based on these four stages. The other thing that we've learned, based on our global survey research, is that right now, globally, based on our database, only seven percent, I'll just write this in, only seven percent of teams currently are able to achieve stage four challenger safety. This shows you how challenging it is to achieve challenger safety. It's a very delicate, and a perishable thing, and it goes back to the modelling behaviour of the leader, and the accountability that exists on the team. So that's just a brief explanation of how psychological safety progresses through these stages.

So what kind of stage would teams need to be at to feel safe to speak up, and use a tool that's perhaps anonymous, rather than being at the challenger stage for example?

They definitely are going to need to have a very strong sense of inclusion safety. That foundation needs to be in place. If inclusion safety isn't in place, they're probably not even going to use the tool, because they won't even trust technology, so there's a threshold requirement of psychological safety before, I believe, you can even bring in technology, and that people will use it, and that it will be representative of what's going on in the organisation. I would say that you at least need to establish stage one inclusion safety, and I would actually say in our experience, and seeing the organisations that do, and are ready to work with Vault, I would agree with you there's always a baseline where the leadership team is bought in, where they actively talk, or start the conversation around a speak-up culture, creating that environment. There's definitely, in the practical experience that we've had, it's successful with those organisations where there is that support already from the top to make it possible.

In some organisations they'll actually be pretty aggressive about telling the employees you need to speak up, and that's almost intimidating when they're telling you to speak up, and it's disingenuous if the psychological safety is not there in the environment, and so that, obviously you're not going to get much of a response to that.

Within an organisation how does a bullying pattern of behaviour, a bullying culture, become normalized?

For that to become normalized, let me put share this insight. Albert Bandura was a long time Professor of Psychology at Stanford, and this is really a capsule summary of his life's work, he said most human behaviour has been learned observationally through modelling, from observing others, and so the way that it becomes normalized is when those who hold positional power, when they model that behaviour. If they model, and reinforce that behaviour, that becomes the norm, because those who possess positional power, they have the most, they have the biggest influence over the



formation of norms in an organisation, and so it's really their modelling behaviour that will normalize bullying behaviour, or norms of bullying to where they become accepted.

That reminds me Nicki, not too long ago I was called in to interview the members of an executive team, there were 10 members, and I began and ended with the CEO, and by the time I got halfway through my first interview I could tell the CEO was a bully. That was confirmed with every successive interview, and I would ask people 'so why are you here, why do you stay, why do you put up with it?' and their responses were very predictable, well we've kind of gotten used to it, well that's just the way it is around here. You could see there was evidence of normalization, but the normalization always begins with the leader's modelling behaviour that's what I would say.

David picked up these points. So much resonates in what you've been saying, and I think if I start by saying you can't really underestimate the power of psychological safety, and it's kind of the holy grail that we're trying to get to in any kind of team, or project, or anything like that, because if we don't have that, and there's so many elements that kind of play their part in, and I've just made a few notes, leadership, emotional intelligence, teamwork, diversity, inclusion, people's own bias, and perhaps illiteracy. Not in a kind of a negative way there, but we all have literacy in some sense. Trust we've talked about, empathy, self-awareness, all those things play their part in building that psychological safety, and if one's out of kilter it's so easily broken. It's so hard to achieve, and that's what we're certainly reflecting on air support, that was what we were always after in a team ethos, that anybody at any time had the power to stand and say I don't feel comfortable here, I don't feel right, because basically people's lives depended on it. That's how important it was, if we're going to a task in the helicopter, it's certainly a high stress area. You have to be able to put your hand up and say safely, whatever experience you had, hang on a minute, we need to step back here. They need to have the confidence to say that because you're putting people in danger.

If for instance, and this kind of bullying culture that I profoundly remember, the Chief Superintendent does base meeting, to try and put his will over all the bases, which imagine are all dotted all around the country, and he would open up by saying 'I love to be challenged, please challenge me, ask me some questions', trying to build that psychological safety. Now, invariably the first person to put their hand up would be belittled, would be made to look small, which then created that discourse amongst everybody else. Nobody would help, and nobody else would actually try and commit to a question, or engage with him, he would then get angry and say 'I've come all this way, nobody's bothered to ask me a question'. They would take the base manager to one side and say your people just aren't achieving here, they're not performing, and I've come all this way but for no reason. It's to be expected there was a lack of self-awareness on his part; any question he used to ask him would then invariably come back to what he wanted to talk about, rather than the question that was being answered, so it totally destroyed any chance of any kind of psychological safety.

There are other examples. London Bridge, the terrorist incident there, the team that are above it, the psychological safety that was present in that air crash, was astonishing. And perhaps that was bit by luck who was in the aircraft at the time. You've got a pilot in there, two police officers of different and varying experience and talent as well. It came together that night, and what they performed that night was absolutely unbelievable.

I've tried to get back into a few steps behind that, in terms of who are we recruiting, what do we want them to do, what's the problem that we want them to solve, and we need those people with that complexity of thought and abilities to be in that aircraft at the time when it's actually the crunch time. I think sometimes we rely on luck rather than judgment, and I think sometimes that



investment in the front end to create psychological safety here, in this form; it can be anywhere, it can be home, it can be in that that form I've said there in terms of air support, it's all around us, but it's key. If we get the right people there, to then have the right solution that they're there to solve.

I know finally the Civil Aviation Authority, and I'll read it out here, they tried to develop a culture in which frontline operators, or other persons, are not punished for actions, missions, or decisions taken by them that are/can measure it with their experience and training. Which in gross negligence, violations act, are not tolerated, which is very good. It's great on paper. If you set that against a toxic culture it will never work. The first pilots who put their head above the parapet, and said right, I did this wrong, I wanted everyone to learn from it, and bearing in mind we have bases down in Exeter up to Newcastle, it's a great way of sharing and learning that misfortune that somebody went through. They don't want you to go through it, but then somebody at the hierarchy said "we're not having that, I'm going to prosecute them", all that does is kills any idea of that open and kind of culture, and drives it underground. You don't learn. People don't want to lose their pilot's license because that's their livelihood, that's their mortgage, that's their family, that's the years of effort they've put in to get there.

Nicki: So, going back to that point psychological safety is so, so important, so important, but it's so hard to create, and I don't know if Tim might say something on this,

David: It's so hard to create, but so brittle, and so easy to actually undermine it, and lose it, so you need that steady hand on the tiller. You can't just say we've got it, you've got to keep on at it, daily monitoring it, who's in that mix, who's new into that mix, as well how do they add to it. It's so complex, but it's a fascinating subject, and I think that was the end result, looking back now, what we wanted in that aircraft, that safe environment, to make the right decision, to come up with the right solution, with the right people.

Tim: David points out just a couple of incredible insights, one is that when you're in a high-stakes situation where the margin for error is low, you need people to be able to do their best work. And one thing that he pointed out is that in those situations, if psychological safety is not there, then they're not good learners, and that is absolutely consistent with the research which says that in a fear-based environment people are cognitively impaired. They don't have the learning agility that they need at the moment of need, and so they're not going to do their best work, they're not going to coordinate, and communicate, and collaborate the way they could. So, think about the cost, think about the liability, think about the risk that you impose as a leader if you're not fostering that psychological safety, particularly in those situations that David is talking about.

Nicki poses the question: How does emotional intelligence and development of those skills link to creating an environment of psychological safety?

Tim explained that the basic concept is emotional intelligence is the ability to interact effectively with other humans. That's the basic concept. The reason it is so important is because it's the primary enabling skill that creates psychological safety, and psychological safety is the enabling condition for performance. Going back to what David said, so the causal chain begins at the individual level with emotional intelligence. So, if the leader stands up and belittles, or demeans, or publicly shames people that ask questions, or challenge them, that leader is inducing fear in the organisation. And what we've learned in the study of leadership, is that the existence of pervasive fear on a team, or in an organisation, is the very first sign of poor leadership. The very first sign. If there's pervasive fear that's symptomatic of poor leadership. We already know we don't even have to meet the leader; we don't even know who it is, but we already know that the leadership is poor. That's our biggest source



of data, a fear-based organisation is a poorly led organisation always every single time, because they don't understand their job is to foster and cultivate psychological safety to enable high performance. If they're not doing that, they don't even understand the basic concept of what they do for a living, they don't understand leadership.

So, there's the causal chain, emotional intelligence creates psychological safety, which then creates performance, high performance. I think if you look at the negative side of that as well, is that totally paralyzes any kind of creativity, and contribution to that solution, that the organisation, or company are trying to find. So, you're off on the wrong foot, you're not building in all, that potential that you've got there, of all that experience and knowledge. You're losing it, and it's, well, it's almost criminal really, and then you start losing your staff, and retention. We know all the kind of associated effects of that, it's a surprise.

Tori: That's a good question. Some organisations are going through, a lot of it's been internal centralized, whether it's in compliance, or HR, so making sure they've got their policies right. They've thought about what the new version of annual training is going to look like, so lots of organisations as you'll probably expect, have a whole suite of training programs, and so they'll be giving these a revamp. A lot of the work tends to happen in and around when they're ready to introduce Vault, and usually Vault is introduced as a tool in that toolkit, so there will be ongoing workshops, there will be lots of messaging that comes out from either the CEO, or the senior stakeholder, who's kind of championing this effort. But it's not just what happens before, and once they introduce the tool, it's actually, and what we'll do a lot of work with, is making sure that it becomes part of the regular dialogue. So not just to the point of launch, and not just in annual training, but actually talking about zero tolerance, talking about better forms of communication, and building trust within the organisation becomes part of the regular. Whether that's quarterly conversations, whether it gets funnelled down into more functional conversations with different levels of leadership, but it tends to be most effective when it's part of a broader organisational effort, not just one and done.

In an earlier session, the way that they phrased their work on culture and making it a safer workplace, was relentless. You need to be relentless in your pursuit of this, which I think is so important, and Tim I'm going to come back to you, because there is something in your book that you talk about which is called paternalism and exploitation. Can you just explain a little bit about the link to that and psychological safety, and how that links back to bullying for us? I know that when I first came across this it really resonated with me in terms of how much it did link to bullying,

Okay, so we have the four stages which we briefly went over just a minute ago, paternalism is a failure pattern which means that you are getting off track. Now as we said before, psychological safety is a function of respect and permission, and so what happens is that paternalism is a combination of relatively high respect, and relatively low permission. Paternalism means that, so think about that high respect, low permission, so this is the helicopter parent that says I love you, pat you on the head, and says don't touch anything. This is micromanaged, this is benevolent micromanagement, and we often see leaders who exhibit this pattern, who are very well-intentioned people, very good people, but once again they're restricting their people, they're stunting their growth, because they're not empowering them, they're not allowing them to do what they could do. And so, this is a failure pattern that is outside of the healthy pattern of psychological safety, and so perhaps those who are joining us today, perhaps you've had an experience with a paternalistic leader, or a paternalistic boss. I know I have; I had a boss that wanted to put me on a leash about this long, and yet he was a well-meaning person, but he just didn't understand that he was actually holding me back.



So, what paternalistic leaders do, is they breed dependency, and they breed learned helplessness, and those things are very harmful to people actually, even though often times leaders who are paternalistic are very nice people. So that's one failure pattern. The other failure pattern, that you alluded to Nicki, is what we call exploitation, and exploitation is a failure pattern with just the opposite combination. Where you have a low level, a relatively low level of respect, and a relatively high level of permission. Now this is a really interesting combination. Exploitation means that I value what you're able to produce, I value the value you're able to create, and I want to extract that value from you, but I don't inherently value you as a person, as a human being. So, do you see how it's the opposite pattern? I want to extract the value from you, but I don't value you. That's what exploitation is, and exploitation is really where patterns of bullying reside, and when those patterns become normalized that's when it becomes extremely dangerous.

Now, if we think back to what Jonathan shared in his example, that was very interesting. Bullying can be an isolated experience where you have, there's one bully, and the bully continues patterns of persecution right? But what Jonathan talked about was not an isolated experience, it was a coordinated experience. So, there's isolated, and there's coordinated. For him it was a coordinated experience in which several people were participating, and they were coordinating their bullying behaviour, that becomes even more dangerous, because now it becomes institutionalized. At least it could be right? It depends on how pervasive it is, but it just shows you how dangerous these patterns can be when they become normalized. They're often perpetuated by good people.

Let me give you an example, sometimes we will encounter an organisation that has a put down culture. Well, when we put others down that's a mild version of bullying, it's still bullying, but it's milder, it's more subtle. What's very interesting about a put down culture, is that very good people will accept that norm, and participate in that put down pattern, and they'll perpetuate it, and the reason that they do is because of the peer pressure to conform. They want to be accepted, they want to be successful, and so they will adopt that put-down pattern. So that's one thing that we need to think about, is when a bullying culture, when bullying becomes normalized, and it moves into the culture, and then it gets perpetuated.

Nicki asked David to respond, to speak to this, because you probably saw a lot of it where it becomes institutionalized, that's when it gets very, very dangerous for us, the consequences are profound both personally and organisationally.

David: Most definitely, and also when that person brings people in, they are a mirror image as well, like 'mini-me's' that then perpetuate that cycle, and that's when you see people leaving at the bottom, and getting out, and the fight or the flight comes into it as well.

So where, and how, would you start to create a culture of psychological safety, in an organisation that currently has a culture of fear and silence, for example?

Tim suggest that you have two choices if you have a culture that is afflicted with fear, whether it's pervasive fear, and that the further you go on the spectrum it becomes toxic and destructive, you really only have two choices. You have to change the leaders, or change the behaviour of the leaders. You have to do one of those two things. If you don't do one of those two things then it's likely that culture will be perpetuated. You can do everything else, but everything else is scaffolding, it's all support, so you either change the leaders, or change the behaviour of the leaders. If you can do that then you can transform the organisation. You can transform the organisation, but if you stop short of that you may achieve some incremental gains, but there's a very big chance that you will regress to the mean, you'll go back to where you were. And probably adding to that, I mean, it



probably needs also a courageous leader in amongst that as well to say this isn't right, and a lot of things this week, as well its defining what training is, awareness, and also the support that goes with it to get beyond that, just I've been to a course and read about it, and that's great, it needs to be put into practice and shown to work, and the benefits that it can bring to an organisation.

Tori, what about you, what are your thoughts?

I agree with what Tim said, with what David said, it's about having the right infrastructure, having the right intention, having leaders who believe in this, and exhibit those behaviours, and it's about, like I said before, it's about not just having a point in time intervention, but it really is about transformational change, and then enabling the organisation with the tools of course. But it's around the people, and it's around how do you speak to each other, and how do you behave on a day-to-day basis that sets the tone.

I have one more question Just one more question, speak up champions, often people talk about speak up campaigns, and speak up champions, what are your thoughts on whether they work or not, whether they're a good idea?

Tori: Sure, I would say if the leadership team are those Speak Up champions absolutely it'll work. But again, I think it's the behaviour has to be there at the top, otherwise you'll have a group of people in the organisation with the right intention, but they're not going to be able to make headway.

David: I think you can relate it back to the previous question, that you haven't got that courageous leadership at the top promoting it, one they won't put them in there in the first place because they wouldn't want to know what exactly is happening. That might actually upset that status quo, so it needs to get that foundation, that footing, in first to actually then layer these on top, and then have that loop, from the ground floor, from the coal face, to speak, and the people at the top reacting to it, and being open to it, and open-minded, and all those things that come with it, to actually act on what they're hearing from the people.

Tim: I really agree with what David said. I would add to that, that if you've created an environment of psychological safety, right, the enabling condition, then people can come forward, and they can be speak-up champions. If that environment doesn't exist, what are you asking them to do? You're asking them to muscle through the fear. Who's going to do that right? That's not realistic, and if you don't possess positional power yourself, and the institution says well, we want you to be a speak-up champion, that's not even good faith. So, you have to create the enabling conditions, and then, to David's point, there has to be courage. But you cannot expect it if the environment is toxic. You cannot expect people to muscle through the fear, you can't just say, hey we want you to be a speak-up champion, we would really appreciate it if you would do that. Not going to happen, they need, as we say for challenger safety stage four, they need air cover for their candour, they need to be protected in that behaviour, that's what they need. It goes back to that trying to set up a just culture on a toxic foundation it's not going to happen.



What can we do differently to support prevention and resolution of workplace bullying?

Paddy Trimmer - Conduct Change Advisory Board Member (Facilitator)

Rachel Suff - CIPD – Chartered Institute for Personnel and Development

Michele Piertney - Senior advisor with ACAS – Advisory Conciliation and Arbitration Service

David Liddle - CEO the TCM Group

Michael Plowright – Working Well Together Consultancy



What can we do differently to support prevention and resolution of workplace bullying?

"...almost a quarter (24%) of employees think that challenging issues like bullying and harassment are swept under the carpet in their organisation."

(CIPD Managing Conflict in the Workplace, January 2020).

Current workplace policies and procedures, including statements of zero tolerance, have been proven not to work for relational conflicts and in fact add to the injury caused by bullying behaviour, by causing the target to relive the trauma repeatedly through recording, reporting, investigations, appeals and tribunals. It is time for greater clarity around bullying and the damage that it does to both individuals and organisations, and for leaders and employees to share responsibility for creating more compassionate and courageous approaches to dealing with this matter.

Paddy trimmer, Advisory Board Member at Conduct Change, opened up this talk and invited Rachel to provide an overview on the research into conflict published by the CIPD.

Rachel elaborated on the research before explaining the key findings. She said, *"we surveyed employees, employers, and we held focus groups as well, so it was quite in-depth...most said that the working relationships they have with colleagues were good, or very good, and around three quarters agreed that colleagues treat other people with dignity and respect. So, on the face of it, quite positive early findings"*. In terms of employers *"... three quarters said that the working environment and culture in the organisation was good, or very good"*. So, we're starting off from a broadly positive picture, but then we dig a bit deeper, and we see that a different image starts to emerge."

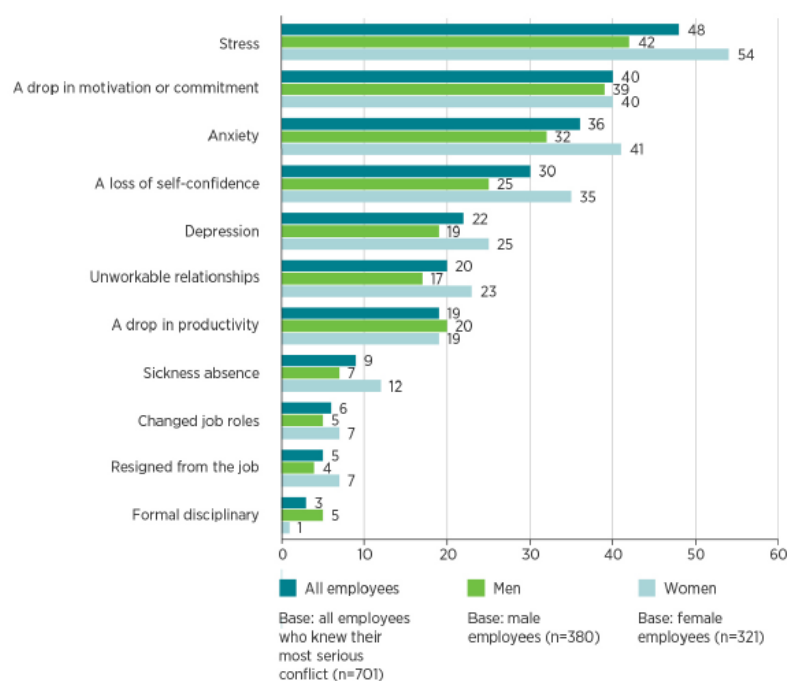


Rachel elaborated that when you scratch beneath the surface within many organisations conflict is too often an occurrence. She clarified that this was specifically negative conflict. She noted that conflict if used in a positive way can be channelled into something productive. She quoted further figures from the research, *“One in five said that conflict in my workplace is a common occurrence, and that was the view of employers”*.

Further statistics showed that around a third of people said that they had experienced negative type of conflict in their work over the last year. A quarter said this either took the form of an isolated dispute, it was a one-off but serious dispute with another individual, or it was an ongoing difficult relationship. One worrying result from the findings stated, ***“A quarter of employees think that challenging issues like bullying and harassment are swept under the carpet in their organisation.”***. This demonstrates the attitudes and reluctance of a lot of organisations to even recognise conflict.

One in five think that the culture isn't truly inclusive, and they agreed with the statement that colleagues sometimes reject others for being different. Rachel added, *“Now this doesn't necessarily mean overt prejudice or discrimination, but is a reminder of the fact that conflict and feeling excluded in an organisation, in a team, doesn't have to be overt for you to feel not included.”*. The CIPD report also found that around 15% had experienced bullying over the past three years, 8% experienced harassment not of a sexual nature, and 4% which was of a sexual nature. Rachel moved on to talk about the impact this conflict and negative behaviour has, as shown below.

Figure 9: The impacts of conflict (%)



Rachel moved on to the role of line managers, and explained that the research conducted by the CIPD showed that line managers are mostly likely going to be the cause of conflict. Rachel explained how this demonstrated clearly that more needed to be done. Line managers must play a positive, proactive, role in managing conflict. The quality of the line manager that you get at work is going to be really pivotal to your whole experience of employment, and your job. The CIPD Research found that there was a majority opinion that their line managers treat some more favourably than others. This is clearly an issue and demonstrates a clear lack of inclusivity.



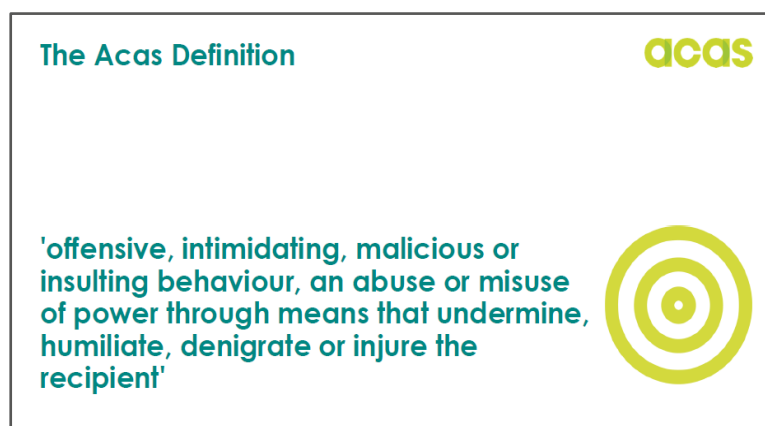
Rachel progressed to the CIPD's research on resolution rates. In other words, how effective is your organisation at resolving the conflict? Less than half said that the conflict that they'd experienced had so far been largely, or fully resolved, and people were just as likely to be dissatisfied, as satisfied, with how their organisation handles the conflict.

What the research found was that formal processes still dominate in terms of how organisations try to resolve conflict. Rachel explained they had found a lot of room, and scope, for organisations to embrace more positive, early problem-solving approaches. To their surprise, they were met with quite a bit of willingness on the part of employers to approaches such as training managers in having challenging conversations at the point of the conflict. She continued that *"HR carrying out more facilitated discussions, more troubleshooting, more use of mediation, and most importantly we found a real openness on the part of individuals to use more informal approaches."* This is a popular theme we have seen throughout the report.

Rachel concluded with a summary of her talk. The importance of formal policies and procedures knowing their place. They should not always be the default option. Often this will only mask the issue or exacerbate it further as the focus can often become about the policy and its stages more than real discussion and evaluation. She further reiterated the importance of the role of line managers and understanding their role within an organisation as well as making sure that they have access to appropriate training and have the confidence to resolve issues and not being afraid to step in.

Paddy thanked Rachel for her expertise and her time and invited Michelle to speak about the widely used definition, and the developments within ACAS since the policy discussion paper that was produced in 2015.

Michelle opened her talk by explaining the appropriateness of the definition given by ACAS as to what constitutes bullying: *"it was published in 2014, but it is a collective view from both the legal, the academic, business, and trade union communities. Now, I know it's broader than that, it has expanded out, but I think it's a very useful guide to how you define what bullying is, and how people see it, and the impact that it has on them."*



Michele further explained the role of ACAS, particularly with its bullying helpline. The helpline takes calls from both employers and employees, however predominantly it's employees who contact us, and whilst the service is absolutely confidential, ACAS will gather stats about the nature of the calls that are coming in. Michelle, added some statistics for context here, *"January 2019, about 1300 calls*



around bullying, January 2020 about 1500 calls, February 2019, 1300 calls and in 2020 about 1500". Michelle also pointed out how number of calls declined following the pandemic with more people working from home. However, in June 2020 when lockdown lifted, and more people were returning to work, the number was creeping up again. Michelle described this as clear, "tangible evidence that workplace bullying continues."

This led Michelle into her principles for tackling and preventing workplace bullying. She began with "Focus on the workplace culture". She explained that *"poor workplace climates lead to an increase in bullying, and poor workplace climates could include things like large scale changes that are going on. People when faced with change will react differently, and some people struggle with change. It may cause a change in their behaviour where there are also redundancies, or a paring down of the workforce, then that, as a result of work intensification can lead to additional bullying, or perceptions of bullying."*

Michelle further reiterated Rachel's original point on the importance of line managers as well as the informal process before moving onto values and behaviours founded in respect and wellbeing, and what an organisation can do to encourage good behaviours and openness; therefore, the second principle is 'encouraging positive behaviours'.

ACAS's third principle is 'agree appropriate standards'. We should aim to involve the workforce in the developing of behavioural standards and expect senior leaders to role model these standards and embed them by linking them to performance objectives or reward/progression outcomes. The 4th principle, 'keep an active lookout'. Michelle described a report she was part of conducted at ACAS and produced and given to the board who were shocked by the results. They didn't see those behaviours from line managers, or from other colleagues. Therefore, it is important to maintain an active lookout.

The 5th principle, 'nip it in the bud'. Everyday interactions can stop bullying in its tracks, therefore it is important to ensure people feel comfortable enough to talk openly about the line between unwanted and acceptable behaviour. The 6th principle is 'to provide support'. Bullying can feel isolating and difficult to handle, therefore it is important to make sure support is available to those that feel bullied and to managers responding to it, and ensure that this support is known about and trusted.

The 7th principle stated that it is important to 'provide options for resolution'. This includes both informal conversations and formal procedures, as well as mediation. All three of these have appropriate scenarios to be used in. However, it is important to not let one become the default option. Each case must be looked at in an individual way. From here Michelle moved on to the 8th principle, which aims to 'equip managers with people skills'. Leaders at all levels must be able to respond confidently and appropriately to any signs of bullying. This must also be emphasised in management recruitment, training and performance processes.

Paddy Trimmer then thanked Michelle for her fascinating insight and asked David Liddle to speak next. David and his organisation, TCM work to create a happier, healthier and more harmonious workplace through the introduction of the resolution framework, focusing on the development of an alternative policy framework for managing discipline, grievance, and bullying investigations in the workplace. David described the current systems for resolving conflicts in the workplace, as ***"negative, damaging, insidious, pernicious, divisive and worsen conflicts, rather than enablers of resolution."***



However, he also went on to highlight the importance of conflict. *“Organisations that don't have conflict are the least productive, and least performing organisations. Conflict is good for business, it's good for our people, it's good for our organisations. It's not conflict that's the problem, it's how we handle conflict that's the problem, and as a society, and as organisations.”*

But we know there's so much going on behind the scenes, that our needs are not being met, they need to be heard, treated with respect, dignity, to be communicated with, to be nurtured and supported by our organisations. When those needs aren't met, we experience a profound sense of loss, of hope, esteem, a loss of sense of perspective, and future.

David acknowledged the fact that current systems and frameworks are missing the mark of the root cause of the conflicts and issues. *“We're missing all of the information, and the context behind the scenes, so the policy frameworks have missed the opportunity to understand the true nature of the situation, in the relationship, so the policy frameworks are reductive, and more about concern managing this than they are about people...It's intrinsically adversarial promoting a confrontational, competitive mindset, terrorizing the parties, rips them apart, and tears the heart out of relationships. The needs of the individuals, the business, the organisation is completely ignored in favour of managing risk and preventing an adverse finding in the employment tribunal.”*

David described an investigation into the Metropolitan Police. Less than one percent of allegations of race discrimination within the organisation resulted in a punitive sanction against the alleged wrong doer; in most organisations less than 10 percent of allegations of discrimination, bullying or harassment result in a sanction. That's 90 plus percent of people being made to feel liars. David expressed, *“The systems are broken. So, I want the organisation to develop an alternative process called a resolution framework.”* David described it as peeling the values of the lobby walls, off the lanyards, and the email signature, then it makes them come to life through the policy frameworks, through the behavioural frameworks, through the HR systems and management processes. It puts people first. It develops and manages a triage process, producing a tailored solution for each case rather than a three-step process, with much greater focus on early resolution. *“But it's not just about early resolution, we can take formal action where it's required, and it's fully legally compliant, and meets, and exceeds, the requirements of the ACAS code, and employment legislation, so this framework replaces the discipline and grievance process.”*

The resolution framework focuses primarily on encouraging managers to have the conversations in a way that is structured and systemic, it's not just an ad hoc, or discretionary, activity. It's built here so support is given to managers, training around emotional intelligence, around positive psychology, around using nudge theory to drive the right behaviour, and of course everything can't be resolved at those early stages, so there's provision through a resolution hub to bring an allegation, or a complaint, rather than slapping down agreements, or pursuing disciplinary action. It's a request for resolution.

David finished with, *“I think the discipline and grievance procedures that exist in our workplace is as big a public health emergency as smoking in the workplace, and I think that the sooner we improve the disciplinary grievance procedure, it will improve public health, psychological safety, in our workplaces.”*

Paddy thanked David for articulating what many others feel and believe, that the focus must be on people and not the process. He then invited Michael Plowright to talk about developments in Australia, since their new legislation was introduced, and Michael's recommendations for approach to businesses.



Michael began by explaining his approach. He said education is the key component to everything they do, through the implementation of education for different organisations who are looking at teaching their staff around workplace bullying.

Michael then went on to explain exactly what he meant by education; *“If there's bullying, we need to teach our employees that they actually need to put in a complaint.”* However, Michael continued that teaching people that process is actually not enough to prevent bullying because what that does is actually encourages people to be disempowered by going to their managers instead of actually finding solutions.

Michael continued to explain that bullying is an opportunity for us to learn, and bullying falls into an improvement cycle. Bullying, and particularly education can be preventative if we teach people the skills. If we teach our leaders the correct skills, then we can actually prevent bullying from happening in the workplace. Bullying education can be used as a recovery and learning tool, teaching our staff after events to ensure that it goes back into a cycle of prevention, when we consider workplace bullying as a potential improvement cycle and prevention cycle.

Michael went on to describe the work of Evelyn Field on how the bullying process happens. *“Her research indicated that a bullying episode can last around approximately 15 months, on average, across all the cases that she researched. So, you have a person in an organisation who displays bullying type behaviours, and maybe that originates somewhere from their younger days as children, they haven't learned to manage behaviours, well they haven't got what they needed, so they find ways to get that, and they bring that behaviour into the workplace.”*

So, the key is getting people to intervene and intervene early. One part of recognizing the behaviour is the types of behaviours that might be happening. Sometimes it's overt abuse, we need to get staff to recognize that, but what we also need to do is to get staff to understand the early warning signs.

Many people don't act because they make excuses for the person who uses bullying behaviour. It's here, we need to teach individuals to intervene. Michael continued, *“We need to teach them those strategies that empower them early on. Once they've recognized it within a timely way to intervene, and act, on the behaviour, the next step is to get our employees to monitor for change in those particular behaviours, and if the behaviour is ceased from the person potentially who could become a bully, because the conflict hasn't been stopped in terms of that, what we're looking at doing is we want to get our employees to monitor for change.”*

Beyond this is enforcement which then becomes your complaint strategy, Michael explained. Fundamentally with this particular model, we need to actually teach our employees who are simply bystanders exactly the same approach. Recognizing the behaviour and acting when they actually see it, monitoring for change if they see somebody else being bullied in the workplace, and then they also need to look at enforcement strategies. So, it's a model that can transfer across different levels, but it is about empowering staff to intervene early.

But fundamentally, at the end of the day, the key thing that this relies on is building leadership and culture. We need to teach our leaders different leadership styles. We need to teach them how to communicate effectively, we need to teach them how to create a psychologically safe workplace so that our employees can actually be empowered to do what they need to do to keep themselves safe, and act early when the opportunity presents itself.

Michael concluded with a summary of his RAME model which empowers employees to deal with situations early on, giving them the skills to deal with the situation, and only those where they can't



will escalate up to higher levels. It teaches employees to identify those early warning signs, respond at that point in time, because that's what can prevent a staff member from actually being damaged. It's most effective when it's combined with a positive workplace culture that has been developed, and promoted, by leaders and executive management.

Paddy thanked Michael for his time and moved onto the Q&A.

How do we convince organisations to change their approach, from recruitment, and right through to supporting people on contracts, part-timers, furlough, LGBTQ+, BAME; people who are less likely to speak up. What can we do about that?

Michael opened by explaining that this is a process that is going to take some time. He described it as *"generational change."* He continued to explain that as generations come through, hopefully they'll learn to do things a little bit better. The cynical view is, at the moment the more people get sued the more likely it is to change; but there's an underlying reality at the moment.

Rachel picked up from here; she expressed that it all comes back to the existing power dynamics, *"which are often so unbalanced in an organisation, and there is this imbalance of power inherent in an employment relationship."* Rachel explained how it is fundamentally down to how organisations change the culture and that does take time. Culture is every little interaction that takes place across an organisation. Organisations are going to have to work really hard to create that environment, and it also means really doing it *"hand-in-hand"* with genuinely inclusive cultures that don't just tolerate, but celebrate, every individual's background views, experiences; and it's safe to take risks, and there is trust.

David added, let's listen to the voices of our employees, let's listen to people who've been through these processes. He explained that this is a blueprint of how organisations could be every day, that's based on outcome-oriented, principles led, and we could follow those three/four strands of the HR professional map for your leadership, our HR and unions, and bring those features together, alongside the implementation of collaboration and pluralism to find better solutions.

The talk closed by reiterating the need for more to be work done in this area. There are a lot of people working separately, and *"we need to come together and have a really collective voice and really work in the same direction"*. Nicki finished by extending that invitation to the panel of collective communication as the *"right way forward"*.

The panel collectively agreed. Nicki closed with *"I think raising the profile of this issue and starting to shift those mindsets is absolutely where we need to be, so let's all do that together."*



Is mediation the answer to workplace bullying?

Jane Gunn - The Barefoot Mediator



Jane Gunn is an expert in the field of conflict resolution, a trained mediator and facilitator, known to her clients as “The Barefoot Mediator”. She is the Chair of the Board of Management of the Chartered Institute of Arbitrators (CI Arb) and is a former director and board member of the Civil Mediation Council of England and Wales (CMC).

HR processes such as complaints and grievance, designed to protect both employer and employee can create unintended consequences and sometimes exacerbate underlying conflict and mistrust.

Mediation, especially when used at an early stage in the process, can offer an alternative and less formal approach that helps the parties involved to address their concerns and take an active role in addressing underlying issues and concerns as well as designing outcomes and possibly addressing organisational culture.

Jane introduced herself with her own personal experience with workplace bullying. She spoke of the strain workplace bullying can place on family life. She also spoke about her professional experiences as a mediator.

Jane’s role is to help people in the workplace, and with all different kinds of legal disputes, to transform the dialogue that they’re having, and in particular in times of change, challenge and crisis.

She explained her talk will be separated into three sections, starting with the difference between constructive and destructive dialogue, and why in mediation we look at those two; what are some of the approaches, the process of the mediation skills; and how can we expand it out into early resolution, so destructive and constructive dialogue.

Conflict is all about a conversation that didn't happen, or didn't happen well. One of the things that happens is that very often we create conflict ourselves, or other people create conflict without realizing it. We don't have an effective conversation, sometimes bullies are well aware of what



they're doing, sometimes they don't know. It's a manifestation of things that have gone on in their life before, and it's just the way it comes out.

Jane introduced a model that explores how the conversation itself can be destructive rather than constructive. She explained that every interaction or conversation that we have with another person falls along a spectrum. It has an impact on the two people who are involved in that interaction, and our brain reacts to that conversation, that interaction, either as if it's a threat, or as if it's a benefit, or somewhere along that continuum.

Whatever is unspoken is hardest to change

We speak least about the things that matter most

Jane Gunn

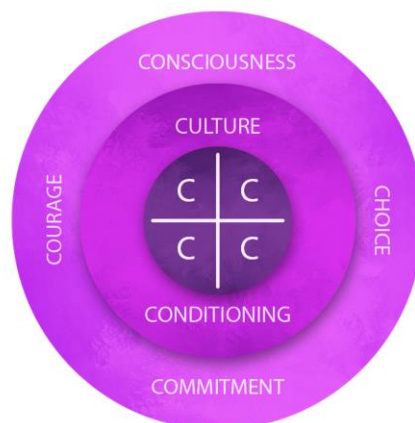
www.JaneGunn.co.uk

Jane elaborated that you can measure conversations along this spectrum on four levels. She referred to these as the Four C's of collaboration. **The first C** is about **connection**. This can refer to someone in their interaction with you making you feel less than, making you feel small. Jane explained, *"Very often, in a bullying situation, that's the impact of the conversation, you're smaller than me, you could have done better, you're not doing as well as you could be, or a sense that you're excluded."* However, it can also be very subtle. For example, being excluded from email conversations, not being invited out to lunch, your desk is put on the other side of the office, little subtle things where they're left out of a group. In other words, forcing someone to develop a sense of disconnection from the rest of the organisation.

The second C is about **consideration**. In legal terms consideration means *"did I get something for what I gave?"*, and many times people feel they're being treated very unfairly. They give a lot of consideration, kindness, to others and they're not treated in that way, and they're not treated in the language, or the interaction with fairness, with consideration, and with respect. And actually, if the language is abusive, that again is much more on the threat side rather than the benefit side.

The **third C** is about **control**. Many times, bullying comes out of somebody actually micromanaging, or trying to control how you do things. So again, if you're not being given enough information to do your job, or know when a meeting is, or know what's expected of you, that can also impact on this sense of do I feel threatened, or do I feel in control in this particular situation?

And the **final C** is about **caring**. All of us at some point wonder *"do I matter, and am I heard?"* And if you get a sense that you don't, and nobody cares what you think, or what you feel, that again is distracting you from this sense of an effective collaboration.



Jane Gunn

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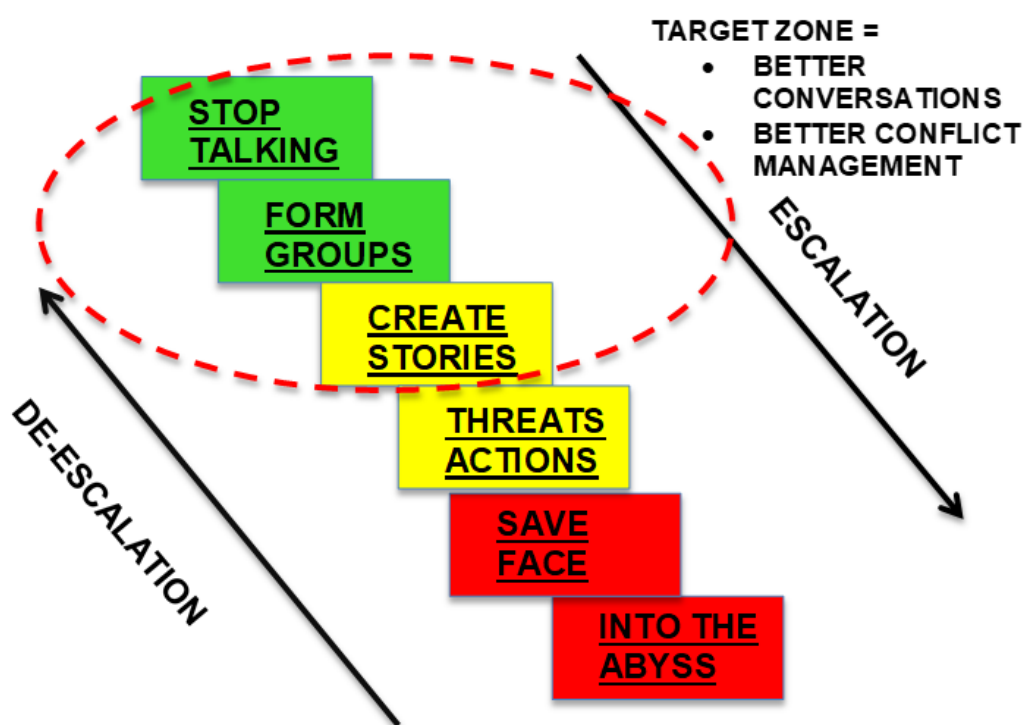


Surrounding this model is an outside layer representing culture and conditioning. We all operate depending on what cultures we've experienced in the past, and the first culture we experience is the culture of our family, and then the culture in other workplaces, and sometimes we absorb that culture. Conditioning refers to what you've experienced that makes you interact with others the way you do.

Around this is consciousness, choice, commitment and courage. Jane explained this *"if we want to change the way we operate, if we want to change the conversations, we need to be both conscious, make a choice, be committed to that, and be courageous."*

Jane went on to describe the ladder of inference. In situations where conflict is beginning, it can escalate because we're making an inference, because we infer that somebody meant to do something that perhaps they didn't. So, this whole conversation becomes even more defective, and one of the things that happens in the workplace, is that we have parallel conversations. So, we may get the sense that people are talking behind our backs, and also, when a sense of conflict arises, one of the things people do is have a conversation in their head, and we don't have a way to share that with the other person.

And then the whole thing begins to escalate from there, and here is the ladder of escalation. So first of all, we stop having an effective conversation with the other party, secondly, we start to form groups, so again, this sense of, *"am I in or out of the group, is there a group forming out that, is that group forming their own story, have I gone off and told my story to someone else?"* Then those stories become set in stone, we create stories in our own groups, whether we've gone home and told our partner at home, or whether we've been telling some other work colleagues, those stories start to form, and then threats, and actions.



Source: F. Glasl
Confronting Conflict



As you get to the bottom of the escalator, conflict becomes very much about saving face, and many times people who are themselves bullies are very weak in themselves, and the one most important thing to them is to save face in a situation. The final place that people go in terms of conflict escalation is into the abyss. So, both parties often, if they're unable to de-escalate the conflict, will end up in the abyss. That means one person has to leave, or it costs the organisation a lot of money. But in the abyss, there's a huge cost to conflict. Bullying, and conflict, comes from a process where there is no effective conversation, either with a senior member of staff, or even with the person who you've actually got a face-to-face bullying situation. Where there's no effective way to have that conversation, both parties are very vulnerable. In situations of conflict generally, the dialogue itself escalates, the dialogue itself becomes much more negative, destructing, alienating, and so on.

Jane then moved on to talk about mediation skills. There are many different types of mediation and mediators come from many different professional backgrounds, from HR to Lawyers. She explained how Lawyer mediators operate in different ways. They can be referred to as evaluative, taking a judgmental approach, and tend to guide parties as to who they think is right or wrong. The second is what's called a facilitative approach, they facilitate very much like a coach, and enable the parties to be heard.

The third is the transformative approach, and Jane referred to this as the approach she takes. *"It's an orientation towards conflict which is around this sense that what's gone wrong is the interaction, the dialogue itself, and what you really want to try and achieve is a shift in the party's perspective, where they can understand and hear each other, but the main part about this process is I want both parties to be able to get clear in their own head what this process is about, what the issues are, and to be able to make their own decision about how to move forward."*

So, it's a process called self-determination. The job of a mediator is to shift the parties from being in that state of weakness and self-absorption, to being able much more to hear, and respond to the others, and that can take quite a lot of time.

First of all, it is about the conversation, and as a mediator you must aim to help the parties to hear each other. What's broken down is the dialogue, they can't hear each other, and they can't explore beneath the surface, so it is important to help them to listen to, and hear each other, and to listen to and hear themselves. Jane explained that she does this using a number of skills and tools, about "reflecting back what I'm hearing, summarizing in a way, and checking with the parties, where do they want to go? What outcome do they see as being possible? And giving them control as to where they want to go next."

She continued to explain that *"My job is not to patch up every workplace conflict, and every bullying scenario. Sometimes it works, and many times it works really well, but it needs to help the parties to get very clear about what the issues are, and about what their options are, and if it can't be resolved, either the workplace itself doesn't support the stance from which the employee wants to move forward, or the parties themselves cannot bridge that gap, then they have to make a conscious choice, or the organisation has to make a conscious choice, about what happens next."*

What mediation aims to achieve is to move away from a situation of fear, where people fight, where people treat the other person as the enemy, where they are adversarial, and where they have to prove that they're right. The behaviour that we see in conflict is that many people feel they have to fight; they have to run away, they freeze, which is where you sit in a situation for ages; or you appease, you keep giving in to the person. This is essentially fight or flight response.



Online Mediation has actually transformed how we mediate in any event. In a workplace mediation you don't actually have to meet the other person in an office setting. Many people don't have the emotional energy to sit around the table, so virtual mediations are offering an even better level to workplace mediation, because people can sit in their own home, they can sit with their favourite cup of coffee, they can sit with their shoes kicked off (that's where the description of barefoot mediator came from). Mediation aims to help people to make this shift from being very fear driven, to being able to listen, observe, verify and empathize with each other, and then make a conscious choice about what kind of outcome there might be.

Jane then answered further questions.

Can bullying be seen as almost a default setting for a leader, or supervisor, who is actually struggling to express themselves, but attempting to save face?

Jane explained that as many leaders are promoted to the level of leadership without an awful lot of training in managing people, or indeed in understanding themselves, or managing themselves, their default position most definitely is to save face, and to manage their own stress. They go to the default behaviour, which as we saw from the original model is what have they experienced in their culture, and their conditioning on their way to that position. So, if what they've experienced, and their default position, is to treat people in that way, that's what they'll default to, and that often comes from a lack of self-awareness, and a lack of ability to have managed that before they've stepped into that role.

The mediations that you deal with, are they usually people who are of different ranks, or standing levels, or are they quite often direct peer-to-peer mediations as well?

"There is a sense of a power imbalance, but I think actually, when you understand that actually the bully feels weak, they may have hierarchical power, and you know very often I think what people fear is they're going to lose their job, or they're going to compromise their position. So yes, there is a power imbalance in that sense, but when you understand actually that often leaders feel very lonely, and very weak too, and this isn't an excuse for their behaviour, but very often that is what drives bullying behaviour."

Is there something we can do in the wider organisation to help to manage bullying earlier?

She explained that there should be a process that is very clear, no matter what size your workplace, where you know how to instigate the kind of conversation that you need to have. Sometimes it could be simply approaching the person that you've had the difficult interaction with and explaining what you thought, and felt, and maybe they didn't know, i.e., you've made an inference. Maybe you need to take it to another member of staff. Jane explained how she feels that it is unfortunate that people are having to store up their experiences in a little black book, and write down everything that happens until they've got enough to lodge a grievance or a complaint, and then of course it goes formal. And then what happens most often is that either one, or both, members of staff end up going off on sick leave, or leaving the organisation for a while, which is a loss of resource, and could have been avoided.

Encouraging organisations to have a plan for managing conflict as a whole, and bullying is part of the answer, and Jane works with organisations to help them to plan that, because the staff should all be involved in that plan. They should design it themselves; they should understand what the steps are, and they should integrate this conflict management, and understanding that bullying is part of that, into their organisation. It should become part of the organisational culture.



Where organisations are going wrong, they're focusing on the symptoms, on team building, working on people management skills, but what people are not understanding is the root cause, which is ineffective conversations and unmanaged conflict.

Jane introduced six steps to better collaboration. The first, learn conflict management, everybody in the organisation should at some level be aware of conflict management, and have some skills in that. The organisation should also create a systematic process, a process which has steps which are outside the formal grievance process, to enable people to raise issues. Everybody in the organisation should share responsibility, and this can come back to what do the values of the organisation say, so putting those values into practice in the organisation when it comes to decision making. Therefore, we have clear criteria for every decision that we make in the organisation.

Changing a culture takes time, but sharing, learning experiences over the time is very powerful, and if you get the culture right then bullying just becomes a no-no, because everybody will stamp on it as soon as they see it. It's not something that gets buried under the carpet, it's something that just is not acceptable around here. Culture generally means how things are done around here, and if that is about total respect and admiration and care and concern for others, then bullying doesn't play a part in that.

At what point is mediation too late?

"Sometimes we don't know until we try it, but sometimes I think if one person really, really just doesn't want to engage, you know then it's not going to work. Again, if somebody is really seriously ill, I mean, I have had a party who, the impact of the stress on her was so much, that she really wasn't physically capable of attending the mediation. So, I think there are times where mediation just isn't going to work. Having said that, this opportunity for it to be this catalyst for getting clear that actually it's not going to work, and maybe the organisation itself, or either with the parties, needs to make a conscious decision that they can't carry on, sometimes it can just be useful for that. But you do, at that stage, have to be very careful, and that's why I'm very careful about putting people together when you know it's likely to make things worse."

You mentioned earlier that you have some more case studies, and stories that you could share with us, can you just finish by sharing a couple of really good examples for us?

"The other more powerful story is, at the end of a mediation where I think it started off fairly difficult, but I think the parties had listened to each other, and in fact there were several levels, there was a level of management in the mediation, and the story of the person who'd been bullied, who'd actually brought his wife to the mediation, was so powerful that the employer went away, and he said may I have a moment, and he went away into his own private room and he hand wrote a letter of apology, and then he said may I read this personally to the employee and his wife, which he did. And very often, you know, the impact if you get it right, of somebody moving to that ability to be able to respond to, to empathize with the other person, and to say gosh I never knew at that level what you were going through, and I'm truly sorry, and here's an apology, and a lot of times in the work that I do actually acknowledging what someone else has gone through, and offering a heartfelt apology, can be the transformative magic ingredient."



When do interventions work for the organisation?

Professor Emeritus Charlotte Rayner – Conduct Change Advisory Board Member



Professor Emeritus of Human Resource Management at University of Portsmouth, and international expert in workplace bullying prevention research, with a speciality in interventions at the organisational level. Charlotte is also one of the founders of the International Association on Workplace Bullying & Harassment.

The aim of this session is to help your interventions on workplace bullying and harassment work effectively in your organisation. There is no 'magic bullet' to tackle workplace bullying and harassment. Instead, employers need to develop a range of measures which individually will have little impact but together, well sequenced, can have a definite impact.

How to reduce the incidence of people feeling bullied or harassed and maintain traction over time using several measures will be discussed. In addition, engaging in prevention measures that reduce negative behaviours will be outlined - ideally where employees become self-regulating thus changing the agenda.

It is becoming increasingly difficult for employers to find their way through the complexity of workplace bullying. There are many different types of targets and bullies, and many types of bullying. I want to ask when do interventions work for the organisation and are there any nuggets of wisdom we can find to help?

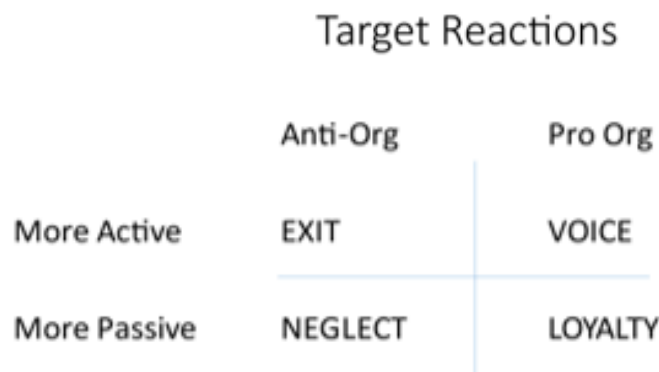
Charlotte Rayner, Emeritus Professor at Portsmouth Business School presented a talk on when interventions work, and in fact when they do not. She described it as "sharing with you some ideas about finding your way through the complexity of workplace bullying."

She opened by explaining that through the use of three schemas you can create a system of a variety of interventions working together cohesively. In that process we are trying to create a system whereby you're catching people before they get damaged and therefore help organisations create and design networks of intervention that help targets.

The first schema was for target reactions to being bullied. She introduced The EVLN Model, first devised by Withy and Cooper, 1989. It is based on a sociological model which looked at how people behave when treated badly. Withy and Cooper found 4 reactions people have when organisations



treat them badly. One of these is EXIT. This also helped to explain why business will put time and money into anti bullying. *“The exit rates in workplace bullying are phenomenal”*. Exit rates harm businesses, 25% of those bullied exit their job. In addition to this, there is also a high exit rate for witnesses, 20%. EXIT costs like this put particular strain on organisations due to the cost of putting new individuals through recruitment and training.



EVLN Model, Withy and Cooper, 1989

The EVLN model also has Voice (Pro-Organisation). Charlotte explained that for organisations to be able to prevent exit they must be able to listen to voice. *“If you can be sensitive to voice and sensitive to voice very early you can work in a very constructive way”*.

Neglect is the next part of the EVLN model. Charlotte described this as the feeling or emotion of *“you don’t care about me; I’m not going to care about you”*. She further elaborated that this may also mean that unfortunately they also do not care about themselves. This may be neglect of the job, neglect of the organisation, at home, of your role and of yourself.

Loyalty is the final section found in the EVLN model.

Charlotte shared data based on EVLN Model conducted by Niedl, (1996). The experiment gathered ten participants and tracked their reactions through the stages. Niedl found that voice is a really key place to be able to avoid exit. This only supports the points Charlotte made above.

The next schema is the organisational schema, known as the Event Hierarchy. The pyramid represents the organisation. At the top of the hierarchy, we have a legal redress. Described by Charlotte as *“a dreadful place to be for anyone”*. The individual may even have already left the organisation at this point.

Below legal redress is Formal Complaints. It’s Important to point out that not all formal complaints go to legal redress.

Many organisations have an informal complaints section under formal complaints. The problem with this is that by definition it is quite vague; some organisations define informal complaints differently to others, not just between organisations but also between industries. For example, what’s seen as an informal complaint in one organisation may be seen as a formal complaint by another and vice versa.

Data suggests that most people will be doing something to say they’re aren’t happy about something before they make a formal complaint. This may be in the form of consulting trade unions, managers, occupational health, HR or co-workers.



It is here that we might hear VOICE. However, Charlotte explained that by the time it gets to informal complaint VOICE is already unhappy.

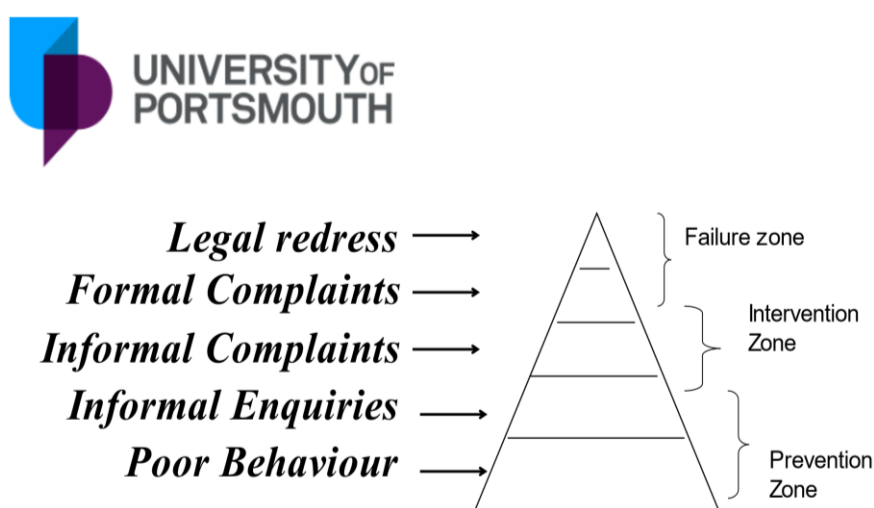
Below this is Informal enquiries. It was here Charlotte tied the Event Hierarchy model to the LOYALTY section of the EVLN model. Here individuals would express behaviours like, *"Is it me? Is it the job? Am I making something up?"*

Under this is poor behaviours. These can be overt behaviours but also times where you don't get included in communication, don't get invited to certain meetings. This creates no sense of shared information.

Therefore, within poor behaviours, there are behaviours so subtle that only when it builds up over time do you put it all together. This can be indirect behaviour that is undermining; making you worry or become anxious. Bullying is very often a series of small events that when added up it becomes a pattern of treatment.

Charlotte explained that in an ideal world would be to remove poor behaviour, however, this is easier said than done but one step towards this is if you were to imagine yourself at the bottom of the hierarchy.

There are also three zones that accompany the Event hierarchy. The **Failure** zone which makes up legal redress and formal complaints (failure in terms of interventions); the **Intervention** zone consisting of informal complaints, and the **Prevention** zone, made up of informal enquiries and poor behaviour. It was found that people generally bounced back if accountability was taken before informal complaints.



Report to the Steering Committee of the Dignity At Work Project 2008

WHEN DO INTERVENTIONS WORK FOR ORGANISATIONS?

When they prevent bullying/harassment. When they prevent/limit damage to targets, for example within informal complaints; handling these well will limit the damage. This in turn prevents EXIT and NEGLECT saving the organisation money.

How do we prevent EXIT and NEGLECT? We can act at LOYALTY – within the informal enquiry area *“is that okay here?”* when you react positively to VOICE. If done correctly this should happen at informal enquiries and informal complaints

Therefore, if you can focus your interventions between these two points whilst also working to prevent poor behaviour it gives you the best possible chance to minimise the impacts of workplace bullying.

Charlotte then introduced intervention categories to be applied to each layer of the hierarchy in an attempt to have different types of interventions working cohesively together to create a net of solutions.

Appropriate management, which may be through the recruitment of listening managers and retention or reward of these managers. Charlotte highlighted that this more positive approach is more likely to be engaged with. Appropriate management should help to deal with poor behaviour and informal enquiries.

A transparent approach towards the organisation’s culture. A culture that demonstrates behaviour with courtesy to all. This encourages managerial level roles to be self-policing, to know when appropriate behaviours are and aren’t being modelled. Furthermore, training in difficult conversations, mediation skills and coaching instils confidence in managers to deal with these tough situations and provides for them a willingness to go towards their staff which is also important.

Organisational Systems: *“as soon as you measure something, you care about it so we measure what we care about”*. She further suggested that you have to measure many things.

Induction is an important system in preventing poor behaviour as it demonstrates expectations early on. In addition to this, one of the biggest issues is how does everyone know about their routes for early resolution? Are the policies among thousands of pages of others and therefore difficult to find? Therefore, there must be informal routes. For the system to work you must allow informality as well as confidentiality. Without these, organisations will find themselves all too often back in formal complaints. Feedback on activity rates for staff e.g. how many employees are going to HR/Health and Safety etc.? Without this transparency the workforce may feel you having something to hide thus creating a sense of separation again i.e., *“us and them.”* Charlotte further explained how an organisational system that captures and responds to VOICE is vital.

Individual Support is for everyone whether it be the target, the accused, a work group like HR or trade unions, or others involved. Clear expectations of behaviour must be set out, particularly with give and take and how far can you push someone before it becomes inappropriate. In other words, knowing when to stop. There must be clear routes for sensemaking and enquiry to communicate to people that they don’t have to feel ashamed or guilty.

How does your organisation know you respond to Voice? It must be clear to your employees that they are being listened to, that the service is being used and acted on. Support to all to deflate and defuse situations is vital. The right materials must be available whilst also supporting the volunteers to cope.

Charlotte then opened the topic to potential challenges. Using informality can be difficult to accept however, by using the hierarchy you can demonstrate that by using formality you are pushing people into a negative area of formal complaint. Accepting that people are different; individual differences mean that the same solution will not be for everyone. Caring and being emotional can be OK. Processes do not have to be run by lawyers and insurers.



Charlotte finished with a section on opportunities. She pointed out that individuals will be doing most of these anyway. The cost of strengthening current systems will be cheap as you are just building on what you already have. In addition to this, a reduction in exit rates will provide huge financial benefit. Charlotte also pointed out the opportunity of not being run by lawyers and insurers takes strong leadership. Charlotte concluded with encouraging everyone to just go for it.



The Bullied Target

Evelyn Field OAM - Psychologist and Author



Evelyn Field OAM, FAPS is a practising psychologist, professional speaker, best-selling author, media commentator, and Fellow of the Australian Psychological Association. She was awarded the Order of Australia Medal (OAM) for her work. Evelyn spoke about bullying from the employees' perspective, why it is bad, the damage it inflicts, early intervention, the role of management and the challenges regarding treatment and rehabilitation options."

Nicki opened with "I'm absolutely delighted to have Evelyn Field with us this morning, and Evelyn is renowned in this area of working with people who have suffered from workplace bullying, a highly published author of many, many papers as well." After this introduction, Evelyn took over and began the talk.

Evelyn opened by describing some of the major issues surrounding bullying. First of all, bullying and harassment can seriously injure employees and productivity. Most employers as well as medical and legal professionals don't take the bullying injuries seriously. The fact is that employers must respect all staff, they must solve all challenges, they can't look the other way. They have to work collaboratively if they want to be successful, and they have to audit their managers. They pay their managers to manage; they should audit them, they should train them, they should check again to make sure they're doing what they're paid to do, and that doesn't happen.

If you're a psychologist or a doctor or lawyer you can get audited anytime, but most managers are not audited, and that's one of the reasons why we have a lot of bullying. In addition to this, employees need to accept greater responsibility for their health, safety and well-being. Evelyn explained that she works with people who assume that their employer will look after them and it's just not always the case unfortunately.

One of the major issues about workplace bullying is that when you speak up you get your "head bitten off". Evelyn explained, *"So whether you're a whistle blower, and you think I'm doing the right thing, and you say I will talk about it, and then what do you find? The whole thing has turned against you. You're a problem. You've got performance issues. It's a disciplinary issue. It doesn't matter if you're a salesperson of the year last year, so the fact is that in most cases where there is bullying, if you speak up, you're attacked, or you're not believed."* Therefore, the need for organisations where people have the right to speak is vital.

Evelyn raised her concerns with how Covid-19 will impact workplace bullying. She explained how the bullying will change. "I think that managers will be under greater stress to make sure that they're



including their staff, they're talking to their staff, and that staff don't feel left out, even though they may not be in the office." Again, this is why managers need to be audited more.

From here, Evelyn moved on to what it means to be a target. Evelyn explained physical pain, and social pain are experienced in the same part of the brain. So, by being bullied, people will experience the same pain networks of the brain as they would physical pain. There are going to be **physical** changes in the brain. Evelyn continued, *"We know bullying causes epigenetic changes in children, we know there are cortisol changes, we know there's weight gain, an average of least 16 kilos. Gastro problems, skin disorders, sleep problems, sexual problems, blood pressure problems, fibromyalgia, strokes. We have psychological symptoms, hyper vigilance, being constantly on the alert, fear of being followed, fear of seeing something that brings back memories fear of trust, emotional paralysis, anxiety, panic attacks, depression, adjustment disorder. So, **we're calling the severe condition a workplace bullying trauma**, and it's very clear the people who have that are very easy to identify."*

Evelyn elaborated further about the symptoms and impacts bullying can have on targets. There are **cognitive** symptoms. People who are being bullied at work make more mistakes, they can't learn new material, their concentration is affected, they have a reduced interest in their work, they have an obsessive search for justice, particularly if they've left that workplace.

Social symptoms; there's the reduced social life, maybe from friends and family as well as feeling ostracised by work colleagues. The final change is the personality change. Individuals may not feel like the same person. They've been stripped of that and of all confidence.

For some bullying is a game. Evelyn described them as "hunters" or a "witch fest". "They're bored at work, they're not interested, they want to cover up their own mistakes, so they select, they chase, they destroy their victim, and then they find a new victim. It's the old hunting game. We know most managers and leaders are poorly prepared to deal with bullying, we know they lack the knowledge and critical skills to differentiate between fact and story, and handle these situations effectively. They expose the company themselves to liability, and they foster an overall culture plagued with systemic misconduct, bias and ineffective remediation."

Basically, I can say that bullying is a sign of a toxic culture, and a poor management. So even before we think about helping our target, we've got to change the workplace. We need a respectful, inclusive culture. We need regular communication, we need compassion. To get the full story we need regular training and meetings. We need to respect our ethical and legal obligations; we need a safe working environment. We need to validate everyone's perception; target, bully, bystander, manager, whoever. We need effective mechanisms to solve disputes, and of course, we need consequences.

Sometimes targets need therapy to manage difficult cultures more effectively, so in terms of dispute resolution we've got two major methods. One is the adversarial methods; they're abusive, expensive, and somewhat ineffective. The second is restorative, collaborative processes. Respectful and cheap. It improves the all-round culture, where you either acknowledge, reconcile and restructure, or you use restored practices.

Now, let's move on to the injured target. You need to get a work and personal history of the individual. Sometimes people who have been bullied before, still have other traumas. We have three levels of diagnosis. If it's **mild**, it might be an adjustment disorder, a short-term absence, depression, anxiety; the person returns to work quickly or moves elsewhere. If it's **moderate**, anxiety, depression, PTSD, less permanent physical symptoms. People might be off work for weeks,



to six months. If it's **severe** they have what we call a **workplace bullying trauma**, they might be ruminating for years, severe depression, anxiety, panic attacks, social phobia, many physical symptoms.

For those off work for two years plus, I'd say a third of those never return to work again, or if they do it's for themselves. Now treatment falls into two/three categories. First of all, **psycho education**, explaining what trauma is, explaining what bullying is, explaining what gender harassment is, explaining how poorly some organisation's function. It's to put it into perspective.

The second is **goal-based therapy**. Evelyn explained, *"But beware there are fashions in therapy, so maybe relaxation or mindfulness may seem to work, CBT if it's appropriate, and they're not severely injured, that might be appropriate. But be open."*

I think the final one, is **slow therapy, or process therapy**. Evelyn referred to it as referring back to the old counselling days, of acceptance, unconditional respect, a non-judgmental attitude. It aims to rebuild self-esteem, trust, and self-confidence to encourage individuals to get out and try new things.

What do your targets do next? What can your targets do, because hopefully they can take some of this back to their office. Hopefully being able to have a constructive conversation. For example, "Are you aware that when you yell at me in front of clients, I feel upset." Evelyn explained, "Don't threaten, because let's face it bullies are very often threatened by their targets, very often jealous of them, so be friendly and nice."

She continued, *"develop some neutral bully blocking strategies. Get used to the informal approach, ask bystanders, line manager, HR. Focus on your survival first, maintain your physical and emotional health. In other words, don't sacrifice your health and well-being for your faulty beliefs and expectations about what you think your employer will do. Record everything negative, and all the positive feedback you've had, because very often they don't add up."*

Changing careers is the only option for many who've been seriously bullied. I think they've got to build their own business, because they've lost that ability to trust. Some will be forced into semi-retirement, or forced retirement, so beware that you might still have injuries, a lack of trust, a social fear, particularly if you've gone through a lot of bullying. Beware that there are bullies in many other workplaces and you might attract a bully at the next workplace.

Is there anything that you would recommend that if someone was going to see their doctor, how could they reinforce to their doctor, actually I need more help than just going on to a waiting list, be more direct?

"I think what is very hard is for people, employers, doctors, psychiatrists, psychologists to accept that bullying changes the brain. Bullying is traumatic, bullying is a threat to one's existence, if I am not feeling okay, and I'm not included in my tribe, my survival is affected."

In your experience how long does it take people to recover from workplace bullying?

"If I've been severely injured as a result of work, it is a real trauma, and like any other trauma it's a scar, and you don't forget. So those of you listening who've had a trauma will know it doesn't really go, you learn to live with trauma, that's what it's all about, and so those symptoms will reoccur if people don't have the support, and don't learn those coping mechanisms. I have to work very hard to get my bullied clients to exercise, eat carefully, proper sleep, mindfulness, because any little thing that makes them feel bad, or brings back memories of the bullying, re-triggers them."



Supporting Employee Wellbeing

Dr Suzanne Henwood - The Healthy Workplace



What has changed in employee wellbeing? Are workplaces still looking at fruit bowls and gym memberships - or are they exploring the very latest human change methodologies, using neuroscience and a solid evidence base, to enable people to truly change and thrive at work? This session will share some of the latest thinking and research about what is required; what is desired and what works in practice. Join Suzanne for a session full of research, evidence and practical application, offering ideas to take back to your workplace immediately.

There are three steps that an individual can do if they have been bullied, or someone comes to you and reports they think they might be being bullied. The first thing to do is slow down and pause. It's about responding instead of reacting. Having that pause allows you to respond, so pause and take a breath. Absolutely acknowledge what you're feeling and seeing, truly witness the reality of the situation to yourself, or that somebody that comes to you for support.

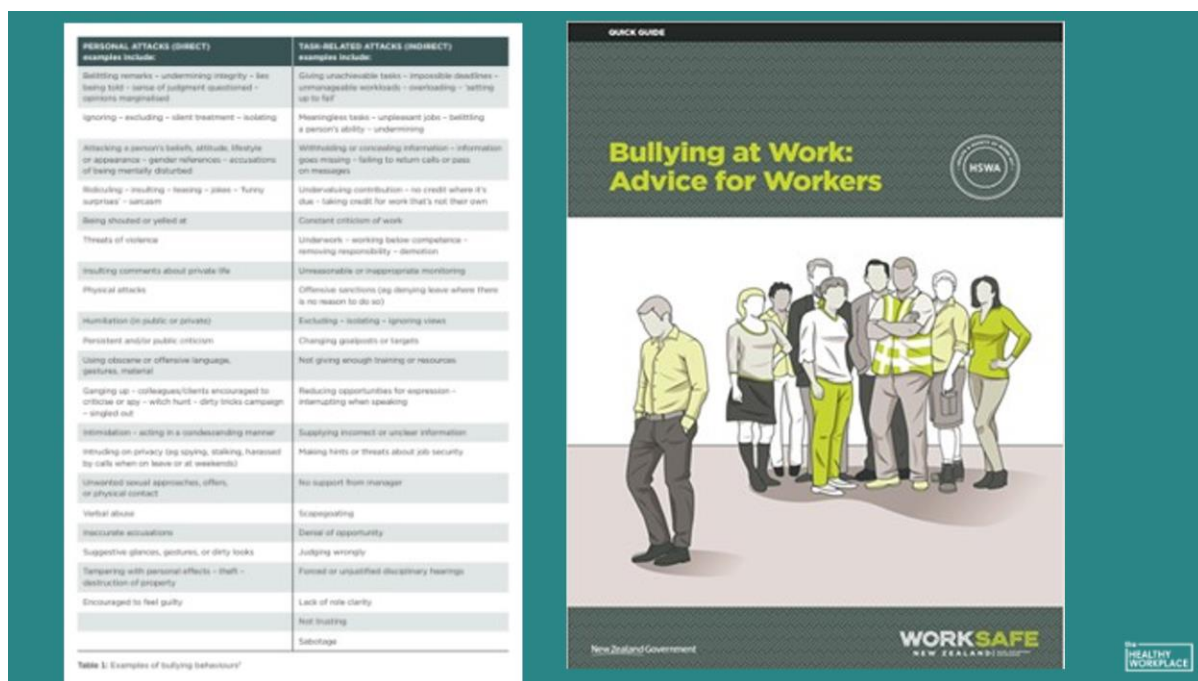
Many targets feel they're totally dismissed, their concerns trivialized, and it only adds to their trauma. So, it is vital to be fully present with yourself or the target, and find yourself that moment of space to just acknowledge what you're experiencing.

Then, when you're in that pause you might reflect on 'okay, am I really being bullied?' Because sometimes people think they are and they're not, or vice versa. Maybe even spend some time with a trusted person to talk it through. For some people their personality type is such that they need to talk it through with someone, but whatever you need, just create yourself that space to stop and reflect on what is really going on here.

Number two is to be aware. Susanne explained, *"So, once you've taken that breath you can do some research on what is bullying, and what is not bullying"*. Susanne introduced a slide from Work Safe with a list that helps to identify bullying specifically.

Susanne explained, *"I use it with my clients, is it splits bullying into these two sections. One is the personal attack, and the second one is the task related attack, which isn't always shown in bullying checklists."*





So, check through the list, see if any of the things are actually happening, either deliberately, and or persistently, and do look down the task-based attacks as well. Once you've been set out as a target, or particularly when you put in a complaint, you might suddenly find roles are removed from you, or you're being given meaningless tasks.

Susanne summarised this point with, "So be aware, be really clear what's going on in your own mind before you take any action. Also be aware of what options you have; and the impacts that their bullying is having on you. For example, is it impacting on your sleep?" She explained that it is important to start to keep a record.

Number three is putting yourself first. It can be so easy to worry about making a fuss, or dropping someone in it, or feeling like you should just be doing the job. Honour what you're feeling, and what you need. If you don't there is a risk that this could fester and be bottled up, leading to long-term chronic stress, So, instead put in place a process to resolve things.

Which brings us right back to our experts' advice about having looked after yourself. In that way they came up with the three steps, and the first one was about documenting everything and being really clear on process. At this stage you may not know what course of action you want to take, therefore, document everything that you can from the very first moment you think that you're aware there might be an issue.

One issue is when you're taking bullying cases through formal official processes, there are often time scales imposed on reporting of incidents. For example, in New Zealand we have 90 days in which to formally report bullying. Therefore, it is really important to find out your local workplace policies, or processes, so that you report and handle the bullying in the right way so that it can't be excluded on technicality. It's also important to find out if there's any specifically trained people in your workplace. People who really know how to deal with the issues in a sensitive way, and if not go and seek external help.

Susanne continued, *“There's a risk that if mediation is handled badly, it could re-traumatize the target.”* Therefore, it is important to get appropriate support, and you do need to do your research about this. *“Even the strongest get worn down to the point of PTSD, so prevent this by having support right at the beginning. You might think you don't need support, maybe it's not appropriate, but I would say always get support in place as early as possible.”* You may need to seek a different variety of different support systems throughout the whole process.

Now support goes way beyond just those processes, though this is not just about the action you can take because many people in bullying choose not to take any official action at all. This is also about getting personal support, and that might be counselling, or therapy, or appropriate coaching early on because bullying can be incredibly difficult to handle, even for the strongest people. Don't think you're strong, you're capable, and it won't hit you, because it may still hit you. What that will do is give you the space to actually make an informed decision about ‘what next’, so instead of reacting when you're in that fearful or stressed state, it will help you determine with someone else's calmness what's right for you moving forwards, and they'll be able to teach you some coping skills as well.

Recent research in neuroscience showed how we can manage the stress response once you've made the choice that's right for you. Then that support can help you find the strength to then take the action that you've chosen. Susanne also pointed out *“that not everyone will support you, even if they've personally witnessed the behaviour. Some are so frightened for their own jobs, or being attacked themselves, or they might have their own past traumas”.*

Find support that you can rely on, and if that's not inside then find it externally, and whether you go on to say nothing, you take a formal grievance, or maybe even negotiate a settlement, it is key to look after yourself right the way through the process, and in the longer term, and be aware it may end up with you leaving. While that might not feel fair or right, it may be the best option for your own health. So, it's good to have that support in the transition too, if that's what you decide. Susanne continued to reinforce the reality of bullying, *“Bullying's not fair, and it often doesn't get resolved in a way that offers justice to all parties...What's clear is that if you feel you're being targeted take it seriously from early on, and don't try and navigate it alone.”*

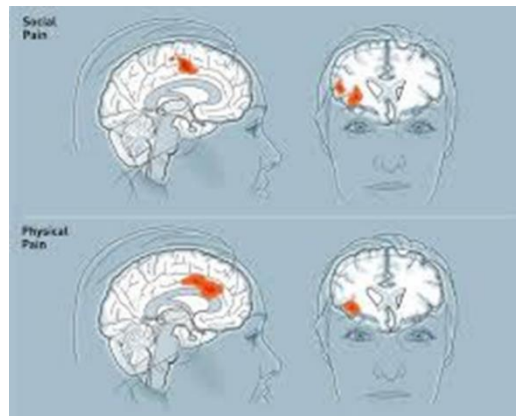
This takes us back to the idea of putting yourself first. Susanne explained, *“It is absolutely key, regardless of what action you take, you are the most important person in the mix here.”*



Susanne continued to demonstrate the real harm that is caused by bullying. She introduced two images. A normal brain can be seen on the left, and a brain with chronic stress can be seen on the right. There is a clear physical impact on the structures of the brain as a result of the stress.



Susanne showed two further scans which show that the same areas of the brain light up with both physical pain and social pain. She also shared some of the evidenced effects of bullying on health and wellbeing, which go across physical, mental, emotional, social and spiritual pillars of health and recommended that when you are reflecting on the impact on you, reflect across all of these areas of your life.



There are ways to get the right support and to heal wounds, and to ensure the trauma is not held in your body. Susanne introduced some research coming out; a recent meta-analysis showed that about half of the people experienced what's called post-traumatic growth after severe traumatic events, and bullying is a severe traumatic event, so we can, with the right support get through it, and we can grow. But while it's happening, it's well reported it can cause serious effects. How we respond to that makes such a difference, so getting the right support, and ensuring we focus on our well-being is non-negotiable.

We also need to look at two key components of the impacts on health and well-being. The first one is look out for symptoms. Just be aware of insomnia, ruminating thoughts, anxiety, panic, self-doubt, confusion, fear, loss of self-esteem, depression, suicidal ideation, migraines, stomach problems, heart problems. Susanne explained *“if you identify any of these, seek medical advice early...be aware of the potential link to the bullying, and the medical symptoms that you're experiencing, and get it documented, and get support in place early on, and in the midst of going through this try and find some kind, supportive people who have got your back and who are there for you, inside or outside of work.”*

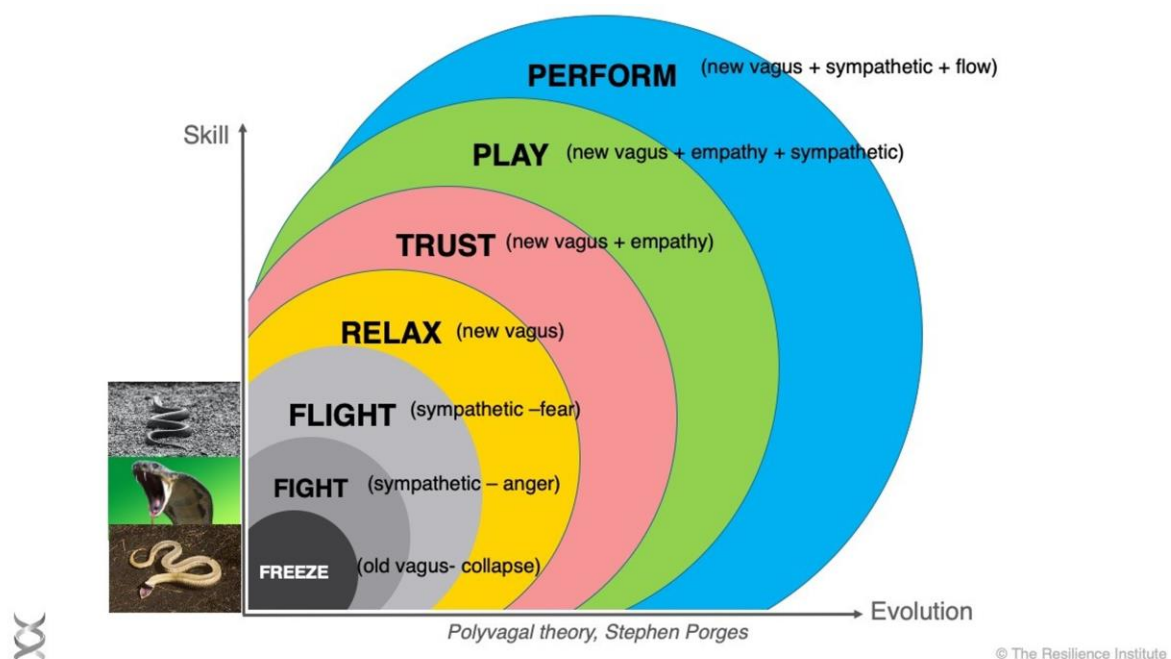
Work with a coach, or a therapist, so you can ensure that you really do have your voice, and your story, truly being heard and witnessed, and talk through with them, and decide the strategies for self-care, for what will work with you. What's realistic and practical. There's no point putting a plan in place that's so difficult you're never going to do it. It might be as simple as spending some time in nature, learning some breathing techniques or some mindfulness, maybe some trauma release therapies. Believe in yourself, you've got to find ways to stay strong through this, and it will take discipline, and it takes daily action and repetition.

Make a decision that you're going to find a way through it. Susanne pointed out to *“try to retain your connections in the workplace, don't let them force you out, and that can be really difficult, but keep showing up to the social events...Don't let it dominate every thought of every moment of every day.”*



One noteworthy piece of advice that Susanne mentioned was *“be mindful of what coping strategies that you've put in place; are they healthy? Are they resourceful? Are they taking you in the right direction? For some people they might eat more, or drink more, or take drugs. Just seek advice and help you come up with more appropriate stress management techniques”*. Be really mindful of what other issues you may be introducing into your system that you might have to deal with later, and do speak to your doctor if you think you might be depressed, or anxious, or worse. If you're having suicidal thoughts, you can get really good support these days. Susanne continued, *“you might benefit from counselling or coaching to help you process what's going on for you. But find someone qualified who can truly help you with your emotional awareness and personal resilience, and preferably someone who's had experience of working with people who've been bullied. Find someone who can work with your nervous system, and truly start to heal you from the inside out.”*

Susanne also emphasised the need to let go of the need for justice. *“One of the most common factors following a bullying experience is the feeling that justice hasn't been done...The mind doesn't distinguish between real and imagined, so ruminating over and over re-stresses you at every level.”* Therefore, one of the best things we can learn to do is to let go, and that takes support. Here Susanne introduced polyvagal theory, developed by Stephen Porges, which is being implemented more and more in terms of therapeutic support, and helping people to be able to self-regulate.



Susanne continued, *“What we know from the research is targets are nice people. The research shows they're competent, capable and well liked, and, when they get bullied, the problem with being nice people is they're tempted to blame themselves...What polyvagal theory does, is it teaches us that our responses at this level are not conscious. You don't decide to respond that way. When you feel frightened, or threatened, it's an unconscious physiological response”* So, if you get angry or frightened, or you find yourself within any fight or flight situation don't beat yourself up for it; it's normal to the threat that you're experiencing. You may not even be fully aware of what accuser danger it is that your body's picked up on initially, so you may struggle to make sense of your response.

However, the sympathetic nervous system can become unstable, and overreactive. It may even start to respond when it doesn't need to, seeing things when they're not as bad as we were sensing them



to be. Susanne described it as, *“sent into being over sensitive and hyper alert and we kind of get caught in this horrible loop that's really very hard to get out of. We find ourselves spiralling down effectively into a debilitating, hopeless, lost place, and then we beat ourselves up for being weak, when we're not weak at all, it's just our body protecting us.”*. We may also display anger and lash out but however these feelings manifest themselves, it's just a safety defence response. Susanne emphasised, *“Please don't feel guilty for snapping, be aware that it's just your body responding to the need to feel safe. So be kind to yourself, don't add to the trauma by buying into the story that already has you pegged as being the problematic one.”*

If individuals don't manage to stop this downward spiral, they can drop even further into an immobilized place of freeze. When they do, they give up and surrender. However, it is important to remember, this is normal human physiology, it doesn't mean you're weak. It means you're human, and you feel threatened. Susanne expressed the importance to *“be aware that this is also true for others. So, if you see that response in others be compassionate to them too.”*

This is why it is important to find a suitably qualified coach or therapist who is trauma informed, and preferably polyvagal informed, who can teach individuals about their autonomic nervous system, and help people to learn how to come back to a safe place, back to being themselves. *“It might be an mBit master coach, it might be a havening practitioner, or polyvagal informed therapist, and it can take time, and it certainly takes work, so be patient.”*

Even taking away the causes of danger is not enough to get you back to that *“performance ring”* on the outside. Susanne continued, *“we need to put in clear cues of safety as well to just even begin the journey back out to the green and blue circles. This is why we need to involve people who are trauma informed, because what we do currently is we might send someone to mediation, we might do a grievance interview, you might get an inauthentic apology, but none of that is going to work to take you through these stages, and so it adds to the trauma because then you get frustrated that you're going through the process and you're still not feeling okay inside.”*

So, understanding how your body works at this level can help you to understand where you're at in terms of recovery. Hopefully it'll give you the permission, to be really self-compassionate, and just the reassurance you're responding in the normal way.

Susanne explained that well-being should be looked upon like an output model rather than an input model. *“It's all about how you feel, and how you perceive the situation to be, so whether you've got a bowl of fruit on reception desk, a gym membership, maybe a good policy written, the workplace might tick all of the boxes, but if you don't feel safe, you're not going to be restored to well-being. So, one of the things I do as a polyvagal informed coach, is to look at not only where you're at and help you understand that, but also how you move to a different place on the nervous system ladder.”* At the top of that ladder is the kind of place where you're safe, you're in a good place. It doesn't have to be perfect, but you feel safe enough and you can perform, you're not on constant alert, you're not worried about an email coming in etc. Susanne referred to this as *“the ventral vehicle state”*.

Most people who are at the end of bullying are not going to be in that ventral vehicle state, they may be in the middle one which is sympathetic; It is here you will find the fight or flight response. You're likely to be much more hyper alert, hyperactive. Susanne gave examples of how someone might feel who finds themselves at this point in the ladder. *“You will be nervous of what emails come*



in, you might be frightened of going to meetings, maybe even wary of going to work at all. So, knowing where you're at is really key to knowing what you can do, and what action to take."

How can you calm your system on the inside? That's where working with the nervous system is really key. Susanne suggested, "Journaling or gratitude practices, maybe learning some relaxation techniques, or Yoga, or mindfulness. One of my favourites is just called mBit balanced breathing, and it's a really simple even in-breath and out breath, where you breathe in for five or six seconds, in five or six seconds out, and just feeling a beautiful, positive emotion at the heart level can impact your system in as little as two or three minutes". She also introduced the notion of self-havening touch, *"a beautiful psychosensory touch technique"*.

Unfortunately for some people they find themselves at the bottom rung into *"dorsal veil"* and this is that place of immobilization or freeze. You might find people moving into deep survival mode, they may be less talkative; they may not even come to work; they may be heavily disengaged. Susanne explained, *"Knowing how to get someone out of that state could literally be a lifesaver, counter-intuitively it can actually require a little bit of stress response to get them out, but safe stress so it might be some form of exercise, a walk for example."* What you're trying to do is get them out of that frozen mode. Susanne continued, *"understanding being trauma informed, and knowing where you are in this whole autonomic cycle is just the first stage, then working out what you can do, depending on what stage you're at, to bring you out, and preferably up to that ventral vagal, getting to know your system is just really key to being able to self-regulate yourself, and also to support others."*

Susanne found that as a result of her havening training, one of the biggest criteria for determining whether bullying becomes a trauma in your system, so whether it gets stuck in your system or not, is whether or not you feel like you can do anything about it. Therefore, it really matters what we say to ourselves inside, what do we do about any emotions we feel; actually, acknowledging them and feeling them.

So, taking time out for ourselves, for our staff, to check out their well-being is key, and being able to accommodate, witness and respect their reality is absolutely key to let them know you're there. Let them know there's things that you/they can do, and help them to take back some of that control. Because that's when we really start to make a change.

Susanne elaborated on this, *"Be your own biggest supporter... with the right processes and with the right support you can get through this and you can come out with what's called post-traumatic growth. With learning, with personal awareness, and coming out with strength that you didn't even know you had...So please put yourself first, take the action that's right for you and find your support crew, and make a decision to not let them take one more moment away from your inner peace. They are not worth it."*

Susanne concluded by introducing these three sayings for those who have been bullied:

- 1) Your value doesn't decrease based on someone else's inability to see your worth, and especially not someone you don't even respect, trust or value. Just don't give them the airtime.
- 2) Know who you are know what you want.
- 3) Know what you deserve and don't settle for anything less and you are so worth it.



What additional training and qualifications do you need in order to be able to provide that support to others, or to even become an investigator?

There are none required of you, which is unfortunate. I would want, if I was choosing an investigator, I would want somebody who really understood the bullying landscape. Who understood what bullying is; someone who was trauma informed and understood the nervous system and the polyvagal theory. I would want someone who had at least an element of legal advice that could truly tell you what your options are, and give you that independent advice around the option so you can make the right choice for you. What's right for one person is not right for someone else. So knowing what your options are, what the chances of success are in any of those options, and to talk through what some of the consequences are of those options, and being really clear what you're willing to go to.

Is it more important for the target to see the perpetrators sanctioned for their actions, or for any process or policy to be followed in a fair and transparent way?

Ideally you want both. I think it depends on you as a person, and what your values are in terms of which one would be more important to you. If you have justice as a really high value, then seeing the process followed through and transparency might be much higher, but on a personal level, if you've been hurt by a bully you may well want to see some recompense. I think it would depend on the target themselves, and their own values.

However, there comes a time to let go of the need for justice; it can stay ingrained in people for a long time and actually you just damage yourself. So putting yourself first above any need for justice is probably not where it sits in the hierarchy, but it's where it needs to sit to keep you safe.



Bullying, its relationship to suicide, and how to provide support

Steve Phillip - The Jordan Legacy



Steve Phillip had been a successful consultant, trainer and keynote speaker in the world of social media and sales and marketing. This came to an abrupt halt on December 4th 2019. At 4.22pm that day, Steve received a call that changed his life – his son Jordan had taken his own life.

Faced with the choice of either sitting on a sofa with a bottle or creating something to prevent other families having to experience the trauma of losing a loved to suicide, Steve chose the latter. A few months following his son's death, he established The Jordan Legacy CIC, to provide support to those struggling with their mental health or considering suicide.

Steve explains how to spot the signs and support someone who's struggling with their mental health.

Jordan had experienced bullying at school. According to Bullying UK, more than 200 children every year die through suicide as a direct result of bullying, and students are nine times, up to nine times more likely to die through suicide as a result of experiencing bullying. And another UK study showed that half of young people who take their own lives have done so as a result of bullying.

Any experience of bullying, especially from a young age, makes people more susceptible.

When an individual experiences bullying this can lead to potentially prolonged periods of negative stress where they internalize their fears. Now this may include a reactive depression, where someone responds to someone else's behaviour, and ultimately that can result in the victim, in this case the individual, becoming less objective and more anxious. Now this in turn can lead to them potentially contemplating suicide

The Office for National Statistics last published these figures back in 2017, and 800,000 people at that time were taking their own lives every year. That's one person every 40 seconds. Now the cost of mental health, of poor mental health, to UK businesses is over 46 billion pounds in the UK according to the most recent Deloitte reports, and the cost to the UK economy of each suicide is 1.7 million.

One of the things I've learned in this past 12 months is to understand a little bit more myself about stress, anxiety and depression, and the links between each of these illnesses.

Stress is not a mental disorder, it's our body's response essentially to any kind of demand, or threat, and without stress we're actually not going to perform, and quite often we're likely to fall short of our potential.



It really does become a problem when stress starts to affect our normal daily life, and it's actually considered a mental disorder if stress related symptoms continue for longer than two weeks.

So how do you spot the signs maybe in yourself, or someone else?

Stress is likely to impact us on an emotional level, a cognitive and thinking level. Physical symptoms will manifest themselves, and this of course will lead to changes in behaviour, and that can be anything on the emotional spectrum from lacking in confidence and self-esteem, to being very sensitive to criticism, to, from a cognitive point of view, having impaired memory, and not being able to make those decisions as effectively as we can do. Once the behavioural impact starts to take effect, everything from social withdrawal, to excessive alcohol intake, maybe restlessness, maybe not achieving targets, we start to see a number of signs that show that someone is relating and suffering with stress.

Now, when we look at anxiety, this is where we feel worried, threatened, tense or afraid, our feelings can range from quite mild symptoms to actually, really severe, and anxiety is often about worrying about things in the future. It's estimated that 8.2 million people in the UK have some form of anxiety disorder.

An accumulation of being on the receiving end of bullying can often lead to people suffering with PTSD, similar in some respects to the stress quadrant we looked at before, but people will, in this case, become quite distressed more easily, very nervous and overwhelmed. In terms of their cognitive thinking, again, there'll be a degree of irritability, but low confidence, worrying thoughts, catastrophizing potentially about the future, and, of course, we can see a number of physical symptoms.

But in terms of the behaviour you're going to see people displaying absenteeism, withdrawing socially, maybe from communications. and potentially they may even start to get involved with risky behaviours of one kind or another.

Depression is essentially a cluster of symptoms where you have persistent feelings of sadness, or a lack of interest, or pleasure, a sense of hopelessness, a clinical condition, and of course it can last for weeks, months or even years. Here again some similarities, but here we're seeing someone who's persistently in a low mood, or feeling sad, continually a lack of enjoyment in any aspect of their life, and from a cognitive point of view, the feelings manifest themselves in the complete lack of hope for the future, potentially feelings of guilt, low motivation, dwelling on the past. Very typical is a low level of self-esteem, and self-loathing.

From a behavioural point of view these people are sleeping very poorly, they're definitely going to be underperforming at work, and avoiding people, and any kind of social interaction.

In relation to bullying in particular I think it's really important that we look at the culture within our workplaces. The managers need to be alert to the signs, and some of the symptoms that we've just shown, but equally so do colleagues, and it's not just about raising awareness and spotting the signs, it really is about understanding how we can support people who are struggling with some of these symptoms, ways essentially that we can support those who are maybe struggling with their mental well-being, we can engage with them.

So what if you have maybe noticed some behavioural changes in someone else, and you decide to approach them?



Approach this conversation assertively, not too forcefully, but be direct, and do ask some questions. Equally you display concern in the tone of your voice, and your body language, when you're speaking to them. Ask open questions, and then, most importantly, listen back to them. It maybe gets them to question, and challenge, and maybe modify some of that language as well.

So how do you offer support? Firstly understand how you can best support them, and ask them the question 'how would they like to move forward?'; how can I be of most support to you now?

if you recognize that someone's been struggling for a period, and through the conversation they suggest to you that it's been for longer than two weeks, then external support of some kind is really strongly recommended. I would ask them directly 'have you seen a medical professional, have you seen your GP, are you seeing anyone professionally at the moment?'

If you have that level of doubt, it's really important you ask the question 'are you considering harming yourself in any way, or possibly ending your own life?'

5,691 people completed suicide in England and Wales last year according to the Office of National Statistics; 75% of suicides are by men, and Covid19 has significantly increased the risk of suicide. We're probably at the beginning of just starting to see an increase in mental health challenges due to Covid. Now this could be due to the social isolation, some of the loneliness, fear of losing a job, a loss of self-worth in the process for anyone who's lost their job, or even being infected by the virus itself. If you add to that anyone who is also potentially experiencing bullying, then we know the risks of suicide happening and increasing during 2020 are very real risks, and we need to be alert to this.

Recognize it's not weak to speak.

I hope that has been a useful insight into how bullying can impact to some degree on someone's mental health, but importantly the lessons today are to recognize that we all have mental health, some of us struggle with it on occasions, some of us struggle with it for much longer, but importantly being able to recognize the symptoms in yourself, and others, and then understand what actions to take to support others around you, it's really important.



Closing Statement

At the end of the conference, there was a closing statement and the main points identified are detailed below.

It's going to be a problem that's going to escalate even more in the next few months with perhaps more people losing their jobs.

We have a wonderful network of experts around the world and we know that we're on the same page and we're all very positive about making a difference and creating change in this area, but when people are coming from the range of industries and organisations and to join the conversations as they have over the last four days, then that for me has been incredibly important as well. To see those subtle shifts that are happening in the mindsets, and the way that people are thinking about it and their ability to stand up and say, yes bullying is a real problem and it's leading to issues with mental health.

We focus on the perpetrator but they're also potentially a victim as well and perhaps we need to look beyond that as well and bring them into the mix and what causes that - why do they behave the way they do?

We need to look beyond that into the organisation to see what is actually fostering this behaviour.

There's a bigger picture so we need to look after everybody and we need to get underneath what's going on for them so that we can help both parties to change and make those differences. Some fantastic examples were brought forward by Karl Simons at Thames water. I particularly remember that actually if somebody walks off the site because they feel either physically or psychologically unsafe, the first thing they do is pat them on the back and say well done, well done for making that decision and that's a real shift isn't it?

Bullying does lead to trauma and it should be treated as such and that when people are even in that first line of contact, they need to have a trauma-informed approach to work with people. That's such an important message to get out in terms for when support systems are being put in place.

We have that extraordinary mix of creative and media industries; the Beauty Council, Film and TV Charity, finance, public sector all coming together and all saying yes it's time for action. It is an incredible piece of research by the Film and TV charity as well where 82% have experienced or witnessed bullying and harassment in the workplace, which is a shocking figure but to their credit, they're investing in it and the big players are putting their money behind it as well to really try and make a difference, so I think that was really positive to hear as well.

People are starting to join the dots and really look for those different approaches, shifting the culture, going for a resolution approach instead of this adversarial grievance and disciplinary route that we've always had, but actually let's try and stop it before it starts.

So few people understand that there is a route outside of employment law that people can look at here, particularly when you have a psychiatric injury. There are other routes but there's still so many gaps and they really need filling. People that deal with legislation and the legal side day in day out, they said right, this is really your last resort because to be in that position you've got to be at a really low ebb, and to then put yourself through perhaps months, years of further trauma, this is a last resort, so please try everything else before this.



Cyber bullying is growing so quickly, so rapidly at a societal level as well as an organisational level, and individual level. There is a huge amount of work to do in this area.

Psychological safety and increasing emotional intelligence are key, and EQ was one of the top skills that the World Economic Forum said was going to be needed for 2020.

It is that knowledge, education, awareness and importantly the support that comes with it; you mustn't forget that, the need to care.

Call to Action

The conference aimed to have a clear Call to Action at the end, which the Advisory Board will oversee moving forward.

"I think there are some really, really key points that came out of this conference and one is that we absolutely need to keep the profile of this topic high. We need to keep it front and foremost and make sure that we are engaging businesses and engaging government in the discussions as well.

So, I think part of my call to action will be to ask some of the legislators and lawyers that were involved in this week's discussion to continue to work with us on the working group that actually moves forward to create a proposal or a change to legislation in some form. We will keep identifying the gaps and find out the best form for it and actually take a lead on lobbying for that change.

I would like to see a hub of specialists and experts in workplace bullying who are accessible to the regulatory bodies, the professional bodies, the organisations that are all really starting to do this work but perhaps don't understand the complexity of workplace bullying and everything that is needed. So we need to create that specialist hub, and that's something that we will look at in terms of how that can work moving forward as a separate body.

What we need to do is really help those sector-specific bodies and create those behavioural agreements, those different standards, those ways of working that will help prevent bullying in the first place and I think there's a real, real gap for the freelancers and we really need to have some serious discussions about how are they going to be supported, how are they going to be helped in all of these processes.

Part of all of this is influencing change to the current practice. Let's move away from the grievance and disciplinary processes for bullying and harassment. We want to shift mindsets, we want to shift practice, and we want to move it on to prevention and early intervention

We call to work with bodies such as ACAS and CIPD who are influential in the practice that takes place in organisations, and actually really push away from that approach to current practice and very much look for something much more of resolution, prevention.

We need to make sure that we come back and keep discussing all of this and keep bringing ideas forward and so I would like to make this an annual conference and would love to see you with us for future events.

But most of all my absolute heartfelt thanks go to my Ambassadors and my Advisory Board who have freely given of their time and their energy and their passion to help take the agenda forward and really kept me going when I perhaps have struggled a little bit as well. I don't know if you know how



much you've done for me over the last year but it has been incredible and I cannot thank you enough. I just cannot wait to see where the next 12 months take us."

Nicki Eyre, Founder & Director of Conduct Change

In summary, after last year's conference, we promised to follow up on the following actions:

- Keep the profile of workplace bullying high
- Proposal for a change to legislation
- Lead on lobbying for that change
- Shift mindsets and practice away from current practice to prevention and early intervention
- Create a Hub of specialists and experts
- Help sector specific bodies and freelancers create ways of working to prevent workplace bullying
- Make the conference an annual event

Progress

Keep the profile of workplace bullying high

Conduct Change have delivered coaching, training and consultancy to businesses, as well as participating in a range of podcasts and webinars throughout the year, available on our [Resources](#) page on our website.

We also took part in a social media campaign and events as part of growing international Workplace Bullying Awareness Week in October 2021.

Following the conference, Nicki Eyre was also invited to join the Bullying and Collective Action working group for the TV and Film Charity's Whole Picture Programme. This is one of 7 strands of work that they are undertaking, and they have secured £3m of funding from Amazon Prime Video, Banijay UK, BBC, BBC Studios, Channel 4, IMG, ITV, Sky, Sky Studios, Sony Pictures Entertainment, The Walt Disney Company, ViacomCBS and WarnerMedia to deliver the 2-year programme, supported by the BFI and backed by Mind.

Working Group for legislation

It was proposed that we create a separate working group for legislation with the purpose of identifying the gaps in order to create a proposal and taking the lead on lobbying. All panelists who spoke about legislation at the conference were invited to join to provide advice and guidance, and have been meeting since January 2021.

They have provided the guidance needed on existing legislation for us to be able to identify gaps and present a proposal at the 2021 conference. A lobbying campaign will be taken forward by the Conduct Change Foundation,



Create a hub of specialists/experts

It was proposed that we create a hub of specialists/experts that can offer advice and support across different sectors. Members could include trainers, coaches, mediators, counsellors, psychologists, HR professionals and investigators.

The Hub could also work with regulatory bodies and professional associations to help them establish sector specific behavioural standards and frameworks for support. There is also a particular need to find routes to support freelancers/contractors.

This will require considerable work to ensure that standards are set for membership to ensure a compassionate and trauma informed approach is used by all members. It is not proposed as a marketing route for businesses.

This work is still in development.

Influence change to current practice and to shift mindsets to resolution through prevention and early intervention.

The conference highlighted a subtle shift in the mindset around how we approach workplace bullying, moving to a prevention and early resolution model. We had already considered the idea of a pledge for businesses, but this need to be backed up by action to change the conduct of organisation.

Actions could include:

- Public statement of commitment to take actions to prevent workplace bullying
- Have open conversations in the workplace
- Provide training to support prevention of workplace bullying
- Create behavioural agreements
- Introduce behavioural KPIs discussed at Board level
- Implement behavioural measures from recruitment to supervision

In May 2020, the Charter for Change was launched to support businesses to deliver on these actions, backed up by contributing to new academic research to identify the most effective combinations of interventions.

Annual conference

The conference is now set up as an annual event, and the 2021 conference will run from 16-18 November, during the UK's Anti-Bullying week.

All funds raised will go towards supporting the work of the new charity, the Conduct Change Foundation, established in August 2021 to take forward the social purpose of advocating and campaigning for change, awareness raising, and providing support to individuals through the Moving On programme.



Feedback

100% rated the conference as Excellent

100% met their expectations to a great extent

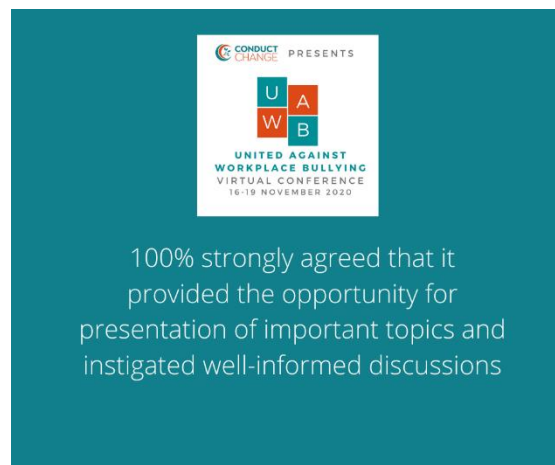
100% would attend again

100% it was a worthwhile conference to attend virtually

100% would recommend the conference to others

100% agree that the conference provided the opportunity for presentation of important topics and instigated well-informed discussions

92% agree the conference represents value for money



Highlights



Some of the stories of what people had done to tackle and overcome bullying were amazing.

There were so many insightful speakers talking with knowledge and passion.

All speakers were excellent.

I thought the range of speakers and the depth of the topic were exemplary.

Sad to see how the extent of damage to people was new to many. Great to see so many people who clearly 'get it' and a confluence of approaches.

I found Tim Clarke's ideas interesting and new to me.

Personally I found the virtual format more engaging than a "live" one. Having the faces helps convey the message better than if they were on stage.

The review videos are so useful as you can go back, pause, restart take notes etc.

A really interesting variety of speakers too but with a uniform message.

The whole conference highlighted the fact that bullying in the workplace is an international problem that is present in every industry and therefore needs ongoing spotlight to address all of the issues it creates.

Keep up the excellent work and get further involvement from Government bodies and Departments.



Well organized

Excellent value for money and a variety of themes explored.

Speakers were all clearly experts in their field.

Excellent value for money, I think it should have cost more!

Wonderful conference would attend again in future.

I think that it should coincide each year with Anti Bullying Week.

"There were so many insightful speakers talking with knowledge and passion. It's hard to pick an individual highlight."



Keynote and panels

Very well facilitated throughout.

I admired their openness and clarity of thought.

All so well-planned and well-organised .

Nicki is a fantastic chair who combines thorough preparation with the ability to listen and respond to get the best out of speakers.

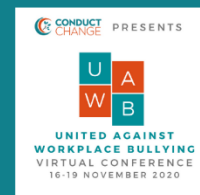
Very informative and interesting discussions

Very professional event throughout.

Nicki Eyre presented a wonderful keynote and provided meaningful insight into UAWB mission.

Empathy for the bullied target was what was conveyed and very important.

"Sad to see how the extent of damage to people was new to many. Great to see so many people who clearly 'get it' and a confluence of approaches."



100% would attend another UAWB conference in the future





Thank you to our Supporters

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Vala

