



# **MRS Guidance**

## Essential Safeguards series: 2. Bullying & Harassment

August 2020

---

## **MRS guidance – Essential Safeguards series**

### **Part 2. Bullying & Harassment**

Everyone deserves to be treated with dignity and respect. Bullying and harassment is unacceptable and constitutes a violation of human and legal rights that can lead to criminal prosecution and civil law claims.

Bullying and harassment undermines physical and mental health, possible consequences include, but are not limited to, the following:

- insomnia and inability to relax
- loss of confidence and self-doubt
- loss of appetite
- self-harm
- hypervigilance and excessive double-checking of all actions

The focus of this guidance is on work-place best practice, although the principles also apply to relationships with prospective, or actual, participants in the research process.

#### **Legal and regulatory obligations**

Bullying can take many forms and is defined largely by its impact rather than its intent. There is no specific legal definition, but it is generally unwanted behaviour that offends, persecutes, or excludes someone.

Bullying itself is not against the UK law, but harassment is. The UK's [Equality Act 2010](#) defines harassment as unwanted conduct which is related to one of the following protected characteristics: age, disability, gender reassignment, race, religion or belief, sex and sexual orientation and is therefore unlawful. Of the two remaining protected characteristics: any unfavourable treatment for those pregnant or on maternity may be considered discrimination; and for marriage and civil partnership no significant evidence is needed to demonstrate harassment.

It is also worth noting that harassment within the Equalities Act extends to individuals who may not possess the relevant protected characteristic themselves. Association with a person who has a protected characteristic or because they are incorrectly determined to have one, or treated as if they do, would also be covered by the legislation.

The key is that the conduct is unwanted and has the purpose or effect of violating a person's dignity or creating an intimidating, hostile, degrading, humiliating or offensive environment. There are also relevant clauses within the MRS Code of Conduct (2019):

Rule 9 of the MRS Code:

*Members must take all reasonable precautions to ensure that participants are not harmed or adversely affected by their professional activities and ensure that there are measures in place to guard against potential harm.*

Rule 37 of the MRS Code:

*Members must ensure that participants (including employees in employee data collection projects) are not required or pressured to participate in any projects.*

### **What is bullying?**

It is important to realise that bullying and harassment are words that are frequently used without a shared understanding of what they mean. They are also often used interchangeably. However, there are subtle differences in the definitions to reflect how these negative behaviours may manifest themselves.

#### Examples of bullying

- sadistic or aggressive behaviour over a period of time
- humiliating or ridiculing others or criticising others in public
- cyber bullying conducted via social networking channels
- persistent, unwarranted criticism of others in private
- treating colleagues as if they were incompetent
- excluding colleagues from activities
- preventing colleagues from progressing

This list is not exhaustive: remember, bullying is any behaviour that is unacceptable to an individual or causes them distress.

### **Taking action**

If you have witnessed or experienced bullying in your professional activities, it can be difficult to decide what to do. There are several different approaches and you should consider which option you feel most comfortable with:

Talk to others - It is often helpful to talk informally to friends, family, trusted colleagues, or a workplace counsellor. Report the matter to your line manager if appropriate.

Keep a diary – If there is a problem occurring over time, it is crucial to keep a detailed written record of incidents. This will clarify exactly what is happening and provides vital evidence.

---

Speak up - Consider speaking to the perpetrator directly. It can be very effective to tell the person to stop and explain that they are causing distress. Their behaviour may be unintentional, and they may stop if they are made aware of the effect it is having. Take a calm but firm approach and make a note of everything that is said, either at the time or immediately after.

### **Employers' responsibilities**

Employers are responsible for preventing bullying and harassment and are liable for any harassment suffered by employees. Employers should have anti-bullying policies to help prevent work-place bullying. Employers should also have harassment policies specifying procedures for investigating and resolving any bullying or harassment matters.

*This information is being provided as part of the commitment by MRS to provide support and advice on safeguarding issues. Please note that the MRS guidance is provided for information, it is not legal advice and cannot be relied upon as such. MRS will not be liable for the content in this version or any decisions made, or action taken, in reliance on the information in this version. Compliance with this guidance document cannot confer immunity from legal obligations. Specific legal advice should be taken in relation to any specific legal problems or matters.*

### **Useful information sources**

[Equality and Human Rights Commission](#)

[National Bullying Helpline](#)

[Anti-Bullying Alliance](#)

[ACAS Bullying and Harassment at Work](#)