

Whether you face a workplace bully, or your employee has complained of one, we know what it takes to resolve the situation as quickly and painlessly as possible. The following is an employee's guide to workplace bullying.

What is workplace bullying?

Workplace bullying can be described as:

- unwanted behaviour,
- that cannot be objectively justified,
- which results in the victim(s) feeling offended, degraded, embarrassed or afraid.

Examples include unfair treatment, unfounded criticism, exclusion, insults, and malevolent rumours.

Are you being bullied at work?

You may be unsure. Indeed, one of the most insidious effects of bullying can be that the victim blames themselves. If you are uncertain, you may:

- be able to consult an Office Manual or similar document that outlines the standards of behaviour expected in your workplace;
- have someone you can talk to, such as a trusted colleague or supervisor, to air and evaluate your concerns; or
- identify a change at work that you might just need time to adjust to.

Accusing someone of bullying is a serious



matter. Unfounded bullying allegations may well result in disciplinary action against you.

We can help you evaluate and categorise the behaviour you are being subjected to, so that you can make an informed decision about what to do next.

Practical steps

If you are being bullied, it is advisable to:

- diarise the incidents; detailing dates, times, the effect of the incidents on you, and the names of any witnesses; and
- keep copies of any documents you think might be relevant.

What next?

Step 1: Where practicable, seek an informal solution

- Confront the bully. Tell the person(s) to stop their unwanted behaviour. Make them aware that their actions are causing you distress. If you do this in writing, ensure that you keep a copy of what you send, as well as any response received.
- If you are uncomfortable speaking to the bully, you could ask a colleague to do so on your behalf.

Step 2: Make a formal complaint

- If step one does not stop the behaviour, you may decide to make a formal complaint.
- Ensure that you follow your employer's grievance procedures. These should explain who to complain to and what will happen next.

We can assist you in understanding the procedure and effectively communicating the distressing incidents.

Step 3: Consider taking legal action

If the behaviour is continuing despite your efforts, we can help you review your legal options. Your claims may include:

- discrimination, where the behaviour is linked to a "protected characteristic", such as age, disability, gender re-assignment, marriage, civil partnership, pregnancy, maternity, race, religion or belief (or lack of), sex, or sexual orientation;
- harassment, where the conduct relates to a protected characteristic;
- sexual harassment, where the behaviour is of a sexual nature;
- harassment relating to a course of conduct;
- stress causing psychiatric injury; and
- constructive dismissal, in cases where having been employed for at least 2 years, you resign as a result of the bullying.

How can Lyndales help?

You can benefit from Lyndales' considerable experience in employment matters. We can guide you through ACAS' Early Conciliation procedure and fight your corner in the Employment Tribunal, Employment Appeal Tribunal and the Civil Courts.

If you need help beating your workplace bully, or want to find out more about the services we offer, get in touch with our Employment team!

If you have any questions or require advice please contact:

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