

DATE	17 April 2014
USERS	60,000

## Women in Leadership

Setting the agenda for current and future leaders



### Live Q&A: how to tackle bullying and harassment at work

According to new research 52% of women have experienced some form of bullying or harassment in the workplace. Our expert panel will be here from midday on Thursday 17 April to answer your questions on how to beat it

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Lottie O'Connor  
[theguardian.com](http://theguardian.com), Thursday 17 April 2014 10.17 BST

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Women from ethnic minorities are more likely to experience bullying at work  
 Photograph: Blend Images / Alamy/Alamy

Recent figures from PWC's Project 28-40 report revealed that **52% of women have suffered some form of bullying** or harassment at work, excluding sexual harassment. Issues range from victimisation and misuse of power to being deliberately undermined or blocked from career progression.

The report, which surveyed over 25,000 women aged between 28 and 40, also revealed that a further 12% had suffered from sexual harassment in the workplace. More disturbingly, the rates of **bullying** were highest among black British, African and Caribbean women, disabled women and bisexual and gay women.

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These are worrying statistics. Despite multiple processes, laws and guidelines supposedly regulating the workplace and protecting employees, over half of women are still experiencing unacceptable behaviour from bosses and colleagues. So what can we do about this? Should there be more laws protecting women in the workplace, or is this a more deeply ingrained issue that requires a grassroots approach to change? If you're suffering at the hands of a workplace bully, what is the best way to handle the situation? And what steps should employers be taking in response to reports of bullying?

Comments are open so add your questions and thoughts now. Our panel will be here from midday to answer them.

The panel:

**Kathryn Nawrockyi** is director of [Opportunity Now](#), the gender equality campaign from Business in the Community (BITC). Opportunity Now empowers employers to accelerate change for women in the workplace. Kathryn is an author of Project 28-40, the largest ever UK study of women at work.

**Clare Burles** is the [HR](#) Director at [East Midlands Trains](#) which is part of the Stagecoach Group, as well as acting as a mentor for the Women in Rail steering group, supporting and developing female talent in the rail industry.

**Lorraine Laryea** is an employment lawyer at the [Recruitment and Employment Confederation](#). She's part of the legal team which provides information to REC members in relation to both the operation of recruitment businesses and internal employment law issues.

**Simon Rice-Birchall** is partner at global law firm [Eversheds](#). He specialises in employment and labour law, with particular expertise in discrimination law.



**HarrietMin**

17 April 2014 10:40am

g

Comments are now open so do post any thoughts or questions for the panel below. We'll be back at midday for what will hopefully be an inspiring and useful discussion. Thanks.

2 PEOPLE (1 STAFF), 2 COMMENTS



**HarrietMin**

17 April 2014 12:01pm

g

Hi everyone, and welcome to today's Q&A. Panel could you introduce yourselves and maybe kick off with why you think the instances of bullying and harassment in the workplace are so high?

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**EvershedsLLP** ▶ HarrietMin

17 April 2014 12:05pm

Good afternoon. Simon Rice-Birchall is logged on and waiting to contribute to the debate.



**TheREC**

17 April 2014 12:03pm

A key issue is that employers need to ensure that they encourage a culture of equality in the workplace.

Yes, as a starting point employers need to ensure that they have in place a comprehensive policy that addresses harassment and bullying. The policy must underline the fact that the employer will not tolerate harassment and bullying in the workplace, and provide clear procedures for employees who feel that they have been victims to raise the issue both informally and formally.

However, having a written policy in place is not in itself sufficient. Employers need to encourage a culture in which harassment and bullying is not acceptable. Steps must be taken to ensure that employees are all aware of the policy and that there are consequences if the policy is breached. There is no point in an employer having a well written policy in place that remains in an HR folder where employees are not aware of it.

The lack of awareness not only impacts on an employer's ability to defend itself in an employment tribunal in the event of a harassment claim, but also fails to achieve the end result of preventing harassment in the workplace.



**Kathryn Nawrockyi**

17 April 2014 12:05pm

Hello, I'm Kathryn Nawrockyi, Director of Opportunity Now, the gender equality campaign from Business in the Community. We recently published Project 28-40 which is the largest UK study of women at work; over 25,000 women (and men) told us their stories. As you see from the statistics above, we saw shocking levels of bullying and (sexual) harassment reported.

2 PEOPLE, 2 COMMENTS



**CBurlesWomenInRail**

17 April 2014 12:11pm

Hi I'm Clare Burles and I work in the rail industry as a HRD and also am a steering committee member on the Women In Rail group.

The stats from the PWC report are quite alarming and I think we really need to delve into why this area further. There's lots of legislation and protection in place but clearly employers need to be doing a lot more or different things.

In my experience it's key not only to have policies and procedures in place but also encourage an open and honest culture.

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**KathrynNawrockyi** ▶ C BurlesWomenInRail

17 April 2014 12:16pm

Opportunity Now report - PwC was our research partner :-)



**KathrynNawrockyi**

17 April 2014 12:15pm

So there are two things here. The first is B&H more broadly - that encompasses everything from unfair treatment through to intentionally blocking promotion or training opportunities. We found that 52% women aged 28-40 had experienced this in the past 3 years.

The second is sexual harassment - this is more worrying still, because it says a lot about women's experiences of work in the modern day. 12% of women had experiences some form of sexual harassment - that includes unwelcome comments of a sexual nature, unwanted touching, displaying of offensive materials, asking for sexual favours and more.

Harassment is high in the workplace because it is so in life - at home, on the street. These behaviours creep into working life too, and are an abuse of power and control on the part of the abuser. We need better line management and leadership to take ownership of culture change - to call out the bad behaviour. People are not confident in how to manage harassment claim. Victims often therefore lack confidence in the system and so don't report. They are silenced, and so the perpetrators get away with it, which allows the cycle of poor behaviour to continue.

4 PEOPLE (1 STAFF), 8 COMMENTS (3 PICKS)



**HarrietMin**

17 April 2014 12:16pm

Panel, one of the most shocking stats to come out of the report was that just 1% of women who had experienced bullying or harassment then went on to report it. Why do you think this is and what can we do to change it?



**KathrynNawrockyi** ▶ HarrietMin

17 April 2014 12:17pm

Harriet just to correct that stat - that did not come out of the report. I mentioned the 1% figure at our launch event, because the Opportunity Now benchmark has shown that reporting of harassment is shockingly low - sometimes as low as 1%.



**HarrietMin** ▶ KathrynNawrockyi

17 April 2014 12:23pm

Sorry, thanks for clearing it up. Even still, what can we do to increase reporting rates?

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**KathrynNawrockyi** ▶ HarrietMin

17 April 2014 12:24pm

I think the low reporting rate is for a number of reasons. The first is that people don't always realise that what is happening to them is harassment - so in Project 28-40, we put the definitions very clearly upfront because we wanted people to consider their experiences and understand what constituted bullying or harassment. Some people accept it as just 'the way it is' and don't challenge it.

It is a difficult thing to come forward and report experiences of harassment, especially sexual harassment. Victims worry about the blame falling back onto them, especially when the harasser is a senior manager and in a position of power over them. They worry about the impact it will have on their career. Often they don't want to 'be the one who told' and forever be branded as such.

You only have to look to society to see the root of the problems. Reporting of sexual violence is low full stop - it is estimated only 1/10 survivors ever tell, and even then they may not formally report. It is difficult to talk about, and often the abuser still has control over that individual. Not surprising then that similar levels of fear and silencing occur at work.

They need to have confidence in the system, but that puts the onus on employers to communicate the policy effectively. It's also about more than policy - people need to hear very clearly from their leaders that bullying and harassment will not be tolerated. They need to see the message come to life. The system also has to be effective - it is so important to be discreet and quick, or you risk further action being taken against the employer.



**bookgeek88** ▶ HarrietMin

17 April 2014 12:25pm

I reported bullying at work once and was just told that the comments probably weren't meant in the way that I had taken them and that everyone has bad bosses at some stage in their career so I should essentially just get on and deal with it. Nothing was ever done about what I had reported. With attitudes like that, I don't think it is surprising that people don't report bullying and harassment. What's the point of raising it if no one is going to take you seriously?

4



**KathrynNawrockyi** ▶ HarrietMin

17 April 2014 12:27pm

There is a brilliant example of such leadership in this video from the Chief of the Australian Army: <http://www.youtube.com/watch?v=SSR19QLBZvl>  
A clear, powerful message which very clearly states that if you don't buy into the culture, then get out. We need more leaders to talk openly and take ownership of this issue.



**KathrynNawrockyi** ▶ bookgeek88

17 April 2014 12:29pm

We hear so many stories like this. If you don't have confidence in the system, why would you put yourself through the mental and emotional turmoil? Your experience there is an example of poor leadership, and we need employers to recognise that their managers are not always responding appropriately to claims. It requires better training, and better quality of discussion.



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**Pete Fellows** ▶ HarrietMin

17 April 2014 1:24pm

The problem lies in HR departments being largely useless and just ticking the boxes



**EvershedsLLP**

17 April 2014 12:29pm

From a legal perspective, most good employers will have policies in place which advise women how to complain in these situations, and in cases of sexual harassment they are given significant legal protection against any form of retaliation for having done so. So I think the law is sufficiently strong in this area.

I suspect that much of the problem emanates from the fact that once a person has drawn attention to themselves by making an allegation of bullying or harassment, they perceive that it can't really end well for them - often the B&H takes place in private, sometimes by someone more senior, and it's one person's word against another. This places the employer in a very difficult in terms of understanding the facts, and working relationships are usually destroyed by the very nature of the allegations. Once that is the perception, it probably feels easier to turn a blind eye to the conduct.

In terms of what to do to change it, it will come down to the way the employer communicates with the employees and makes them feel more comfortable and reassured about speaking out.

2 PEOPLE (1 STAFF), 3 COMMENTS (1 PICK)



**HarrietMin**

17 April 2014 12:30pm

Recommend 0

What's the point of raising it if no one is going to take you seriously?

This comment from bookgeek88 is, I think, what so many people worry about when they're facing bullying or harassment at work. Panel, what advice would you give someone who felt they were being bullied but were worried that their employer wouldn't take them seriously?

Report



Reply



**KathrynNawrockyi** ▶ HarrietMin

17 April 2014 12:36pm



There are other avenues within an organisation - managers, HR, not necessarily within your own function. Some people even go as far as their CEO!

We recommend employers train up individuals within teams as 'harassment advisors' so that there is an independent specialist you can talk to without having to necessarily report but at the very least ask for advice. This would also give someone another option if they feel they cannot speak to their HR or line manager - especially if that manager is the perpetrator!

The sad fact is that people will eventually vote with their feet - and leave an organisation because their situation was poorly handled. If you make this choice, please at the very least tell HR in your exit interview about your experience in depth. Often it is through exit interview evidence that a company realises it has a problem.



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**KathrynNawrockyi** ▶ HarrietMin

17 April 2014 12:40pm

The other challenge we have is that we often only hear the examples of where the system has failed people. The disciplinary cases are often discreet and so we do not know if they have succeeded or failed. However employers should make an example of those cases where possible - the very public firing by Sky Sports of their commentators for making sexist comments is one example.

2 PEOPLE, 6 COMMENTS



**CBurlesWomenInRail**

17 April 2014 12:33pm

The stat is still very low. Employees need to know that if they raise an issue then it will be dealt with and that they aren't then isolated because of speaking up.

Building on Kathryn's comments the role of the Manager is key. As employers I truly believe we have a responsibility to develop our Managers giving them the right skills and tools to help them create an open and honest environment where their people feel 'safe' to raise workplace issues.

The rail industry is predominately male dominated (approx 17% female) and we're rolling out some really positive initiatives through Women In Rail to address the gender imbalance and promote rail as a great sector to work in. However one of the things females in our industry tell us again and again is that they lack confidence; confidence to develop and take the leap into a new role, confidence in their current role and confidence to speak out. So perhaps (and I'm not for one minute suggesting this is right) this is one of the reasons why the stat of reporting bullying and harassment is so low?



**KathrynNawrockyi** ▶ CBurlesWomenInRail

17 April 2014 12:42pm

I think we get into tricky territory with the confidence argument - confidence in your ability to develop, versus confidence to make public a very personal, painful, stressful and sometimes frightening experience are two very different things - the latter is much more about confidence in the system than the individual.



**KathrynNawrockyi** ▶ KathrynNawrockyi

17 April 2014 12:44pm

Furthermore, if you have spent any amount of time being belittled, humiliated, violated at work then of course your confidence is going to be compromised. But that is not a gendered experience, and not to be confused with confidence in your career capabilities.



**CBurlesWomenInRail** ▶ KathrynNawrockyi

17 April 2014 12:51pm

It's not always a lack of confidence in the system though which stops people progressing issues? I guess it's what you deem to be the system. An employer may have a really robust system / policy which works as a framework however if the individual raising the issue doesn't have belief in the person / manager dealing with it then this will affect their confidence in raising it in the first place.

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**KathrynNawrockyi** ▶ CBurlesWomenInRail

17 April 2014 12:58pm

But the manager/person progressing it *is* the system - the system is not just policies on paper, it is also its people. My distinction was between self-confidence in career capabilities, and confidence in the processes and people in an organisation. So the 'women lack confidence' examples you give are not relevant when talking about low reporting rates of harassment - either because people have no confidence in the system (processes, policies, people) or because they have been so far damaged by their experience of bullying they do not have the strength to come forward. Again, that is not a gendered issue - it is as true of men as of women.



**CBurlesWomenInRail** ▶ KathrynNawrockyi

17 April 2014 1:06pm

Which is why I said it depends what you define as the system, clearly I define it in a different way to you. The examples I used are simply to illustrate the fact that people, for whatever reason, don't always have the confidence to raise or address issues.

2 PEOPLE, 2 COMMENTS



**PhyllisauFeu**

17 April 2014 12:34pm

If you work in a small company and the person bullying you is the company owner what options do you have, apart from resigning?



**EvershedsLLP** ▶ PhyllisauFeu

17 April 2014 12:39pm

This is a very difficult situation, because once allegations are made, relationships are usually destroyed. I would advise that an employee in that position should try, if possible, to informally raise the problem with the owner in question. That may seem naive, but it could work. If it doesn't there is probably little the employee can do apart from either (a) putting up with it (b) leaving work and bringing legal proceedings or (c) staying in work and bringing legal proceedings. If the employee is confident of obtaining another job reasonably quickly, I would think that informal resolution has failed, (b) is probably the best option.



**EvershedsLLP**

17 April 2014 12:35pm

This is a similar point to the one I have highlighted in my previous comment. The advice I would give is to encourage employees to have confidence in their employer to do the right thing. Most I deal with would do precisely that. Clearly, if that confidence is ultimately mis-placed then the employee is in a difficult position, but so in the end is the employer because low morale will begin to percolate and the employer will be the loser in the long-term.



**TheREC**

17 April 2014 12:37pm

A complainant needs to feel confident that a complaint will be taken seriously and that there is a procedure in place to address it. A woman's reluctance to report harassment or bullying will partly be influenced by her perception of how the employer is likely to address the issue. For example if senior managers have appeared to overlook overt harassment in the work place or there have been other reported complaints that have not been properly dealt with, this will not give the woman confidence to raise the issue.



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4 PEOPLE (1 STAFF), 4 COMMENTS



**JaeKaed**

17 April 2014 12:42pm

My two serious experiences, 15 years apart but both for the public sector, was that when I reported it, I was moved to a different role and the perpetrator kept their job. With the most recent (last year), I was told this person was "often like this and I was far from the first to complain. Perhaps getting to know them better would help?!" It didn't help.



**KathrynNawrockyi** ▶ JaeKaed

17 April 2014 12:47pm

That is shockingly poor management JaeKaed. And it is because of experiences like this that bullying continues at the level it does in the UK workforce. It discourages people from reporting, and allows the perpetrator to carry on perpetuating those behaviours.



**HarrietMin** ▶ JaeKaed

17 April 2014 12:48pm

That's terrible, I'm sorry. What was the end result? Did you change jobs completely?



**EvershedsLLP** ▶ JaeKaed

17 April 2014 12:55pm

Without wishing to make excuses for the employer (I accept that this appears to be very weak management), I suspect that public sector management always has an eye on how hard things are to deal with. Dismissal procedures are often cumbersome and convoluted and take time to exhaust. Elected Members (Councillors) or Governors are frequently required to become involved, and levels of sick pay are very generous. Fudging problems might be seen as the simple solution in that environment.



**JaeKaed**

17 April 2014 12:54pm

1

I left the first one to go to uni. I still work at the recent place, but no longer with the individual. My replacement has not had the same problems, but is protected for want of a better word because they have family who are friends with the individual. The culture is that it is acceptable, the policies claim otherwise but are rarely implemented. The lack of alternative jobs means that most of us put up with it.

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3 PEOPLE (1 STAFF), 3 COMMENTS (1 PICK)



**tallaghtfornia**

17 April 2014 12:55pm

Hello.

As a female manager, i am bullied by a colleague who is abusing the dignity at work policies -a false positive situation-to coerce me into giving her exceptional treatment including more time off than anyone else. There are performance issues with the staff member who has adopted a position of never ever following instructions or procedures, and personalising every incident to me. The hr dept and senior management are aware of this, but there is a politics behind my post which i believe they want to restructure. The result is that they are failing to deal with this employee. Its high risk because we are dealing with vulnerable young people and i would be negligent if i dont manage her. It has now escalated to a completely unfounded and vexatious formal complaint against me, which the hr officer has allowed and is pursuing. I am upset and frightened as i feel that the organisation-a public one-wants my post. Although we are both members of the union, the union have supporting me because they feel i am being very badly treated and am clearly just doing my job. I have tried everything to bring closure to this situation-mediation training everything but the employee has never engaged in spite of six years of bringing these allegations. The union have been very supportive and having reviewed the case files, have advised me to the following strategy: 1. To bring a grievance against the instute for failure to follow their own procedures-which they did-and breaching the terms of my contract by not supporting me in the management of this staff member. 2. For me to lodge a complaint of harassment and bullying against this staff member, which i have now done. Can the panel advise as to their view of this course of action? Have other readers had this situation?

PICK



**HarrietMin** ▶ tallaghtfornia

17 April 2014 1:11pm

Tallaghtfornia - this sounds really tough, but I'm glad you have good support. Panel - do you have any advice for Tallaghtfornia?



**EvershedsLLP** ▶ tallaghtfornia

17 April 2014 1:13pm

I can't provide specific legal advice in this web chat format due to professional restrictions. However, I can answer your question generically. Ultimately, I assume that since the alleged bully is also a woman, there is no discriminatory angle to this. That being the case, anyone in your position has two choices (1) stay in their job and rally management to support them or (2) look for another job and resign and claim constructive dismissal. (2) is not really recommended until another job is secured first, because it could result in unemployment and financial hardship.

4 PEOPLE (1 STAFF), 4 COMMENTS



**HarrietMin**

17 April 2014 12:56pm

There are lots of examples of how not to handle a complaint but panel can you give us a guide for the best way to handle this for employers?



**KathrynNawrockyi** ▶ HarrietMin

17 April 2014 1:02pm

Harriet, this guide from the then EOC/now EHRC sets out very clearly how employers should handle a complaint:  
[http://www.equalityhumanrights.com/uploaded\\_files/employers/sexual\\_harassment\\_managers\\_questions.pdf](http://www.equalityhumanrights.com/uploaded_files/employers/sexual_harassment_managers_questions.pdf)

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**CBurlesWomenInRail** ▶ KathrynNawrockyi

17 April 2014 1:20pm

As an employer you would expect me to say it's key is to have a well designed policy in place. This needs to be regularly reviewed.

Well trained / competent Managers are also key to deal with such issues. I don't just mean Managers who can simply manage a process / system they need to have valued leadership skills to deal with the complaints professionally and with empathy. When an employee raises a complaint they taken the first step and it's absolutely key that the Manager progresses it in a timely manner.



**TheREC** ▶ HarrietMin

17 April 2014 1:29pm

Speaking generally, if a grievance is raised by an employee, the employer should investigate the grievance properly, ensuring that at the very least it complies with the ACAS Code of Practice of Disciplinary and Grievance Procedures and its own grievance procedures. In some cases it may be appropriate for employer to consider encouraging employees to engage in a mediation procedure to try to resolve disputes, particularly where there are complaints being raised by more than one employee.



**tallaghtforia**

17 April 2014 1:03pm

I just want to add that the majority of my colleagues are very supportive of me and want this situation dealt with too. I am lucky that i have good friends and a hpapy family life-otherwise i would never have survived this.



**AreteT**

17 April 2014 1:11pm

What do you think about that the woman has the ability to fight back instead of going anywhere for a solution?

I woul like to konw about the experencies of women that had overcome "that person/man" that tryed to stop tem from promoting, but failed?

2 PEOPLE, 2 COMMENTS



**englandcanwin**

17 April 2014 1:12pm

Recommend **0**

I have worked fopr the same company for over twelve years as a department manager.During that period one of my staff repeatedly turned up for work "worse for wear" due to the effects of to much alcohol.I spoke to her on several occasions about this but the waters were muddied by the fact that she was extremely close to one of the directors of the comapny owing to the fact that they were both fanatical about the same football team. There was no suggestion of anything improper going on but I believed he showed leniency towards her. I was under pressure from several of her colleagues for something to be done about her condition as her work performance faltered whilst she was seriously hungover. I finally decided to ask another director to authorise disciplinary action against her.Once this was done she then accused me of bullying her. The disciplinary action was quashed and I was in effect told to tread carefully in my actions towards her.This also raised a question about my management skills.I am now considering putting in a complaint that I have in effect been the victim of workplace bullying due to favouritism towards an errant employee.Would I have a case?

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**EvershedsLLP** ▶ englandcanwin

17 April 2014 1:28pm

As I have previously noted, I can't provide specific legal advice in this web chat format due to professional restrictions. However, I can answer your question generically. Anyone in your position has two choices (1) put up with the treatment (although you might consider asking your employer to consider a grievance complaint) or (2) look for another job, raise a grievance and resign and claim constructive dismissal. (2) is not really recommended until another job is secured first, because it could result in unemployment and financial hardship. There is no claim against an employee in these circumstances who makes what appears to be false allegations of bullying.

5 PEOPLE (1 STAFF), 9 COMMENTS



**HarrietMin**

17 April 2014 1:16pm

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One thing I do want to discuss is the culture of "banter". We all know there's a thin line between having a joke with your colleagues and overstepping the mark but sometimes it's so thin it can't be seen. How do we handle workplace banter without creating a culture of fear around what can and can't be said?



**KathrynNawrockyi** ▶ HarrietMin

17 April 2014 1:24pm

The banter issue came up time and time again in Project 28-40!

Again, start an open dialogue about what is and isn't appropriate. You cross the line when you excludes someone, make them feel uncomfortable or worse. What became clear in Project 28-40 is that there is a total lack of training on anything to do with workplace culture - so put examples out there and discuss what is and isn't acceptable. We also need to encourage a speak-up culture from the start - each take responsibility for calling someone out on their behaviour, don't just follow the crowd.



**KathrynNawrockyi** ▶ HarrietMin

17 April 2014 1:26pm

There was a great quote from one individual:

referring to my previous organisation - there was a sense that patronising and sexist views of women were just part of the 'banter' of the industry and to pick up on it would be 'being pc' or paranoid. Changing that culture takes real time but there is a definite lack of understanding and leadership amongst the, mostly male, leaders - many of whom just don't realise what and what isn't appropriate.



**KathrynNawrockyi** ▶ HarrietMin

17 April 2014 1:29pm

And another:

"Stop allowing misogynistic and sexist views as general banter."

I think that's your line actually, that's not even a question of what can and cannot be said - when day to day people are permitted to routinely use sexist and misogynist language. Again, we need better leadership that sends a very clear message that such language is not appropriate.

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**EvershedsLLP** ▶ HarrietMin

17 April 2014 1:36pm

1

I often hear employers, and employees, male and female, complaining that workplaces are being sanitised and are just not as much fun any more. Banter, even discriminatory banter, is not necessarily unlawful, and that is the problem. What makes it unlawful is where it's unwanted and causes offence. Accordingly, in many ways, this is not just about employers. It's about employees "knowing their audience" and being sensitive to the feelings of others. The problem is that the employee in those circumstances takes a risk, and compromises the position of the employer, and that is why so many employers seek to outlaw "unacceptable" conversations, even within a group of consenting participants.



**TheREC** ▶ HarrietMin

17 April 2014 1:39pm

It's very easy to downplay comments as 'banter' but from a harassment point of view it does not have to be the case that the person who makes the comments intends to cause offence. If the effect is that a woman's dignity is violated or that an intimidating hostile degrading or humiliating environment is created, (and this is reasonable) gender based 'banter' could still be unlawful.

It is difficult though for a woman to protest about such comments if there is an overall culture in the workplace of accepting offensive comments as 'banter.'



**London2012** ▶ KathrynNawrockyi

17 April 2014 1:45pm

Speaking as a man, I have worked with an all-female team where discussions were similar to the ones you intimate but with the roles reversed. It is not always misogynistic or even sexual, race religion politics all of these can be used to bully other people.



**KathrynNawrockyi** ▶ London2012

17 April 2014 1:49pm



Of course - sexism is not purely directed at women, it can be towards men too.



**EvershedsLLP** ▶ London2012

17 April 2014 1:57pm

This is a good point you raise. Sexual harassment is not always perpetrated by men against women. That said, I would say that it is pretty rare for men to be subject to sexual harassment by women. Where this occurs, it's just as unlawful as it is the other way round.

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## CBurlesWomenInRail

17 April 2014 1:32pm

We of course should all be respectful of the feelings of our colleagues. What can be deemed to one person as a laugh and a joke may be offensive to another. I've seen a number of complaints over the course of my career where the person responding to the complaint has said 'I only meant it as a joke'.

I would encourage employees to initially speak to the person who has over stepped the line and tell them that you want the banter to stop or that their comment was inappropriate. If the behaviour then doesn't change as a result of the informal conversation then they may wish to consider a formal complaint.



## CBurlesWomenInRail

17 April 2014 1:36pm

Culture is key, it's about sending a very clear message from the top about what's acceptable in the workplace and what isn't.



## RachaelSaunders

17 April 2014 1:38pm

This is a hard one for me - I think we all know what is and isn't ok - it's basic good manners. Sometimes we may have good friends when we know there is a shared joke, sense of humour, and it's ok, but if you don't know somebody very well, you really can't assume they will find "banter" funny.

Feminists often get characterised as humourless - but if the person making the joke thought they were being funny, it isn't much of a laugh if the target of the joke is uncomfortable.



## RachaelSaunders

17 April 2014 1:40pm

"Banter" is also often about creating in groups and out groups, so even if you aren't the target of the joke, you can be excluded if you can't take part. It isn't cracking down on fun to ask people to understand this.

2 PEOPLE, 2 COMMENTS



## CBurlesWomenInRail

17 April 2014 1:44pm

Over the last 12 months we've invested in a Bullying & Harassment in the Workplace course to raise awareness within our business as part of our ongoing development programme.

We've put all of our Line Managers and trade union representatives through this training.

It has been interesting in terms of the varying definitions / ideas which have been put forward by the groups at the start of the session as to what constitutes workplace bullying. What are others views on this?

DATE	17 April 2014
USERS	60,000



**Kathryn Nawrockyi** ▶ CBurlesWomenInRail

17 April 2014 1:53pm

For the purposes of Project 28-40 we defined bullying & harassment as:

- Being prevented from progressing by intentionally blocking promotion or training opportunities
- Someone deliberately undermining another person by overloading them with work and constant criticism
- Overbearing supervision or other misuse of power or position
- Unfair treatment
- Exclusion or victimisation

We defined sexual harassment as:

- unwelcome comments of a sexual nature
- unwanted physical contact or leering
- asking for sexual favours
- displaying offensive material such as posters
- sending offensive emails or texts of a sexual nature.

2 PEOPLE (1 STAFF), 2 COMMENTS



**HarrietMin**

17 April 2014 1:51pm

We're heading into the last ten minutes, so a big thank you to the panel for their advice and guidance. Final thoughts please: what is the one thing you would urge every employee who feels they're being bullied to do?



**Kathryn Nawrockyi** ▶ HarrietMin

17 April 2014 2:02pm

Speak up - whoever you tell, please tell someone, whether it is a friend or family member, colleague or manager, or even the bully him/herself. It can be daunting to approach the perpetrator, so do this only if you feel safe to do so. But sometimes the hardest part is finding the words, and hearing someone else confirm that what you are experiencing is not ok. So please don't carry it alone.

One of the most powerful thing about Project 28-40 was the many thousands of women who told us their stories. 'Tackle bullying and harassment' came out top as the one thing employers needed to do, not just to improve workplace cultures, but also to improve women's experiences of work altogether. Many of you shared your very personal stories - which evoked sadness and anger - of experiences that no one should ever be subjected to in a working environment.

Opportunity Now will be looking at the data more closely by sector now, and it is worth pointing out that levels of bullying and (sexual) harassment are much worse in certain industries - often the very male dominated ones. We are also working directly with employers to tackle these issues.



DATE	17 April 2014
USERS	60,000



**TheREC**

17 April 2014 2:00pm

Recommend **0**

Final thought: Employers and employees can consider contacting ACAS for guidance and also access to mediation services. It's worth also noting that the new Early Conciliation procedures (mandatory from 6 May 2014) will require claimants to contact ACAS before issuing employment tribunal claims.

Report



Reply



**CBurlesWomenInRail**

17 April 2014 2:00pm

In the first instance try and raise informally by telling the person the behaviour is unwanted and unacceptable and that you want it to stop.

If the informal approach doesn't work or you believe your situation is too serious to be dealt with informally then consider raising a formal complaint.

Most importantly speak up!



**HarrietMin**

17 April 2014 2:03pm

Many thanks to our panel today. If you haven't already read them here are a couple of pieces on this topic worth looking at:

Roma Agrawal - For women in business, there's no such thing as "harmless banter"  
<http://www.theguardian.com/women-in-leadership/2014/apr/17/women-business-banter-innuendos>

Kathryn Nawrockyi - Sexism in the UK is rife - we need to challenge the status quo  
<http://www.theguardian.com/women-in-leadership/2014/apr/17/sexism-in-the-uk-is-rife>



**EvershedsLLP**

17 April 2014 2:03pm

I would advise:

- (1) the employee should discuss the situation with a colleague or confidant they can trust - so that a sense of perspective can be obtained, and consequences can be weighed-up.
  - (2) if there is a strong feeling that the behaviour needs tackling, HR should become involved. They will advise that an informal approach to the perpetrator is the best approach wherever possible.
  - (3) if that is not appropriate or does not work, a formal grievance should be raised under the employer's dignity at work (or similar policy).
- The golden rule is that the overwhelming majority of HR teams are professional and experienced at dealing with these matters. Most are not simply an extension of management, and most will go out of their way to arrive at the right outcome for all concerned.



**KathrynNawrockyi**

17 April 2014 2:04pm

Finally, thank you to those of you who did tell us your story. We couldn't have made Project 28-40 such a success without you. You can read the full report at:

<http://opportunitynow.bitc.org.uk/research/Project28-40TheResults>

And please do follow us on Twitter: @OpportunityNow1 and @kathrynNawrockyi and join in the conversation #project2840

Thanks all, it has been a great discussion.