



COMMENT

Anti-bullying laws are desperately needed

Workplace bullying is real, soul-destroying and continues at an alarming rate

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Boris Johnson announced last week that “there is no place for [workplace] bullying”. Yet after endless accusations of double standards, the prime minister’s statement has brought into question what exactly is meant by workplace bullying and if it cannot be defined, how can it be sanctioned?

Employers have a range of excuses to justify bad behaviour. Recently, after a complaint made by a woman who had been continuously abused by her manager, the justification was that her work “was not good enough”. The organisation would not entertain any form of disciplinary action because the accused was “one of their best billers”. They accepted the risk of losing a tribunal claim because, in commercial terms, it would have cost them less than losing the manager.

How a business approaches these issues often appears to be shaped by the value it places on financial performance over employee well-being and reputation. Organisations that attach lower priority to the latter make it easier for bullying to occur, giving bullies carte blanche to conduct themselves in any way they like.



An inquiry into allegations of bullying by the home secretary found evidence that she broke the ministerial code
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This is compounded by the lack of any legal definition of bullying. It appears rather unsatisfactory that while “bullying and harassment” as general terms are often placed together, harassment is defined in law, while bullying is not.

The Equality Act makes acts of harassment crystal clear: it must have the “purpose or effect” of violating someone’s dignity or “creating an intimidating, hostile or degrading environment”, regardless of whether the harm was deliberately intended.

Bullying, on the other hand, is not so black and white. It is a broad and undefined term, encompassing the obvious such as verbal abuse and belittling behaviour, and the not-so-

obvious, such as cyber-bullying, which, in the world of a pandemic, can range from offensive online comments to excessively monitoring employees while they are working from home.

Bullying is a real, soul-destroying activity that continues at an alarming rate. If left unchallenged, it can have severe consequences for an individual's mental health, whose only recourse is to walk away and seek justice at a tribunal. Prevention is better than cure and taking practical steps to reduce the risks of future bullying is of paramount importance.

Employers should have effective anti-bullying policies in place, training, internal campaigns, helplines and counselling in support of zero-tolerance of workplace bullying.

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Organisations need to recognise that while high salaries and unique perks may once have been key to attracting top talent, employees value work-life balance and healthy relationships between co-workers the most.

Anti-bullying legislation needs to be introduced that contains clear parameters. Only then will we begin to see an eradication of bullying and a switch in the light from green to red.

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