



Bullying & Harassment

Call
07375 097443

e-mail
enquiries@lbjconsultants.co.uk

FACTSHEET – Bullying & Harassment

Employers' responsibilities

Employers are responsible for preventing bullying and harassment – they could be held liable for any harassment suffered by their employees at an Employment Tribunal

Workplace bullying and harassment

Bullying and harassment is behaviour that makes someone feel intimidated or offended. Harassment is unlawful under the Equality Act 2010.

- Examples of bullying or harassing behaviour include:
- spreading malicious rumours
- unfair treatment
- picking on or regularly undermining someone
- denying someone's training or promotion opportunities

Bullying and harassment can happen:

- face-to-face
- by letter
- by email
- by phone



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The Equality Act 2010

Bullying itself is not against the law, but harassment is. Harassment includes bullying because of a 'protected characteristic' and so is against the law.

Protected characteristics under harassment law are:

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

Pregnancy and maternity are different from the other protected characteristics, in how the law on harassment treats them.

The law on harassment does not cover marriage and civil partnership.

As with bullying, the person being harassed might feel emotions including:

- disrespected;
- frightened
- humiliated
- made fun of
- offended
- threatened



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For it to count as harassment, both of the following must be true:

- the person is justified in feeling harassed
- the person being harassed feels they're working in a hostile environment

Harassment can include:

- a serious one-off incident
- repeated behaviour
- spoken or written words, imagery, graffiti, gestures, mimicry, jokes, pranks, physical behaviour that affects the person

It's still against the law even if the person being harassed does not ask for it to stop.

The law on harassment also applies to:

- a person being harassed because they are thought to have a certain protected characteristic when they do not
- a person being harassed because they're linked to someone with a certain protected characteristic
- a person who witnesses harassment because of a protected characteristic and is upset by it



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Under the law, there's also protection against:

- harassment because of a person's sex, for example a male boss regularly putting down a female employee because she's a woman
- sexual harassment, which is unwanted behaviour of a sexual nature. This can be written, verbal, imagery, physical or sexual assault. For example, someone making sexual comments or trying to touch someone against their will
- being treated unfairly because they've received or stood up against these types of harassment

Employers should deal with any complaint quickly.

It is advisable that you have a separate Equality /Diversity Policy in place that includes a section on bullying and harassment and how this is dealt with. It should also include how any employee can raise a complaint and how this complaint will be dealt with and by whom.