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Two dilemmas in dealing with work place bullies – false positives and deliberate deceit

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Abstract

Purpose

The paper aims to highlight how workplace bullies manipulate services by presenting themselves as victims. In the absence of robust screening and assessment tools to distinguish between bully and victim, personnel staff are at risk of being coerced into perpetuating the abuse of victims. The paper argues for an in-depth investigation of the psychological motivations of perpetrators to inform the development of a specialized assessment tool.

Design/methodology/approach

The paper contains two short case studies drawn from staff attending a workshop on responding to domestic violence in the workplace. Similarities between the coercive behaviour patterns of the domestic violence perpetrator and the workplace bully were striking. The approach taken to discussing the case studies closely follows the approach used in the assessment of domestic violence perpetrators where controlling behaviours and coercive control are captured.

Findings

The case studies used in this paper illustrate the dangers of taking a neutral stance in situations where bullying is ongoing. A lack of clarity about who is doing what to who allows the bully to use any intervention to further abuse. The important issues of victim safety and abuser accountability are absent from the processes employed by personnel staff in the management of these two cases.

Research limitations/implications

There are limitations in the process and the scale of the project, but the case studies are indicative of wider issues, and point towards the central dilemma faced by personnel departments generally.

Practical implications

The domestic violence field offers many insights into the motivations for abusiveness. This paper draws on those insights and shows how they can be used to think more systematically about accusations of bullying in the workplace. The paper argues for increased caution around accepting the self reports of bullies who may be presenting as victims.

Originality/value

This paper focuses attention on the ways in which bullying individuals attempt to coerce services into perpetuating their abusiveness.

Introduction

The practice of bullying, once associated with schools and playgrounds, is increasingly found in workplaces in both the private and public sector (Adams and Crawford 1992; Randall, 1997; Rayner et al 2002) Structural changes in the working environment over recent decades have contributed to the increase in complaints and rising awareness as to the complexity of the issue (Pearson et al. 2000; Salin, 2003). Bullying corrodes the smooth function of workplace efficiency and poses a considerable drag on productivity (Giga et al. 2008; Hoel et al. 2001) While personnel departments are coming to recognize the significance of this problem, they are only poorly equipped for managing cases in a manner causing least disruption to the operational functioning of the workplace and the lives of the parties involved (Ferris, 2004; Namie and Namie 2000).

To a large extent the paucity of preventative or curative method stems from a poor understanding of the social and interpersonal dynamics at play. The bulk of research on the issue has generated data on policies and structural measures for combating bullying, often conceived as the outcome of regulatory failure. The very profusion of such formal instruments tacitly acknowledges the scale of the problem. Several scholars have sought to identify and summarise the conditions conducive to bullying, such as weak leadership, uncertainty, or organizational change (Cowie et al, 2002; Einarsen, 1999; Harvey et.al., 2009; Rayner et.al., 1999). Yet, too often these findings are so general as to apply to a range of organizational malaise, leaving few pointers for personnel or management.

What is missing, then, are detailed accounts of how bullying behaviour emerges within the social dynamics of a workplace, by what mechanisms colleagues become collusive in the maladaptive behaviour of individuals, and how the hierarchical structures within the organization, with their distribution of power and allocation of rights and roles, facilitate the transgressive behaviour of the bully, rather than to protect the rights of victims. The emphasis on context has generated information confirming the incidence of bullying, usually via the administration of surveys (Aquino et al., 1999; Baron et al 1999; Bjorkvist et al, 1994; Einarsen and Raknes, 1997; Lewis, 1999), at the expense of data on the dyadic relationship between perpetrator and victim. Consequently, some key issues are poorly understood, particularly how bullies transpose to the workplace a behavioural pattern that they apply across different life situations. When left unchallenged the normality of abusive relations becomes affirmed and normative. There is no data and no theoretical models to help us trace the trajectory of bullying behaviour by retracing life/work experiences of perpetrators. Studies from different settings suggest that where personal histories of individuals with a tendency towards bullying behavior intersect with structures of status inequality and poor levels of accountability and supervision, abusive behaviour occurs (Edelson and Tolman 1992). How individuals involved legitimate their own behaviour and how their rationalizations go to transform the wider ethos of the

working environment are only poorly understood.

For personnel departments and upper level management to develop more effective preemptive measures, on the one hand, and to find methods for resolving disputes that are

more satisfactory to all parties concerned, a more detailed understanding of the experiences, processes, contexts and collusion is required. The validity of the structural situational, personal and biological determinants that have been identified (Harvey et al., 2009; Neuman and Baron, 1998; Rayner et al. 1999) has to be validated by empirical case studies. Difficult though the recruitment of informants may be, the only way to generate data is through detailed, qualitative accounts based on the personal experience of parties involved on different sides of bullying incidents.

Bullying in the workplace - the emergence of a problem

Part of the delineation of the workplace as a topos of specialized research eventuating in a proliferation of dedicated journals in the overlap of sociology, management studies and law, has been the study of inequality and unlawful exploitation. During the 1970s and 80s researchers, motivated by reformist agendas, focused on structural discrimination on the grounds of race and gender, and were contributing to the passing of progressive legislation that by the 1990s had outlawed discriminatory practices in most developed countries (Blumrosen, 1987; Burstein and Manghen, 1986; Jones, 1987). Since then the research focus in Europe – in the US there is a pre-occupation with workplace violence - has shifted on less overt forms of aggression, accompanied by a more nuanced understanding of inequality (Green, 2003).

Identities of victim and perpetrator have shifted from the sectarian determination of previous decades into the hazy confusion of the contemporary workplace. The prevailing concern today is with bullying, a generic term denoting a range of abusive practices. Much of the discussion centres on the question of definition (Cowie et. al. 2002; Harvey et al, 2009; Rayner et al. 1999; Saunders et al., 2007) as the conceptual tools for defining the phenomenon remain fluid. Whereas the Latin derived nomenclature of earlier discriminations lent itself to intelligible translations (racisme/sexisme;

Rassismus/Sexismus) the study of the bully, a term of Germanic origin, has opened a new classificatory chasm, as well as an etymological quandary (Crawford, 1999). The differences between bullying and mobbing, the operant terms in French and German, are not idiosyncrasy of translation but pointers towards divergent conceptualisations of the issue: an interpersonal conflict in one, and psychological and physical aggression involving a group in the other (Leyman, 1993; 1996; Zapf 1999).

Differences of intellectual tradition signal a greater complex of problem and opportunity. Whereas the theoretical elaboration of, and subsequent corrective action against, identified instances of sexist or racist discrimination grow out of an overarching moral framework with roots in foundational values like equality, the bully has shot out of far less fecund ideological soil. Protective measures, such as trade union guidelines or pieces of legislation constructed from folksy notions of fairness, liberal notions of individual rights, and residual ideas of a Christian *communitas*, are tepid defensive statements iterating the right to be free from intrusion and abuse (Amicus-MSF Trade Union, 1994. Andrea Adams Trust Fund, 1997). But vaguely couched guidelines even when supported by legislation, still fail to clearly identify what is at issue (Dignity at Work Bill 2001).

If the definition remains unsatisfactory there is at least general agreement that work place bullying needs to be addressed. For employers, and governments, the problem is not to secure the well being of the workforce but to avert productivity loss. Productivity suffers from the diversion of energy from cooperation to conflict, active sabotage and pilfering, absenteeism, sick leave, under performance, and through the loss of staff and the need for new recruitment (Greenberg and Scott, 1996; McCarthy et.al. 1995; Rayner and Cooper, 1997). Much of this is impossible to quantify, but in one attempt to express the magnitude of the phenomenon, bullying related stress has been estimated to cost UK employers between £ 370 –740 million pounds per annum (Beswick et.al, 2006). As the economy becomes increasingly ‘knowledge based’ unresolved interpersonal conflict as a contributor to mental illness is seen as a serious impediment to economic growth. “The more crucial mental health becomes for the company, the higher the risk of this resource becoming rare... a company’s performance depends more than ever on skills linked to healthy psychological function.”(Move Europe, 2009a). Such unanimity stands in clear contrast to the sustained resistance by employers, often supported by conservative politicians and sections of the trade union movement, to the promotion of equal rights for women and foreign nationals or immigrant workers in previous decades. But it does not help with the sharpening of definitions. One pan-European initiative is typical in admonishing employees to zero tolerance, without providing a definition to distinguish bullying from other forms of aggressive behaviour. Bullying can be overt, such as physical or verbal aggression or intimidation. It can also be subtle, such as making fun of people, excluding people from opportunities or promotion unreasonably, or undermining them. “Anyone can be bullied and it can be a difficult issue to establish.” (Move Europe, 2009b). Hence the temptation to revert to previous models of vulnerability due to gender, low income or poverty, sexuality, race, ethnicity, age. We feel that this particular use of bully as a gloss for identified structural discrimination loses the poignancy of the term in denoting a particular behavioural problem. It furthermore runs the risk of collapsing established intellectual constructs and their inherent elaboration of social injustices and conflicts, into a meaningless post-ideological, end-of-history mush that could, in the worst case scenario, locate the responsibility for structural inequality at the door of an individual perpetrator.

In part, the problem lies in the ahistorical approaches taken by researchers and professionals, paying little heed to the genesis of the problem. Most commentators shy away from any attempt to explain the origin of workplace bullying, taking it as a given, and seek to raise understanding by providing descriptive accounts. We suggest that a number of social and political processes have to be recognized as contributing to the salience of these behavioural forms in the work place. The argument that bullying has only gained attention after more extreme forms of injustice have been

eliminated (Saunders et.al, 2007) is intuitively attractive appealing to common sense that bullying is an aspect of human nature that plays out in the workplace, and for the self-deprecating critique of social science itself. At the same time cultural shifts and changes have created conditions in which certain forms of aggression can flourish. We argue that preventative measures have to be informed by a close understanding of the external context that has

facilitated the rise of the phenomenon, beginning with two factors applying specifically to the organization of work.

Changes in the workplace that have facilitated bullying behaviour

The decline of labour organizations in most countries of the Organisation of Economic Cooperation and Development since the 1980s, (Chechi and Visser, 2005; Sano and Williamson, 2008) has removed the first line of defense of employees against abusive practices by management. Gone also are mechanisms for settling inter-collegiate disputes, and the role of the trade union organizer as an informal fixer (Batt et.al., 2002). One correlative factor to falling union membership has been changes in the composition of the labour force, with the sharp rise of the service sector in terms of employment of economic activity. In service and knowledge industries the quality of work performance is more difficult to measure and productivity standards found in manufacturing do not apply. According to Green, “In many situations complex interdependencies obscure the assessment of merit, leaving workplace promotion and reward structures open to manipulation” (Green, 2003:103). A corollary of service industry expansion has been the feminization of the workforce and the advance of cohorts of female workers into positions of authority (Eley and Nield, 2000). The inversion of traditional gender roles can prompt aggressive reactions in subordinate males as evidenced by the disproportionately high number of female managers reporting the incidence of such bullying. It has been suggested that “resistance to women managers may be a possible explanation” (Rayner et.al. 2002:66).

Fundamental alterations to gender roles and rights have been accompanied by changes in behaviour patterns, particularly the decline of civility (Pearson et al. 2000). Many organizations have been encouraging informality in the dress code, fostering a casual atmosphere between management and staff, and a sense of transparency with open plan offices, encouraging free interaction among staff as well as chance encounters by water coolers and photocopiers. A reflection of social values, like spontaneity and free expression that are currently in ascendance, these system changes are designed to unlock organisational creativity and generate professional benefits. Yet, the loss of formality impacts on the unspoken rules of politeness and etiquette (Elias, 1982; Morand, 1998). “Without the trappings of formality to routinize interactions and control for deviations employees may have trouble maintaining their professional distance and objectivity” (Anderson and Pearson, 1999:465). The contemporary workplace with its egalitarian appearance has removed many of the formal checks that channel employee behaviour along lines of civility and mutual respect (Ferris, 2004). Under the appearance of banter or humour, codes of interaction can spiral out control and mask targeted and deliberate aggression.

These concerns are closely related to the changing nature of work and workplace, and more specifically the individual’s relationship with their work. Tied to the dominant values of creativity, informality and humour is the reappraisal of work from an unpleasant means to an end – leisure, family consumption – to an end in itself (Chinying Lang, Josephine and Lee, 2010). With the coinage of the term professionalism, a term

with obscure referents, but symbolic weight, the performance in the workplace is imbued with a value beyond the material. It now provides the worker with an opportunity for self efficacy, for achievement. In the workplace professionals follow careers and realise their potential. This has significant consequences for managerial and supervisory arrangements, as the work ethic is internalized making formal structures of control, including entire tiers of middle management, redundant. As employees have become self-motivated, take pride in their 'professionalism', their work takes on greater emotional significance. Problems that do occur are not as easily shrugged off as the boundary separating the spheres of work / non-work becomes fuzzier. This mutual assimilation of work and non work finds expression in two peculiar phenomena noticeable over the last three decades and closely linked to computerization and the internet. On the one hand employees are spending increasing chunks of their time working, as office hours have extended and the number of holidays has shrunk (Bosch, 1999). In many 'professions' long working hours are expected, as is weekend overtime or the sacrifice of owed holidays (Freeman, 2002). The other, related process is the personalization of the office, decorated with memorabilia from home and holidays, and serviced by an infrastructure of conveniences – micro waves, coffee machines, fridges - that lend an appearance of domesticity. Notably, where bullying was occurring desks were bereft of anything personal except the odd mug (White, 2004). While this evokes a sense of trust and the familial, it also shows that employees are no longer taking lunch at home or outside, but at their desks, extending work into their free time (Legal and General, 2007; TUC, 2007). The number of people working more than 48 hours has doubled between 1998 – 2005 from 10% to 26% of the workforce, and one in six of all workers is doing more than 60 hours (Bunting, 2005)

Open workplaces, flat hierarchies, fast track career pathways have conjured a sense of opportunity where ability finds just reward, and professional progression is a product of merit rather than connections. While media discourses celebrate the high achievers and the spectacle of the extraordinary, the impact on the vast majority, whose quotidian endeavour was formerly given value by such attributes as duty, has been debilitating. Whereas underachievers would in previous decades have pointed to structural obstacles, rigid systems of class and rank, for lack of status, they now have only themselves to blame. Just as on the level playing field success awaits the gifted few, so its lack now belongs to the rest. There are advantages, as workforces are less likely to be subjected to direct managerial interference or 'bossing'. But the shift to teams and networks has also created new problems, as "Groups of individuals become the gatekeepers to opportunity through decisions that are made on a social, interactive, day-to-day basis. This is a positive development for the fight against the kinds of discrimination that derive from individuals placed at strategic points along a hierarchical ladder, but it raises new concerns about the law's ability to combat the kinds of discrimination that build more subtly at the group and institutional level" (Green, 2003: 105). In a self-congratulatory meritocracy the ownership of failure lies heavily on the shoulders of the many. Status anxiety has injected a new sense of unease into workplace relations (de Botton, 2004). Ironically then, just as productivity is harder to measure in the new service / knowledge economy, roles have become vaguer, hierarchies flatter, and in consequence, hierarchical promotion slower the need for formal recognition for individual self worth has risen.

To summarise, shifts in the nature and organization of work, the character of the workplace and the relationship between worker and their work, new opportunism for interpersonal aggression have arisen. Moreover, the damage inflicted by such aggression is far more penetrating and destructive. Indeed, the rising toll of stress and depression is largely related to such interpersonal conflicts. Structural discrimination is far less widely spread due to legislative measures, and in any case, not as closely related to 'status anxiety' and other forms of un-wellness (de Botton, 2004). Personnel departments and management recognize the debilitating consequences, but are struggling to find an appropriate response. At this point the aforementioned concern with definition opens a practical dilemma, as there is a paucity of diagnostic tool or assessment mechanisms to put third parties in a

position where they can make a confident determination. One way forward, is therefore, to draw on some of the methods developed in the adjacent field of domestic violence.

Drawing on insights from the domestic violence field

It would appear from the literature that the same pitfalls and cul de sacs experienced in the domestic violence field are set to be rehearsed in the study and understanding of bullying. Debate over how to define, locate and quantify domestic violence characterised the early development of the field. Now some thirty years on the domestic violence field has come to favour definitions that in some part point to the intentional aspect of the abuse. There has been growing recognition that the presence of an underlying pattern of coercive control (Stark and Flitcraft 1996, Goodman and Dutton 2005, Stark 2007) is a more reliable marker for abusiveness than whether or not there has been physical violence. In noting that the abuser intentionally seeks to coercively control his/her victim it has been possible to distinguish between domestic violence and relationships characterised by conflict and poor communication. This in turn led to clear decisions about not advocating mediation or couples counselling in relationships where one partner seeks to coercively control the other (Respect briefing paper on evidence of programme effects 2010). Abusers can and frequently do exploit mediation, couples counselling and practices set up to manage child protection to manipulate the wider system and thus increase their coercive control of their victim(s).

Understanding the complexity of intentionality in the pursuit of coercive control enables practitioners to micro-analyse the narrative and actions of abusers to better assess the bullying taking place. Assessment is followed by the application of clear intervention frameworks aimed at reducing the risk of further abuse and long-term psychological damage to victims. As we have already suggested bullies exhibit a behavioural and interpersonal pattern that they apply across different life situations. We contend that the capacity to bully in the workplace or the home is derived from similar underlying dynamics. This important connexion has also been made by Randall (2001) who further states that his clinical encounters with bullies revealed histories of past and current domestic violence. It is therefore important to draw on lessons from the domestic violence field to move our understanding of the nature and dynamics of bullying forward.

The question of why an individual would choose to relate coercively is very much at the heart of current research in both the bullying and domestic violence fields (Randall 2001, Dutton 2006). Early attachment experience and the shift from aggressive to pro-social behaviour appear as a theme in a number of studies (Twemlow et al 2005, Sonkin 2003, Dutton 1998, Randall 2001). These ideas about motivation seem to be echoed in the narratives of abusers. Capturing those narratives in qualitative studies in the domestic violence field (Dobash et al 1998, Hearn 1998, James et al 2002) has helped to reveal much about the way abusers conceptualise, articulate and justify their abusiveness. The 'violences of men' a grounded theory study by Hearn (1998) informs practitioners about how to hear what is being said between the lines of an abuser's narrative. This body of research has contributed to the systematising of assessment processes where domestic violence is known or suspected. There is little evidence that these fruitful approaches have been noticed by those investigating workplace bullying.

A notable gap in the domestic violence and bullying literature is the perpetrator's attempted coercion of professionals. In the domestic violence field attention is most often drawn to the perpetrator's coercion of an intimate partner or children. Yet the potential for professionals to be drawn into

colluding with the perpetrator's descriptions of the relationship are well known in specialist domestic violence services. As a strategy, the successful coercion of workers by perpetrators ensures that the victim's credibility is compromised. This isolates the victim from sources of help in the wider environment and reinforces the control of the perpetrator. Where work practices incorporate safeguards against the coercion of workers (e.g. use of feedback from victims and third parties) or encourage reflective practice (e.g. the use of clinical supervision) perpetrator to worker coercion is acknowledged. Unsupported workers are more likely to experience coercion as an indication of their own inexperience rather than as a common tactic of the client group (Martin 2009). The problem of coercion highlights the importance of specialist training and support of people working with bullying and manipulative populations. The difficulties created by a lack of a systematic framework for identifying, understanding or responding to workplace bullying can be illustrated by separate cases where workplace bullying was reported to and investigated by the human resources department of a large public sector organisation in the Greater London area.

A note on methods.

The material presented here comes from the accounts of staff attending a workshop on how to respond to situations where employees are identified as victims or perpetrators of domestic violence. An increasing number of organizations have adopted policies on tackling domestic violence within the workforce following campaigns spearheaded by Respect and Refuge (Unison 2010). Training staff to be aware of the signs and consequences of living with or perpetrating domestic violence has been an important aspect of this process. In the opening session of the workshop staff were encouraged to think about experiences of workplace bullying to help them understand the behaviour of perpetrator and victim of domestic violence. The two case studies presented here emerged in the feedback from this session. They relate to experiences in a large City Council Department in Greater London. The two staff members who shared these

experiences gave subsequent interviews to one of the authors having changed and disguised significant elements of each case. Both cases resulted in bullying allegations that were brought to the attention of a human resource department. Interviews were open and unrecorded and took place over several face to face meetings, usually in a closed, private office. While we acknowledge the limitations of the process and the scale of the project, we do think that the case studies are indicative of wider issues, and that they point towards the central dilemma faced by personnel departments generally.

Case studies: bully or victim – who decides?

The case studies highlight the complex mechanisms by which the bully coerces the target and the wider system to create a bullying matrix. The bullies in both cases successfully coerce personnel officers to carry out the bullying for them. Absence of a systematic framework to identify and manage risk leaves the target and the system at risk of further coercion. Forensic services recognize the need for assessment of interaction patterns in offenders. These patterns in turn build up to a number of recognisable profiles that help practitioners to propose interventions that immediately contain and manage risks. In both our case studies the lack of a framework means that the interventions offered continue rather than contain the difficulties. The difficulties we explore revolve around two discrete but related problems: (i) False positives, or separating false allegation from genuine complaint and (ii) deliberate deceit – dealing with a bully masquerading as victim. Both examples illustrate the limits of reconciliation for managing the impasse. The cases have been analysed and viewed from a perspective that focuses on drawing out the underlying patterns of coercion.

(i) False positives

In the first example the complainant, Duncan approached personnel staff after a confrontation with Delia, his line manager, over time keeping and office hours. Delia had only been in post for three months covering for staff sickness, but had previously been Duncan's equal and friend. Duncan's complaint centred on alleged changes to the 'flexible working hours' policy operated in the organisation after Delia asked him to account for his absence on a particular morning. Duncan was upset by being challenged in this way, as he saw himself as a diligent team member. Time keeping had not been a problem for his previous manager, also female, but he now was struggling to maintain good working relations in the face of an intrusive management style. Duncan discussed with the personnel staff if the Equalities Officer might be an appropriate person to consult about the issue of gender discrimination. He had already tendered his resignation during the confrontation with Delia, and followed this up with a formal letter of resignation to her boss. In both letter and his discussions with personnel he claimed that he did not want to resign but felt that Delia was forcing him out. Personnel persuaded Duncan to hold onto his resignation pending further investigation.

The core of the problem appeared to hinge on interpretation of the contract which did not prescribe core hours in recognition of the vagaries of work. As the contract is drawn up between the employee and personnel a simple clarification of the extent of flexibility could have settled the matter. But Duncan had already complicated the issue by tendering

his resignation with the implication that it would form a constructive dismissal claim. Duncan was also signaling that he would test the 'dignity at work' policy by claiming gender inequality. The personnel officers, under such pressures had to be seen to respond to his claims by thoroughly investigating his allegations. Duncan pressed his point by asking about involving the Equalities Officer. But was it possible for personnel to proceed without succumbing to his pressures?

By employing threats of resignation, allegations of discrimination, and taking his case to an Industrial Tribunal, Duncan succeeded in coercing the wider system into attending to his needs. Personnel were aware that he had raised a previous complaint about a manager (male) for discriminating against him on religious grounds which had resulted in a written apology. Duncan's use of Equalities legislation is indicative of coercive tactics aimed at drawing the wider system into the bullying dynamic. Personnel obliged by launching a formal investigation. Duncan, meanwhile, argued that his appeal for help had only intensified the discriminatory and abusive practices by Delia. This was causing him stress and left him weighing up the option of resignation.

Intent on heading off a formal complaint, the personnel officers were thereby coerced into pursuing Duncan's wishes, which at that time appeared to be some form of formal apology from Delia. He had stated that as his contract did not specify his working hours, Delia had no right to demand his presence at specific times. Meanwhile, he began to email Delia details of his whereabouts on an hour by hour basis. His wish for Delia to be held publicly to account reveals his intention to have the wider system shame her for having challenged him. By citing his contract he directly challenged personnel to stand by their contractual obligations and uphold his complaint. His emailing behaviour contradicts his claim that he need not account for his time and therefore potentially serves a more aggressive purpose aimed at communicating his contempt to Delia.

Seeking triangulating data is a vital first step in cases of bullying. The absence of third party data enabled Duncan to utilise the system to threaten Delia's capacity to hold him accountable. Self reports by bullies are known to be unreliable (Cowie et al 2002), and bullies may well present themselves as victims to discredit any subsequent complaint by their victims. In the field of domestic violence reliance on self reports in situations where some form of intent to harm is alleged or suspected is known to be problematic (Websdale 2000, Laing 2004). Consequently the self reports of abusers are set against evidence based checklists of abusive behaviour (Dobash et al 1998), victim and witness statements, third party evidence from agencies and the assessor's intuitive grasp of potential abuse markers (Randall Kropp 1999). However the experience of a prominent helpline for male victims of domestic violence is that robust filtering of calls is required. A significant proportion of calls are made by abusers hoping to use the claim of victim to justify their actions, and to discredit their partners' reports of victimisation. Preventing the false positives – the fictitious claim to victim status is a vital gate keeping process that personnel need to grasp. Timely containment could obviate collusion on the part of personnel officers and may head off protracted (mis)use of the dignity at work policy. Unfortunately Duncan was able to use the implied threat of litigation and the concept of gender discrimination to coerce personnel into unnecessary actions.

Personnel opted to hold a mediated meeting between Duncan and Delia. Duncan maintained a victim stance, claiming first that he had not known Delia was now his line manager, before listing complaints about her management style. He also stated that he felt she was treating him like a child when she questioned his time keeping. Delia said very little, while the personnel officer carefully explained to Duncan that Delia did have the right to question his hours as she was his line manager. The meeting ended amicably. One month later Duncan was signed off with work related stress. He told Delia (and personnel) that the confrontation between them was the cause of his stress. After six months on sick leave Duncan left the organisation.

(ii) Deliberate deceit – dealing with a bully masquerading as victim

Matthew approached personnel with the claim that he was being bullied by a female colleague with whom he was sharing an office. To support this allegation he submitted an e-mail that had been sent to him by Jackie about 7 months after they had started working together, and reported verbally a number of other incidents. In the email Jackie was reiterating that she found it reasonable for office sharing colleagues to ask for privacy when meeting confidentially with third parties. In this particular instance, Jackie had made every effort to find alternative premises but not been successful and had then asked Matthew to vacate the office for 20 minutes. Matthew had refused and in consequence she was now writing that she could no longer share an office with someone she found to be obstructive and menacing. Matthew presented the email as evidence of bullying. He also said that during a recent confrontation Jackie had said she 'couldn't be arsed' to argue with him. The expression 'to be arsed', he said, was a swear word and that he was entitled to a formal apology. He had broken the email down line by line and asked that Jackie respond to each line with further explanation.

A couple of days after his complaint Jackie presented to personnel distraught that her efforts to stop Matthew from bullying her were not succeeding. She had moved to another, shared office, leaving Matthew the benefit of the whole space, and had written a final e-mail to terminate contact with him. But he was continuing to write menacing emails, and she had named the problem to him in accordance with the dignity at work policy. Matthew and Jackie were both claiming to be the other's victim and were allocated to separate personnel officers.

Matthew left his personnel officer extremely unnerved. Other women working in his department tried to avoid being alone with him but had not had close working contact with him. Despite these worrying indications about Matthew's menacing qualities personnel accepted his request for a line by line explanation of Jackie's email. Matthew persistently pressed them for responses from Jackie, specifying that he was considering taking the case to the Trade Union if they continued to drag their heels. He claimed that he could not stop thinking about the email, puzzling over its meaning and that this preoccupation was affecting his capacity to work. Jackie's personnel officer explained Matthew's request and encouraged Jackie to make the response as this might lay the matter to rest. Jackie refused specifying that this was Matthew's attempt to use the

system to further bully her. The personnel officer suggested that Matthew lacked social skills and perhaps genuinely did not understand what Jackie had meant. Jackie expressed concern that Matthew would not stop even if she did respond. She had heard that he had taken out 3 complaints against female colleagues at his previous place of work and that one of those colleagues was still off with stress as a result. In the end the personnel officer stated that she would answer the points and Jackie could sign to say that she had agreed the responses. Jackie agreed to this option. A carefully worded and non-committal document was duly sent to Matthew. As predicted he immediately responded saying that the answers were not sufficient and again taking the letter line by line requested clarification of each sentence. He continued to send harassing emails but was now told by personnel that his behaviour appeared to demonstrate that he was bullying Jackie and not the other way round. He responded by saying that he was taking his case to the Union.

Matthew's behaviour was openly deceitful and his preoccupation with bullying his victim was marked. He spent some portion of every day in the pursuit of the bullying, drawing personnel into the process but also leaving his personnel officer feeling menaced. Persistence and menace coupled with the feigned confusion about the email may have led personnel to comply with his demands. In succumbing to his coercion they over-rode the assessment of his victim, which in the end proved to be accurate. They also became his weapon of choice, delivering and carrying out his unreasonable demands. Bullies like Matthew seem to be particularly motivated by a need to observe the impact of the bullying on those they target. This preoccupation with seeing harm inflicted gives rise to

speculation about whether the person is mad, bad or sick. The amorality of his behaviour and the sadistic component to his actions seem to paralyse the system. It becomes preferable to classify him as lacking skills (i.e. mad or sick rather than bad) and then respond by helping him to gain the missing skills. Matthew used considerable skill in his exploitation of this approach.

Discussion

In the absence of a testable definition of bullying, personnel departments are struggling to pitch their response in a way that addresses either the interpersonal problems between conflicting parties, or more general unease and tensions within a department. The first response is to try and contain the problem or reconcile the differences using mediation or conflict resolution models. This approach runs the risk of giving space to spurious allegations, as in case 1, or in colluding with the perpetrator against the victim. In other cases, personnel departments actively discourage victims from formalizing a complaint in the full knowledge that these rarely, if ever lead to reconciliation. According to one informant, only the most persistent find their way to an employment tribunal, 'to have their day in court.' The judicial analogy is, however, misleading, as bullying cases rarely, if ever, result

in restitution to the victim or penalties for the offender. At best, they provide an opportunity for the victim to voice his/her complaints and receive reassurance from the tribunal that the bullying behaviour was indeed unreasonable and abusive (Sheehan 1999).

The formal mechanisms available in most workplaces, then, provide only poor levels of protection. Even large organisations with dedicated personnel departments are surprisingly ill equipped for filtering out false allegations, or to deal with manipulations of the system. Moreover, personnel professionals are poorly served by some of the extant models used to explain bullying in general. Socio-political perspectives focus on the environmental factors that are associated with bullying, and examine the influence of different types of structure, management styles, externally driven economic factors and internal power imbalances. From this perspective, finding the most equitable, transparent and economically viable structure for organizations, supported by political will around employment policy appears to be the Holy Grail. As an interim measure organizations rely on 'whistle-blowing' and 'dignity at work' policies and a raft of mediation techniques. When all else fails some internal reshuffle may occur. Some bullies seek alternative employment when the spotlight falls on their bullying, and they are often given glowing references to speed them on their way. These strategies effectively move the problem along but no resolution is found. What is ignored is the obvious fact that bullying behaviour, like water, finds a way around obstacles and erodes the soft underbelly of the organization.

What is absent here is any ethical framework for assigning accountability for abusiveness. Instead an attitude of neutrality is favoured. In contrast trained staff in the domestic violence field adopt an attitude of skeptical empathy at the assessment stage. The presumption made at assessment should be that abuse has potentially occurred and that the task is to quickly establish who is doing what to whom. The goal of assessment should then be to increase the safety of victims and to hold perpetrators accountable. Domestic violence assessments are a tightly structured and standardized process that includes completing behavior indexes with both perpetrator and victim, gathering statements from any witnesses, reviewing any previous reports of abuse about the perpetrator or victim and reviewing information from third parties. The emphasis is on triangulating all the data to help contextualise the perpetrator's accounts of the situation. One of the indexes; the Controlling behaviours index is particularly relevant here as it lists tactics associated with gaining power and control over the victim and is drawn from extensive interviews with perpetrators and victims (Dobash et al 1998). Both Perpetrator and victim complete the index, scoring the frequency with which such behaviours have occurred. A comparison of the completed indexes reveals discrepancies between the perceptions of perpetrator and victim which in turn acts as an indication of levels of minimization and denial. The index includes these tactics:

- * threatening her,
- * shouting,
- * swearing,
- * name calling,
- * questioning her activities,

- * having a certain look or mood,
- * trying to provoke an argument,
- * criticising her,
- * criticizing her family or friends,
- * putting her down in front of others,
- * making her feel sexually inadequate,
- * pointing at her threateningly,
- * making to hit her without doing so,
- * restricting her social life,
- * using the kids in an argument against her,
- * nagging her.

Taken from the assessment forms of Kent Probation Board 2009

This index includes tactics also used by bullies in the workplace (questioning activities, put downs) and could form the template for an index tailored to workplace bullying. Similarly a standardised assessment process would need to focus personnel officers on identifying patterns of behaviour rather than following individual narratives. Triangulating data could be sought from work colleagues and team members thereby promoting a shift from bystander to witness. Structured assessment procedures could also aid personnel officers in distinguishing between conflict, which may be open to negotiation and coercion, which is not. The use of structured assessment can help the victim see the instrumental nature of the bullying (to coerce, undermine etc) thereby moving them beyond trying to make sense of specific incidents. The imposition of structure on the narrative of the bully can thwart their efforts to coerce the personnel officer as patterns, rather than specific events, are given significance. In our case example Duncan's narrative about Delia could have been challenged by requiring him to consider the similarities between his complaints about a previous manager and his complaints about this one. The distortion, minimization and blame-shifting of coercive perpetrators tend to emerge in their efforts to construct a narrative that vindicates their sense of having been in some way wronged by their target (Hearn 1998). The experienced practitioner will quickly detect

inconsistencies and discrepancies in what the bully tells them. Interpersonally, the practitioner will have more prospect of noticing the extent to which they are being pushed to follow the bully's agenda.

Distinguishing between bully and victim does not make the victim safer though having their experience validated is a crucial step in any change process. Accurate identification of domestic violence perpetrators (and potentially workplace bullies) represents the first stage in holding them accountable and working to create change in their behaviour. Perpetrators of domestic violence are generally referred to Violence Prevention Programmes. These programmes take a structured Cognitive Behavioural approach that seeks to increase empathy for victims, provide perpetrators with strategies for non-abusive relating and model pro-social ways functioning. Workplace bullies could benefit from similar opportunities to learn alternatives to their abusing behaviour and could be required to attend by personnel. Such measures could prove far more effective than mediation or non-action.

The ideal organizational environment still gives rise to bullying behaviour demonstrating the need for an examination of context, environment and psychological motivations for bullying. There are useful psychological perspectives on the origins of violence and the development of aggression in individuals (Twemlow 2000, 2005, Fonagy 2004).

Attachment theory has proved helpful in articulating the responses that individuals develop in their relations with others. An individual's early relational patterns emerge and inform their adult relating styles (Fonagy 2004). But there are also some unhelpful theories that further confuse the issue of bullying. Psychoanalytic perspectives popular still with many psychological practitioners uphold victim blaming explanations for the

bullying. Psychoanalysts would argue that the role of perpetrator and victim is interchangeable and that the victim's stance invites the persecution they receive (Yakeley 2010). The bully's behavioural response to a situation tends to be viewed as the product of having suffered acute experiences of bullying in the past. Bullies, in other words, are as much victims of workplace aggression as everybody else involved. Bullying can then be viewed not as a choice but as a personality disorder, of which aggressive behaviour is but one aspect. The victim is handed responsibility for the situation, whilst the perpetrator, who cannot help his / her psychological condition is alleviated of personal responsibility for his or her anti-social choices. The way forward in dealing with such a situation, then, is not disciplinary action for the perpetrator but treatment. This perspective prevents any clear attribution of responsibility to the victim and fits well with the lay mans term 'six of one and half a dozen of the other'. Armed with similar phrases the police spent many years turning up to homes where they attributed the domestic violence to both parties or asked them to settle their disputes more amicably. In our examples Duncan and Mathew benefit from a system that cannot decide how to apportion responsibility.

To recapitulate, the three prevailing response options to bullying allegations are (i) do nothing. (ii) Regard it as a problem of both parties, with shared responsibility. (iii) Approach it as a psychological problem for which the solution is treatment. In practice, this means that victims of bullying, will be ignored, or blamed or neglected. The bully, by contrast, has plenty of opportunity to prevaricate, spread blame, and in extremis apply for therapeutic support. Most cases will never get that far, as personnel have no serviceable definition of bullying, no clear explanatory framework, and no register of diagnostic indicators. They will therefore seek to contain the situation and find a settlement that is least disruptive to the workplace. This allows bullies

to establish themselves, get victims and colleagues to accept their behaviour as normal, and manipulate attempts at arbitration by spreading responsibility or alleging that aggression flowed in the reverse direction.

For victims the consequences can be considerable, with implications for both their participation in the workplace and mid to long term mental health and well being. There is collateral damage to workplaces where bullying behaviour is seen to be tolerated, and where third parties position themselves to protect themselves often at expense of the victim. The negative effects on creativity, effective working, team and individual partnerships, impact on the performance of departments and beyond. Finally, the tactical resort to aggression can become a regular form of conduct, which bullies will repeat in different working situations. The particular acuity of the problem is related to the workplace specific factors discussed above, but presents a serious challenge to the modern workplace because of the prevailing trend of moral relativism.

As discussed above, the changing nature of work has meant that for many people it now provides a form of self-expression, an arena for performing and for asserting identity. Staff in personnel departments are likely to buy into this ethos themselves, and will project onto their colleagues their own assumptions about commitment to work and workplace. Implicit to this is an entire range of behavioural norms that are considered as reasonable, and are expected to have been instilled in an adult employee as part of his / her workplace socialization. There are plenty of measures in place to control employees' use of the organisations financial and other material resources, as employees are expected to work with economic calculus and suspected of being open to financial suasion. Rigorous controls are complemented by an explicit regulatory framework governing things like expenses, use of the organisations' equipment and services, and so on. This understanding of the employee as an economic actor, whose self-interest has to be controlled to protect the wider interest of the organization, is the only remaining moral judgment by employers of their employees. The inability to accept the moral turpitude of colleagues engaging in vicious aggression, compounds the lack of diagnostic tools and definitive labels. It leaves personnel departments' ill equipped for dealing with cases of malevolent intent, and the attempts at mediation in situations where one sided attempts at coercion are mistaken for two sided conflict open to manipulation. We know that something is going on, but do not know what to call it, have no way of identifying and listing its features, and no language for explaining the underlying mechanism. It is clear that workplace bullying is a problem that in the de-hierarchised, coffee flavoured atmosphere of the contemporary office workplace is increasingly intractable.

Developing the evidence base

There is a risk that in a situation of economic downturn and rising unemployment, questions of employee well being and work place atmosphere will not be treated with as much urgency as they would during periods when qualified labour is in short supply. It is therefore important to be clear that bullying has significant repercussions for productivity and competitiveness, and further implications for the mental and physical health of staff. But to find out what can be done to intervene effectively we need to get a far richer and more detailed picture of bullying practices. We need in depth descriptions to identify behavioural patterns, to understand the facilitation of immediate and wider workplace contexts, and to get a clearer idea of how individuals can be trapped into situations of vulnerability where, regardless of their psychological profile, they can become victims of bullying. Given the proliferation of guidance literature how little evidence we have from the actual heart of the phenomenon, the bullying practice / experience itself. What we need to develop is an in depth understanding of the process by which the cooperation of individuals in a workplace environment degenerates and how persistent, aggressive behaviour can become a chronic feature of the at-work experience. We require thick descriptions of bullying incidents,

based on repeat, in depth interviews with participants. Critical to such research is to move from the idea of 'incident' to the web of relationships involved, in a de-centred way where no single player is privileged. The research will then look at the power relations, the formal working relationship, functions within the organization, and then trace the events at hand of first person accounts, e-mail exchanges, memoranda and any other documentation.

The objective is to arrive at an assessment framework similar to that found in the domestic violence field, to assist human resource departments. The advantages of a systematic screening tool is to enable personnel professionals to take a constructive position early on in a workplace conflict, to distinguish bullying patterns from genuine cases of interpersonal conflict, and to provide them with the confidence to take action. Domestic violence does offer grounds for action that are often free from the ambiguity of same sex, workplace relationships, where hostility is conveyed in verbal not physical violence. But it has also built up a clear framework of emotional violence, of hostile intent, the all pervading drive by the bully to inflict harm on the victim, and with it a sense of moral responsibility that allows for action to be taken to protect victims of aggression. It has also generated data on bullies to suggest that these are behaviour patterns that are replicated across people's lives, and form part of a way in which people engage with the world. Screening tools and assessment frameworks should also seek to include items regarding the personality traits of the bully. These tools will provide practical aides allowing personnel to initiate action, but even more significant, is that they will help move mediators towards a more absolutist positions where certain forms of behaviour are simply not tolerated.

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