

BIAZA Workplace Bullying Advice

Although handling HR related issues are not within BIAZA's remit, we are aware that bullying which falls outside of the definitions of unlawful discrimination for harassment can be a grey area that is complex to handle. This document is designed to offer advice for staff at BIAZA member collections involved in situations of confirmed or possible workplace bullying and related issues. A full list of references and further advice websites are linked throughout this document and at the end. Individuals should consult their own organisation's staff handbook and related documents when looking to implement any and all advice given here. Other areas of interest may include:

[BIAZA Compassion Fatigue Video](#)

[BIAZA Complaints and Whistleblowing Procedure \(p.5\)](#)

Workplace Bullying and Harassment

When looking at a scenario, it is key to identify whether you are dealing with 'harassment' or 'bullying'. The [UK Government website](#) offers a definition of workplace bullying and harassment as follows:

Bullying and harassment is behaviour that makes someone feel intimidated or offended.

Harassment is unlawful under the Equality Act 2010.

Examples of bullying or harassing behaviour include:

- spreading malicious rumours
- unfair treatment
- picking on or regularly undermining someone
- denying someone's training or promotion opportunities

Bullying and harassment can happen:

- face-to-face
- by letter
- by email
- by phone
- via social media

Bullying can be either from a single person or a group. It should be noted [Volunteers](#) are not protected by the Equality Act 2010, but guidance on handling situations involving them should be included in any volunteer handbook or related document.

Upward Bullying can also occur. [ACAS defines this as:](#)

Bullying can also happen from staff towards a more senior employee, a manager or an employer (this can be called 'upward bullying' or 'subordinate bullying').

It can be from one employee or group of employees.



Examples of upward bullying can include:

- showing continued disrespect
- refusing to complete tasks
- spreading rumours
- doing things to make you seem unskilled or unable to do your job properly

It can be difficult if you're in a senior role to realise you're experiencing bullying behaviour from your staff.

It's important to consider the real reasons for the behaviour. For example, there might be a wider issue with the culture of the organisation.

Employers and managers should work together to identify the cause of the issue and address it.

The law

Bullying itself is not against the law, but **harassment is**. This is when the unwanted behaviour is related to one of the following:

- age
- sex
- disability
- gender reassignment
- marriage and civil partnership
- pregnancy and maternity
- race
- religion or belief
- sexual orientation

ACAS also explain that Harassment because of pregnancy or maternity is treated differently and could be direct discrimination.

Find out more about:

- [harassment](#)
- [direct discrimination](#)

This document will primarily focus on bullying, rather than harassment. However, in the additional resources section at the end, there are links specifically for workplace harassment advice. It is also important to look at whether your organisation can cover both intentional and unintentional bullying, as this can have significant impact on how allegations are handled.

If a member of staff is being harassed or bullied, and the situation cannot be resolved informally, they should speak to a manager or HR representative (whichever is most appropriate or that the staff member feels comfortable with). Staff should all have a clear understanding of who they can appropriately speak to regarding bullying issues in the workplace – ideally, this will be documented in the staff handbook so it is easily accessible to all. This should include options of more than one person, to ensure their only choice is not the person who may be directly involved in the bullying allegation. If appropriate, trade union representatives can be consulted as well. Where possible, [ACAS advise](#) keeping a record or diary of bullying events, including when it happened and include items such as screenshots of emails/social media if applicable.

If this does not resolve the issue, the employee can make a formal complaint using the organisation's grievance process – again, the steps for this should be outlined in a clear and accessible way in the staff handbook. If the matter is still unresolved, legal issue can be taken via an [employment tribunal](#). If the end result is an employee leaving the organisation because the issue was not resolved, they may make a claim for [constructive dismissal](#).

If you are a line manager, it is also key to recognise a number of sensitive factors, including the impact that your own management style can have, keeping an eye on team relationships and that often prevention is better than trying to solve an issue later. The Chartered Institute of Personnel and Development (CIPD) have a [full guidance document](#) specifically for line managers on this.

Designing an Anti-Bullying Policy

There are many reasons to look to tackle bullying in an organisation. [CIPD states](#):

Bullying is an important issue because it can:

- cause harm to the individual
- jeopardise the organisation's responsibility to provide a safe and healthy working environment
- lead to disciplinary and grievance situations
- have a damaging effect on employee morale and motivation
- lead to increased employee turnover
- have a detrimental effect on organisational reputation.

Ideally, all BIAZA members will have an Anti-Bullying Policy as part of their staff handbook and related documents. As identified by ACAS, an employer has a [legal duty of care](#) to protect their employees, which includes managing issues with bullying. Although written with schools in mind, Beyond Bullying has a [detailed advice document](#) on how to write a policy for this which may be useful. [CIPD also note](#) the increase in remote working has the potential to lead to more online bullying, so this ideally needs to be considered and covered as well. It should also be taken into consideration the possibility of bullying occurring by or to a visitor to your site, as well as at external work-based events with other colleagues – these should also be considered when designing a workplace policy.

Key points your policy could cover:

- A statement on your organisation's stance on workplace bullying
- Links to other relevant policies (such as grievance procedure)/the staff handbook
- Identification of which staff are responsible for handling incidents (line manager, HR, trustees, etc.)
- Outline a definition of bullying and harassment with examples (including upward bullying)
- Outline examples of what is not considering bullying, such as constructive and relevant feedback from a manager
- Outline the process for staff who are being bullied to follow (including who to speak to, necessary forms/evidence, anonymity options)
- Outline how the organisation will look to address and handle incidences of bullying (including outside of working hours such as social media or Whatsapp)
- Reference the way in which bullying incidents will be recorded
- Potential consequences for harassing colleagues (such as links to disciplinary procedures)
- Include links to relevant support websites and further information

It is almost important to cover what happens after a bullying incident is dealt with – ACAS have more [guidance on this](#). At the bottom of this document is also a template pro forma for staff handling complaints.

Unions

If appropriate for their situation, some staff members may be interested in joining a union. The [UK Government](#) explains this as:

A trade union is an organisation with members who are usually workers or employees. It looks after their interests at work by doing things like:

- negotiating agreements with employers on pay and conditions
- discussing big changes like large scale redundancy
- discussing members' concerns with employers
- going with members to disciplinary and grievance meetings

You can find the official list of trade unions on [their website](#) or use [TUC's interactive tool](#) to find an appropriate one. There is currently no specific union for zoo and aquarium staff, although organisations such as Unite and GMB Union have previously allowed zoo staff to join.

Further Reading and Guidance

<https://www.acas.org.uk/if-youre-treated-unfairly-at-work>

<https://www.gov.uk/government/publications/non-disclosure-agreements/non-disclosure-agreements>

<https://www.cipd.co.uk/knowledge/fundamentals/emp-law/harassment/factsheet#gref>



<https://www.citizensadvice.org.uk/work/discrimination-at-work/checking-if-its-discrimination/if-youre-being-harassed-or-bullied-at-work/>

BIAZA TEMPLATE COMPLAINANT PRO-FORMA

Details of staff member making complaint:

Name: _____

Job Title: _____

For the purposes of complaint correspondence:

Email Address: _____

Postal Address: _____

Telephone: _____

If applicable:

Trade Union Organisation Name: _____

Trade Union Representative Name: _____

Trade Union Representative Contact Details: _____

Details of person accused:

(If multiple people are accused, please complete a pro forma for each individual)



Name: _____

Job Title: _____

For the purposes of complaint correspondence:

Email Address: _____

Postal Address: _____

Telephone: _____

Details of Allegation

(If more than one incident, please complete this section for each occasion individually)

Description of Allegation:

Location:

Date & Time:

Any additional evidence:

Details of witnesses (if applicable):



Process followed so far:

Details of any action taken so far by complainant:

Details of any conversations with HR/Line Manager:

Is the complainant aware of all options available to resolve the issue?:

Details of outcome sought by complainant:

Signed:

Signature of staff overseeing incident:

Date:

Signature of Complainant:

Date: