

A Guide for those experiencing Bullying Harassment and Undermining

Legal Background

* "it is the duty of all doctors to promote and encourage a culture that allows all staff to raise concerns openly and safely. They must take prompt action if they think that patient safety, dignity or comfort may be seriously compromised"

**You are entitled to legal protection if you have reasonable belief that something is wrong and may lead to patient harm

Evidence to support your concern is not essential

Always ask whether patient harm could be caused if the situation is left unchecked

**personal employment grievances (often including *bullying* or *undermining*) are treated under separate grievance or dignity at work policies

*GMCs Good Medical Practice

**Employment Right Act 1996, **Public Interest Disclosure Act 1998

Confrontation

If you feel confident enough and feel this is appropriate, raise the issue with the perpetrator. Face them, tell them the effect their behaviour is having on you and ask them to stop. They may not realise that what they are doing is having a negative effect – what is perceived as "banter" to one individual can be regarded as unacceptable behaviour

Explore
Local
Frameworks

Formal Escalation

Training Bodies

AES
TPD
Head of School of Surgery
Postgraduate Dean
SAC Rep
GMC
RCS Trainee Committee

Hospital

Line manager
Head of Department
HR
Medical Director
Chief Executive

Escalate
To a
Regulator

Regulators

BMA
GMC

CQC
Medical Indemnity

Public

Aim to raise concerns internally first before doing it externally, internal disclosures are more readily protected under the legal framework. If local or regulatory processes have not addressed your concern, consider bringing the issue to public. Remember about patient confidentiality

Make
Your
Concerns
Public

Seek Support

Informal

Speak to your friends, trusted colleagues, family members about what you are experiencing. If you have a trusted senior mentor, they can offer to speak to the offender on your behalf.

Formal

BMA
Freedom to Speak Guardian
"Speak up" helpline
"Protect" - National Charity
Health Education England
RCS England Support for Surgeons
NHS Employers
NHS Improvement
Care Quality Commission
GMC

