

International Association on Workplace Bullying and Harassment Newsletter to members December 2016

Who is....?

In this column we ask our members to introduce themselves, and tell us about their work and developments in their country.

This time: Dr Frances McGregor from the United Kingdom.
(Please attach a photograph of yourself)



1. Tell us something about yourself

I live in West Yorkshire which is located in the centre of the UK. West Yorkshire is famous for authors, the Bronte Sisters, for rhubarb and for the delicacy, the Yorkshire pudding. I live with my husband and family, with other close family living nearby. Our daughter has started University this year; the house seems larger and quieter, but I'm guessing that will change over the Christmas holidays! When I have any spare time I enjoy baking and the necessary cake tasting that comes with such a hobby.

2. How did you become interested in workplace bullying?

In my early HR work I supported members of staff who had made allegations of bullying. One early case had a profound effect and became the subject of my research; I became aware of the impact of academic work shaping professional practice and the link between the two.

Sometime later, I had cause to work with a manager who had been the bully in one of the cases where I had represented the target and this really widened my interest; the perspectives of the two parties were, as one would expect, very dissimilar. It became apparent that there are 'two sides to every story' and identifiable victim effect was evident.

My perspectives as representative for both targets and (alleged) bullies and as an HR practitioner in both public and private organisations melded to produce an interest in workplace bullying and I feel fortunate to have been able to undertake research in this field. My earlier research has focused on the target, offering recommendations to the specific organisations in which the research was undertaken. It was working with the bully of a target I had represented that sparked an interest and in seeking to understand the perspective of the (alleged) bully from their own experience.

3. What can you tell us about the development of the workplace bullying field in your country?

Historically, the issue of a legal definition and separate legal remedy for workplace bullying has not been progressed; currently UK law has no specific legislation in place to deal directly with workplace bullying. The UK Government believes the current general legislation and other legal remedies already in place provide sufficient protection. This has been interpreted that UK law fails to recognise bullying as a central issue, a stance which reinforces the perception of many that workplace bullying is a discreet problem, not the real and serious issue which some say is insidious throughout working society.

The UK Employment Tribunal service now considers claims brought by workers for harassment and discrimination under the Equality Act 2010 which aimed to consolidate and simplify 600 pieces of legislation and to expand the existing discrimination law when it was enshrined in UK law in October of that year. The Act now aims to prevent discrimination and harassment relating to the following 'protected characteristics':

- Age,
- Disability,
- Gender reassignment,
- Marriage and civil partnership,
- Pregnancy and maternity,
- Race,
- Religion or belief,
- Sex,
- Sexual orientation.

The Equality Act 2010 however makes provisions only for a worker to bring a complaint if the workplace bullying was brought about by harassment due to the virtue of a protected characteristic.

If there is no protected characteristic upon which to rely, a claim for bullying in itself could not be brought. Other legal remedies to seek redress include: breach of contract; resignation from employment and bring a claim for breach of trust and confidence which led to unfair constructive dismissal; health & safety legislation; the Protection from Harassment Act 1997; the Public Interest Disclosure Act 1998, the Public Interest Disclosure (Prescribed Persons) Order 2014.

4. What can you tell us about your work?

After a career in public and private sector operational and senior strategic roles, I had a 'pivotal moment' which made me take stock of my working life. Creating an 'exit strategy' to move to work which gave me a true purpose happened just 4 years ago when I was offered the post of Senior Lecturer at the University of Huddersfield. I am a course leader of programmes that have been approved and accredited by the Chartered Institute of Personnel and Development, the professional body for HR and people development. My teaching and research blend contributions to professional practice and to research knowledge.

In my earlier research, the published academic and practitioner literature at that time had focused on the support, investigation and management from the claimant's perspective and the business case for effective management of workplace bullying within organisations. In the last decade, there have been discussions on closed professional social media platforms raising issues connected with the veracity of bullying allegations and my recent doctoral research has focused on this. Practitioners are using these channels to voice concerns of the increase of instances where an allegation of workplace bullying is raised in order to prevent or frustrate another formal organisational process, such as misconduct, performance management, probationary period completion, absence, attendance and selection for (risk of) redundancy and so on.

5. What do you hope to achieve in the field of workplace bullying in the future?

There is still much more to understand about bullies and the allegation of being bullied. Do bullies recognise themselves as such or does their impact and negative action not occur to them as such. Work with task-orientated and people-orientated managers would seem a relevant and interesting way to continue to develop our understanding of bullies.

I would also like to further the discussion and practice around treating alleged bullies as equally as the alleged. Participants in my research had all been accused of being a bully; all expressed distress in that they were treated as 'guilty until proven innocent' and that the laws of natural justice were not afforded to them.

6. Question from Pat Ferris: *'I am hearing more and more that people accused of bullying are surprised and injured. I find it hard to understand that someone could not understand the impact of bullying and would not be conscious of it. Is the behaviour being reported truly bullying or something else?'*

I agree with what you say Pat. There is however, a growing body of at least anecdotal evidence which shares significant concerns that raising an allegation of workplace bullying is a legitimate and likely to be successful, 'means to an end'. So, managers are shocked and distressed when they find themselves facing an allegation when they have undertaken their role effectively and efficiently, but not been able to give their accuser what they wished for. For example, allegations arose from declined request for early retirement which the organisation could not afford, from the extension of probation for a worker who had behaved inappropriately, from the final stages of absence management where termination of contract was the final stage.

My research suggested that 50% of the participants considered their own protected characteristic a reason or influencing factor in the allegation being made; whether raising an allegation is in itself a bullying behaviour, a theory that has some support, but ripe for further consideration.

In essence, research into workplace bullying has been underway for the last 25 years and we see no significant decline; indeed, there is evidence to say it is on the rise. The more we understand about all parties involved in workplace bullying, the better our strategies, resolutions and solutions can be.

It is therefore vital that we think about the nature of the 'bully' in workplace bullying and the IAWBH Summer School 2017 is titled "Time to rethink the 'bully' in workplace bullying?" and takes the absence of the perspective of the bully in workplace bullying research as its central focus. A well-attended and lively session on the perspective of the bully at the recent IAWBH 10th International Conference in Auckland indicated the need for a dialogue around our understanding of the 'bully' and the role this label plays in situations of workplace bullying. The session and subsequent discussion also highlighted the potentially controversial consequences the adoption of an expanded focus on the bully may have for the way workplace bullying is conceptualised and dealt with.

This summer school is being held at the University of Huddersfield in the UK and will provide a forum for academics and practitioners to come together to debate this crucial, but frequently overlooked, dimension of workplace bullying.

It is undoubtedly a complex debate and, for some may be a contestable idea. Nevertheless, after over 25 years' worth of research and active interventions, workplace bullying remains highly problematic. The IAWBH 2017 Summer School will pose the question: is this because we're missing a key part of the puzzle – an adequate understanding of 'the bully'?

Striking the balance between respecting the seriousness of workplace bullying and not undermining or devaluing the experiences of targets, whilst acknowledging all who are

accused of bullying are not guilty, is undoubtedly difficult, but is, nevertheless, a potentially fruitful endeavour for development and growth in the field of workplace bullying.

The programme for the summer school consists of sessions designed to explore how far our current understandings and approaches to workplace bullying can be extended to accommodate a more prominent and nuanced concept of 'the bully' and, if they cannot, to discuss the changes and developments required.

My colleague, Dr Ria Deakin and I look forward to warmly welcoming you to the Summer School next year.