

Bullying and harassment:

an exploration of the HR/counselling interface and how to make it work more effectively

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A group of 41 counselling/HR professionals, in the course of two workshop sessions, worked through a real bullying and harassment case study. The aim was to highlight key issues and identify possible solutions. The results of that process are presented in table form below. It is suggested that the issues raised and potential solutions identified can be applied to the subject of bullying and harassment, in the context of the counselling/HR interface.

Section 1: Issues/potential solutions relating specifically to an accusation of bullying and harassment/incident support			
Issues highlighted	Impact/result	How to make it work/potential solutions	
		Human resources	Counselling
Lack of line management support immediately after an incident	The parties involved were not fully heard or in any way supported/the early opportunities to resolve issues were missed	Ensure all line managers are: <ul style="list-style-type: none"> ■ Available/able to support all individuals in team by having a reasonable span of control ■ Are aware of the importance of acting quickly/listening carefully at the outset 	Support HR in the development of soft skills in line managers eg active listening
Lack of ability to listen	The incident is not fully understood; parties do not feel heard; inappropriate actions can be taken that exacerbate/escalate rather than diffuse the problem	Ensure all parties have been fully heard/have had the chance to express their experiences/views fully before formal discipline processes are taken up	Support the development of active listening skills in all managers, through workshops/training
Lack of support for line manager/possibly compounded by assumptions 'I can cope'	Increased pressure on line manager/potential for them to take 'personal responsibility' for incident/clouding professional boundaries and ability to support all parties	Be alert to the need to support all managers, especially when they are looking to support/investigate incidents of bullying and harassment	Offer supervision/'consultative support' as ongoing resource for managers
Management collusion in the bullying process due to lack of self-awareness/inability to manage professional boundaries	Escalating the pace of the process unnecessarily and reducing the ability to support all parties effectively.	<ul style="list-style-type: none"> ■ Develop self-awareness around your potential to collude either consciously or unconsciously ■ Do not engage in the process at an emotional level – become aware of such tools as the drama triangle and the transactional analysis (TA) model of 'parent/adult/child' (PAC) ■ Consider ongoing consultation with trained counselling supervisor to develop reflective 	<ul style="list-style-type: none"> ■ Offer/facilitate the development of reflective practice in HR/managers through supervision, coaching, workshop provision on such things as drama triangle and use of TA model of PAC

		<p>practice</p> <ul style="list-style-type: none"> ■ Be clear on your lines of responsibility – to all involved. ■ Be objective with your investigation/questioning 	
<p>The timing of the introduction of the bullying/harassment policy and the process that that begins. The content of the bullying and harassment policy being too formal.</p>	<p>Brought in too early the 'process' can take over and disempower all involved. Channelling all energies in to this one process can reduce the ability/scope to identify alternative solutions/ways forward.</p>	<ul style="list-style-type: none"> ■ Don't introduce the Band H policy immediately ■ Revisit the Band H policy and see if the process can be 'extended' and effectively slowed down, by introducing earlier steps eg informal meetings, mediation ■ Ensure all parties are involved/supported equally 	<ul style="list-style-type: none"> ■ Be aware of the Band H policy and its contents ■ Be prepared to advise/support HR in the development of the policy ■ Support organisation's introduction/ongoing implementation of policy through workshops/supervision
<p>Lack of alternatives to the introduction of the Band H policy/lack of containment and control over the pace of the process</p>	<p>Increased chance that the process will develop unchecked/escalate, without alternative solutions being actively sought (see above)</p>	<ul style="list-style-type: none"> ■ Ensure that the Band H policy includes time to explore/develop all options, based on open/objective assessment of the issues (see above) ■ Consider offering counselling as a way for each party to explore what it is they are experiencing/achieve some clarity ■ Look at alternative solutions/gained ideally from the individuals involved eg moving offices 	<p>Offer services as a supportive/explorative resource for individuals to use before things get too difficult to handle</p> <p>Offer services to managers in terms of skill sharing in having open and honest conversations with staff</p>
<p>Scapegoating the perceived perpetrator by the team</p>	<p>The team's needs possibly being met through the scapegoating of an individual, and therefore essential element of the picture is not addressed/challenged eg the team dynamics</p>	<p>Ensure you retain a perspective on the team dynamics that may be at play, don't just focus on the perpetrator/victim</p>	<p>Be aware of team dynamics by a closer involvement in the organisation and awareness of organisational issues</p>
<p>Use of the term 'bullying', both by employees and within written documentation eg 'if they say it is bullying, it is'</p>	<p>Incorrect/inappropriate use of the term can lead to unnecessary use of the policy; escalating actions and employees experiencing unnecessary anxiety/pressure.</p>	<ul style="list-style-type: none"> ■ Be clear on what constitutes 'bullying' – crucially a one-off event does not equate to bullying – define it in the policy/communicate to all ■ Clarify with all parties, at the outset, why the term has been used, where the desire to use the term has come from (be alert to 'I was told by...that I was bullied') ■ Keep an eye on the big picture to ensure that all aspects of the scenario are considered eg team dynamics, workload changes etc ■ Provide ongoing training/awareness development around Band H in collaboration with counselling provider 	<ul style="list-style-type: none"> ■ Be clear on what constitutes bullying and how this relates to the organisation's policy on Band H ■ Support all parties in understanding the nature of bullying, the significance of perception, the influence of value and belief systems on behaviour – provide workshops/training in collaboration with HR
<p>Power/control imbalance through unequal handling of</p>	<p>Potential breaches of confidentiality; mistrust of</p>	<ul style="list-style-type: none"> ■ Be alert to the impact of such meetings (the influence of power/ 	

information eg a meeting held to discuss the incident involves all associated parties but not the person making the allegation.	the process/all parties involved; enhanced sense of being 'bullied'	control), particularly if parties are absent from work for ill health/ stress associated with the process <ul style="list-style-type: none"> ■ Suggest/introduce formal mediation earlier in the process, ideally while all parties are attending work 	
Lack of understanding of the impact of the process on everyone involved	Increased levels of vulnerability, pressures to perform (get it right), stress, exacerbating/escalating the process, reducing the chances of achieving a win:win for those involved	<ul style="list-style-type: none"> ■ Be aware of the impact of both bullying/harassment and the process of investigation/ addressing an incident ■ Ensure training on Band H includes raising awareness of 'impact' and how to support all parties equally 	<ul style="list-style-type: none"> ■ Offer ongoing support (supervision) to all involved throughout the process
Contracting (expectation management)/service provision management – clarity around who the client is and the boundary management necessary if more than one person is involved eg one counsellor possibly being asked to see perpetrator and victim	Unclear lines of responsibility/ communication, potential bias through hearing more than one side, potential breaches of confidentiality, potential breaches of contract of service provision, inability to fully support all parties involved	<ul style="list-style-type: none"> ■ Identify through service level agreements with provider who the client is (organisation/ individual)/under what circumstances/what provision is possible in the context of the resources available to counselling provider/when referral might be necessary/insurance implications of sub-contracting ■ Re-clarify confidentiality in complex cases/identify and work with counselling provider to ensure all parties are equally supported ■ Maintain open/positive dialogue with counselling provision ■ Review contract with counselling provider regularly 	<ul style="list-style-type: none"> ■ Be clear on the restrictions on counselling ability to support an incident, in relation to the resources available to you and the contract you have with organisation eg private practitioner v EAP provider – are you one counsellor or a provider with a network of associates ■ Re-clarify confidentiality/lines of communication/feedback/ reporting ■ Keep in touch with HR (where appropriate/not compromising client relationship, assuming you are in a position to do so, ie not a private practitioner working independently) ■ Review contract with organisation regularly
Duty of care – to all involved	Potential to compromise statutory obligations (the organisation/employer) and professional obligations (BACP ethical framework) – resulting in possible tribunal/complaint situation	<ul style="list-style-type: none"> ■ Ensure all managers are clear as to their responsibilities around duty of care ■ Be clear on where your need to address duty of care might raise potential conflicts of interest eg the view that one party warrants more attention than the other (victim v bully) – duty of care applies equally to both in the context of health and safety/ employment/disability discrimination legislation ■ Record all decisions/agreements made with all parties/basis for decision making/to establish audit trail in relation to duty of care 	<ul style="list-style-type: none"> ■ Be clear on the adherence to BACP ethical framework in the context of managing confidentiality/contracting/provision of support to more than one party ■ Record all decisions/agreements in relation to the support of the organisation and the individuals (establish an 'audit trail' to confirm adherence to ethical framework) ■ Raise/address potential conflicts of interest with HR immediately ■ Make the ethical framework available to employer/HR to ensure full understanding of professional and ethical obligations ■ Be aware of duty of care in relation to health and safety/ employment/DDA

Section 2: General/organisational issues with potential to prevent bullying and harassment if addressed or avoided		
Issues highlighted	Impact/result	How to make it work/solutions Who can take responsibility: organisation (O), human resources or anyone undertaking that role (HR), counselling (C)
Excessive line managerial responsibility – too many direct reports	Line manager unable to support all reportees all the time, crucial support is not available.	<ul style="list-style-type: none"> ■ Reduce the number of reportees for line managers (O) ■ Where reportees cannot be reduced, appoint a 'team leader' with levels of specified decision making authority (O/HR)
Over work/excessive workload	Cited by ACAS as the single greatest contributor/cause of bullying and harassment. Over work can make people susceptible to bullying and increase their potential to be perceived as bullies.	<ul style="list-style-type: none"> ■ Ensure executive recognition of the impact of over work (O) ■ Develop formal feedback mechanisms/maintaining confidentiality and highlighting trends only/to identify trouble spots in organisation – use coded reporting to ensure anonymity (C with HR) ■ Develop accepted forms of 'informal' communication that allow counselling provision to feedback concerns, with HR accepting info without excessive questioning/probing eg 'you might look at delivering training on...' (C with HR) ■ Develop/establish counselling provision as an additional business resource (notably easier for larger organisations) (C with HR)
Management reservation to engage in the possibility it might happen to them – 'I can cope'	Delayed access to support (assuming it is available), increased likelihood that pressures will impact on personal/professional wellbeing	<ul style="list-style-type: none"> ■ Acknowledge additional pressures on managers in having responsibility for employees – provide access to professional supervision, coaching, training in all aspects of people management (O/HR) ■ Develop self-awareness and confidence in managers so they feel able to access support when necessary, through workshops/training (HR/C) ■ Model self-responsibility/self-awareness (HR/C) ■ Ensure management attendance of all training relating to bullying and harassment (O/HR)
Mandatory v voluntary training for managers, acknowledging that those who often desperately need it don't attend!	The prime sources/causes of bullying and harassment may lie with those who feel 'they don't need the training', as such the possibility of incidents remains a risk. Counselling, as a support for employees and potential management resource is underutilised.	<ul style="list-style-type: none"> ■ Create mandatory training for all managers (including HR!) covering all issues that relate to bullying/harassment (eg self-awareness/ what makes a bully/ability to listen/how to encourage open communication). Well skilled (interpersonally)/confident managers will reduce the incidents of poor line management and bullying/harassment (O/HR) ■ Work with counselling provision to establish ability to identify training needs (in addition to appraisal system etc) (HR with C). ■ Consider targeted training/performance management (with coaching/mentoring/counselling as resources) those managers who find this part of their role difficult (HR)
Heavy handed/non-consultative change management	Unexpected/unsupported change, reinforcing in employees a sense of having no control, not being valued, mistrust and anxiety, absences and underperformance.	<ul style="list-style-type: none"> ■ Develop a positive/consultative approach to change management (O) ■ Invest in change management training for managers/supervisors (HR) ■ Develop the organisations awareness of the impact of change/how to support it effectively (C) ■ Prepare for the implementation of large scale change carefully (eg redundancy/major organisational restructuring), ensure support is in place at the point of communicating change, involve counselling provider (HR/C)
Lack of a sense of 'team'	Making it easier to scapegoat and isolate individuals	<ul style="list-style-type: none"> ■ Invest in teambuilding/training for anyone responsible for groups of employees (HR) ■ Create confidential spaces to share anxieties, in liaison/

		<p>collaboration with counselling provider (HR/C)</p> <ul style="list-style-type: none"> ■ Offer/develop a facility for achieving 'group supervision' – safely managed and supported by a suitably qualified counselling supervisor (HR/C)
'Fear' culture/victimisation/employees feeling unsafe	Making it exceedingly difficult for individuals to address concerns/lack of a voice/resulting in individuals only taking action when desperate/increasing likelihood of long-term absence and increased levels of trauma	<ul style="list-style-type: none"> ■ Foster/develop a culture that encourages open communication, where it is OK to say that something 'is not OK' (O) ■ Support the development of cultural awareness/cultural change with training/workshops/coaching (HR/C) ■ Encourage/support the ability to challenge (HR)
Culture that focuses on the negative – mistakes/inadequacies	Develops team/individual lack of feeling valued, reducing self-esteem and increasing vulnerability to bullying/harassment. The culture itself could be deemed to be 'bullying'.	<ul style="list-style-type: none"> ■ Set out to establish/maintain a culture that values individuals/teams (O/HR) ■ Establish/maintain a culture that sees 'problems' as a potential source of learning (O/HR) ■ Harness employees' views on what is need to feel valued through facilitated workshops (HR/C working together) ■ Develop management/supervisors' awareness/ability to value team members (HR with C) ■ Use managers who have good emotional intelligence to coach their colleagues
Lack of stress awareness/understanding/ability to recognise the early signs of impact	Symptoms, that are invariably associated with bullying and harassment, are ignored/not acted on, which means causes are not sought/identified, so problems are compounded/escalate	<ul style="list-style-type: none"> ■ Ensure that a 'stress management policy' is in place and that it is supported by ongoing action (O/HR) ■ Proactively promote the benefits of working positively with stress/raise awareness and understanding (HR/C together) ■ Be ready to challenge stigma/support fears surrounding stress/mental health issues (C)
Lack of understanding around the terms 'bullying' and 'harassment'	Inappropriate/over use... Leading to incidents that escalate	<ul style="list-style-type: none"> ■ Ensure that awareness of bullying/harassment applies to all ie what it is to be bullied/what might be taken to be bullying ■ Introduce peer supporters who understand the terms and impact (HR/O)
The word 'counselling' and other names/labels associated with mental health	Excessive/unsupported use of certain labels can 'switch people off', close access to training and support for all concerned	Use language that doesn't 'switch people off', that is language they may already use or readily understand: eg in place of 'stress' use the word 'resilience'; eg in place of 'supervision' (often misunderstood in commercial environments) use 'reflective practice' or 'consultative support' (C)
HR perception/understanding of counselling – mutual lack of clarity around the role/responsibilities of HR and counselling – HR not being open to understanding the respective roles and how they might work together	<p>Inability to work together due to misunderstanding; lack of trust potentially disabling any useful lines of communication; inability to develop proactive solutions to bullying and harassment.</p> <p>A negative HR/counselling interface can lead to each discipline 'scapegoating' the other</p>	<ul style="list-style-type: none"> ■ Actively engage with organisations/HR professionals to gain understanding (C) ■ Check out/discuss HR perceptions of counselling at the earliest stages of engaging with an organisation; once established, work to ensure that perceptions are realistic/positive (C with HR) ■ Be open to engaging with the counselling provider to fully understand what counselling is, how to maximise your investment in it eg know that calling it in as a 'last resort' is unlikely to have the beneficial impact that a proactive use of the service would have; check out any assumptions you might have (HR) ■ Check out/discuss with the counselling provider/counsellor at the first stages of engagement what they can/can't do; identify what communications are desired, any potential areas of conflict/

	Organisations/HR managers miss out on using counselling skills proactively (reduced return on investment) eg advance/ongoing support for a redundancy situation	<p>challenge (HR with C)</p> <ul style="list-style-type: none"> ■ Do not assume that the counsellor/counselling provider understands what you do/how you do it, be prepared to discuss this in detail, particularly around lines of responsibility/confidentiality (HR) ■ Ensure all levels of organisation are introduced to the concept of counselling/that it is understood eg through ongoing induction meetings with new joiners (C) ■ Do not let counselling become the 'dustbin where everyone dumps' (HR/C) ■ Share information around roles/responsibilities eg HR and welfare officer job specifications
Being 'sent to the counsellor' seen as a punishment (links to perception – see above)	Colludes with/maintains negative stereotypes around counselling, does not promote it as a positive resource, reducing voluntary take up of the service and ultimately, return on investment.	<ul style="list-style-type: none"> ■ Ensure all managers understand nature of counselling; 'sending' people to counselling reduces likelihood of positive outcome (HR with C) ■ Ensure that all managers know how to offer counselling as a resource in a non-directive way (HR with C) ■ Make a clear business case to organisations around the value of counselling provision and the manner in which an organisations investment in this can be undermined by itself (C) ■ Clarify how client came to counselling – were they sent? (C)
Conflicts of interest, as a result of lack of clarity/ understanding of roles/responsibilities eg possible use of counsellor as 'mediator'	Clouding of professional boundaries which could lead to ability of counselling to support being undermined, confidentiality being compromised or collusion by certain parties.	<ul style="list-style-type: none"> ■ Constantly check/clarify professional boundaries and potential areas of conflict of interest (HR with C) ■ Be prepared to say 'no' to a request to supply services you feel compromise your contract with the client (both individual/ organisational) eg request to mediate, be ready to support/ resource the organisation through referrals/signposting (C)
Lack of learning by the organisation following an incident	Reduced confidence in the organisation, mistrust, reduced sense of ability to influence, address/raise issues of concern	Ensure that every incident is followed up with a review of the learning/communication of the learning to the organisation where appropriate and to all those involved/actions to address any shortcomings (O/ HR)
Lack of systemic awareness (both HR and counselling)	Parts of a complex picture work in isolation, unaware of impact on others, unable to realise potential of organisation by enabling parts to work together. Inability to identify potential dysfunction in organisation/potential source of bullying and harassment. Reducing capacity for change.	<ul style="list-style-type: none"> ■ Ensure big picture is understood/accepted by all parties (O/HR/C) ■ When investigating/supporting bullying and harassment issues, take a systemic approach; seek to identify where organisational issues (systems/policies/procedures/structures) may be the source of the problem, and at the same time contain potential solutions (O/HR/C) ■ Work to establish positive working relationships with key/ influential positions (C with HR/occupational health manager/ health and safety manager/board members)
Lack of trust/confidence around provision of counselling support – negative perceptions relating to confidentiality where counselling provision paid for by employers	Counselling resource will not be used; investment wasted; issues will not be supported; increased sickness absence etc.	<ul style="list-style-type: none"> ■ Accept these perceptions/fears exist and are real – work with organisation to overcome these (C with HR/O): clarify/reinforce/ communicate to all the boundaries around confidentiality; consult/ work with organisation to identify appropriate location for in-house provision (away from managerial view/where privacy can be maintained); address the possible existence of these fears with HR at the initial setting up of contract, set out business case for addressing them positively, working together ■ Promote/support counselling provision internally (HR/O)
Lack of tolerance/stigma associated with being 'problem child' or 'different' in some way	Opening up basis for victimisation/bullying	Work with HR on issues of equality/diversity, raise awareness around impact of beliefs and values, promote culture of tolerance and acceptance (C/HR/O)