

Bullying, Undermining and Harassment: JCST policy statement

Healthcare is a demanding profession and the pressure we often work under affects our behaviour and how we treat and respond to others. We are not always aware of how our actions or comments are interpreted.

There are multiple definitions of the terms Bullying and Undermining, but the General Medical Council (GMC) uses the following:

- **Bullying** is behaviour that hurts or frightens someone who is less powerful, often forcing them to do something they do not want to do.
- **Undermining** is behaviour that subverts, weakens or wears away confidence.

The BMA says about harassment:

- **Harassment:** *The Equality Act 2010 defines harassment as unwanted conduct that is related to a protected characteristic (age, sex, disability, gender reassignment, race, religion or belief or sexual orientation) or unwanted conduct of a sexual nature. It has the purpose or the effect of violating someone's dignity or creating an intimidating, hostile, degrading, humiliating or offensive environment for them. Harassment is unlawful.*

Bullying, undermining and harassment (BUH) have no place in surgery. Together with the surgical Royal Colleges, on whose behalf we work, the JCST is committed to tackling these behaviours and to creating positive working environments.

Working in an environment where BUH is tolerated is a risk to patient safety.

Such an environment reflects the culture at all levels. It is this culture that needs to change.

While our particular focus is on surgical trainees and trainers, we recognise that the problem is multi-layered. BUH may take place at all levels and in all directions.

The British Orthopaedic Trainee Association (BOTA) #CutItOut #HammerItOut initiative has played a valuable role in highlighting unprofessional behaviour as reported by trainees.

It should be clear, however, that such behaviour is not confined to one specialty alone – or indeed to any single group within the healthcare sector. The JCST's own surveys make this clear, as do those carried out by the GMC and within the NHS.

If the culture is to change, there is a need for clear leadership. While those at all levels have a role to play, senior members of the profession have a particular responsibility to lead by example and to act as champions. JCST members recognise and accept our own responsibility to do so.

Changing the culture will also involve robust reporting mechanisms, visible resources to increase awareness of what good and bad behaviours look like, zero tolerance of the bad and encouragement of the good.

All healthcare professionals should understand the mechanisms for reporting and resolving incidences of bullying and undermining, whether these take place within the workplace or – for trainees and trainers – within the wider training environment.

It must be clear, however, that constructive criticism is necessary to help trainees and others to develop and improve their skills, and in some circumstances more formal performance management may be necessary. This is also important for patient safety.

Equally, trainees should feel free to raise concerns and be confident that doing so will not have an adverse impact on their training.

The GMC's [Generic Professional Capabilities \(GPC\) framework](#) offers an important opportunity to embed positive behaviours and values in the curricula for surgery and all other areas of practice.

Trainees will need to demonstrate these behaviours and values in order to complete their training and trainers will need to be able to assess them – and, by extension, model them in their own practice.

These behaviours and values should form the basis of professional practice for all doctors throughout their careers.

You should report any bullying, undermining, harassment or discrimination to your employer or to the relevant Statutory Education Body (HEE, HEIW, NES and NIMDTA) through your Assigned Educational Supervisor, or Training Programme Director or your local Deanery / HEE office / Director of Medical Education. In addition to this, the Statutory Education Bodies, Trusts and Health Boards will all have their own policies which will be available to you. Sometimes you will find these policies under other headings such as Dignity at Work.

Useful links and resources

The Royal College of Surgeons of Edinburgh [Anti-bullying and Undermining Campaign](#) has a wide range of resources.

The Royal College of Surgeons of England has published [Guidance on Avoiding Unconscious Bias](#).

The Royal College of Obstetricians and Gynaecologists (RCOG) have produced guidance on improving workplace behaviours: [RCOG-Improving Workplace Behaviours](#). This includes [an undermining toolkit](#) produced in collaboration with the Royal College of Midwives (RCM).

Information about the Freedom to Speak Up Guardian including the Directory of Guardians: <https://www.nationalguardian.org.uk/information-on-speaking-up>.

Tools and resources from NHS Employers: <https://www.nhsemployers.org/your-workforce/retain-and-improve/staff-experience/tackling-bullying-in-the-nhs/tools-and-resources>.

September 2020