



Preventing Bullying and Harassment in the Profession

Law Society Scotland

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Contents

Executive Summary	1
Acknowledgements	1
1 Introduction	2
1.1 Background to the Study	2
1.2 Project Aims	2
1.3 Scope.....	2
1.4 Methodology	3
1.4.1 Secondary analysis	3
1.4.2 Collecting individual experiences: recruiting the sample.....	3
1.4.3 The sample.....	3
1.4.4 Qualitative in-depth interviews.....	4
1.4.5 Data analysis and the development of case studies.....	5
1.4.6 A note on generalisability.....	5
2 Background	5
2.1 Defining Bullying and Harassment	5
2.2 Incidence of Bullying and Harassment in Other Professions.....	7
2.3 Impacts of Workplace Bullying and Harassment	8
2.3.1 Impact on individuals	8
2.3.2 Impact on organisations.....	8
3 Findings and Analysis	9
3.1 Quantitative Findings	9
3.2 Summary of Key Findings.....	11
3.2.1 Gender.....	11
3.2.2 Work pattern	11
3.2.3 Ethnicity	11
3.2.4 Disability	11
3.2.5 Sexual orientation	11
3.2.6 Age.....	12
3.2.7 Religion/belief	12
3.2.8 Family in the law	12
3.2.9 Position within the profession	12
3.2.10 Sector.....	12
3.3 Qualitative Findings: Case Studies	13
3.3.1 Andrew	13
3.3.2 Barbara	14

3.3.3	Diane.....	14
3.3.4	Edward.....	15
3.3.5	Jenny.....	15
3.3.6	Jill.....	16
3.3.7	Julie.....	16
3.3.8	Mary.....	17
3.3.9	Megan.....	17
3.3.10	Michael.....	18
3.3.11	Mike.....	18
3.3.12	Ruth.....	19
3.3.13	Sally.....	19
3.3.14	Victoria.....	20
3.4	Analysis.....	20
3.4.1	Theme 1: Bullying as a form of performance management.....	21
3.4.2	Theme 2: Training by humiliation.....	22
3.4.3	Theme 3: Repeat or patterned victimisation.....	23
3.4.4	Theme 4: Bullying not addressed because senior people implicated.....	23
3.4.5	Theme 5: Bullying under-reported because of fear of losing job/traineeship.....	24
3.4.6	Theme 6: Stress and health issues.....	24
3.4.7	Theme 7: Bullying behaviour not recognised, might appear trivial.....	25
3.4.8	Theme 8: Abusive environment (swearing, banter, put-downs etc).....	26
3.4.9	Theme 9: Bullying and blame.....	26
4	Conclusions and Recommendations.....	27
4.1	Conclusions.....	27
4.1.1	Increasing prevalence.....	27
4.1.2	Under-reporting.....	27
4.1.3	Difficulties identifying bullying and harassment behaviours.....	28
4.1.4	Serious impact on individuals and organisations.....	28
4.1.5	Dissatisfaction over outcomes of bullying and harassment reporting.....	28
4.2	Recommendations.....	28
4.2.1	Raise awareness across the profession.....	28
4.2.2	Develop model policies, guidance and best practices.....	29
4.2.3	Increase trainee support.....	29
4.2.4	Support firms on building management skills.....	29
4.2.5	Ongoing monitoring and intervention.....	29
5	Appendices.....	31
5.1	Appendix A: Analysis of the 2006 Profile of the Profession Survey.....	31
5.2	Appendix B: Guidance for Individuals and Firms.....	36
5.3	Appendix C: Model Policies.....	36
5.3.1	Example 1: Preventing Workplace Bullying and Harassment Policy.....	36
5.3.2	Example 2: Dignity at Work Policy.....	39
5.4	Appendix D: References.....	41
5.5	Appendix E: Other Resources.....	42

Executive Summary

The Law Society of Scotland seeks to promote the interests of the solicitors' profession, provide support to address the needs of all its represented members, and promote the interests of the public in relation to the profession. The Society, in its Equality and Diversity Strategy 2008-2011, identified as a key objective to "tackle and reduce bullying and harassment" within the legal profession.

Workplace bullying has been recognised in all sectors of the UK workforce. In 2010, the Society launched a limited research project with the specific aims of increasing the Society's understanding of bullying and harassment in the profession, and developing strategies, guidance and resources to the legal profession to help prevent and manage workplace bullying and harassment.

This research report provides: background information about bullying and harassment; a synthesis and analysis of current quantitative data from the Society on bullying and harassment; anonymised case studies obtained from individual experiences of those in the Scottish legal profession; analyses of the themes from the research; and, conclusions and recommendations based on the research information.

Analyses of the research data identified key themes discussed in detail in this report. The themes include:

- Bullying as a form of performance management and training by humiliation;
- Repeat, patterned and/or unaddressed bullying, especially by senior people;
- Under-reporting of incidents due to fear of losing job or traineeship; and
- High stress and health issues as a result of bullying and harassment.

Based on the results, the researchers made the following recommendations:

- Raise awareness and knowledge of bullying and harassment across the profession;
- Develop model policies, guidance and best practices for individuals and firms;
- Increase trainee support;
- Support firms on building management skills; and
- Develop ongoing monitoring and intervention.

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1 Introduction

1.1 Background to the Study

As a body representing and regulating the legal profession in Scotland, the Law Society of Scotland seeks to promote the interests of the solicitors' profession, provide support to address the needs of all its represented members, and promote the interests of the public in relation to the profession. In the Society's 2006 Profile of the Profession survey, 22% of the 3,000 respondents felt they had been discriminated against at some point in their career. In addition, 6% of all respondents reported having been bullied and 4% said they had been harassed. The Society, in its Equality and Diversity Strategy 2008-2011, identified as a key objective to "tackle and reduce the bullying and harassment" within the legal profession.

The problem of bullying and harassment in the legal profession has also been identified by other organisations. The Firm, an independent law journal, launched a campaign in 2008 to raise awareness about the bullying and harassment of younger lawyers and English research has suggested that many lesbian, gay and bisexual lawyers conceal their sexual orientation at work for fear of the impact this may have on their careers.

The problem of workplace bullying and harassment is not unique to the legal profession. Workplace bullying has been recognised in all sectors of the UK workforce, and there is strong evidence that bullying and harassment is generally under-reported in most professions and organisations. In the past 20 years, organisations have moved from denying the existence of bullying to acceptance and efforts to address the problems through policies and procedures.

1.2 Project Aims

In April 2010, the Society launched this research and appointed Equality Works, a specialist consultancy firm, to conduct the study. The specific aims of the project were to:

- to increase the Society's understanding of bullying and harassment in the profession, including the scope of its incidence, reasons why it occurs, and whether some groups are particularly affected; and
- to develop strategies, including providing guidance and resources to the legal profession to help prevent and manage workplace bullying and harassment.

1.3 Scope

The research was limited in scope. The focus was on building upon current quantitative data currently available to the Society. The researchers sought to obtain qualitative information in the form of individual experiences of those in the legal profession. Research scope was limited by a small sample size and from a self-selecting group. These limitations were due to the challenges of recruiting and engaging participants given the extremely sensitive nature of the topic and the relatively small "close-knit" nature of the profession. Despite these limitations, the results provided sufficient data for sound analysis of bullying and harassment in the Scottish legal profession, and for development of useful and actionable recommendations.

1.4 Methodology

This section of the report describes the methodology used in this research. First, the researchers conducted a secondary analysis of data on bullying and harassment from the profession from the Profile of the Profession Survey. Second, case studies were developed based on collected individual accounts from Scottish solicitors.

1.4.1 SECONDARY ANALYSIS

Data from the 2007 Profile of the Profession survey carried out by the Grange Group was re-examined to further explore the question of prevalence. The key questions were: what more can we learn about bullying and harassment in the profession and are particular groups affected?

We reviewed the data on the total group reporting having been bullied and the total group reporting having been harassed. We then compared the make-up of these groups in terms of social identity (ethnicity, gender, etc) and current career to those of the total sample.

We also reviewed the qualitative responses to open questions about experiences of discrimination, including bullying and harassment to identify common themes.

1.4.2 COLLECTING INDIVIDUAL EXPERIENCES: RECRUITING THE SAMPLE

Participants were recruited to take part in interviews about their experiences in the profession. To do this, an open invitation was issued to the profession, asking for participants to contact researchers. The invitation explained we were interested to hear from people who had a personal experience of bullying and/or harassment; people who may have observed this behaviour; and/or people who had ideas or good practice on ways to deal with and/or preventing bullying and harassment. The invitation was circulated widely, via the professional networks and Society channels. The research project also received some press coverage which may have helped in recruiting participants in the research.

1.4.3 THE SAMPLE

Our participant recruitment strategy resulted in enquiries from people across Scotland. Fifteen people then took part in interviews with researchers.

The demographic profile of interviewees is presented in Table 1.0 below, alongside the breakdown of lawyers in Scotland (drawn from the 2006 Profile of the Profession survey).

It should be noted that our participants were self-selecting and our aim was to collect qualitative rather than quantitative data from our interviews with them. We did not therefore expect or require our small sample to be statistically representative of the profession in terms of demographics or professional background. However, we were keen to ensure that the group was diverse enough to produce a set of case studies that illuminated a range of different issues and experiences.

Women, younger people and people working part-time were over-represented among interviewees compared to the profession as a whole and people with family in the law were under-represented. This fits with the findings of our secondary analysis of the Grange Group data, namely that these groups are more likely to experience (or at least report

experiencing) bullying and/or harassment. There was also some representation in terms of disability, ethnic background and sexual orientation.

Table 1.0: Demographic profile of interviewees

Characteristics	Number (%) of Interviewees	% in the Profession *
Gender		
Women	11 (73%)	49%
Men	4 (27%)	50%
Age		
Under 35	9 (60%)	40%
36-45	1 (7%)	26%
Over 46	5 (33%)	33%
Disability	1 (7%)	2%
Lesbian, gay or bisexual	1 (7%)	3%
Ethnic Minority	1 (7%)	1.6%
Family in the law	0 (0%)	9%
Part-Time	3 (20%)	13%

* From Profile of the Profession Survey 2006

A variety of professional backgrounds were represented among interviewees. There was representation from larger and smaller firms in private practice and from those working in-house with public bodies. The majority of interviewees were qualified solicitors (3 months to 20+ years post-qualifying experience) at the time of interview. 73% were trainees or assistant solicitors when the bullying occurred.

1.4.4 QUALITATIVE IN-DEPTH INTERVIEWS

The 15 interviews took place either by telephone or face-to-face, according to the interviewee's preference (4 face-to-face, 11 by phone).

The researchers used a semi-structured format for the 90 minute discussions, using open questions to explore current work in the profession, experience of bullying and/or harassment and to capture their suggestions.

The key aims of the interviews and resulting case studies were:

- to capture the experiences related to bullying and harassment;
- to understand the impact of those experiences to the individual, the colleagues, the firms and the profession; and,
- to explore what helped and/or would have helped prevent bullying and harassment and support those who experienced it.

1.4.5 DATA ANALYSIS AND THE DEVELOPMENT OF CASE STUDIES

Our analysis of the interview data and our review of the findings of previous relevant research on the Scottish and English/Welsh legal professions led to the identification of key themes.

Given the sensitivity of the topic, the close-knit nature of the profession in Scotland and our commitment to ensuring the anonymity and safety of our participants, we aimed to develop case studies which illustrated these themes without allowing participants to be identified.

Some of the case studies present the experience of one person quite accurately; others have been adapted, with characteristics changed or real experiences attached to fictional characters in order to protect anonymity. All of the names have been changed.

1.4.6 A NOTE ON GENERALISABILITY

The aim of this study is to identify and describe key features of the bullying and harassment experience within the Scottish legal profession.

Our discussions with those who have had these experiences demonstrate that it is not possible to describe a typical experience, a typical perpetrator or a typical 'victim'. We hope that, by speaking to a diverse group of participants, we have captured some of the range of experience. We cannot know whether the experiences of our interviewees reflect the severity or circumstances of the groups of solicitors who reported having been bullied and/or harassed in the Grange Group survey.

We have however, sought to 'triangulate' our evidence by reviewing relevant research commissioned by the Law Societies of Scotland and England/Wales; speaking to key stakeholders (such as those at Law Care) and reviewing the qualitative responses to Grange Group survey. We have drawn on these different sources when analysing the qualitative data generated by this study and identifying our recommendations to the Society.

2 Background

2.1 Defining Bullying and Harassment

Peter Bulmer, Managing Partner of the Chicago law firm of Jackson Lewis, LLP, represents management in employment disputes. He has compared bullying to obscenity—"hard to define but easy to spot" (American Bar Association 2007).

The lack of consensus over the definitions of "bullying" and "harassment" presents a key challenge to research in this area (Villadsen 2008). The fundamental problem is that the bullying experience is subjective, and individuals, cultures and organisations can have very different thresholds of what is acceptable and what is not. Bullying and harassment can include an extremely wide range of behaviours, some of which are subtle and difficult to pin down. Typically these behaviours will be part of a series of incidents which need to be understood in context and viewed as a whole.

The terms 'bullying' and 'harassment' are often used interchangeably and the distinction between them is frequently misunderstood. Harassment generally involves an aspect of

'social identity' or a 'protected characteristic'. The protected characteristics as defined by the Equality Act 2010 are race, gender, age, disability, religion or belief, sexual orientation, gender re-assignment, pregnancy and maternity and marriage and civil partnership. Individuals are protected from harassment while applying for a job, during it, and in some circumstances after the working relationship ends (for example in terms of the provision of a verbal or written reference) (CIPD 2010).

Harassment

A person (A) harasses another (B) if A engages in unwanted conduct related to a relevant protected characteristic, and the conduct has the purpose or effect of violating B's dignity, or creating an intimidating, hostile, degrading, humiliating or offensive environment for B.

Equality Act 2010, s.26

It is important to note that harassment does not have to be directed at the individual who complains – if it creates an environment that the individual finds intimidating, hostile, degrading, humiliating or offensive (CIPD 2010).

Bullying is similarly "unwanted" by the person on the receiving end of it, whether or not it is intended by the perpetrator. It is based on a power differential of some sort (which may, for example, be hierarchical, psychological, physical or social) and occurs over time, with some degree of regularity (ref Middlesex). Amicus (2005) proposes the following definition:

Bullying

"Persistent, offensive, abusive, intimidating, malicious or insulting behaviour, abuse of power or unfair penal sanctions, which makes the recipient feel upset, threatened, humiliated or vulnerable, which undermines their self-confidence and which may cause them to suffer stress"

Amicus (2005)

Bullying is not specifically defined in law, though employment legislation such as the Health and Safety at Work Act 1974 and the Employment Rights Act 1996 can be used to show that employers have a duty of care to protect their employees from such experiences. Bullying does not need to link to a protected characteristic or aspect of social identity, though the power differential between perpetrator and victim may be rooted in gender, age, ethnicity, etc and some social groups may be more likely to report workplace bullying than others.

Bullying or harassment may be by an individual against another individual, by someone in a position of authority such as a manager or a supervisor, or a third party such as a customer, client, supplier, committee member, or panel chair. An employer can be held responsible for "third party" bullying and harassment in certain circumstances if they do not protect their staff from this or address concerns raised. It may also involve groups of people.

Acas provides the following examples of bullying or harassment include:

- spreading malicious rumours, or insulting someone by word or behaviour (particularly on the grounds of age, race, sex, disability, sexual orientation and religion or belief);

- copying memos that are critical about someone to others who do not need to know;
- ridiculing or demeaning someone – picking on them or setting them up to fail;
- exclusion or victimisation;
- unfair treatment;
- overbearing supervision or other misuse of power or position;
- unwelcome sexual advances – touching, standing too close, the display of offensive materials, asking for sexual favours, making decisions on the basis of sexual advances being accepted or rejected;
- making threats or comments about job security without foundation;
- deliberately undermining a competent worker by overloading and constant criticism; and
- preventing individuals progressing by intentionally blocking promotion or training opportunities.

The Standards of Conduct for solicitors do not refer specifically to bullying and harassment but rule 15 (Diversity) states that:

Solicitors must not discriminate on the grounds of race, sex (including on the grounds of marriage), disability, sexual orientation, religion and belief, or age (including perceived orientation, religion and belief, and/or age) in their professional dealings with clients, employees or other lawyers.

Rule 15 (1), Law Society of Scotland Standards of Conduct for Solicitors

Also those who manage or supervise, must ensure that “those they manage or supervise do not discriminate unlawfully” (15 (2)). Since harassment is a form of discrimination, this means that solicitors who harass (or fail to challenge harassment by someone they supervise or manage) could face disciplinary actions for professional misconduct.

2.2 Incidence of Bullying and Harassment in Other Professions

Despite the debates over how to define bullying and harassment, there is a consensus in the literature that both have become more prevalent in the workplace over the past two decades, in Scotland and in other countries (Acas 2006, Villadsen 2008).

A survey done by Samaritans in 2007 estimated that 21% of Scottish workers experience workplace bullying as a weekly or even daily cause of stress and that over 80% of Scots have been bullied at some point in their careers (Samaritans 2008). Surveys cited by the Health Policy and Economic Research Unit (2006) suggest that the problem is rife in a number of occupational settings: a third of City workers in London; half of a sample of HR professionals; and two-thirds of UNISON members said they have experienced bullying and harassment in their workplaces.

A number of explanations have been suggested for this increase. Health Policy and Economic Research Unit (2006) in their study on bullying and harassment in the medical profession argue that bullying is sometimes viewed, whether overtly or covertly, as an

“effective method of motivating staff” in “highly competitive environments” (p.5). In the current economic climate, we have witnessed increased competition between firms and individual employees to perform and survive. Riley (2008) argues that increased harassment is one of the costs to business arising from greater employee diversity. Villadsen (2008) points out that there may be more reporting of bullying and harassment (at least to anonymous surveys, if not to formal mechanisms) as employees become more aware of their rights and the sort of behaviour they should and should not expect from their colleagues.

2.3 Impacts of Workplace Bullying and Harassment

2.3.1 IMPACT ON INDIVIDUALS

Those experiencing bullying and harassment (and sometimes those witnessing it) can experience a range of negative impacts.

Research findings explain that common impacts on individuals include:

- Deep discontentment at work, lack of concentration, de-motivation, which may lead to mistakes, accidents or reduced productivity;
- Loss of confidence/ disempowerment;
- Stress, depression and anxiety, which may produce physical symptoms; lead to unhealthy coping strategies, such as drinking, smoking, over-eating or drug use and, potentially to suicide; and
- Leaving current post or even profession.

(Acas 2006, Villadsen 2008), Chittenden’s (2006) research into lesbian, gay and bisexual (LGB) solicitors in England shows the impact which perceptions or reports of harassment can have on others. Many of the LGB solicitors she interviews describe how they have hidden their sexual orientation, avoided certain organisations or areas of the law in order to reduce the risk of being harassed. Hiding your sexual orientation, disability, health condition or caring responsibilities from your employer can be stressful and can also mean that you do not receive the management support you need to achieve a sustainable work-life balance.

2.3.2 IMPACT ON ORGANISATIONS

Although some individuals may accept bullying as a useful way of increasing employee productivity, research show that bullying behaviours inhibit individual performance and create serious problems for organisations. Amicus (2005) argues that:

“Bullying affects not only the individuals involved but the organisation as a whole since people working in a climate of fear and resentment do not give their best”.

In their literature review, the research team at the University of Middlesex (Villadsen 2008) identify the following costs to organisations from bullying and harassment:

- Victimised staff going on sick leave;
- High staff turnover – increased recruitment and training costs, impact on products, services and clients;
- Demoralising impact on rest of team;

- Low morale and reduced productivity;
- Poor performance and increased mistakes;
- Direct and indirect financial costs, e.g. through employment tribunals; and
- Damage to the organisation's reputation.

"It saddens me this firm is getting a tiny amount of what I am capable of"

"To be mocked by a partner of your firm in the presence of 30-40 other partners and colleagues, on grounds of sexual orientation, is damaging to the person discriminated against, destructive of working relationships and sets an extremely poor example"

Quotes from Scottish solicitors being bullied and/or harassed from responses to the Profile of the Profession Survey 2006

3 Findings and Analysis

3.1 Quantitative Findings

In this section, we present the findings of our secondary analysis of the 2006 Profile of the Profession Survey, commissioned by the Law Society Scotland and carried out by The Grange Group.

In the survey (see Table 2.0 below), 6% of respondents (171 individuals) said they had been bullied, and 4% (129) harassed at some point in their working lives as a solicitor. In total, 22% (662) of the 3,017 respondents said that they had suffered some form of discrimination at some point in their career.

Table 2.0 Survey respondents reporting discrimination, bullying and harassment

Experience	No. reports	
Discrimination	664	22%
Bullying	171	5.7%
Harassment	129	4.3%
<i>Total respondents</i>	<i>3017</i>	

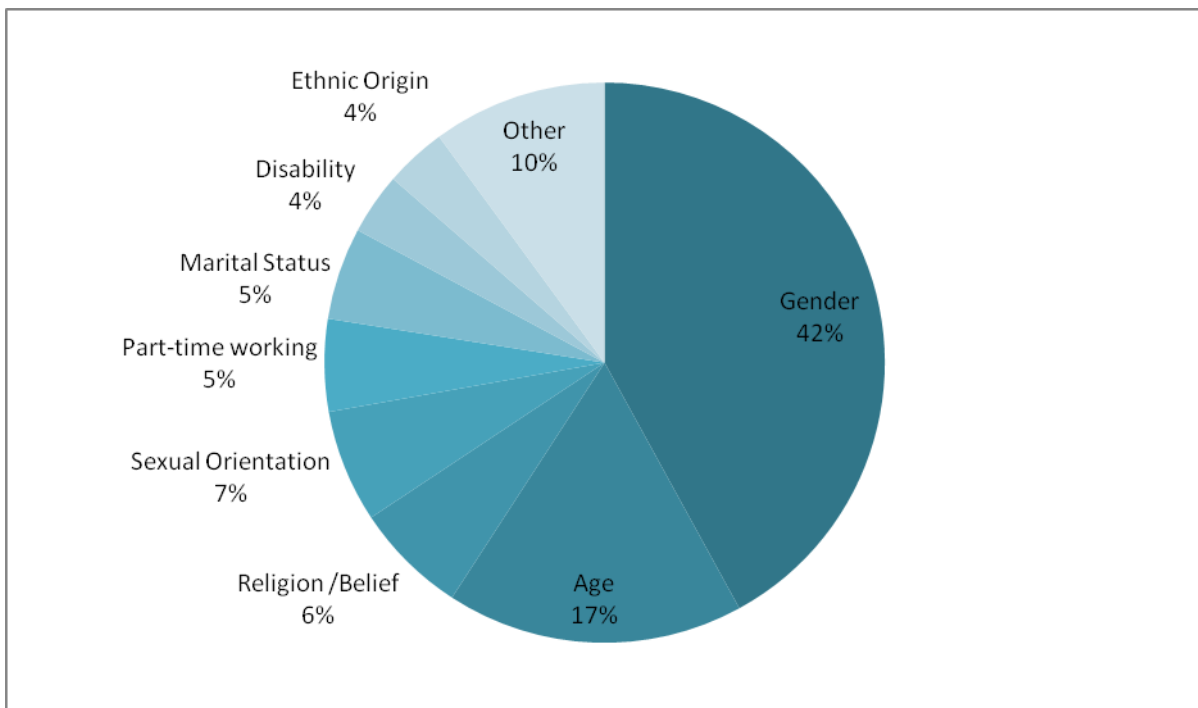
We broke the survey data down by demographic group (or social identity), to identify whether there were any significant differences between groups, i.e. whether any particular groups of lawyers were over or under-represented among those who reported having experienced bullying and/or harassment in the survey. Tables 2.1 - 2.7 are included at Appendix A and these show these breakdowns compared to overall representation in the survey.

A similar comparison was carried out to identify whether there were any differences in numbers of people reporting having been bullied or harassed, among lawyers working in different roles. Tables 2.8 - 3.0 are included at Appendix A and show these breakdowns by employment status, sector and level.

Figure 1.0 below shows a further breakdown of the data on harassment, showing on what aspects of social identity harassment was based.

This pie chart shows a breakdown of the aspects of social identity/status reports on which harassment was based. (Nb. some respondents gave more than one)

Figure 1.0 Reports of harassment by social identity



Data was also obtained from Law Care and this is presented in Tables 3.0 - 3.1 for comparison. This shows the numbers of Scottish callers raising issues of bullying and harassment, over time, by gender and by level.

Table 3.0 Callers to Law Care reporting bullying and harassment issues (in Scotland)

	2008	2009	2010 (half)
Callers reporting workplace bullying	20%	7%	13%

Table 3.1 Calls to Law Care about bullying and harassment by gender, in Scotland

	2004	2005	2006	2007
Women	70%	91%	70%	64%
Men	30%	9%	30%	36%

Law Care data also shows the majority of those calling about bullying and harassment (89%) had less than 5 years post-qualifying experience and of these 87% were trainees.

Law Care began keeping records relating specifically to workplace bullying in 2003. The majority of cases are reported by women and by trainees or solicitors who have been qualified for 5 years or less (60% in 2003/4; 89% were in one or other of these groups in most recent figures – vast majority of these were trainees).

3.2 Summary of Key Findings

3.2.1 GENDER

Gender is the most common basis for harassment, with over half reported experiences involving gender. Respondents to the survey were almost equally distributed in terms of gender, yet 78% (100 out of 129) of those harassed and 83% (141 out of 171) of those bullied were women. Law Care data shows 64% of those calling about bullying and harassment in 2007 were female; 36% male.

There was also evidence of harassment and bullying around gender for men as well as for women. 7% of those bullied on account of their gender and 10% of those harassed on account of their gender were male.

3.2.2 WORK PATTERN

Part-time lawyers were significantly more likely than their full-time colleagues to report bullying and/or harassment in the survey. This was especially (and perhaps unsurprisingly) linked to gender; 26% of those bullied on account of their gender and 28% of those harassed on account of their gender were working part-time (compared to 13% of survey respondents overall).

3.2.3 ETHNICITY

Black and minority ethnic lawyers (BME) made up 1.65% of survey respondents overall, but 5% of those bullied and/or harassed. 27 respondents were of Asian background, 3 reported harassment, 4 bullying. This suggests BME lawyers are three times more likely to be bullied or harassed than their white peers.

3.2.4 DISABILITY

Disabled lawyers were up to four times more likely to be bullied and/or harassed than non-disabled lawyers. For example, disabled lawyers made up 2% of all respondents but 9% of those harassed and 8% of those bullied.

3.2.5 SEXUAL ORIENTATION

Lesbian, gay and bisexual (LGB) lawyers made up 3% of the overall sample but 10% of those reporting harassment and 6% of those reporting bullying. This suggests LGB lawyers are 2-3 times more likely to be bullied or harassed than their heterosexual peers.

3.2.6 AGE

The survey does not suggest that the under 25s were any more likely to describe experiences of bullying and harassment than older lawyers. However, Law Care data shows the vast majority of those calling about bullying and harassment (89%) had less than 5 years post-qualifying experience and of these 87% were trainees.

Survey respondents in the middle age bracket (36-45 years) were over-represented amongst the bullied and/or harassed. This could be because this is the age at which lawyers are most likely to have young children.

Those over 46 were least likely to say they had been bullied and/or harassed. This may be a result of the strong links between age and seniority in the structure of the profession; may be about there being less diversity amongst older lawyers; or may be about younger lawyers being more likely to identify and label experiences of bullying and/or harassment.

3.2.7 RELIGION/BELIEF

In terms of religion and belief, lawyers describing themselves as having no religion or as Roman Catholic were slightly over-represented among those experiencing bullying / harassment. Those describing themselves as Church of Scotland (37% of the sample) were less likely to report bullying and/or harassment (making up 28% of those harassed and 29% of those bullied). The sample of lawyers from other religions was too small to identify any patterns.

3.2.8 FAMILY IN THE LAW

Solicitors who had a parent in the profession represented 5% of those harassed and 6% of those bullied, compared to 9% in the survey respondents overall. This suggests solicitors with family in the law are slightly less likely to have had experiences of bullying and harassment when compared to their peers with no parent in the profession.

3.2.9 POSITION WITHIN THE PROFESSION

Law Care data shows the majority of those calling about bullying and harassment (89%) had less than 5 years post-qualifying experience and of these 87% were trainees.

There was also a significant contrast in the survey between the proportion of the overall sample who were equity partners (32%) and the proportion of those harassed and bullied who were equity partners (7% and 6% respectively).

Although there is some evidence of those in more senior positions (i.e. equity partners and those in the older age brackets) being less likely to be on the receiving end of bullying and/or harassment, these statistics do not suggest that it is only young lawyers who experience bullying or harassment.

3.2.10 SECTOR

The statistics provided by Grange Group suggest that 41-43% of those being bullied/harassed did not state their job role, perhaps for fear of being identified. Those working in other sectors who reported bullying and harassment seemed to be even less likely to give details of their roles, with only a third doing so.

Those working in private practice were less likely to report bullying and harassment - those in private practice made up 73% of the overall sample but 64% of those reporting harassment and 65% of those reporting bullying.

The findings suggest that bullying and harassment is a significant issue outside of private practice, where we might have assumed that there would be less. However, other research we have reviewed suggests that there is a migration of those who have had negative experiences from private practice to in-house positions and, since respondents are asked if they have ever experienced bullying and harassment, it may be that many of this group had these experiences whilst in private practice and before moving into other sectors.

3.3 Qualitative Findings: Case Studies

The following case studies were developed from interview material and represent real experiences of Scottish solicitors. Names have been changed and some details altered to protect the anonymity of participants.

3.3.1 ANDREW

Andrew joined as a trainee with a midsize law firm with a good reputation. He worked for a Partner who was known to have a reputation for refusing trainees but who had nonetheless picked Andrew to work for him.

Although the Partner's public persona at the firm was professional, Andrew quickly realised things were different behind the scenes, as his boss, the Partner behaved very differently, he:

- Provided no support or feedback;
- Would shout at him and others in private;
- Would send furious emails;
- Took out his frustrations on him and others, especially trainees;
- Was known throughout the firm to be very demanding; and
- Would often be enraged with him and others when he himself was panicked about something about his own work.

Everyone in the firm was aware of the Partner's behaviour and did nothing about it. Other staff would approach Andrew and whisper "I hear you're having a horrid time". Senior partners, the managing partner and HR were aware but "did not seem to care". Andrew consulted with another partner who was approachable and generally helpful. However, he too did not offer any constructive help and just advised Andrew to "keep his head down". Similarly, colleagues were sympathetic but "no one wanted to rock the boat".

Andrew felt powerless. He felt that couldn't prove anything since the Partner's behaviour occurred behind closed doors. He went from being a promising trainee to feeling "completely beaten down". He often felt anxious, crying in private and unable to get help from his colleagues and the firm. Andrew finally decided to leave the firm and the profession.

3.3.2 BARBARA

Barbara joined a small law firm as a trainee. She was immediately thrown in at “the deep end” and did well, resulting in the partner managing her trusting her to deliver her work effectively. Consequently, Barbara was given more responsibilities but no guidance.

For the first nine months, she was given a significant amount of work much of it far exceeding her expertise as a trainee. During this time, she was not permitted to take time off or take leave. She worked long hours during the week and often worked in the weekends. Barbara became very stressed and she called LawCare for advice. LawCare referred her to a solicitor and she was advised to take stress leave.

While on stress leave, she found out that her firm informed her colleagues that she “couldn’t cope”. After Barbara's return from stress leave, her experience at the firm started to deteriorate. The Partner’s behaviour towards her dramatically changed. The Partner often called Barbara to his office to tell her she was not working hard enough and that she was not coping with the work. The Partner made negative comments to Barbara about her performance, the way she dressed, and her “common” accent, which he stated annoyed some clients.

Barbara felt she did not receive any support from the firm. On her return from stress leave, no support was provided to adjust back to work. She stated that she did get some support from other solicitors from other firms who were aware of the firm’s reputation for bullying and overworking their trainees. She stated that her colleagues from other firms often discussed how bullying and harassment is common in the legal profession given the “old fashioned” way small firms are run and how incidents are “brushed under the carpet”.

3.3.3 DIANE

Diane joined a small firm with two partners and 2 other lawyers, all of whom were men. She knew the firm had a reputation for bullying trainees but given how difficult it was to get a trainee position, she felt she had no choice but to take the position. She also felt that she has a “tough skin” and could handle it.

Diane's experience of the firm was consistent with what she heard about the firm. The partners and lawyers often swore, engaged in lots of sexual remarks and jokes, and often verbally abused their administrative staff. Daily public criticisms and verbal arguments using derogatory language were quite common. Diane and the rest of the staff were overworked and holidays and leaves were rarely granted.

Diane felt stuck in the job. Although the job stress and the work environment were not good for her mental and physical health, she felt that she had to put up with it as there were no other jobs available. She was aware that she could have approached LSS for support but she did not want to cause any problems and she felt that LSS would not be able to do anything or help her. She felt that her experience is quite normal in the legal profession, that bullying is a norm in the profession – “if can’t handle it, then don’t belong in the profession”.

3.3.4 EDWARD

Edward was a mature entrant to the legal profession, qualified for five years and worked in a large firm. He took on a challenging client, who was very wealthy and difficult to work with. After identifying some problems with the file, Edward called the client to clarify some points.

On learning that Edward had initiated contact with the client the managing partner was furious, and launched a verbal attack on Edward calling him negligent and incompetent in front of colleagues and staff. Since that day, the managing partner found fault with all of Edward's work, often criticising him in a loud voice in front of other staff. Edward felt entirely undermined and his confidence deteriorated. Edward did not feel he could ask for help with his colleagues or HR given the power and reputation of the managing partner.

Edward decided to seek advice from LawCare. The LawCare Advisor first asked Edward what the outcome was of his interaction with the difficult client. Edward said "somehow" it all went extremely well and the matter was successfully resolved. After further discussion of the rest of Edward's cases and client files, the LawCare Advisor pointed out to Edward that the evidence suggested that he was neither negligent nor incompetent, and that his feelings of doubt in his own ability were the result of the managing partner's behaviour towards him.

3.3.5 JENNY

Jenny works as a criminal prosecutor. One of the sheriffs (Sheriff X) has a reputation for being 'difficult, unpredictable and very rude', treating some people, particularly new, young, women lawyers, worse than others.

Sheriff X's behaviour to Jenny and some of her colleagues included making derogatory comments, inappropriate comments and facial expressions in court, and asking questions that felt like they were designed to 'trip you up'. Jenny explains: *"It doesn't matter how prepared you are, you still get blamed for things that are out of your control and your explanations are not listened to The problem is, it's in court, you'd expect it to be adversarial, but this is beyond that, it's personal and not relevant to the case"*.

Jenny went to her line manager to discuss these experiences and received a supportive response from the firm and her colleagues. Her manager explored with her options, and they agreed that she would record inappropriate remarks and encourage other colleagues to do the same.

Jenny broke down in tears during an adjournment from a particularly stressful session in Sheriff X's court: *"I was constantly subjected to disparaging remarks, questions I couldn't answer. I would get up in the morning and feel physically sick. It took an enormous amount of effort to remind myself it's X not me. I wanted to finish the case."* Following this, Jenny's manager removed her from court work, replacing her with a man who "deals with it differently". She describes her self-confidence at work as being "at rock bottom" and wonders what the future will hold since she cannot continue forever doing office-based work in her current role.

"He seems to be somewhat untouchable. What exactly happens if you complain, I don't know? The power balance is completely out there. If it was someone in my office, I could approach them. In this situation, I can't".

Jenny's firm has an Anti- Bullying and Harassment Policy which it does not cover situations in which the perpetrator is external. Her manager continues to encourage other colleagues

who have complained about Sheriff X to record incidents: *"...but it's hard to get everyone to write it down; some people don't want to get involved in case it gets worse; and it's hard to hold the Sheriff to account as they are external"*. In the meantime; *"This Sheriff is doing a hell of a lot of damage to young lawyers"*.

3.3.6 JILL

Jill had been a solicitor at a small law firm for more than 8 years. The firm had about 25 staff, most of whom were male, and 4 partners, including the Managing Partner. She stated that it was been a difficult environment to work in but she was able to deal with it for more than 8 years.

The Managing Partner (SP) was known to "run the show" in a "very controlling" way. The men experienced privileged treatment from the partners such as deferring to them as holders of expertise over their female colleagues and were taken out to lunch. Male colleagues often made comments about their female colleagues' appearance, and the partners commonly made sexual comments and jokes. In one instance, a white male colleague working with an ethnically Asian female colleague repeatedly asked her about curry despite the visible annoyance of the Asian female colleague.

Jill's experience at the firm worsened when she disagreed with the Managing Partner on a client matter. Over the following 9-12 months, the Managing Partner scrutinised Jill's work. He called her to his office for trivial matters such as minor changes to documents. The Managing Partner regularly called Jill to his office, 3 floors up, to make coffee, and criticised her performance using very harsh demeaning language.

Jill's health suffered. She became depressed and anxious, taking increasing numbers of days sick leave. At her appraisal, the Managing Partner yelled at her in an angry tirade that her heart was not in the job due to her regular sickness absence.

Jill felt undermined, angry, and that the situation was her fault. She felt irritable and anxious all day, and had lost confidence in her ability to practise law. Until this experience she had generally saw herself as reasonably positive, confident and not afraid to address conflict. She felt she had no options to address her problem, believing that these experiences are often trivialised in the legal profession.

After confiding in friend, Jill recognised that she was being bullied. However, Jill did not feel that there was any support available to her to address the situation. She was not aware that LSS could provide any assistance. She received support through her therapist, family and friends.

After more than 8 years, Jill decided that she could no longer stay in the firm and have her health continue to deteriorate.

3.3.7 JULIE

Julie had been in her post for about a year when M started in his position as her Manager which was a new post for him.

Julie's relationship with M deteriorated at their first performance review meeting. At the meeting M advised Julie that her performance was outstanding except for 'management'. M told her that she was the "worse manager ever" that she had no communication skills, and she talked too much, and did not manage her team well. Julie burst into tears during the meeting. Until this meeting Julie had a good reputation as a hard worker and an excellent

problem solver. She recognised that she needed to continue to improve in her management skills, and that she inherited a difficult team.

M offered no guidance, feedback or support. His behaviour towards Julie became increasingly aggressive and threatening -- he shouted instructions and threats daily. He began excluding Julie from meetings and he gave financial instructions to one of her employees when it was her responsibility to action.

Julie had begun to suffer depression because of M's behaviour towards her and decided to confront him. Julie told M that his behaviour was "aggressive", and asked him to change his behaviour towards her. Shortly after this, M told Julie that due to funding cuts he could not afford to keep her post. M subsequently hired another assistant.

Julie sought counselling for her depression and was advised by her therapist not to go back to work. She contacted the HR team for advice on the situation and lodged a grievance, and the union became involved. It took many months to resolve and the tribunal hearing felt like a "kangaroo court, manufactured process".

Julie developed further physical and psychological health issues; her personal life deteriorated, and was forced to take sick leave. She consulted a lawyer and on their advice moved to a new job and did not pursue the matter further.

3.3.8 MARY

Mary is a successful partner at a firm where she has helped build the business for the past 10 years. She maintained excellent relationships with the Managing Partner, staff at all levels, and high-profile clients. After a new Managing Partner (MP) joined the firm, her experience with the firm changed drastically.

Despite her excellent track record and standing, the new MP immediately began to check and criticise her work. He openly talked about her "poor performance" with other colleagues, and communicated with her in an abusive manner verbally and by mail. For almost a year, Mary received constant criticised", "harassed" and "undermined".

Mary tried to talk to the MP and sought support from other partners of the firm, explaining his behaviour was having a serious impact on her life and career. The partners and other colleagues encouraged Mary "not to let him get to her" and acknowledged the bullying behaviour. However, the behaviour continued and no one, to Mary's knowledge, attempted to help resolve the situation.

Mary's career, health and family life deteriorated. The staff member responsible for HR provided limited help because they reported directly to the MP. Mary raised a formal complaint using the grievance process, after which the situation deteriorated further. Other employees were instructed not to speak to her and she was excluded from the firm's activities. The cost to the business in terms of staff morale and client relationships has been significant.

3.3.9 MEGAN

Megan is a mature graduate who had a considerable professional experience when she began her traineeship. She worked for an in-house legal team.

Early on, she experienced problems with some of her colleagues. One of the senior solicitors, a newly-qualified solicitor and two of the support staff 'ganged up on her' and made her feel unwelcomed; *"It felt like I was working somewhere with a code of rules that were secret. I thought I was experienced and I would know if anything like that was going on and do something about it, but I had no idea."*

The problems began when Megan queried something in a meeting with people from outside the department. After the meeting, she was told that she *'shouldn't correct senior colleagues in meetings'*. Megan then began experiencing problems with two of the support staff: her tapes would go missing and her typing would take weeks to get completed. She developed ways to manage this, including only asking part-time support staff for help or, since she couldn't access the server to amend existing letters, she would *"print out a couple of letters, cut and paste the bit I needed and photocopy it onto the rest of the letter to make a finished copy"*.

When asked whether she reported what was going on or sought support, she says: *"It's extraordinary to think of now but I was so desperate not to make waves, not to make any fuss and to work really hard and do well. Because I was so desperate to be kept on after the end of my traineeship, I never told my boss. It never even crossed my mind to ask the Society for help or to contact LawCare. I don't remember hearing about LawCare"*.

3.3.10 MICHAEL

Michael did his traineeship in a relatively small firm. Michael is a gay man and explains that he "hasn't gone out of his way to keep his sexuality a secret but likewise hasn't particularly broadcast it" during his time at the firm. There is little diversity at the firm: there are no black or minority ethnic employees and most of Michael's colleagues seem to have assumed that he was heterosexual or, as he puts it, "they haven't even considered the possibility that I might be gay".

There have been several occasions where colleagues have made homophobic or racist comments in front of him and, as a result, his initial impression of the legal profession is that "it is still quite backwards in many respects".

Twice during his traineeship, Michael has politely challenged clients who have made offensive comments about black or gay people. On one of these occasions, he was in a client meeting with a partner when he politely explained to the client that he found his derogatory comments about gay people offensive. After the meeting, the partner apprehended him and said that, although he agreed with the sentiment, Michael must never challenge a client in this way again.

3.3.11 MIKE

Mike works in a medium-sized firm reporting to a male manager. His Manager consistently uses abusive language, swearing and insulting people working for him. He frequently threatens solicitors with dismissal, and he has recently dismissed 3 staff members. Mike is fearful that he will be next. Although he runs a very profitable and successful department, he thinks that the only reason that his Manager has not forced him out is because the other partners would not accept it.

Recently, the other partners told him that they were bringing someone new into his department to work alongside him. He now feels that his position is now more tenuous than

before. Mike is feeling increasingly anxious. His Manager's behaviour coupled with his fears about supporting his family should he lose his job is damaging his health.

3.3.12 RUTH

Ruth is a trainee in a medium-sized law firm on the East Coast of Scotland. During her traineeship, she feels that female trainees and secretaries have been treated differently and negatively.

Female trainees and secretaries are often subjected to inappropriate and unprofessional comments, mostly from older male partners or seniors. Seniors have given support staff negative feedback on their performance in public and in an "over the top" and at times derogatory manner. Ruth and other female trainees have been asked and are expected to do things that her male peers are not asked to do, such as sorting out files or taking minutes in meetings. She feels that you "just have to do it; you just have to get on with it at this stage in your career".

She doesn't feel that she (or, as far as she is aware, anyone else at the firm) has experienced enough direct bullying or harassment to justify making a complaint. Instead she describes a "general bullying culture, strongly linked to status and hierarchy within the firm".

Ruth believes that often, when senior people talk down to trainees and secretaries, they may not actually realise what they are doing or understand that there is anything wrong with it. She is, however, clear about the impact:

"Either the person who is shouted out or talked down to bottles it up and their work suffers as a result, or they complain to others and that reduces morale in the firm. They may get a sympathetic response from others on the surface of it, but behind their back, they are criticised for moaning. The tendency to bottle things up seems to be very prominent in the legal profession: people don't want to be seen as stepping out of line..... When you are a trainee, you don't really have a leg to stand on..... and secretaries are often in a similar position too".

There is a poster in the office which gives the number of a support service "if you are feeling stressed" but she feels there is a lot of stigma about this. "It's presented as a last resort rather than a source of ongoing support and there is a sense that this would be about your failure to cope rather than poor practices in your firm".

3.3.13 SALLY

Sally worked for a small firm and was paid a low wage despite having been qualified for three years. She feels undervalued financially, professionally and personally. .

The firm has recalled her to work while she has been on holiday and on Saturdays for no additional payment or similar recognition. Sally is willing to working weekends but she feels she is not being given any choice or any recognition. She frequently works until 10 p.m., again, without any overtime or additional remuneration.

She knows she needs to leave and find something else, but is worried that in the current climate she may be between jobs for some time and not be able to afford her rent.

3.3.14 VICTORIA

Victoria is a solicitor at a large firm. Victoria was called to a series of meetings to discuss her performance. Each time she demonstrated improvements in all identified areas, but was told that the firm still has concerns. Victoria was asked to agree with the points raised. She did not feel able to do this as she had met all the requirements set out in the meetings. Victoria was very confused and angry. Her performance had previously been consistently praised; all her feedback had been good and had resulted in her promotion.

On joining the firm, Victoria had noticed that other newly qualified solicitors seemed very stressed. One woman was called to several meetings with HR, which had left her in tears. Over the 12 months she was in post, Victoria observed several people suddenly leave the firm. They quietly disappeared and a few weeks later an email would be circulated, saying that they had gone travelling or were taking time out. Victoria was surprised because they were all were young, single women at the early stage of their careers, and none were leaving for promotion.

During the discussions about her performance, a Partner warned Victoria, "You know what happened to the last person who was called to a performance meeting with HR, don't you?" Victoria knew: that he had left the firm after a period of sick leave, despite having been a promising trainee.

Victoria finally received a letter outlining a compromise agreement setting out terms for her to leave the firm, with a payment and a reference - if she agreed not to seek legal redress. When Victoria approached a friend for advice, she learnt that several similar agreements had previously been drawn up for this firm, with other former employees.

Victoria accepted the compromise agreement and was forced to move house and uproot relationships in order to find a new position.

The firm took on another newly-qualified woman shortly afterwards to replace her. *"If I was not going to continue in law, I would have taken a case and challenged the firm - but at that time I could not risk it. I had always wanted to be a solicitor and wasn't going to give up now - I had to focus on finding another job. I was angry for a long time though - I was forced out and for what? It's probably happening again right now."*

3.4 Analysis

Interviewees in this research project described how bullying in the profession can be:

- very difficult to identify in the early stages and not properly recognised by solicitors or line managers;
- seen as a normal way to managing or working in a highly competitive and challenging profession;
- a form of "training" "by humiliation", e.g. public criticism, allocation of work which is beyond someone's experience, insufficient support/ advice, etc.
- turned into an issue of performance, often "unfounded", where the victim is blamed for the bullying behaviour;
- repeated at some firms, with predecessors and successors having identical experiences; and

- not addressed because of reluctance or inability to deal with senior / high fee-earning perpetrators (both women and men).

Our analysis of the interview data identified the following nine key themes, which we will discuss in more detail in this section:

- Bullying as a form of performance management;
- Training by humiliation;
- Repeat or patterned victimisation;
- Bullying not addressed because senior people implicated;
- Bullying under-reported because of fear of losing job/traineeship;
- Stress and health issues;
- Bullying behaviour not recognised, might appear trivial;
- Abusive environment (swearing, banter, put-downs etc); and
- Bullying and blame.

3.4.1 THEME 1: BULLYING AS A FORM OF PERFORMANCE MANAGEMENT

Villadsen (2008)'s literature review demonstrates that perpetrators are almost always those who are in a higher position than the victim and with relatively more power, most commonly line or senior managers. In the Grange Group (2006) study, partners are by far the most stated source of discrimination.

A common theme in our interviews is of managing partners bullying their staff and trainees over performance. Ruth describes seniors giving secretarial staff negative feedback on their performance in public and in a manner that is "over the top". This is an experience that can happen at all levels within the profession: Mary, for example, is a well-established senior partner.

Insight Oxford (2010) suggest that lawyers (at least in England and Wales) get very little management training and that management is not viewed as a critical activity in many practices. Time spent on management can sometimes be viewed as something which detracts from fee earning, rather than supports it. In a high-pressured environment where many managers lack the time or skills to manage performance effectively, a bullying approach may seem like the best or only way to boost performance.

Several of our interviewees were not only on the receiving end of a bullying approach to managing performance; it seems that bullying was actually disguised as performance management. Despite Mary's excellent track record and standing, the Principle Partner constantly checked and criticised her work and sent an inter-office memo about her "poor performance". Both Edward and Victoria were bullied on the grounds that their performance was poor, despite apparent evidence to the contrary. Some interviewees said they felt that their line managers seemed to have poor performance management skills and they could not tell how aware they were of the impact their behaviours were having on team morale.

Clients or client relationships are sometimes used as a justification here. Edward had called a wealthy client to clarify some points in the file and this had triggered a verbal attack on him from the managing partner, who called him negligent and incompetent, despite the fact

that Edward had resolved the matter successfully. Michael was rebuked by his manager for challenging the discriminatory remarks of a client.

Insight Oxford (2010) argues that "Lawyers' perceptions of their clients' expectations perpetuate current working practices in legal firms". They point out that sometimes these perceptions are not accurate, for example, client needs are often used as a reason for disallowing flexible working, but many of the clients they consulted were more interested in getting the best service than they were in receiving the service around the clock.

3.4.2 THEME 2: TRAINING BY HUMILIATION

The Profile of the Profession survey (2006) identified traineeship as one of the career stages in which lawyers are most at risk of discrimination, especially around age and/or gender. The majority of bullying and harassment victims calling Law Care are trainees. Between 2008 and 2009, The Firm ran three features to highlight awareness within the profession of bullying and harassment within traineeship schemes (The Firm 2008, 2009 and Torrance (2008)).

In this research study, trainees' experiences of bullying and harassment were often characterised by a combination of inappropriate workloads, non-constructive criticism and a lack of support. Some of these trainees are set up to fail: Andrew was given a complex case and denied support by his managing partner when he asked for it; Barbara described being "thrown in at the deep end" and overloaded with work. Allocating work which is beyond the experience or capabilities of a trainee without appropriate supervision violates a principal's duty to supervise and presents a clear business risk. At the other end of the spectrum, Ruth talks about trainees, particularly women, being asked to take minutes or sort out the filing.

Some trainees describe being belittled or humiliated, often in public. Diane explains how there were "a lot of put downs about my accent", with her managing partner telling her it was 'common' and that she would "never get a job after training".

"My experience was a lack of legal support, inconsistent and contradictory information, constant petty criticism, and hostile and belittling behaviours. My Partner was rude and abrupt and she often publically criticised solicitors and staff in front of others." Dan

Trainees who are on the receiving end of bullying commonly report feeling powerless to do anything about their experience. Megan, who was excluded by a clique of senior colleagues who seemed to feel threatened by her, says she was "so desperate not to make waves, not to make any fuss and to work really hard and do well. Because I was so desperate to be kept on after the end of my traineeship, I never told my boss". Ruth explains that "When you are a trainee, you don't really have a leg to stand on".

These experiences can leave new entrants to the profession feeling seriously undervalued; and places firms – and the profession as a whole – at risk of losing talented people. Andrew started out as a promising trainee but ended up feeling "completely beaten down" and leaving the law as a result of his treatment by his managing partner.

Training by humiliation has been identified in other professions. For example, research has revealed that trainee medics can face similar experiences. Hoosen and Callaghan (2004) conclude that: 'medical training usually takes place in institutions that have a highly-

structured hierarchical system and has traditionally involved teaching by intimidation and humiliation'. Houghton (2003) argues that an aggressive culture may thrive in medicine and, since the incentives to challenge bullying behaviour are outweighed by the incentives to remain silent, this culture is perpetuated and selects people who can survive it.

3.4.3 THEME 3: REPEAT OR PATTERNED VICTIMISATION

Many interviewees reported that their predecessors, successors or colleagues had had very similar experiences. They described repeated patterns of bullying and harassment at law firms across Scotland, often related to gender. The evidence suggests poor systems, poor skills and poor means of redress resulting in a revolving door effect, especially for new entrants and for some women and ethnic minority entrants to the profession who get in and get bullied out.

Victoria reported that a number of other young, single, mostly female lawyers who were at an early stage in their careers appeared to have disappeared from the firm. She concluded by saying that "*It's probably happening again right now*".

*"I became aware that other individuals, all women, had been treated in similar ways by the same person who was bullying me, and yet no-one at any of his previous firms had attempted to resolve the issues or address the bullying behaviour." **Mary***

*"I'd sum up my experience as getting in and being bullied out of every firm I've worked for - I have secured just 19 months of post-qualifying experience in three years." **Yasmeen***

3.4.4 THEME 4: BULLYING NOT ADDRESSED BECAUSE SENIOR PEOPLE IMPLICATED

Only 9% of Scottish solicitors who had experienced any form of discrimination (including bullying and harassment) said they had actually reported it (Profile of the Profession Survey 2006). In this survey, the most stated reasons for not reporting were: 'Nothing would happen'; 'Concern over being labelled a troublemaker'; 'Possible victimisation'; and 'Concerns about confidentiality'.

In our study, hierarchy was reported as a key factor in preventing effective interventions to resolve bullying and harassment. Jill described the structure at her small firm as 'archaic', with the Senior Partner running the firm like a dictatorship, albeit a mostly benevolent one. Partners, power and hierarchy are recurring themes in the qualitative answers to the Grange Group survey's questions about bullying and harassment, especially (though certainly not exclusively) from older male partners.

It is perhaps not surprising that, in this kind of environment, it can feel that the only responses to bullying and harassment are to put up with it or to leave. Interviewees described how, in some firms, HR were powerless or seen as too closely associated with internal senior perpetrators to be effective. In others, there was no-one more senior or separate to turn to.

"Everyone in the firm knew about my Partner's unacceptable behaviour but nothing was done about it as he is a serious fee-earner. Senior partners, the managing partner and HR were aware but did not seem to care. Other partners were aware that P was very difficult to work with. Many partners avoided working with him. My mentor just said to 'keep my head down'. No one wanted to rock the boat." Andrew

"It's an open secret at my firm that one of the Senior Partners and the HR lead have a personal relationship which extends beyond the workplace. There is no way I can hope to get a sensible resolution about his bullying behaviour" Janet

"What do you do when it's the most senior person who is the bully? In my firm, there was no HR Department; I had to go elsewhere for advice". Mary

3.4.5 THEME 5: BULLYING UNDER-REPORTED BECAUSE OF FEAR OF LOSING JOB/TRAINEESHIP

Many interviewees said that the fear of losing a traineeship or a job can be so great that it leads many new entrants to the profession to endure bullying behaviour for as long as they can, rather than report it. Reporting the problem to an external party like the Law Society, or even Law Care, can feel extremely risky, given the close knit nature of the profession. As respondents in the Law Society (England & Wales) (2010) study point out, it is 'a very small world', and there is the constant fear of 'marking your card'.

In the current economic climate, Law Care advisors report that their callers say they feel lucky to have a job at all (personal communication): a point which some bullies have used to increase the control they have over them. This can be a particular source of stress for people like Mike who have a family to support, or for newly qualified solicitors like Sally who have student debts to pay.

"I felt so stuck - the partners bullied everyone, sometimes reducing others to tears. I was regularly yelled at, told I was lying, and belittled constantly. I put up with it because there were not many jobs around and I had to stay long enough to finish my traineeship - I'd fought for that place." Elaine

"I realise I need to leave and find something else, but I'm worried that I could be between jobs for some time and not be able to afford the rent." Sally

3.4.6 THEME 6: STRESS AND HEALTH ISSUES

The toll which bullying and harassment can take on the mental and physical health of victims was clear within our interviews and we found evidence of many of the impacts identified in the literature (Acas 2006, Villadsen 2008).

"I felt constantly harassed, undermined, and repeatedly criticised. The bully made my life miserable. My career, health and family life deteriorated and I needed counselling support. I felt like I had lost my career" Mary

"I spent all of Christmas trying to figure out the legal transaction. I found myself crying a lot and I had to force myself to pull through it". Andrew

"I was constantly subjected to disparaging remarks, questions I couldn't answer. I would get up in the morning and feel physically sick. It took an enormous amount of effort to get to work. My self-confidence was at rock bottom" Jenny

The cost to firms is clear: Diane and Julie explained that they went off sick with stress as a direct result of the bullying and harassment they experienced. Jenny was unable to work in courts and had to be re-deployed in the office, due to the impact of a Sheriff's behaviour on her health and work performance.

3.4.7 THEME 7: BULLYING BEHAVIOUR NOT RECOGNISED, MIGHT APPEAR TRIVIAL

It can sometimes be surprisingly difficult to identify bullying and harassment, even when you are on the receiving end of it. In her interview, Jill described lots of "trivial things" that by themselves may not constitute bullying and harassment, such as flirting, joking, or banter that feels undermining. She found it almost impossible to confront these behaviours because doing so would be seen as humourless. It was only when a friend of hers who is also a solicitor confided in her about problems she was experiencing in the workplace that Jill realised that she was also being bullied.

Chittenden (2006) suggests that, since lawyers have to be very proficient and deliberate with language (and also know the law), their bullying and harassment tends to be cleverly done and difficult to pin down. In legal settings which are adversarial, it can be even more difficult to decide whether and prove that colleagues are bullying, as opposed to just doing their jobs well. In the high court, Jenny expected to be challenged and cross-examined by the Sheriff but soon realised that she was being blamed for things that were outside of her control and deliberately "tripped up" by this particular Sheriff:

"The problem is it's in court, you'd expect it to be adversarial, but this is beyond that, it's personal and not relevant to the case" Jenny

It seems that in some organisations, as in the medium-sized firm where Ruth did her traineeship, no individual has been on the receiving end of sufficient bullying and harassment to justify making a complaint, even if they dared to. In such settings, a "general bullying culture" seems to develop, in which unprofessional and inappropriate behaviours go unchallenged.

3.4.8 THEME 8: ABUSIVE ENVIRONMENT (SWEARING, BANTER, PUT-DOWNS ETC)

Many of the interviewees described workplaces in which 'verbal attacks', 'shouting matches' or 'furious e-mails' seem to be commonplace. Mike described his boss as "constantly swearing at and insulting those working with him"; another interviewee, James, described his very controlling boss putting his feet up on the desk at the start of James' appraisal.

Others describe comments and offensive language clearly linked to their or others' social identity. Qualitative responses from the Grange Group survey report anti-sectarian comments, gossip about people's sexual orientation and someone being openly referred to as a "feminist and a southern snob".

"Discrimination I have faced includes being called a paki by an assistant at the large commercial law firm I work for, (which was in the presence of a partner) ".

Response to Profile of the Profession (2006) survey

In our study, Diane describes put downs from her managing partner which seem to be linked to her social class, age and gender. He asked her if she was still with the father of her child and told her that her accent was "common". Michael told us there had been a number of occasions during his traineeship in which colleagues had made homophobic or racist comments in front of him. We were told of one Asian lawyer whose white colleague kept asking her about curry.

This suggests that at least part of the profession is still, in the words of Michael, "quite backwards in many respects". Other interviewees described firms that are conservative and not used to diversity, inclusive language or modern approaches to management. Research studies with minority groups working in the profession have highlighted a pressure to fit in with the norm and the negative response of some people in the profession to anyone who is seen to be different (Chittenden 2006, Law Society 2010).

3.4.9 THEME 9: BULLYING AND BLAME

Our study also suggests that there is a culture of blame in some parts of the profession and this seems to be related to bullying in a number of ways.

For some interviewees, being blamed for things seems to be a key part of their experience of being bullied. For example, Jenny gets blamed by the sheriff for things that were beyond her control and Julie is criticised excessively for making minor mistakes by her Senior Partner.

Some of those who are bullied are subsequently blamed for not being able to cope. When Diane goes off sick with stress, both she and her colleagues are informed that she "couldn't cope". The emphasis is all too often, as Mary's colleagues put it, on "not letting him get to you" and Jenny's self-confidence seems to plummet when she hears that her successor in court is able to "deal with" the bullying Sheriff in a way that she could not. Ruth describes a culture in which those who let off steam to colleagues about the bullying behaviour they have experienced are criticised behind their backs and in which accessing support is stigmatised as showing a "failure to cope".

Given this, it is hardly surprising that a number of interviewees told us that they began to blame themselves for what was happening to them and began to doubt their professional abilities.

4 Conclusions and Recommendations

4.1 Conclusions

The previous sections in this report have provided (1) background information about bullying and harassment, (2) synthesis and analysis of current quantitative data, (3) anonymised case studies from the qualitative research, and (4) an analysis of the themes from the research. These information form the basis of our conclusions and recommendations to the Society in its efforts to understand bullying and harassment in the legal profession and to meet one of its key objectives: to “tackle and reduce the bullying and harassment” within the profession.

The research results lead to some key conclusions on:

- The prevalence of bullying and harassment in general and in specific groups;
- The under-reporting of bullying and harassing;
- The challenging of identifying what constitutes bullying and harassment behaviours;
- The serious impact on individuals and organisations; and
- The dissatisfaction of the outcomes by individuals who report and attempt to find resolution.

4.1.1 INCREASING PREVALENCE

The survey data cited in Section 3.1 along with the case studies and literature review support the conclusion that bullying and harassment occur across the profession, from trainees to partners. The case studies show that in many law firms across Scotland, there exists a repeated pattern of bullying and harassment that is known and talked about among legal circles. It is difficult to conclude from the survey data and case studies the exact extent of the problem given the under-reporting of incidents, lack of consistent tracking data, and the challenge of defining and identifying behaviours that constitute bullying and harassment. However, a review of the literature suggests that bullying and harassment has become an increasing problem in the workplace, particularly in highly competitive environments.

The research also shows that certain groups tend to experience and/or report bullying and harassment. Both the case studies and the survey data show that women and trainees or solicitors who have been qualified for 5 years or less are more impacted. Black minority ethnic (BME) lawyers and lesbian, gay and bisexual (LGB) lawyers are also over-represented.

4.1.2 UNDER-REPORTING

There is a general consensus in the literature that bullying and harassment is under-reported. In most organisations, victims are reluctant to come forward and speak out for various concerns, including further escalation of the bullying and harassment behaviours;

stigmatisation from colleagues and the profession; embarrassment of admitting one's victimisation to oneself and others; and losing jobs, career mobility and financial stability.

4.1.3 DIFFICULTIES IDENTIFYING BULLYING AND HARASSMENT BEHAVIOURS

Another significant factor in contributing to under-reporting and getting a clearer understanding of the prevalence of bullying and harassment in the legal profession is the challenge of identifying what constitutes bullying and harassment.

The case studies and literature review show that there are difficulties posed by:

- the interchanging use by individuals and organisations of the terms bullying, harassment and discrimination;
- the different behaviours involved along with the frequency and persistence of those behaviours; and
- the subjective nature of some bullying and harassment behaviours.

4.1.4 SERIOUS IMPACT ON INDIVIDUALS AND ORGANISATIONS

The case studies and the literature review provide a consistent account of the impact of bullying and harassment on individuals and organisations. Individuals who are victims of bullying and harassment experience high stress, depression and anxiety. This often leads to loss of confidence and motivation, deep discontentment at work, and reduced productivity. The impact and costs to organisations are increased sick leave usage, high staff turnover, low team morale and productivity, and direct and indirect financial costs such as employment tribunal cases and poor client outcomes.

4.1.5 DISSATISFACTION OVER OUTCOMES OF BULLYING AND HARASSMENT REPORTING

Consistent with other research, the case studies reveal that individuals who decide to report and/or attempt to stop the bullying and harassment tend to be dissatisfied with the outcomes. The case studies show that "resolution" of the bullying and harassment usually involves the victim leaving the law firm or the profession. Interviewees report lack of trust in the systems and processes of law firms and the profession to tackle and stop the bullying and harassment, and prevent future occurrences.

4.2 Recommendations

4.2.1 RAISE AWARENESS ACROSS THE PROFESSION

Raising awareness of bullying and harassment is critical in any effort to tackle and reduce bullying and harassment in the legal profession. Through this research initiative, the Society has effectively raise awareness of bullying and harassment through the research announcement, call for participants, newsletter and journal articles, and media coverage.

The Society is well placed to build on this with the following next steps:

- Disseminate the results of the research along with guidance for law firms and individuals through current Society publications.

- Consider developing events that can be used to highlight the prevention of bullying and harassment with the aim of providing the results of the research, gathering comments and capturing best practices.
- Develop an on-line resource on bullying and harassment.
- Raise the profile of Law Care and other Society resources especially to trainees and new solicitors.

4.2.2 DEVELOP MODEL POLICIES, GUIDANCE AND BEST PRACTICES

Based on this research, we recommend the Society work with law firms, universities and professional networks (e.g. TANQ and SYLA) to develop and recommend model policies, guidance and best practices on preventing bullying and harassment. This research report includes model policies, guidance and best practices from other professions and organisations. Specific guidance designed for managing partners, HR professionals and small firms would be valuable.

The model policies and guidance should include:

- Definition and examples of bullying and harassment;
- The legal profession's commitment;
- Effective complaint processes and procedures;
- Resources and training; and
- Examples of best practices.

4.2.3 INCREASE TRAINEE SUPPORT

The research shows that trainees and new solicitors are most impacted by bullying and harassment. We recommend a review of current support provided to trainees and new solicitors and identify ways to strengthen services to these groups.

4.2.4 SUPPORT FIRMS ON BUILDING MANAGEMENT SKILLS

It is important for firms of all sizes to further develop their management practice, to recognise and respond effectively to bullying behaviour, and provide effective support and management of lawyers and staff.

Based on the research, the following training topics and modules would help prevent bullying and harassment and create more inclusive and productive workplaces:

- Preventing Bullying and Harassment;
- Performance Management;
- Effective Handling of Workplace Conflict;
- Communicating Across Differences; and
- Developing Trainees.

4.2.5 ONGOING MONITORING AND INTERVENTION

Monitoring is crucial to identify and prevent patterns, stimulate action and monitor change.

The Society is well-placed to monitor levels of bullying and harassment and to work with firms to prevent repeated patterns.

- Continue to measure the incidents of bullying, harassment and discrimination through annual surveys;
- Provide a confidential on-line complaint system through the Society, LawCare or another independent body that can oversee, monitor and provide assistance; and
- Work with large and small firms to gather annual confidential data on complaints and incidents involving bullying, harassment and discrimination.

5 Appendices

5.1 Appendix A: Analysis of the 2006 Profile of the Profession Survey

Quantitative findings from our secondary analysis of the 2006 Profile of the Profession Survey

Table 2.1 Survey respondents reporting bullying and harassment by gender:

Respondents	Men		Women	
Harassment	28	22%	100	78%
Bullying	29	17%	141	82%
Total respondents	1501	50%	1492	49%

(This includes 1% respondents who identified as transgender women and men)

Table 2.2 Survey respondents reporting bullying and harassment by age:

Respondents	35 years old and under		36 to 45 years old		46 years old and over	
Harassment	50	39%	43	33%	34	26%
Bullying	63	37%	64	37%	41	24%
Total respondents	1208	40%	776	26%	988	33%

Table 2.3 (a) Survey respondents reporting bullying and harassment by ethnicity – overall:

Respondents	All White		All BME	
Harassment	120	93%	7	5%
Bullying	158	92%	9	5%
Total respondents	2923	97%	50	1.65%

Table 2.3 (b) Survey respondents reporting bullying and harassment by ethnicity – detail:

Respondents	White Scottish		Other White British		Irish		Other White	
Harassment	106	93%	5	4%	3	2%	7	5%
Bullying	142	92%	7	4%	2	1%	8	5%
Total respondents	2923	97%	163	5%	37	1%	59	2%

Respondents	Asian or Asian Scottish		Indian		Pakistani		Other Asian	
Harassment	3	2%	1	1%	2	2%	0	0%
Bullying	4	2%	1	1%	3	25	0	0%
Total respondents	27	<1%	8	<1%	15	<1%	3	<1%

Respondents	Chinese		Black		Other background	
Harassment	0	0%	1	1%	3	2%
Bullying	0	0%	1	1%	2	1%
Total respondents	1	<1%	1	<1%	9	<1%

Table 2.4 Survey respondents reporting bullying and harassment by disability:

Respondents	Disabled		Non-disabled	
Harassment	11	9%	116	90%
Bullying	13	8%	154	90%
Total respondents	70	2%	2892	96%

Table .5 (a) Respondents reporting bullying and harassment by sexuality – overall:

Respondents	Heterosexual		Lesbian, gay or bisexual	
Harassment	114	88%	13	10%
Bullying	156	91%	11	6%
Total respondents	2862	95%	95	3%

Table 2.5 (b) Respondents reporting bullying and harassment by sexuality – detail:

Respondents	Heterosexual		Gay man		Lesbian		Bisexual	
Harassment	114	88%	8	6%	3	2%	0	0%
Bullying	156	91%	5	3%	3	2%	0	0%
Total respondents	2862	95%	61	2%	13	<1%	12	<1%

Table 2.6 Survey respondents reporting bullying and harassment by religion/belief:

Respondents	Church of Scotland		Roman Catholic		Other Christian	
	Harassment	36	28%	18	14%	9
Bullying	49	29%	25	15%	11	6%
Total respondents	1125	37%	395	13%	225	7%
Respondents	Muslim		Hindu		Jewish	
	Harassment	1	1%	0	0%	2
Bullying	2	1%	0	0%	1	1%
Total respondents	20	1%	3	<1%	22	1%
Respondents	Buddhist		Sikh		Other	
	Harassment	0	0%	2	2%	3
Bullying	1	1%	2	1%	2	1%
Total respondents	9	<1%	4	<1%	33	1%
Respondents	None					
Harassment	49	38%				
Bullying	69	40%				
Total respondents	1097	36%				

Table 2.7 Survey respondents reporting bullying and harassment by parents in the legal profession:

Respondents	Parent(s) in the legal profession		No parent(s) in the legal profession	
	Count	Percentage	Count	Percentage
Harassment	6	5%	123	95%
Bullying	11	6%	160	94%
Total respondents	259	9%	2758	91%

Table 2.8 Survey respondents reporting bullying and harassment by work pattern:

Respondents	Part-time		Full-time	
	Count	Percentage	Count	Percentage
Harassment	26	20%	98	76%
Bullying	33	19%	134	78%
Total respondents	392	13%	2564	85%

Table 2.9 (a) Survey respondents reporting bullying and harassment by employment – overall:

Respondents	Any private practice		Any other sector		Not currently working		Full time parent	
	Count	Percentage	Count	Percentage	Count	Percentage	Count	Percentage
Harassment	83	64%	44	34%	4	3%	0	0%
Bullying	111	65%	59	35%	3	2%	0	0%
Total respondents	2211	73%	734	24%	33	1%	5	<1%

Table 2.9 (b) Survey respondents reporting bullying and harassment by employment sector-private practice:

Respondents	Sole Practitioner		2-5 Partners		6-15 partners		16+ Partners	
	Count	Percentage	Count	Percentage	Count	Percentage	Count	Percentage
Harassment	12	9%	29	22%	16	12%	26	20%
Bullying	11	6%	36	21%	15	9%	49	29%
Total respondents	138	5%	611	20%	386	13%	1076	36%

Table 2.9 (c) Survey respondents reporting bullying and harassment by employment sector- other sectors:

Respondents	Public / charity		Commercial		University	
Harassment	27	21%	13	10%	0	0
Bullying	44	26%	12	7%	0	0
Total respondents	511	17%	199	7%	24	1%

Table 2.10 (a) Survey respondents reporting bullying and harassment by level - private practice:

Respondents	Trainee		Assistant		Associate		Senior Associate	
Harassment	3	2%	30	23%	18	14%	5	4%
Bullying	10	6%	42	25%	23	13%	7	4%
Total respondents		4%		21%		15%		4%
Respondents	Salaried Partner		Equity Partner		Consultant		Other	
Harassment	7	5%	9	7%	0	0%	8	6%
Bullying	9	5%	10	6%	0	0%	7	4%
Total respondents		8%				4%		8%

Table 2.10 (b) Survey respondents reporting bullying and harassment by level – other sectors:

Respondents	Basic team member		Senior team member		Manager		Other	
Harassment	13	10%	17	13%	9	7%	1	1%
Bullying	15	9%	23	13%	12	7%	3	2%
Total respondents		27%		32%		32%		5%

5.2 Appendix B: Guidance for Individuals and Firms

A separate guidance is provided through this research and the Law Society. Please see accompanying document on Bullying and Harassment: Guidance for Individuals and Firms.

5.3 Appendix C: Model Policies

Below are two examples of bullying and harassment policies adapted from Skills Development Scotland (Example 1) and CIPD (Chartered Institute of Personnel and Development) (Example 2).

- Example 1 is a typical policy that addresses bullying and harassment by focusing on defining negative behaviours.
- Example 2, Dignity at Work Policy, is an example of a policy that aims to identify positive behaviours and the benefits they can bring to organisations and individuals.

These policies are not intended to be prescriptive. Organisations should adapt these policies to take into account their own organisational size, structure and culture.

5.3.1 EXAMPLE 1: PREVENTING WORKPLACE BULLYING AND HARASSMENT POLICY

Introduction

Our organisation is committed to treating every member of staff with dignity and respect at work or in the course of their work. It is our policy to ensure, as far as reasonably practicable, that all employees are able to work in an environment free from bullying and harassment.

Unacceptable Behaviour

There is no single definition of what constitutes unacceptable behaviour. What is acceptable behaviour to one member of staff may not be acceptable to another. We should all be aware of the effect that our behaviour or language may have on others.

There are various types of behaviour which are forms of, or could lead to bullying and harassment. They can have a detrimental effect on both individuals and the organisation, significantly lower staff morale and motivation, cause increased absenteeism and turnover of staff and, in some cases, end in legal proceedings.

Although unacceptable behaviour may be repetitive, a single incident may be serious enough to merit immediate disciplinary action. Bullying and harassment do not necessarily occur on a face to face basis. They might also be through written, email, text or telephone communication, downloading offensive materials or graffiti. Behaviour outside the workplace can fall within the scope of the policy.

Useful Definitions and Examples

Harassment

Acas describes harassment as "unwanted conduct related to a relevant protected characteristic, which has

the purpose or effect of violating an individual's dignity or creating an intimidating, hostile, degrading, humiliating or offensive environment for that individual:

Examples could include:

- Physical or verbal abuse or intimidation.
- Jokes, banter, insinuations, insults and taunts based on a person's nationality, age, sexuality, religion etc.
- Asking intimate questions about a person's disability.

Harassment does not depend on the intention of the offender, but on the impact of their behaviour on the victim. What one individual may find acceptable may be unacceptable to another.

Bullying

ACAS describes bullying as: "Offensive, intimidating, malicious or insulting behaviour, an abuse or misuse of power through means intended to undermine, humiliate, denigrate or injure the recipient". Examples could include:

- Aggression or verbal abuse.
- Withholding information from or deliberately excluding an individual.
- Making others feel upset, humiliated, threatened or vulnerable.
- Excessive or under supervision.
- Overruling a person's authority or undermining skills and capabilities.
- Setting impossible objectives.

The difference between bullying and legitimate exercise of management authority should be clear. Managers have to be able to manage their staff, for example by:

- Issuing reasonable instructions and expecting them to be carried out.
- Setting expected standards of performance supported by the performance management framework.
- Giving legitimate, constructive and fair criticism of performance or behaviour at work.

Carrying out these duties in a fair, reasonable and consistent manner does not constitute an act of harassment, victimisation, discrimination or bullying. Managers should ensure that they perform these duties whilst upholding the principles of this policy and respecting the dignity of employees.

Procedures for Dealing with Inappropriate Behaviour

The aim of this policy is to stop undesirable and offensive behaviour. Where appropriate, every effort should be made to resolve the situation informally, although it is recognised that some incidents, by their serious nature, will need to be dealt with under the organisation's formal procedure from the outset. Employees are encouraged to seek to resolve any issues on an informal basis as they arise. Where necessary, formal complaints should be made as soon as possible following the incident(s) and follow the organisation's complaint process

and procedures. All complaints must be taken seriously and dealt with confidentially and promptly. Where formal disciplinary procedures are commenced as a result of an allegation made, information about the allegations, and the evidence supporting them will require to be disclosed to those involved in the process. However any information disclosed must be kept strictly confidential, and must not be discussed outwith that process.

Policy Responsibility

All Employees

- Be aware of their own behaviour and its effect on others, ensuring that they remain above reproach at all times.
- Consistently demonstrate behaviour which is professional, conducive to team-working and respectful of colleagues and customers.
- Support any colleague who feels they have been harassed or bullied and encourage them to seek help from an appropriate source.
- Remembering that unless unacceptable behaviour is reported then no action can be taken to deal with it.

Managers

- Proactively endeavour to ensure that their team work in an environment which is free from harassment, bullying, victimisation and discrimination.
- Lead by example through a fair and open management style.
- Ensure that all employees for whom they have responsibility are aware of and understand the policy and procedures in relation to dignity at work, diversity and equal opportunities.
- Act upon any inappropriate behaviour (in line with this policy and the Disciplinary Policy and Procedure). It is not acceptable to do nothing as you and the organisation may later be held accountable for lack of action.

Employer

As an employer, the organisation must take all reasonably practical steps to ensure that:

- All employees are able to work in a safe and non-threatening working environment.
- All managers and other employees are equipped to identify and deal with issues related to harassment, bullying, victimisation and discrimination.
- All reasonable steps, including appropriate training and advice are in place to prevent the occurrence of harassment and/or bullying.
- All complaints are dealt with sensitively, effectively, professionally and quickly.
- Incidents of unacceptable behaviour are monitored and issues arising addressed.
- Policy and procedures are reviewed regularly.

5.3.2 EXAMPLE 2: DIGNITY AT WORK POLICY

Statement of Commitment

Our organization is committed to working towards creating a workplace in which all employees are treated with dignity and respect.

The aims of the Dignity at Work Policy are to:

- ensure the dignity at work of all our employees
- promote respect and value of differences
- make full use of the talents of all the workforce
- demonstrate our commitment to equal opportunities for all
- prevent acts of discrimination, exclusion, unfair treatment and other negative or demeaning behaviours
- promote effective and constructive communications
- support effective handling of conflict
- educate our workforce in the development of positive behaviours

Benefits of the Policy

The organisation recognises that everyone benefits from a workplace that promotes a fulfilling and productive working relationships; encourages the constructive discussion of differences of views and approaches; and, deals firmly but fairly with negative behaviours, including bullying and harassment.

This approach benefits the organisation and the employee by:

- providing clear examples of the positive behaviours that it expects from all its employees
- providing training and support in resolving difference and conflict
- monitoring the organisational culture and climate
- providing effective and fair processes and procedures for dealing with negative behaviours including bullying and harassment.

Principles of the Policy

Our organisation:

- Protect the dignity of all our employees.
- Review all policies and procedures so that they are consistent with the principles of justice, fairness and respect for employees and the organisation.
- Ensure that there are appropriate procedures, systems and campaigns in place to promote the dignity of the employee at work.

- Educate all employees on their personal responsibility to behave in a way that respects the dignity of fellow workers.
- Audit and review the key indicators of adherence to the dignity at work standards.
- Provide advice, information and support that protects the dignity of our workers.
- Raise awareness of the Dignity at Work Policy and Procedures, making training and education available at all levels in the organisation.
- Develop systems to assess the effectiveness of our actions and intervention

5.4 Appendix D: References

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5.5 Appendix E: Other Resources

Stonewall

Stonewall was founded in 1989 by a small group of women and men who had been active in the struggle against Section 28 of the Local Government Act; Section 28 was an offensive piece of legislation designed to prevent the so-called 'promotion' of homosexuality in schools; as well as stigmatising gay people it also galvanised the gay community.

Contact details:

Website: <http://www.stonewall.org.uk/>
Info Line: 08000 50 20 20 (Mon-Fri 9:30am to 5:30pm)

LawCare

LawCare is a free confidential helpline, entirely separate from the Society but funded by us to support our members. LawCare can also come to your firm/faculty and provide CPD (at a small fee covering only transport and materials) on bullying and harassment, stress, and other issues.

Contact details:

Website: www.LawCare.org.uk
Tel: 0800 279 6888 (9am – 7.30pm Monday to Friday, 10am – 4pm at weekends)

UNISON

UNISON is Britain and Europe's biggest public sector union with more than 1.3 million members. Our members are people working in the public services, for private contractors providing public services and in the essential utilities. They include frontline staff and managers working full or part time in local authorities, the NHS, the police service, colleges and schools, the electricity, gas and water industries, transport and the voluntary sector. Last year UNISON recruited 137,000 new members - 375 per day.

Contact details:

Website: <http://www.unison.org.uk/>
Tel: 0845 355 0845

The Andrea Adams Trust

The Andrea Adams Trust is committed to helping both the individual and organisation deal with the problem of bullying and harassment.

Contact details:

Website: www.andreaadamstrust.org
Tel: 01273 275099

Bullying OnLine

Bullying OnLine is the UK National Workplace. Bullying Advice Line and a leading source on bullying, which has extensive resources on bullying in the workplace and other related issues.

Contact details:

Website: www.bullyingonline.org
Tel: 07946 610535 (for media inquiries only)

ACAS

ACAS provides guidance for employers and employees on bullying and harassment at work. Their advice leaflet - Bullying and harassment at work: a guide for managers and employers includes a checklist for things to include in a dignity at work policy:

<http://www.acas.org.uk/CHttpHandler.ashx?id=304&p=0>

Contact details:

Website: www.acas.co.uk

Tel: 01273 275 099 or Helpline on 08457 474 747

Trades Union Congress

Trade Union Congress provides information on bullying and harassment for employees, trade union representatives and links to other sites and campaigns such as:

http://www.tuc.org.uk/tuc/rights_bullyatwork.cfm

Contact details:

Website: www.tuc.org.uk

Tel: 020 7636 4030

Business Link

Business Link is government's online resource for businesses. It contains essential information, support and services for you and your business – whether you work for a large organisation or are on your way to starting up. Simple to use, up to date and practical, Business Link is the first place to go to find guidance on regulations and to access government services. It also has a number of useful online tools, calculators, and best practice case studies; and provides access to funding options, as well as wider support. Useful advice for small businesses in drafting bullying and harassment policies:

<http://www.businesslink.gov.uk/bdotg/action/detail?r.l1=1073858787&r.l3=1074038578&.lc=en&type=RESOURCES&itemId=1073792621&r.l2=1074207487&r.s=m>

Contact details:

Website: www.businesslink.gov.uk

Dignity at Work Partnership

The Dignity at Work Partnership is the world's largest anti-bullying project, with £1million funding from the Department of Trade and Industry. Downloads include information packs for human resources and for leaders and tips for those experiencing bullying. Sample Dignity at Work Policies include:

<http://www.scotland.gov.uk/Resource/Doc/158746/0043088.pdf>

Contact details:

Website: www.dignityatwork.org

Tel: 0207 420 8923

Age and the Workplace

The Department for Work and Pensions is responsible for welfare and pension policy and is a key player in tackling child poverty. It is the biggest public service delivery department in the UK and serves over 20 million customers. DWP supports the government's commitment to being transparent about public finances

Contact details:

Website: www.dwp.gov.uk





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