ACTIVE BYSTANDER PROGRAMME

WORKBOOK

Contents

Workbook Introduction

The purpose of this workbook

This workbook is designed to support you on your learning journey to become an Active Bystander and to use as a reference point.

We have included some of the key theory which underpins our programme and some space for your self-reflection to embed your learning.

Please use this workbook as part of your Active Bystander learning journey to compliment and continue to build your knowledge, confidence, and skills.

The structure of this workbook

This document contains information covering key material and behaviours covered in the Active Bystander workshops. We have structured this workbook in 'modules' where you can work through the different sections, we cover on the training days at your own pace.

There are additional links for further learning and space for your self-reflection to embed your learning. We hope that you will find these useful and look forward to learning and growing with you as part of our community over the years to come!

Module 1:

The Drivers of Inappropriate and Unacceptable Behaviours

Learning outcomes

After reading this module you should be able to:

- Understand and be able to explain the following key drivers of people's behaviours:
    1. Biases
    2. In-groups & Out-Groups
    3. Prejudice
    4. Privilege
    5. Power
    6. Stereotyping
- Be aware that these concepts can, and do, intersect.

1.1 Biases

What are Biases?

Definition:

"the action of supporting or opposing a particular person or thing in an unfair way, because of allowing personal opinions to influence your judgment.

OR

the fact of preferring a particular subject or thing"

(Cambridge Dictionary definition)

Sociologists identify biases to mean an inclination, prejudice, preference, or tendency towards or against a person, group, thing, idea or belief.

Biases are usually unfair or prejudicial and are often based on stereotypes, rather than knowledge or experience. Bias is usually learned, although some biases may be innate.

There are 3 main components of bias formation they are:

1. Categorisation,
2. Identification, and,
3. Comparison.

Not only do we feel the need to categorise ourselves and others, but we identify with people who are 'like us' and we also compare people like us with people who are not like us.

Biases arise out of our need as human beings to make sense of the world by categorising ourselves and others.

This categorisation allows us to form a social identity for ourselves and to identify with people 'like us' or classify others as different to us. People we consider to be like us could be from a similar socio-economic or educational background to us.

Example: A doctor has a strong identification with other doctors, and makes comparisons between doctors and nurses in terms of education, professional development, culture within the profession etc.

Reflections

Thinking about your values, beliefs, and upbringing, what biases do you think you might hold?

1.2 In-Groups and Out-Groups

What are they?

This is a form of 'Group Bias' and stems from the idea that we categorise ourselves (and others) into groups, identify with that group and compare that group to other groups.

In sociology and social psychology circles it can be defined as:

An in-group is a social group to which a person psychologically identifies as being a member.

By contrast:

An out-group is a social group with which an individual does not identify.

The theory draws on the notion that people have an inbuilt tendency to categorise themselves into one or more "in-groups", building a part of their identity based on membership of that group and enforcing boundaries with other groups to which they don't belong "out-groups".

(Henry Tajfel and John Turner's social identity theory of inter-group behavior - 1986)

For example: People may identify with their peer group, family, community, sports team, political party, gender, sexual orientation, race, religion, or nation.

Table 1: In-Group and Out-Group Categories

In-Group	Out-Group
• Members seen as individuals • Difference accepted within the in-group • Positive information about the individuals within the in-group remembered • Greater recall of contributions from members of the in-group • Works hard for the in-group • Prepared to make sacrifices for the in-group • Invokes feelings of: Trust, Worth, Self-Esteem, Security	• Members seen as homogenous (similar) • Differences minimised i.e. everyone in the group is the group is the same • Less positive information about the out-group recalled • More likely to forget contribution • Will not put in so much effort for the out-group • Less prepared to offer support • Invokes feelings of: Anxiety, Distrust, Unfamiliarity, Hostility

Categorising ourselves and others into groups and identifying with that group and comparing that group to other groups is not an issue in itself. Although, research carried out by Kandola et al (and others) in 2009 suggests that we create these groups for security and self-esteem and that those comparisons can be positive or negative.

- A 'positive' comparison arises when we see our own group as better than similar groups, and therefore feel better about ourselves.
- A 'negative' comparison would involve us downplaying the differences between our group and other groups.

Kandola et al (2009) identified the following:

Out-groups are not only seen as different, but this difference is also seen as a deficiency and is the basis of derogation and stereotyping.

In-groups and Out-groups are not always related to gender, race, ability, or being LGBTQ but some groups do cross these 'diversity fault lines', they can also be based on work style and personality.

When diversity fault lines and in-group/out-group biases occur this can be a precursor for prejudice and ultimately discrimination.

An issue arises when we see those who are 'like us' i.e. those in our in-group as superior to those who are not like us i.e. those in our out-group.

Example: Women working in law firms with fewer senior women had more negative experiences at work including less support from women peers, and lower expectations of advancement.

Being an under-represented group and being seen as an out-group does not have the same impact on everyone.

Example: In a group of MBA students women and ethnic minorities were under represented, however, only ethnic minorities formed their own in-group; the female students formed wider social friendships and become part of an enlarged majority in-group.

Professor Binna Kandola OBE is co-founder of Pearn-Kandola, a business psychology firm with a focus on diversity & inclusion in the workplace. Binna has been named one of the UK's Top 10 Business Psychologists and has authored many books, conducted multiple studies and written various research papers that we will visit within this workbook

1.3 Prejudice

What is Prejudice?

Definition:

“an unfair and unreasonable opinion or feeling, especially when formed without enough thought or knowledge”

(Cambridge Dictionary definition)

What does prejudice “look” like?

Prejudice is:

- a negative attitude, emotion, or behaviour toward individuals based on a prejudgment about those individuals with no prior knowledge or experience, and/or,
- a learned value or belief that causes a person to be biased for, or against, members of particular groups, and/or,
- commonly based on stereotyping.

How Prejudice has changed over time

Ancient and Modern Prejudice

Ancient prejudices are longstanding, deep routed and historic prejudices for example anti-Semitism.

Modern prejudice is a term that reflects a shift from overt or explicit expressions of prejudice to more subtle, indirect, and covert expressions of prejudice, largely in response to shifts in social norms related to the acceptability of expressed prejudice.

(Crandall & Eshleman, 2003; Crandall & Stangor, 2005)

Prejudice and other drivers of behaviour

Kandola et al 2009 highlighted that "*Prejudices are symptoms of social hierarchy in action*".

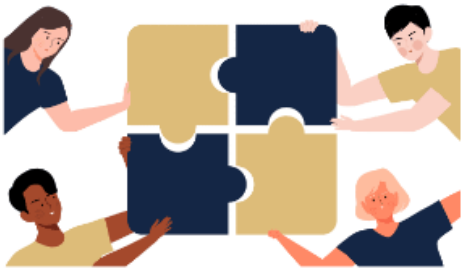
They noted that although In-group/Out-group categorisation may enable us to make sense of the world, it can also mean that our perception of others can become very negative and hardened so that our perceptions become rigid and fixed. When this happens, our perceptions become prejudices.

Kandola suggests that prejudice has 3 core components

Affective	Behavioural	Cognitive
feelings and emotions	*actions*	*thoughts*

Prejudices are deemed to:

- Be enduring
- Have an automatic aspect
- Have social utility i.e. benefits the majority in-group
- Be mutable i.e. capable of change
- Be influenced by social structures



Different Types of Prejudice

Modern Prejudice	Prejudiced individual will hold back from voicing their attitudes or acting upon them until the situation they are in enables them to do so.

Case Study Example of Modern Prejudice

Case Study Example of Modern Racism: In 1970s America a white person was directly approached by someone for assistance. It was found that they were equally as likely to assist a black person as a white person.
However, different results were obtained when the circumstances changed. Here, the person believing they were unobserved would find in a public place a stamped but unsealed envelope and on this was a photograph of the person to which the envelope supposedly belonged. White people were more likely to post the application from if they thought the person it belonged to was white than if it was that of a black person.

Positive Prejudice	Acting positively towards your in-group members without suggesting negative actions towards out-group members. Kandola (2009) found that people find it easier to accept that they have a bias for a group rather than having a bias against other groups. The end point however is still discrimination, but the reasons for it seem easier to accept.

The 'Ableness Principle' Example

The ableness principle is a form of positive prejudice, i.e. bias towards able bodied people. Years of working practice has established a sense of ableness, or even fitness, that individuals and teams aspire to maintain. Kandola (2009) suggests that ableness bias leads to differently abled people to be perceived as deviating from an 'ideal'. They are sometimes categorised as incapable or incompetent of performing in a workplace designed for optimum output.

Ambivalent Prejudice	Emerged from studies into sexism at work and has two forms: • Hostility towards people in 'non-traditional' roles • Benevolence i.e. approval of people in traditional roles

1.4 Privilege

What is Privilege?

Definition:

The Dictionary definition describes privilege as: “the action of supporting or opposing a particular person or thing in an unfair way, because of allowing personal opinions to influence your judgment.

OR

the fact of preferring a particular subject or thing”.

(Cambridge Dictionary definition)

Sociologists have studied the impact of privilege in work environments and identify that many organisations have powerful in-groups whose members tend to confer certain privileges i.e. resources, opportunities, and support on those who are deemed to be ‘like them’.

“Privilege is defined as a social relation where one social group benefits at the expense of another. It is an unearned advantage and is often invisible to those who have it”.

(Goodwill et al)

Figure 2: The Privilege Wheel

Privilege looks different to different people. We can use this wheel as a prompt to reflect on privilege. The identities on the inner circle are marked by being closer to privilege and the outer circle are closer to oppression. It should be noted that the privilege accorded these identities can vary according to different contexts, geographies, and time. The two blank sections are there to help you think about what might not be covered in the suggested dimensions of privilege.

Adapted from source: https://twitter.com/jobusar/status/1324451695364055044

1.5 Power

What is Power?

Definition:

"[The] ability to control people and events".

(Cambridge Dictionary definition)

Why is it important?

Organisations are built on power structures, and it tends to pool in one or more places.

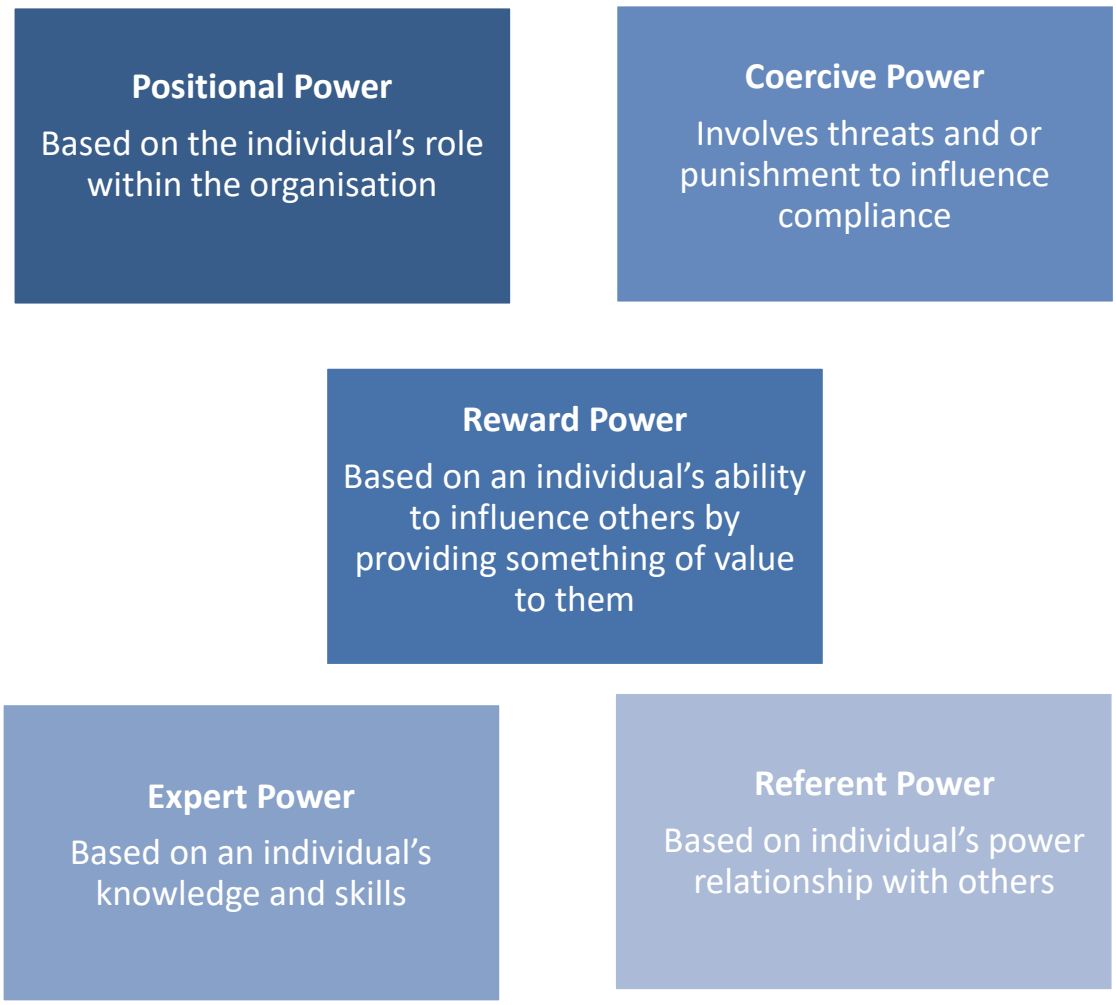
In social and political sciences, power is identified a source of influence that is used by those who have it to change the behaviour and actions of others. In many cases it is perceived negatively and can take the form of threats or coercion, however it can be positive and act as a tool to encourage and defuse situations.

In his research and studies Kandola has been quoted to state that ***"The way in which power is distributed throughout an organisation has a major impact on the organisation's propensity to discriminate against individuals".*** He cites the following sources of power within Organisations ….

1. Positional Power
2. Coercive Power
3. Reward Power
4. Expert Power
5. Referent Power

We will explore these sources of power in greater depth as they impact on our journey as Active Bystanders and can be used and experienced in positive and negative ways.

Figure 1: Sources of Power



Originally developed by social psychologists John R. P. French and Bertram Raven in 1959 and used by Kandola et al in 2009 the following explanations describe those sources of power:

1. **Positional power** (also called "legitimate power") – is used to explain the power an individual holds due to their **position and duties within an organisation**. It is usually accompanied by various attributes of power such as a uniform, a title, or a prominent physical office.
   In an organisation someone who is superior influences their subordinates usually with the intention of achieving shared goals.

2. **Referent power** - describes the ability of individuals to attract others and build loyalty. It **is based on the charisma and interpersonal skills of the power holder**. A person may be admired because of specific personal trait, and this admiration creates the opportunity for interpersonal influence. Here the person under power desires to identify with these personal qualities, and gains satisfaction from being an accepted follower.

Example: Advertisers have long used the referent power of sports figures for products endorsements. The charismatic appeal of the sports star supposedly leads to an acceptance of the endorsement, although the individual may have little real credibility outside the sports arena.

3. **Expert power** – exists where power is based on the **skills, knowledge and/or expertise of the person** and the organisation's needs for those skills and expertise. Others often listen and are led by those who have knowledge and skills that enable them to understand a situation, suggest solutions, use solid judgment, and generally outperform others, The ability to demonstrate expertise often means that they are considered to be trustworthy and well respected which results in others looking to them for leadership in a specific area.

4. **Reward power** – occurs when **an individual has the authority to offer (and deliver) material rewards** (such as benefits, time off, desired gifts, promotions or increases in pay or responsibility). This power is obvious but also ineffective if abused. Problems arise when an individual uses up available rewards, or the rewards do not have enough perceived value to others, in such situations power weakens.

5. **Coercive power-** describes power that relates to **the use or threats and or punishment to influence compliance.** It includes the ability to demote or to withhold other rewards. The desire for valued rewards or the fear of having them withheld can ensure the obedience of those under power. This is often least effective form of power as it builds resentment and resistance from the people who experience it.

How Power has changed over time

Old and New Power

> ***"Old power works like a currency. It is held by few. Once gained, it is jealously guarded, and the powerful have a substantial store of it to spend. It is closed, inaccessible, and leader-driven. It downloads, and it captures.***
> ***New power operates differently, like a current. It is made by many. It is open, participatory, and peer-driven. It uploads, and it distributes. Like water or electricity, it's most forceful when it surges. The goal with new power is not to hoard it but to channel it."***

(Jeremy Heimans and Henry Timms - Harvard Business Review)

With greater understanding of the sources, forms and styles of power, social observers have identified that power does not need to be a negative trait. It can be used for good.

Of the different sources of power, there is a modern-day shift that now sees more positional and referent power (power which is earned and achieved through loyalty, positive character traits, skills and knowledge) than there was historically. In the past "old power" often relied on reward for positive enforcement or threats of punishment as negative enforcement.

Reflections

Consider what you have recently seen and heard in the news where these different sources of power are possibly at play.

Consider how you may use these different forms of power in your workplace as part of your journey to become an Active Bystander in different situations.

1.6 Stereotypes

What are Stereotypes?

Definition:

"A fixed general image, or set of characteristics, that a lot of people believe represent a particular type of person or thing".

(Collins English Dictionary definition)

"A stereotype can be defined as a generalisation of beliefs about a group to its members that is unjustified because it reflects biased thought processes or over-generalisations, factual incorrectness, inordinate rigidity, misattributions, or rationalisation for prejudiced attitudes or discriminatory behaviours"

(Dovidio, J.F et al 1996)

Stereotype dimensions

In 2002 Fiske, S et al conducted research entitled the 'Competence and Warmth Study'**.** They found that stereotypes vary along two dimensions - competence and warmth.

- Where a group is seen as highly competent but cold, we feel envy for example the way individuals feel towards those who are wealthier than them.

- Fiske also highlighted groups which would be stereotyped as high in warmth and lower in competence (Older people, Disabled people) this was found to elicit feeling of sympathy and/ or pity.

Fiske suggests that racial stereotyping often results in black people being seen as not only cold but also incompetent and that this resulted in feelings of contempt.

Warmth vs Competence
'How we see others and how they see us'

	Competent (Associate)	Incompetent (Ignore)
Warm (Assist)	Warm/ Competent Admire	Warm/Incompetent Pity
Cold (block)	Cold/Competent Envy	Cold/Incompetent Contempt

Source: https://slideplayer.com/slide/10199158/

Amy Cuddy, a social psychologist, has worked with Fiske et al and developed the findings of the competence and warmth principles.

She surmised that the most advantaged category, is **warm/competent**; people who are categorised in this way are admired and perceived positively, they evoke respect and entice others to help and work co-operatively with them.

At the other extreme, the **cold/incompetent** group elicit contempt and often receive markedly different behaviours from others in the form of neglect/being ignored or in its most extreme form; harassment and/or violence.

In contrast, groups seen as **cold/competent** evoke envy, and "envy is an ambivalent emotion-it involves both respect and resentment," Cuddy explains. Envy also drives ambivalent behaviour.

Groups who are **warm/incompetent** are often pitied, although they are not the "worst" group to be identified as, the fact that someone is perceived as incompetent can often make it hard for others to want to work effectively and co-operatively with that person, although often people who fall into this group attract attention from those who want to help them out. For example, elderly people are often stereotyped in this way, however, Cuddy notes that the circumstances are important here. She states that "It depends on the

situation… If you're at a barbecue, you're more likely to help the elderly person. In the office, you'll probably neglect them."

In all cases, the emotions and behaviours are unambiguous, predictable, and directly linked to the warmth/competence perception.

Source: https://www.harvardmagazine.com/2010/11/the-psyche-on-automatic

Example:

Many studies have shown that working mothers are seen as both significantly nicer although significantly less competent than working fathers or child free men and women.

(Cuddy refers to this as the 'Motherhood Penalty')

In contrast working fathers experience a warmth/competence perception. If you are a working father, you are often viewed as nicer than men without children, but still equally (if not more) competent. They often benefit from the halo complex, are seen as heroic: a breadwinner who also has time to manage his child's Sunday football league.

(Cuddy refers to this as the 'Fatherhood Bonus')

Key features of stereotypes

Stereotypes are generalisations about a group or members of a group
(Dovidio et al, 1996)

- They influence how information about a group or group member is acquired, processed, shared and recalled (Von Hippel et al, 1995)
- They provide shortcuts to enable us to decide how we should interact with others (Mackie et al, 1996)
- Stereotypes can guide the way we decide to find out about others, i.e. we tend to look for information that confirms our stereotype-**the confirmation orientation** (Von Hippel et al, 1996)
- Once stereotyped, we tend to see out-group members as being all the same, i.e. **the out-group homogeneity effect** (Dovidio and Hebl, 2005)
- Personality traits are over-emphasised e.g. black people are lazy, and provide rationalisations for the treatment of people from those groups i.e. micro-managing and or monitoring (Dovidio and Hebl, 2005)
- Information that disconfirms a stereotype is more readily ignored or treated as an exception, so the stereotype remains intact (Von Hippel et al, 1996)

- Stereotypes do not have to be negative, but out-groups are more likely to be described negatively (Esses, Haddock and Zanna, 1993)

Source: Kandola, The Value of Difference, 2009

Stereotypes and Self-fulfilling Prophecies

Self-Fulfilling Prophecies- Stereotypes can become self-fulfilling prophecies, when a negative stereotype is applied to a particular group. This can lead to lower expectations and once this is transmitted to the group it can lead to poor performance.

Example: Students sitting a maths test.

> In giving instructions one group of students were told that typically women perform worse than men on that sort of test.
>
> The other group were not given that statement.
>
> In the group where they were given the information, women performed less well than the men.

(Interestingly, in a variation of this same study, African American students performed less well on tests when compared with another group where the difference between them was simply being asked to provide data on their ethnicity.)

(Steele, C.M & Aronson, J. 1995)

Stereotype Threat- is a variant of self-fulfilling prophecies and impacts out-group members. It occurs when out-group members are hyper-aware of the stereotypes commonly associated with people from their group. People can become so pre-occupied with not conforming to stereotype that they consciously work to ensure that the stereotype is never applied to them. The additional anxiety connected to monitoring their behaviour can lead to lower performance.

Occupational Stereotyping

Occupational Stereotyping- In addition to applying stereotypes to groups of people, they are also applied to particular job roles. Kandola (2009) citing Lipton, J. et al (1991) defines occupational stereotyping as:

'Preconceived attitudes about a particular occupation, about people who are employed in that occupation or about someone's suitability to an organisation'.

Example: Senior Management roles are typically occupied by white males and more junior positions by women and ethnic minorities. Consequently, occupational stereotypes could be indirectly affecting the type of person we seek when recruiting for those positions.

Gender Stereotyping

Gender Stereotyping- can fall in to two classes, descriptive and prescriptive:

- **Descriptive Stereotypes**- describe what people think women and men ***are like***- the traits each gender is **thought** to possess.

- **Prescriptive Stereotypes**- concern beliefs about what men and women ***should be like*** and the differences that each gender is **expected** to possess

(Eagly A.H, 1987 and Glick, P, 1999, Kandola, 2009)

These distinctions are important because prescriptive stereotypes create pressures on women and men to act in certain ways and then these generate backlash when, people do not confirm to the behaviours that are expected.

Consequently, men and women consciously avoid violating stereotypes or hide their non-conforming behaviour to avoid penalties, which in turn increases the rate of stereotypical behaviour and perpetuates perceived stereotypes (self-fulfilling prophecies)

Next, we will look at how some of these stereotypes can play out and intersect.

Table 2: Positive and Negative Gender Stereotypes

Positive Female	Warm Neutering Caring Kind Loving Forgiving	**Negative Male**	Cold Harsh Rude Selfish Aloof hostile
Negative Female	Weak Timid Yielding Surrendering Fragile Follower	**Positive Male**	Power Strong Leader Confident Dominant Bold

Source: Rudman, Greenwald, & McGhee and Kandola. (2013)

Gender and Racial stereotypes

Often racial and gender stereotypes intersect. See example below in Table 3.

Table 3: Gender and Race Stereotypes

White Women	Black Women	Asian Women
Communal	Angry	Competent
Warm	Religious	Intelligent
Kind	Tough	Quiet
Caring	Loud	Reserved
Sensitive	Boisterous	Shy
Educated	Strong	Subservient
	Dominant	Mild-Tempered
	Confident	Strong Work Ethic
	Assertive	Family Oriented
	Hostile	
	Unintelligent	

Source: The Danger of Indifference: Racism at Work by Binna Kandola (2018)

Prescriptive Stereotypes and Leadership

The impact of the application of stereotypes can be seen in when we consider them within the context of leadership.

Table 4: Prescriptive Stereotypes and Leadership

White Male Leaders	Black Male Leaders	Asian Male Leaders
Stereotypical view: Strong on task and thought leadership but weak on people leadership	Stereotypical view: Weak on thought leadership, task and people leadership	Stereotypical view: Strong on thought leadership. Weak on task leadership and people leadership
White Female Leaders	**Black Female Leaders**	**Asian Female Leaders**
Stereotypical view: strong on people leadership, Weak on task and thought leadership	Stereotypical view: Strong on task leadership. Weak on thought leadership and people leadership	Stereotypical view: Strong on though leadership. Weak on task and people leadership

In our workshops, colleagues have noted that we could also add class as a dimension to our thinking about these stereotypes, for example, views about working class white women.

Take a moment to think about these stereotypes and how they might impact on your 'lens' as an Active Bystander in finding yourself in different situations.

1. **Are you more or less likely to identify an incident as a 'problem' or more or less likely to feel a responsibility to intervene?**
2. **What are the stereotypes that might be at play in your usual assessment of a situation?**

Note down your Reflections to consider as part of your reflection journey.

1.7 Exercises and Self-Reflection

1.7.1 Power - Exercise

Identify a scenario where you have observed someone demonstrating one of the five sources of power.

Positional Power

Reward Power

Coercive Power

Expert Power

Referent Power

Reflections

- What behaviours did they display?
- What was the impact of their behaviour on others?
- What was the outcome of this display of power?
- Were there alternative sources of power which could have been used to produce the same or a better outcome?

1.7.2 Stereotype Exercise

Try to imagine, without thinking about any specific gender or race, a Football Player, then a Barrister, then an Ice Skater, Cleaner and finally a Nurse. Which images came to mind?

Profession	Description
Football Player	
Barrister	
Ice-Skater	
Cleaner	
Nurse	

We would like you to stop and think about your reaction to the description you had for each profession. Our brains make short cuts and this can lead us to hold specific images that we have been primed to 'see' as a short cut.

1.7.3 Self-Reflection

Think about what you've experienced or witnessed yourself. Observe what is happening around you. Have you witnessed inappropriate & unacceptable behaviours between people?

- What did you see?
- What did you think and feel about this?
- What did you do? *(Remember you do not have to intervene, and only intervene when you feel psychologically and physically safe to do so)*
- What are your reflections on the possible drivers for the behaviours you observed?

1.8 Further Reading, Viewing, Listening

Reading

"The Psyche on Automatic" - Amy Cuddy probes snap judgments, warm feelings, and how to become an "alpha dog." - Profile of social psychologist Amy Cuddy of Harvard Business School | Harvard Magazine

Diversity in Action Psychologist Amy Cuddy - Diversity in Action: Managing the Mosaic - R. S. Kandola, Johanna Fullerton - Google Books

Frontiers | Comparing Prescriptive and Descriptive Gender Stereotypes About Children, Adults, and the Elderly (frontiersin.org)

Watching

Video: Youtube: PWC, 'Blind Spots: Challenge Assumptions' (unconscious Bias)

https://www.youtube.com/watch?v=BFcjfqmVah8 (2:19 minutes)

Video: Youtube: Franklin Covey, All of Us, an award-winning video from our Unconscious Bias course.

https://www.youtube.com/watch?v=Z9I4jWLEPzg (3:10 minutes)

Listening

Professor Binna Kandola - The Social Mobility Podcast at:

https://www.socialmobility.fm/professor-binna-kandola/

Learning Summary

Having completed the reading and exercises you should now have an understanding of the different drivers of individual behaviours.

We have looked at sociological and psychological insight into conscious, and unconscious contributors which affect the way people act and respond in certain situations.

Remember that no two interactions will be the same, nor perceived in the same way.

It is important to consider these as theories and ways to explain behaviours whilst noting that there are many other influences and contributing factors which will also play an important part.

1.9 Self-Reflection Template

Please use the self-reflection template as a guide to help you start your journey of learning. The prompts are there to help you think about each area to deepen your understanding.

Active Bystander Reflection

Please use this page to note down your reflections on your experience as an Active Bystander.

This could include an incident that resonated with you following the workshops or something that you have been directly or indirectly involved in. Consider how you would like to use this reflection and possibly share your learning at your monthly Active Bystander Actions Learning Set.

The purpose of this exercise, based on Gibbs's Reflection cycle, is to support you on your learning journey as an Active Bystander.

		Reflections
1	**Description of the experience** • When and where did this happen? • Why was I there? • Who else was there? • What happened? • What did I do? • What did other people do? • What was the result of this situation?	
2	**Feelings and thoughts about the experience** • What did I feel before this situation took place?	

	• What did I feel while this situation took place? • What did I feel after the situation? • What do I think about the situation now?	
3	**Evaluation of the experience, both good and bad** • What was positive about this situation? • What was negative? • What went well? • What didn't go so well?	
4	**Analysis to make sense of the situation** • Why did things go well? • Why didn't it go well? • What sense can I make of the situation? • What knowledge, my own or others can help me understand the situation?	
5	**Conclusion about what you learned and what you could have done differently** • How could this have been a more positive experience for everyone involved? • If I were faced with the same situation again, what would I do differently? • What skills do I need to develop to handle this type of situation better?	

6	**Action plan for how you would deal with similar situations in the future, or general changes that you might find suitable** • If I had to do the same thing again, what would I do differently? • How will I develop the required skills?	
7	**Any Further Reflections from your Action Learning Set**	

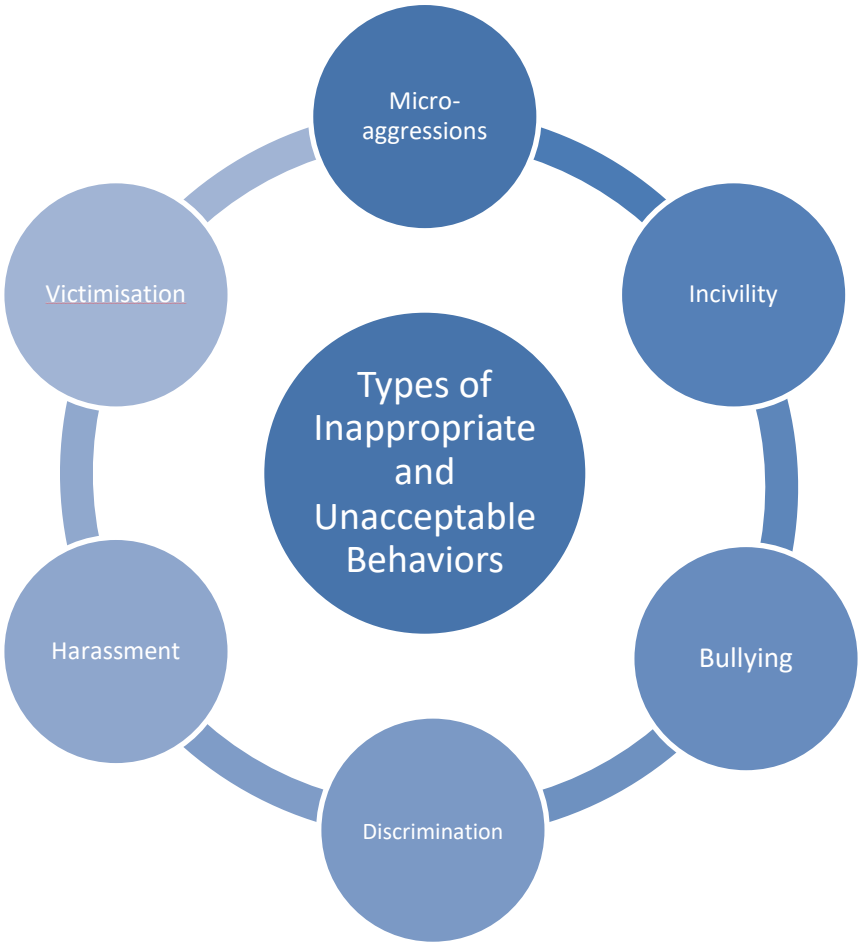
Source: Sethmini (October 24, 2021), What is the Difference Between Kolb and Gibbs Reflective Cycle, accessed at: Gibbs's Cycle of Reflection

Curious about the Practice of Reflection?

You can find out more about reflective practice on Cambridge University's Study Skills page: https://libguides.cam.ac.uk/reflectivepracticetoolkit/whatisreflectivepractice

Module 2:

Inappropriate and Unacceptable Behaviours



Learning outcomes

After reading this module you should be able to:

- Understand and be able to explain the following forms of inappropriate and unacceptable behaviours:
    - Micro-aggressions
    - Incivility
    - Bullying
    - Discrimination – Direct and Indirect discrimination
    - Harassment, and
    - Victimisation
- Develop a better and clearer understanding of how harmful behaviour can manifest to help you identify when a situation might escalate.
- Have the confidence to reflect and identify the risks when supporting someone about a situation they have observed or been involved in.
- Appreciate as you work through this module that for each legal or dictionary definition there is a personal interpretation and a human element to all these concepts. It is possible, and probable, that people may feel harm or wrongdoing through another person's actions, or inactions whether that meets the legal definition or not. People may feel discriminated against, victimised, bullied or harassed and just because the law doesn't recognise it because it doesn't tick the essential criteria of a multifaceted technical definition, it does not make an individual's perception any less important nor the impact any less damaging.

2.1 Micro-Aggressions

What are Micro-aggressions?

Definition:

"Brief and commonplace daily verbal, behavioural and environmental indignities, whether intentional or unintentional, which communicate hostile; derogatory or negative slights invalidations or insults to an individual or group because of their marginalised status in society".

Source: Dr Derald Wing Sue - Macroaggressions in Everyday Life: Race, Gender, and Sexual Orientation (2010)

Kandola (2018) states that prejudice is often understood solely in terms of overt hostile behaviours and attitudes towards other groups. This is particularly true with respect to racism.

Kandola's studies have explored the impact of subtle and apparently innocuous slights or racist behaviour and attitudes in the form of micro aggressions which are not necessarily categorised as racism by those displaying or witnessing them.

In a study in 1970, Psychiatrist Chester Pierce observed racial micro-behaviours not as action or voiced opinion, but an absence or a withholding. He noticed White Americans directing casual insults at African Americans and from here the term micro-incivilities was coined. Following on from this work many more psychologists and sociologists have investigated the way that racial prejudice has altered and mutated into "modern racism", or "everyday racism".

It has been noted that overt and hostile racism acts are far less likely to occur in modern day, and where they do, they will be condemned. In turn this has resulted in a shift in racist behaviours, meaning that modern racism is far more likely to be expressed in more subtle, indirect, and nuanced ways (often as micro-incivilities).

Sadly, the recipient of micro-incivilities often struggles longer and more deeply than if the aggression is more forthright and obvious, this is because the human response to the micro-aggression at the time is often masked by confusion and doubt, then the individual will reflect and question the behaviour, often causing it to fester and last for longer.

By dwelling and revisiting the aggression it can have a longer lasting and deeper impact on the individual which in turn has a deeper physical and emotional impact.

Workplace incivility has been defined as:

'Low-intensity acts which violate the norms of respectful behaviours established in a specific setting, and whose intent to harm is ambiguous'.

Source: **Di Marco et al 2015**

Micro-incivilities are the kinds of daily, commonplace behaviours or aspects of an environment which signal, wittingly or unwittingly to members of out-groups that they do not belong and are not welcome (Kandola 2018)

Common types of micro-incivilities tend to be slights or insults that are, in some respects, products of the automatic ways in which we respond to out-groups

- Micro-incivilities are not always verbal put downs, often they are non-verbal.
- Micro-incivilities are behavioural examples of bias.

Example: Picking up on minor errors in a piece of work in front of a whole team. Clearly this is something which could be highlighted discreetly and only to the person who prepared the work. Research suggests that this is more likely to be an incivility directed at out- group members.

Whereas if a member of the in-group made the same minor error e.g. a typo in a paper, more emphasis would be placed on the positive high quality aspects of the paper and the overall content and purpose of the work, with any errors being discussed outside of the open forum.

Figure 4: Kandola (2018) identifies the following as common forms of micro-aggressions:

Being Ignored	Being Talked over
Being consistently criticise for seeming small things	Having assumptions made about your honesty
Having stereotypical judgements made about your abilities	Persistently not saying someone's name correctly
Not inviting someone to speak in a meeting	Avoiding eye contact
Not siting facing a person	Not giving someone your attention

2.1.1 The Impact of Micro-aggressions

In his book, Macroaggressions in everyday life, Derald Wing Sue describes the longer-term effects of micro-incivilities (or micro-aggressions) and describes the way our body reacts to biological stressors.

Stage 1. The alarm stage

People are physically and acutely alarmed by a potential stressor. Their body temperature and blood pressure fall, and their heartbeat and the secretion of corticoid hormones increase.

When exposed to micro-aggressions, people are often guarded and wary, as they internally assess whether they are being personally attacked.

Stage 2 – Adaptions or resistance

Once the person establishes that the behaviour is unacceptable, they analyse what has just happened and internally question whether to challenge or accept it.

By challenging, there could be conflict and tension, what's more, it could have the effect of damaging relationships.

Acceptance, however, can mean that feelings can fester for much longer. It can also lead to feelings of guilt (in not having challenged it), weakness and anxiety.

Stage 3 – Exhaustion

The physical and emotional effort that goes in to dealing with micro-incivilities can lead to burnout, depression, and reduced performance.

The cumulative impact on wellbeing

Derald Wing Sue noted that race–related stress is one of the greatest sources of stress at work.

Overt instances of racism, although very unpleasant, can be easier to handle than racism in its more subtle forms. In situations where the person is unsure of whether racism occurred, and if it did, how intentional it was, the mental toll can be significant. The individual will struggle with anxiety over what their response should have been, and this can stay with someone well beyond the incident itself.

When these micro aggressions are combined with other workplace stresses it is clear to see that a person's confidence can be severely dented. In extreme cases the recipient can suffer with imposter syndrome (Impostor syndrome, is a psychological occurrence in which an individual doubts their skills, talents, or accomplishments and has a persistent internalized fear of being exposed as a fraud).

2.1.2 Micro-aggressions: Responses and Responsibilities

Experts have identified that there are three main ways to respond to micro-aggressions:

1. ***Let it go.***
   For a long time, the most common default response was choosing not to address offensive comments in the workplace and because they are pervasive yet subtle, they can be emotionally draining to confront. Yet silence places an emotional tax on employees, who are left wondering what happened and why, questioning their right to feel offended, and reinforcing beliefs that they are not safe from identity devaluation at work.

2. ***Respond immediately.***
   This approach allows the transgression to be identified and spoken about and its impact explained while the details of the incident are fresh in the minds of everyone involved.
   Immediacy is an important component of correcting harmful behaviour.
   But this approach can be risky. The perpetrator might get defensive, leaving the person experiencing the behaviour feeling like they somehow "lost control," did not show up as their best self, and that they could be labelled overly sensitive or a trouble-maker.

3. ***Respond later.***
   A more tempered response is to address the perpetrator privately at a later point to explain why the micro-aggression was offensive.
   Here, the risk lies in the time lag.
   A follow-up conversation requires helping the person who committed the micro-aggression to first recall it and then to appreciate its impact. The employee on the receiving end might be deemed petty — like someone who has been harbouring resentment or holding on to "little things" while the other party, having "meant no harm," has moved on.

Source: "When and How to Respond to Microaggressions" - Ella F. Washington, Alison Hall Birch, and Laura Morgan Roberts (2020 article) [When and How to Respond to Microaggressions (hbr.org)]

In deciding which course of action is most appropriate individuals are encouraged to consider the following to ensure that the intervention is effective:

1. **Discern** - Determine how much of an investment you want to make in addressing the micro aggression. Do not feel pressured to respond to every incident; rather, feel empowered to do so when you decide you should.
2. **Disarm** - If you choose to confront a micro-aggression, be prepared to disarm the person who committed it. One reason we avoid confrontation is defensive reaction of the perpetrators of micro-aggressions. Confrontation conversations can be more effective if you open the discussion with an explanation that the conversation might get uncomfortable for them but that what they just said or did was uncomfortable for you. Invite them to sit alongside you in the awkwardness of their words or deeds while you get to the root of their behaviour together.
3. **Defy** - Challenge the perpetrator to clarify their statement or action. Use a probing question, such as "How do you mean that?" This gives people a chance to check themselves as they unpack what happened. And it gives you an opportunity to better gauge the perpetrator's intent. One of the greatest privileges is the freedom not to notice you have privilege; so micro-aggressions are often inadvertently offensive.
   Acknowledge that you accept their intentions to be as they stated but reframe the conversation around the impact of the micro-aggression. Explain how you initially interpreted it and why. If they continue to assert that they "didn't mean it like that," remind them that you

appreciate their willingness to clarify their intent and hope they appreciate your willingness to clarify their impact.

4. **Decide** - You control what this incident will mean for your life and your work — what you will take from the interaction and what you will allow it to take from you.

2.1.3 What can an individual who witnesses micro-aggressions do?

If we witness micro-incivilities various techniques can be applied:

- Distraction – move the conversation on or diffuse the situation.
- Deflection and/or Reflection – turn the conversation around into something more positive, or reflect the micro-aggression back to the perpetrator in the hope that they can see their error.
- De-escalate - pour water on the situation and nip “harmful behaviours” in the bud. (This is an attempt at early intervention)
- Support the recipient and explain the impact to the perpetrator – check in to see how both parties are (often after the event).
- Provide constructive feedback (the more regular this is the less ‘obvious’ it may be that you are subtly correcting minor discretions).
- Model the behaviours you would like to see in others – particularly when working as a team, each person should work hard to be open and ready to receive feedback about their own interactions and role model inclusive behaviour.

An antidote to micro-aggressions are micro-affirmations

2.1.4 What can perpetrators of Micro-aggressions do to learn from and change their behaviours?

In an ideal scenario a perpetrator will be open to conversations regarding their behaviour; however, they may initially react defensively or negatively.

Realistically perpetrators may not react well to having attention drawn to their micro-incivilities.

In having a conversation senior leaders should encourage the perpetrator to:

- **Stop** and **pause**
- Avoid cognitive dissonance – this is a thinking style that is used by people to attempt to explain away the behaviour
- **Reflect** – remember that you can be concerned about treating others fairly and also have committed a micro-incivility
- Consider what you have said and the impact it has had
- **Think** about how you can act on the feedback you have been given
- **Act** – on the feedback you have been given

2.1.5 Micro-affirmations

Mary Rowe published an article in March 2008 in the Journal of the International Ombudsman within which she hypothesised that by affirming (good) behaviour this can serve to block unwanted behaviour.

“Tiny acts of opening doors to opportunity, gestures of inclusion and caring and graceful acts of listening”

Examples:

- Non verbal – eye contact, open and including body language, giving time and attention
- Verbal – explicitly involving people in conversations, inviting their contributions, acknowledging and building on their ideas
- Cognitive – remembering names and details about individuals and recalling their contributions

2.2 Incivility

What is Incivility?

Definition:

“Incivility can be anything ranging from rude or unsociable speech or behaviour - Importantly, it is as interpreted by the recipient”.

There are many examples:

- shouting at someone,
- swearing,
- aggression (not necessarily towards someone),
- belittling someone,
- sending emails while in meetings,
- talking over others,
- being difficult over the phone,
- rolling eyes or tutting at someone

Source: Civility Saves Lives - Home | Civility Saves Lives

An alternative, more diluted definition can be found in the Cambridge Dictionary. Here incivility is described to mean “Rudeness”.

However we define incivility, the antidote to incivility is simply to show others civility (the act of being polite and courteous).

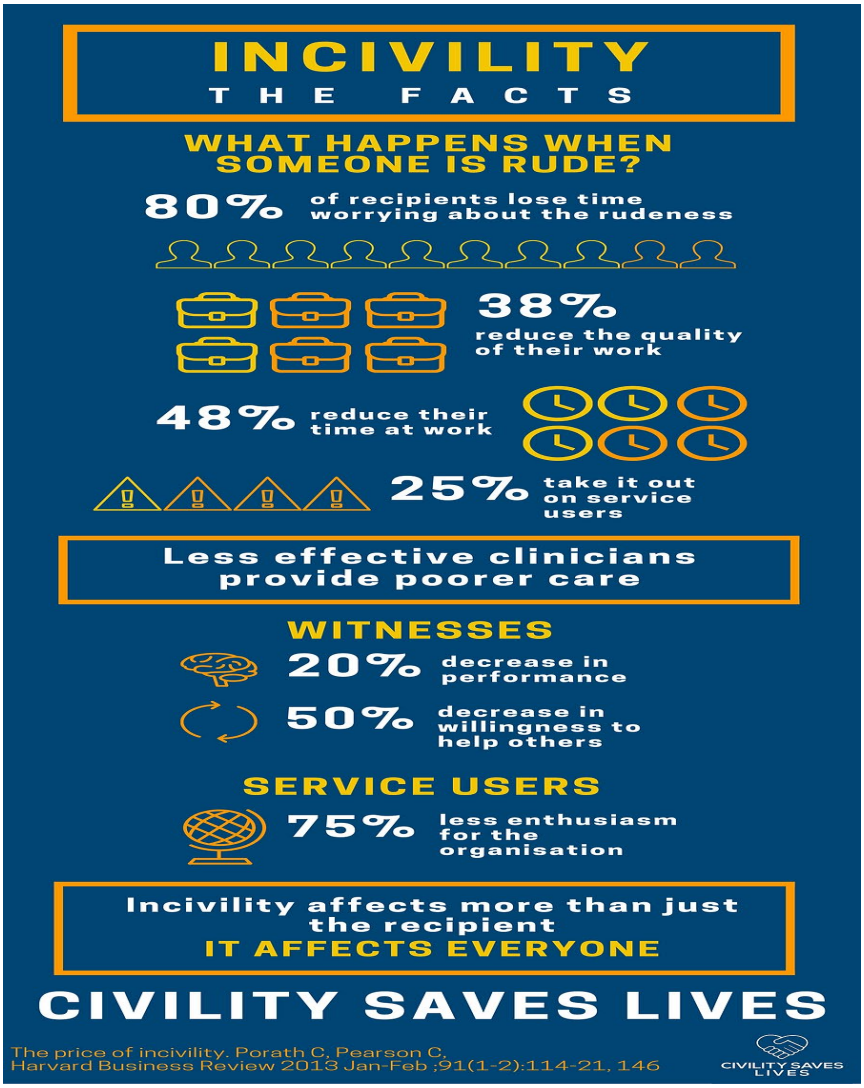
The antidote to incivility is civility

Why does this matter?

Quite simply, civil work environments matter because they reduce errors, reduce stress and foster excellence.

Almost all excellence in healthcare is dependent on teams, and teams work best when all members feel safe and have a voice.

In an environment where incivility is rife people feel belittled, ashamed, and humiliated. Sometimes this feeling lasts for minutes, hours or even for days after the event. It has a detrimental impact on their ability to perform and work well, and worse, it means that the recipient of the incivility is less likely to be willing provide help and support to others:



Source – civility saves lives, the price of incivility. Porath C. Pearson C (the Harvard Business Review 2013 Jan-feb:91 (1-2):114-21,146

2.3 Bullying

There is no legal definition of bullying although there is a dictionary definition, which refers to power (as defined in module 1):

Definition

> “the behaviour of a person who hurts or frightens someone smaller or less powerful, often forcing that person to do something they do not want to do”

Source: Cambridge Dictionary

In the absence of a legislative definition of bullying we turn to legal guidance (provided by ACAS, the Advisory, Conciliation and Arbitration Service in England). Within this guidance is a definition which describes bullying as:

> “unwanted behaviour from a person or group that is either:
>
> - offensive, intimidating, malicious or insulting
> - an abuse or misuse of power that undermines, humiliates, or causes physical or emotional harm to someone"

Source: ACAS.org.uk

ACAS are the authority in UK employment and HR matters. They are an independent public body that receives funding from the government to provide free and impartial advice to employers, employees and their representatives on employment rights best practice and policies and resolving workplace conflict.

When things go wrong at work, they help to resolve workplace disputes between employers and employees. Their codes and practices have statutory influence, and their recommendations are taken as authority in the Tribunal system.

This ACAS definition is the guidance that HR policies, procedures and professions will be bound by.

ACAS identify that bullying might:

- be a regular pattern of behaviour or a one-off incident

- happen face-to-face, on social media, in emails or calls
- happen at work or in other work-related situations
- not always be obvious or noticed by others

Examples of bullying at work could include:

- spreading malicious rumours about someone
- consistently putting someone down in meetings
- deliberately giving someone a heavier workload than everyone else
- excluding someone from team social events
- someone consistently undermining their manager's authority
- putting humiliating, offensive, or threatening comments or photos on social media

Bullying can exist and relate to behaviours affecting any individual, or group for any reason.

Bullying can have a devastating effect on people who are subject to it, particularly on the mental and physical health and wellbeing of staff.

2.4 Discrimination

Discrimination can take the form of 'Direct' or 'Indirect' discrimination which are identified and defined in The Equality Act 2010.

2.4.1 Direct Discrimination

Direct Discrimination occurs when a person treats another less favourably than they treat or would treat others because of a protected characteristic.

Section 13 (1) The Equality Act 2010

Breaking this into bite sized elements…

Direct Discrimination occurs where there is:

1. **Less favourable treatment**
2. **because of a protected characteristic**

What constitutes "Less favourable treatment?"

This refers to any disadvantage, often the way to establish less favourable treatment is to flip this on its head and question whether the person would have been treated differently (and possibly more favourably), if it weren't for their sex, race, religion or belief, sexual orientation, disability, age, gender reassignment, pregnancy/maternity leave, or marriage/civil partnership.

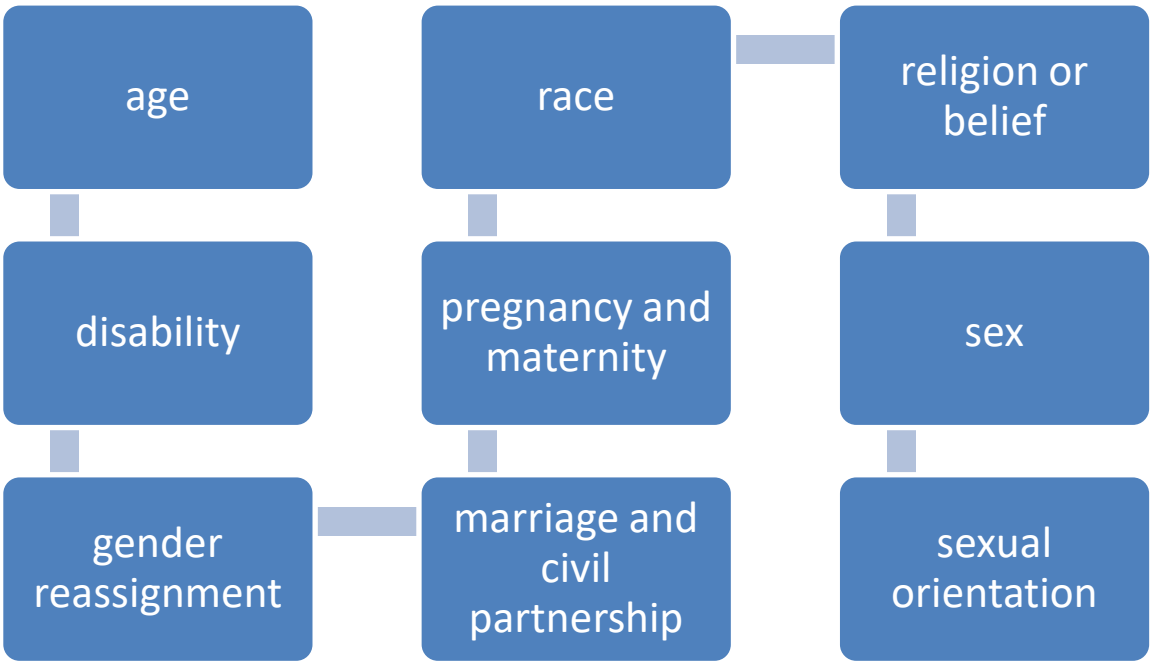
In legal circles this is known as the "but for" test.

Legal professionals explore whether "but for" the protected characteristic, would the individual have suffered the disadvantage?

This requires an actual or hypothetical comparator and an analysis of why the treatment occurred.

What are "Protected Characteristics?"

Figure 6: 9 Protected Characteristics



Example: A female worker's appraisal duties are withdrawn while her male colleagues at the same grade continue to carry out appraisals. Although she was not demoted and did not suffer any financial disadvantage, she feels demeaned in the eyes of those she managed and in the eyes of her colleagues. The removal of her appraisal duties may be treating her less favourably than her male colleagues.

Direct Discrimination can take place even though the employer and worker share the same protected characteristic giving rise to the less favourable treatment

Direct Discrimination by Association	It is direct discrimination if an employer treats a worker less favorably because of the worker's association with another person who has a protected characteristic; therefore, although the person does not themselves have a protected characteristic, they may be subject to less favourable treatment because of

Direct Discrimination by Perception

It is also direct discrimination if an employer treats a worker less favorably because the employer mistakenly thinks or assumes that the worker has a protected characteristic. Stereotypes play a big role in perceived discrimination

2.4.2 Indirect Discrimination

Indirect Discrimination may occur when an employer applies an apparently neutral provision, criterion or practice which puts workers sharing a protected characteristic at a particular disadvantage.

Section 19 Equality Act 2010

Indirect discrimination occurs when the following four requirements arise:

1. The employer applies (or would apply) the provision, criterion or practice equally to everyone within the relevant group including a particular worker;
2. The provision, criterion or practice puts, or would put, people who share the worker's protected characteristic at a particular disadvantage when compared with people who do not have that characteristic;
3. The provision, criterion or practice puts, or would put, the worker at that disadvantage; and
4. The employer cannot show that the provision, criterion or practice is a proportionate means of achieving a legitimate aim.

Section 19 (2) Equality Act 2010

Indirect discrimination is determined via a 2-part test, it occurs where:

First

- A person belonging to a particular protected group
- Is put at a disadvantage which affects that protected group
- Due to a provision, criteria or practice that is apparently neutral (if obviously disadvantageous the claim is more likely to be one of direct discrimination!)

AND

Second

- The provision, criteria or practice cannot be justified as being a proportionate means of achieving a legitimate aim.

Unlike direct discrimination cases, it is possible to defend indirect discrimination. This is an important distinction between direct and Indirect discrimination as it is possible for a provision, criteria or practice that would put a group of individuals with a shared protected characteristic at a disadvantage where the employer can show that it is "a proportionate means of achieving a legitimate aim",

For example, in the case of Panesar v Nestle Co (1980) a factory rule that prohibited beards and long hair had a disproportionate impact on Sikhs, but it was held to be objectively justified on the grounds of hygiene.

Example 1: The contracts for senior buyers at a department store have a mobility clause requiring them to travel at short notice to any part of the world. A female senior buyer with young children considers that the mobility clause puts women at a disadvantage as they are more likely to be the carers of children and so less likely to be able to travel abroad at short notice. She may challenge the mobility clause even though she has not yet been asked to travel abroad at short notice. By contrast, a female manager in customer services at the same store might agree that the mobility clause discriminates against women – but, as she is not a senior buyer, she cannot challenge the clause.

Example 2: An airline operates a dress code which forbids workers in customer-facing roles from displaying any item of jewellery. A Sikh cabin steward complains that this policy indirectly discriminates against Sikhs by preventing them from wearing the Kara bracelet. However, because he no longer observes the Sikh articles of faith, the steward is not put at a particular disadvantage by this policy and could not bring a claim for indirect discrimination.

Example 3: Muslim man who works for a small manufacturing company wishes to undertake the Hajj (the Muslim pilgrimage to Mecca, which takes place in the last month of the year and which all Muslims are expected to make at least once during their lifetime if they can afford to do so). However, his employer only allows their staff to take annual leave during designated shutdown periods in August and December. The worker considers that he has been subjected to indirect religious discrimination. In assessing the case, the Employment Tribunal may benefit from expert evidence from a Muslim cleric or an expert in Islam on the timing of the Hajj and whether it is of significance.

2.5 Harassment

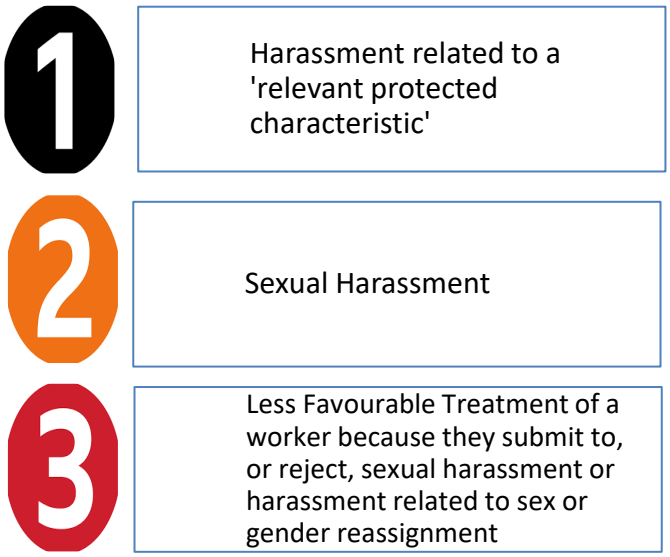
The Equality and Human Rights Commission published a report ('The Report') in 2019 which highlighted the impact of harassment in the workplace. It provides 84 pages of guidance to help address the need for tougher action to be taken to prevent the impact of harassment at work in all its different forms.

The scale and effect of harassment has a significant negative effect on both workers and employers. The report emphasises that:

> *"It damages the mental and physical health of individuals, which affects both their personal and working life, and has a negative impact on workplace culture and productivity. Moreover, ineffective responses to harassment complaints compound the impact of the harassment on the individual."*

Source: *Equality and Human Rights Commission* - Sexual harassment and harassment at work: technical guidance | Equality and Human Rights Commission (equalityhumanrights.com)

Figure 7 : The Report Summarises the 3 Main Forms of Harassment



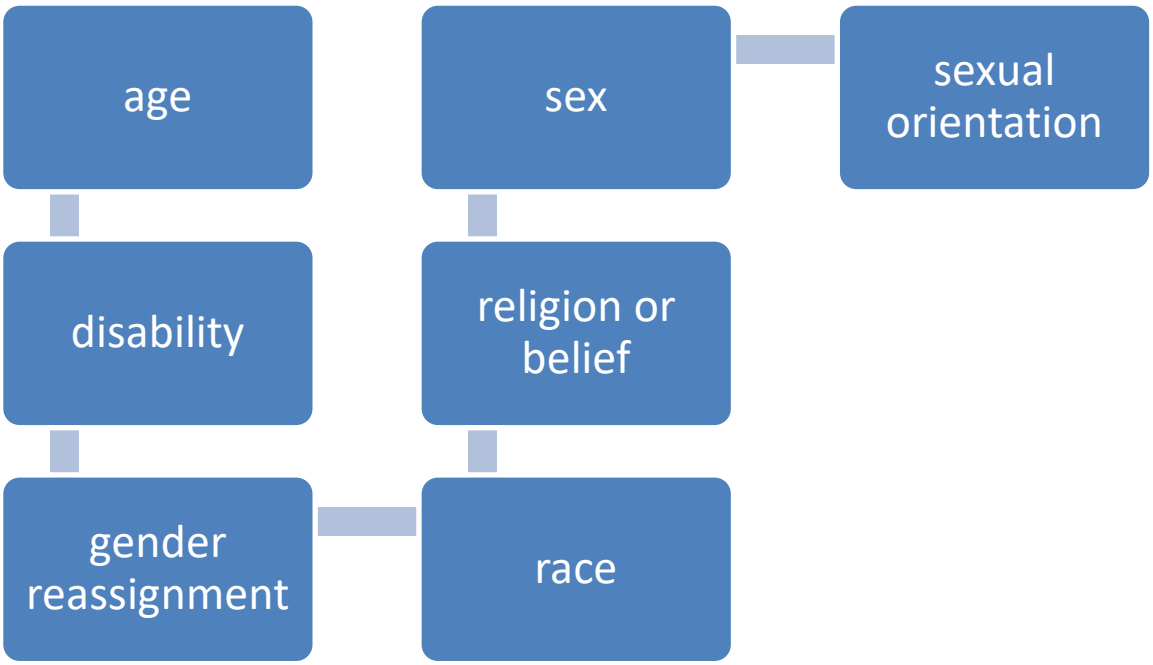
Definition of Harassment:

A person harasses another if they engage in unwanted conduct related to a relevant* protected characteristic AND that conduct;

- violates the others dignity, or
- creates an intimidating, hostile, degrading, humiliating or offensive environment for that other person.

'Relevant Protected Characteristics' for harassment claims are:

Figure 8: Protected characteristics for harassment



*NOTE - Harassment must arise in relation to 7 of the 9 'relevant' protected characteristics. It is not said to occur if the unwanted conduct relates to 'marriage and civil partnership' or 'pregnancy and maternity' (although pregnancy and maternity would be captured under the characteristic of sex and harassment related to civil partnership may amount to harassment related to sexual orientation)

2.5.1 Harassment related to a protected characteristic

This type of harassment of a worker occurs when a person **engages in unwanted conduct related to a relevant protected characteristic and the conduct has the purpose or the effect of**:

- **violating the worker's dignity**; or
- **creating an intimidating, hostile, degrading, humiliating or offensive environment for [that worker]**.

Section 26 Equality Act 2010

Unwanted conduct covers a wide range of behaviour, including spoken or written words or abuse, imagery, graffiti, physical gestures, facial expressions, mimicry, jokes, pranks, acts affecting a person's surroundings or other physical behaviour.

The word '**unwanted'** means essentially the same as 'unwelcome' or 'uninvited'. 'Unwanted' does not mean that the recipient needs to expressly object to the conduct before it is deemed to be unwanted.

Characteristic related harassment could be a series of incidents or a serious one-off incident.

Example 1: During a training session attended by both male and female workers, a male trainer directs several remarks of a sexual nature to the group as a whole. A female worker finds the comments offensive and humiliating to her as a woman. She would identify this as **harassment**, even though the remarks were not specifically directed at her.

Example 2: A Sikh worker wears a turban to work. His manager wrongly assumes he is Muslim and subjects him to Islamophobia abuse. The worker could bring a claim for **harassment related to religion** or belief because of his manager's perception of his religion.

Example 3: A worker is subjected to homophobic banter and name calling, even though his colleagues know he is not gay. Because the form of the abuse

relates to sexual orientation, this could amount to **harassment related to sexual orientation**.

Example 4: A manager racially abuses a black worker in front of a white colleague. The black worker has a clear claim for **harassment related to race**. In addition, the white colleague could have a case of harassment if the language also causes an offensive environment to them.

2.5.2 Sexual Harassment

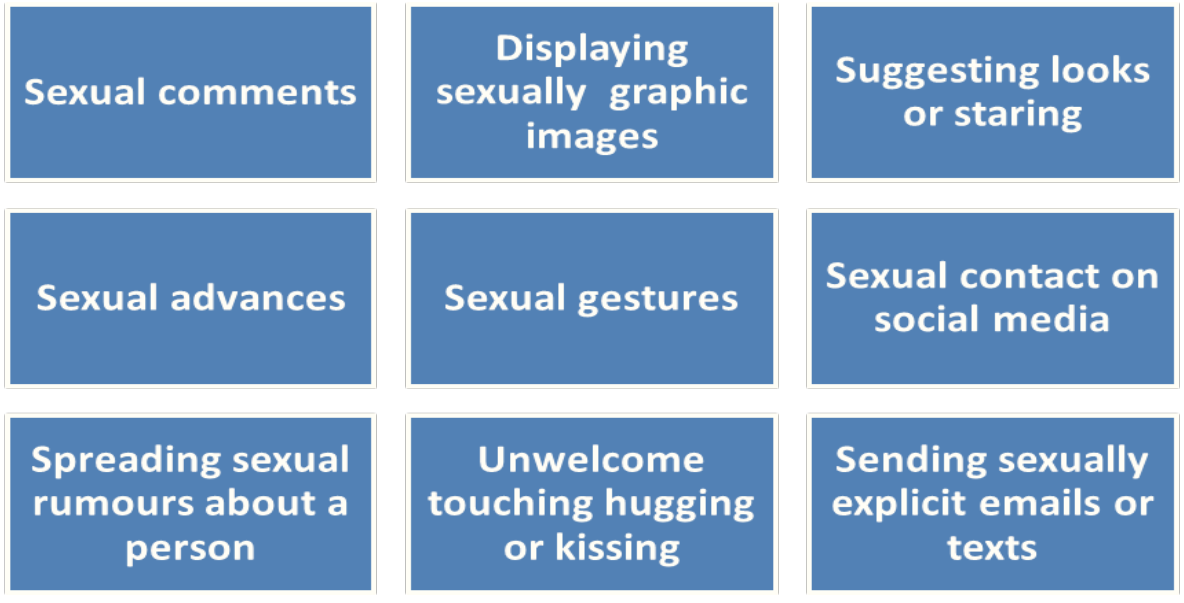
Sexual harassment is separately defined in legislation and is said to occur when a person "engages in unwanted conduct of a sexual nature" (unwelcome sexual advances) AND the conduct has the purpose or effect [that it]:

- violates the others dignity, or
- creates an intimidating, hostile, degrading, humiliating or offensive environment for that other person.

Section 26 (2) Equality Act 2010

Conduct 'of a sexual nature' can include verbal, non-verbal or physical conduct including unwelcome sexual advances, touching, forms of sexual assault, sexual jokes, displaying pornographic photographs or drawings or sending emails with material of a sexual nature.

Conduct 'of a sexual nature' includes a wide range of behaviour, such as:



2.5.3 Less favorable treatment of a worker because they submit to, or reject, sexual harassment

The **third type of harassment occurs** when a worker where a person is subjected to less favourable treatment because they submit to, or reject sexual harassment or harassment related to sex or gender reassignment which has the purpose or effect of creating an intimidating, hostile, degrading, humiliating or offensive environment for the complainant or violating the complainants' dignity.

Section 26 (3) Equality Act 2010

Example: A female worker is asked out by her team leader, and she refuses. The team leader feels resentful and informs the Head of Division about the rejection. The Head of Division subsequently fails to give the female worker the promotion she applies for, even though she is the best candidate. She knows that the team leader and the Head of Division are good friends and believes that her refusal to go out with the team leader influenced the Head of Division's decision. She could have a claim of harassment over the Head of Division's actions.

2.5.4 Harassment - Liability of Employers

Employers have a duty of care and a duty to protect their workers from persistent harassment; this extends to the acts of third parties.

A third party is anyone who is not the employer or another employee. It refers to those over whom the employer does not have direct control, such as patients, service users, customers, or clients. Employers have a responsibility to take steps to prevent third parties from behaving in a manner that would be considered harassment against a worker in the course of their employment.

The duty to prevent third party harassment arises where the employer:

1. knows that an employee (or job applicant) has been harassed by a third party
2. on at least two previous occasions, and then

3. fails to take 'reasonably practical steps' to prevent harassment by a third party happening again.

Section 40 Equality Act 2010

In addition to this duty within the Equality Act 2010, separate legislation enables a person to bring a claim in the civil courts under the 'Protection from Harassment Act 1997'. This legislation allows victims of harassment to claim compensation or initiate criminal proceedings. Ironically, this legislation fails to define harassment although it cites harassment as: 'alarming [a] person or causing a person distress'.

In the absence of a legal definition the courts have had to consider what amounts to harassment, the current authority is Conn v Sunderland City Council [2007] where the Court of Appeal made it clear that 'bad mannered' behaviour would not be captured, the Court said that harassment had to amount to conduct that is (when viewed objectively):

1. **Likely to cause distress to the victim, and**

2. **Unacceptable and oppressive (probably criminal), and**

3. **There must be two or more incidents which are sufficiently serious**

As with the Equality Act 2010, a claim under the Harassment Act applies in cases where there have been at least two occasions of harassment. Once there is repeated action then there is a responsibility on employers who know, or ought to have known of the harassment to be held accountable.

Example: A Ghanaian shop assistant is upset because a customer has come into the shop on Monday and on Tuesday and on each occasion has made racist comments to him. On each occasion the shop assistant complained to his manager about the remarks. If his manager does nothing to stop it happening again, the employer would be liable for any further racial harassment perpetrated against that shop assistant by any customer.

2.6 Victimisation

The Victimisation provisions within the Equality Act 2010 gives protection to workers who bring complaints of discrimination, or other provisions, that are laid out within the legislation.

Victimisation exists in the following circumstances:

A person victimises another if they subject that individual to a detriment because they:

- *have, intend to, or believe that they may have, brought proceedings under the Equality Act 2010 OR,*
- *give[s] evidence or other information in connection with proceedings under the Equality Act 2010 OR*
- *make[s] an allegation that a person (or employer) has contravened the provisions of the Equality Act 2010.*

S.27 Equality Act 2010

For the purpose of a claim of victimisation, proceeding and provisions of the Act may include:

- A claim of direct discrimination
- A claim of indirect discrimination
- Failure to make adjustments for a disabled person
- Harassment
- Equal pay claims

Breaking this into its component parts;

An employer will be considered to have victimised a worker if they:

Subject them to a detriment because:

- the worker has done a 'protected act', or
- the employer believes that the worker has done or may do a protected act in the future.

A detriment is not defined in the Equality Act 2010 although it is generally considered to mean "treating someone badly". It could include, but not be limited to;

- Being denied or refused a promotion
- Prevented from attending, or representing the organisation at an external event
- Being excluded from the opportunity to attend training
- Being denied a discretionary bonus or pay rise

A worker does not themselves need to have a particular protected characteristic in order to be protected against victimisation under the Act, although for there to be unlawful victimisation the detriment must be **linked to a 'protected act'.**

A 'protected act' refers to:

- Bring proceedings under the Equality Act 2010
- Giving evidence or information in connection with proceedings under the Equality Act 2010
- Doing any other thing for the purposes of or in connection with the Equality Act 2010
- Making an allegation that [the employer] or another person has contravened the Equality Act 2010

Example 1: A senior manager hears a worker's grievance about harassment. He finds that the worker has been harassed and offers a formal apology and directs that the perpetrators of the harassment be taken through the disciplinary procedure and required to undertake diversity training. As a result, the senior manager is not put forward by his Director to attend an important conference on behalf of the company. This is likely to amount to detriment.

Example 2: An employer threatens to dismiss a staff member because he thinks she intends to support a colleague's sexual harassment claim. This threat could amount to victimisation, even though the employer has not actually taken any action to dismiss the staff member and may not really intend to do so.

Example 3: In 2016, a trade union staff representative acted on behalf of a colleague in a claim of age discrimination. In 2019, he applies for a promotion but is rejected. He asks for his interview notes which make a reference to his loyalty to the company and in brackets were written the words 'tribunal case'. This could amount to victimisation despite the three-year gap between the protected act and the detriment.

The dictionary definition of victimisation is being noted here because, of all the behaviours that we have considered in this module, the legal and dictionary definition of victimisation are probably the furthest apart:

Definition

> 'the act of victimising someone (treating them unfairly)'

Source: The Cambridge Dictionary

In the main this is because the dictionary definition is both general and broad, whereas the legal definition specifically requires the individual to link the unfair treatment to the Equality Act 2010.

It is important to note that it is common for people to feel victimised, because they feel attacked or singled out however, this does not always mean that the minimum legal provisions will be triggered because the behaviour MUST correlate to a protected characteristic and a possible claim being brought under the Act.

To this end, although people may feel harm or wrongdoing through another person's actions, or inactions and whether the law recognises that the harmful behaviour ticks all of the essential criteria of an ultimately very technical definition, this does not make an individual's perception any less important nor the impact any less damaging.

2.7 Instructing, Causing or Inducing Discrimination, Harassment or Victimisation

It is unlawful to instruct someone to discriminate against, harass or victimise another person because of a protected characteristic or to instruct a person to help another person to do an unlawful act. Such an instruction would be unlawful even if it is not acted on.

S. 111 (1) Equality Act 2010

Example 1: A GP instructs his receptionist not to register anyone with a Polish name. The receptionist would have a claim against the GP if she experienced a detriment because of not following the instruction. A potential patient would also have a claim against the GP under the services provisions of the Act if she discovered the instruction had been given and was put off from applying to register.

Example 2: The managing partner of an accountancy firm is aware that the head of the administrative team is planning to engage a senior receptionist with a physical disability. The managing partner does not issue any direct instruction but suggests to the head of administration that doing this would reflect poorly on his judgement and so affect his future with the firm. This is likely to amount to causing or attempting to cause the head of administration to act unlawfully.

2.8 Hate Crimes and Incidents

Hate Crimes

Hate crimes are defined by the metropolitan police as

“Any criminal offence which is perceived by the victim or any other person, to be motivated by hostility or prejudice based on a person's:

1. Race or perceived race;
2. Religion or perceived religion;
3. Sexual orientation or perceived sexual orientation;
4. Disability or perceived disability

and, any crime motivated by hostility or prejudice against a person who is:

5. Transgender or perceived to be transgender.”

Source: Crime and Disorder Act 1998 and S.66 of the Sentencing Act 2020

The law recognises five types of hate crime on the basis of:

- Race
- Religion
- Disability
- Sexual orientation
- Transgender identity

Any crime can be prosecuted as a hate crime if the offender has either:

- Demonstrated hostility based on one of the above factors
  Or
- been motivated by hostility based on one of the above factors

A person can be a victim of more than one type of hate crime, they could be affected whether or not they belong to the group at which the hostility is targeted, and crimes can be committed against a person or property.

Hate Incidents

Hate incidents are incidents which appear to the victim or anyone else to be based on prejudice towards them because of their race, religion, sexual orientation, disability, or transgender identity.

Examples of hate incidents are:

- **verbal abuse,**
- **bullying,**
- **intimidation,**
- **harassment,**
- **abusive phone calls,**
- **online abuse,**
- **graffiti, and,**
- **threats of violence.**

Not all hate incidents will amount to criminal offences, but it is equally important that these are reported and recorded by the police. Where there is overlap with the criminal law a hate incident may also be a criminal offence and if so, is referred to as a hate crime.

Source: UK Definition: Changing the Culture Report 2016

You can report hate crime online through True Vision at Stop Homophobic, Transphobic, Racial, Religious & Disability Hate Crime - True Vision (report-it.org.uk)

2.9 Exercise

2.9.1 Thinking about the forms of micro-incivilities; complete the table below:

1. What can an individual who witnesses a micro-incivility do when this occurs?
2. What can perpetrators do to learn from and change their behaviours?
3. What can an individual who is experiencing micro-incivilities do to minimise their impact?

Micro-Incivility	How could a witness respond?	How could the wrongdoer change their behaviour?	How can the recipient minimise the impact?
Being ignored			
Being talked over			
Avoiding eye contact			
Persistently saying a person's name incorrectly			
Not sitting facing a person			

Familiarisation with the policies and procedures in your organisation?

- Ask your line manager, HR Department or search your local intranet to find what policies and procedures exist and cover situations regarding bullying and harassment.
- Are they easily accessible and in date?
- Ask how you will be supported if you witness bullying or harassment as an Active Bystander?

2.10 Further Reading, Viewing, Listening

Reading

When and how to respond to Micro-aggression's by Ella F. Washington, Alison Hall Birch, and Laura Morgan Roberts (July 03, 2020) When and How to Respond to Microaggressions (hbr.org)

Sexual harassment and harassment at work; Technical guidance - Sexual harassment and harassment at work: technical guidance | Equality and Human Rights Commission (equalityhumanrights.com)

Still just a bit of banter? Sexual harassment in the workplace in 2016 (TUC sexual harassment report):

- full report - Microsoft Word - Sexual Harassment report 28 7 16 logo on front.docx (tuc.org.uk)
- summary & key findings - Still just a bit of banter? | TUC

Home - Stand by Me

Watching

The standard you walk past is the standard you accept reports/still-just- Leadership: Take a Stand, Make a Difference or Move On - YouTube

Derald Wing Sue - Microaggressions in Everyday Life – What Individuals can do to combat microaggressions - Microaggressions in Everyday Life - YouTube

George the Poet in Everyday Life EHRC | George The Poet | Hate Crime - YouTube

Listening

There is a wealth of material out there. Below are some of the podcasts you might be interested in on BBC sounds:

Dirty Work (Mathew Taylor explores bullying in the workplace) https://www.bbc.co.uk/sounds/play/m0015vct (37 minutes)

Am I that Guy? (An exploration of men's violence against women)
https://www.bbc.co.uk/sounds/play/m0015mgx (28 minutes)

Bad Apples (Bullying, Harassment and violence within the Police)
https://www.bbc.co.uk/sounds/play/m0015ltf (37 minutes)

File on Four: Firefighters on Trial
https://www.bbc.co.uk/sounds/play/m001jc5s (39 minutes)

The Science of Resilience (Sian Williams explores the science of resilience and takes lessons in bouncing back) https://www.bbc.co.uk/sounds/play/b07cvhrs (28 minutes)

Learning Summary

Having completed the reading, exercises (and perhaps some additional reading/viewing) it is hoped that you will feel confident to be able to identify the different types if inappropriate behaviours.

Harmful behaviours affect the recipient and observers, they have a long lasting and often deep-rooted impact that in many cases is not fully understood or measured.

They carry a human cost as well as risks to the organisation or individuals within that organisation both directly and indirectly (whether that is through reputational damage, reduced performance, absence, employee turnover and at the extreme; litigation and legal costs)

These behaviours vary in both intensity and seriousness however the impact can be felt just as deeply by the victim which makes the need to prevent incidents from occurring in the first place a priority.

However, if this is not possible then intervention to prevent escalation and positive acts of affirmation and allyship to support the victim will make a small step in the right direction to transform our workplace cultures and experience at work.

Module 3:

Why do good people behave badly?

Learning outcomes

After reading this module you should be able to:

- Understand and be able to explain why good people "behave badly":
    - The Hazard of the Herd
    - Just Following Orders
    - A Question of Identity
    - The Agony of Indecision
    - Gradual Escalation

- Consider how early intervention, allyship and psychological safety can diffuse and deescalate problematic situations.

- As with earlier modules, many of these theories and sociological concepts have similarities and shared characteristics. It is the aim of this module that you will be able to understand that external forces can impact individuals and influence the way they behave.

Catherine Sanderson is a Professor of Life Sciences (Psychology) at Amherst College in the United States. Sanderson has published over 25 journal articles and book chapters in addition to books on parenting and on how mindset influences happiness, health, and even how long we live (The Positive Shift).

Her latest book, "Why We Act: Turning Bystanders Into Moral Rebels", examines why good people so often stay silent or do nothing in the face of wrongdoing.

Sanderson's theories feature heavily in this module.

3.1 Why do good people behave badly?

This module will explore the power of social norms, and the influences that other people can have on an individual's behaviour. We will also look at the bystander effect and how, why, and when people stand up and act. Sanderson, in her book 'Why We Act: Turning Bystanders Into Moral Rebels'(2020) challenges the myth that it is only 'bad people' who engage in bad behaviour.

Sanderson explains that inaction breeds inaction, and as such, that failing to intervene, good people are, in a way, failing to prevent bad situations from becoming worse.

D'Angelo (the Author of White Fragility – see Module 2) applies the same principle of 'bad' people engaging in 'bad' behaviours to her exploration of racism. She suggests that one of the key challenges in addressing racism relates to the theory that if you are a racist you are a 'bad person' i.e. only 'bad people' can have racist attitudes.

For this reason, most people therefore disengage from anti-racism development as they disassociate themselves from having any racial bias because they are not 'bad people'. In their minds they are 'good people' and 'good people' do not have racial biases.

Sanderson suggests that the focus should be on exploring why 'good people' behave badly and recognise that it is not only 'bad people' who behave badly. As we work through this module and gain a better understanding of why good people behave badly or choose not to intervene when they are aware of harmful behaviours, it is hoped that we can dilute stigmas and encourage people to speak out. Our aim is to give you the courage to stand up and feel more comfortable about how you might intervene.

There are a few situations where good people are more likely to behave 'badly'. In this module we will focus on 5 such reasons and explore examples of these theories in practice.

3.2 The Hazard of the Herd

Photo source: iStockphoto (altered by FIT)

This concept stems from the theory that people will do things in a group that they would never do on their own. A huge contributor in such situations comes from the simple psychological concept of conformity.

> *"Conformity is a type of social influence involving a change in belief or behaviour in order to fit in with a group.*
> *This change is in response to real (involving the physical presence of others) or imagined (involving the pressure of social norms / expectations) group pressure.*
> *Conformity is also known as majority influence (or group pressure) or it can be simply defined as "yielding to group pressures" (Crutchfield, 1955).*
> *Group pressure may take different forms, for example bullying, persuasion, teasing, criticism, etc.*
> *The term conformity is often used to indicate an agreement to the majority position, brought about either by a desire to 'fit in' or be liked."*

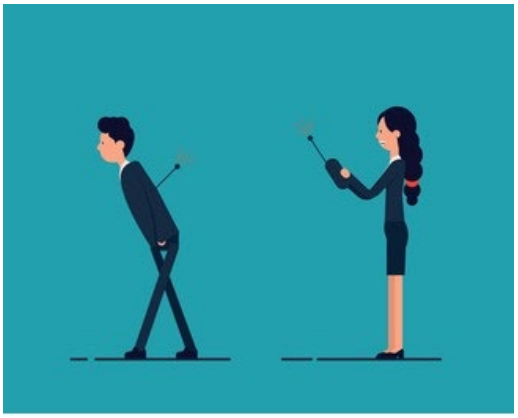
Source: McLeod, S. A. (2016, Jan 14). What is Conformity? Simply Psychology: https://www.simplypsychology.org/conformity.html

Catherine Sanderson suggests that the larger the crowd the worse the behaviour, and that this is due to people thinking less for themselves in a group situation where they are more likely to act in ways which hurt others.

Example 1: In September 2022, unrest broke out in Leicester between Hindu and Muslim groups of (mainly) young men which, at the time, was widely reported to have been triggered following a cricket match between India and Pakistan (although longstanding and historic disputes, under-reported local attacks and a fascist march which was planned to fall at the same time are also considered to be contributing factors).
Social Media was thought to have fuelled pro-longed disorder and encouraged other individuals from outside of the city to travel which expanded the disturbance which spilled into the streets of the East of the City.

Example 2: 2018 fans celebrating the Philadelphia Eagles Super Bowl win flipped cars, removed street poles from the ground, set fires, and broke shop windows, causing $273,000 worth of damage.

3.3 Just Following Orders



Catherine Sanderson (2020) cites people's willingness to harm others when they are following the instructions of an authority figure.
A key identifying factor in these scenarios recognises that there is an authority figure that has a willingness to assume responsibility for any negative outcomes.

Sanderson suggests that this allows the person who is engaging in the bad behaviour to feel absolved of wrong-doing.
Research suggests that people who feel less responsible for committing harmful acts are more willing to do so. Ethical leadership can therefore play a vital role in ensuring that people do not feel comfortable engaging in compliant harmful behaviour.

Example 1: Business Executives engaging in Corporate Fraud.
In America the biggest scandal was the collapse of the ENRON. Although this happened over 20 years ago the Company was the 7th Largest US firm and they employed over 21,000 people. A significant proportion of blame was placed at the feet of external auditors and accountants; in the UK we have seen a series of high-profile accounting scandals where the role of auditors has also come under scrutiny. They include BHS, Patisserie Valerie and Carillion

Example 2: Religious or spiritual community or group with an often charismatic leader.

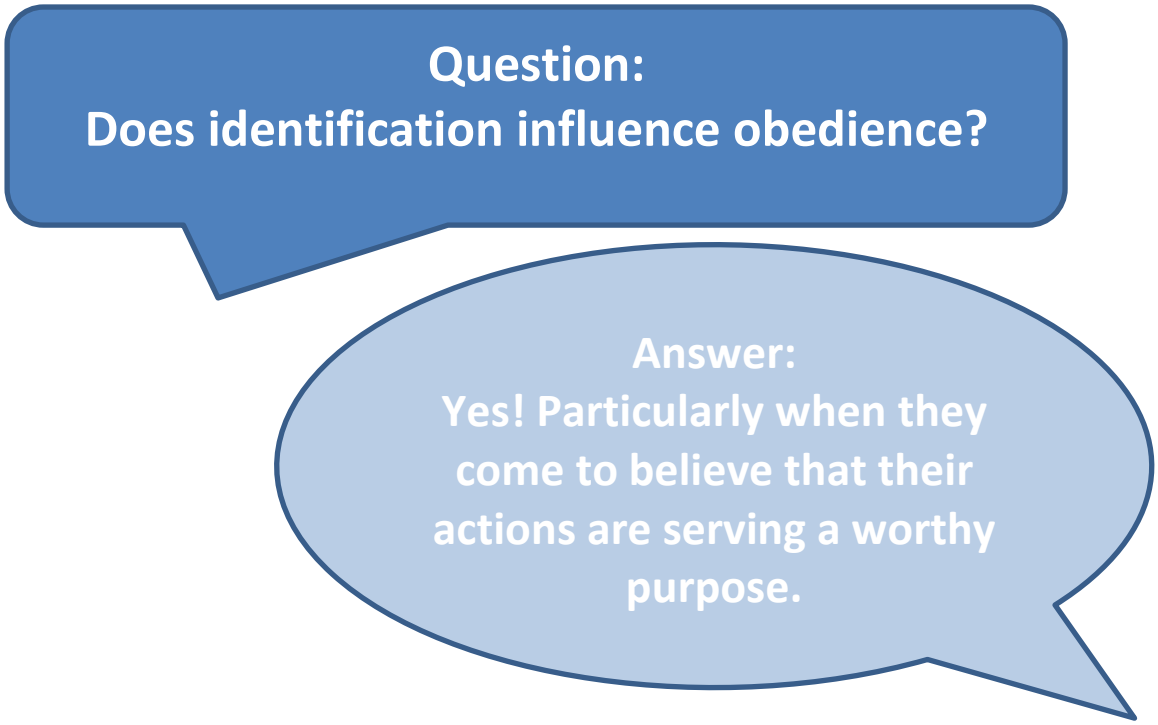
Often referred to as cults, the following are examples personalities who exhibit extraordinary influence over their followers:

- Jim Jones of the People's Temple (Peoples Temple - Wikipedia)
- David Koresh of the Branch Davidians (David Koresh - Wikipedia)

3.4 A Question of Identity

3.4.1 The Role of a Charismatic Leader

Sanderson explains that people who 'are just following orders' tend to identify with the person who is giving the orders, and in this instance they **may become willing actors in poor behaviour**.
It is suggested that this is most likely to occur when the person giving orders is a charismatic or political leader.



The role of in-group's verses out-groups and bias may be a factor in the question of social identification. Particularly if the authority figure is part of a majority in-group and is instructing a member of the in-group to engage in bad behaviour towards an out-group member.

Charismatic Leader Example: The storming of Capitol Hill in January 2021 is considered, in the main, to have been incited by the power and influence of Donald Trump.

By Tyler Merbler from USA - DSC09254-2, CC BY 2.0,

https://commons.wikimedia.org/w/index.php?curid=100214051

On the 6th of Jan 2021 a crowd made up of between 2,000 and 2,500 people gathered at Capitol Hill. Within the group were members of far-right groups such as the “Proud Boys” and the “Oath Keepers”. Many were carrying weapons.

They shared the belief that Trump should remain in power and their actions sought to prevent a joint session of Congress from counting the electoral votes which would then formalise the victory of President-elect Joe Biden.

Following an hour-long speech by the then president Donald Trump within which he stated that "If you don't fight like hell, you're not going to have a country anymore” Trump also used 22 references to the word, or similar words meaning, “fight”.

The outcome was that hundreds of people forced their way into the building through windows and doors, overwhelming the Capitol police, causing injuries to over 130 people and 5 deaths.

Another side to the question of identity coin…

A question of shared identity

Why and how do we choose which social groups we will join?

To help answer this we will consider two opposing theories: Social Identity Theory and Realistic Conflict Theory.

3.4.2 Realistic Conflict Theory

Realistic Conflict Theory suggests that conflict between groups isn't based on something irrational but on an actual need for resources whether they are tangible items on a basic level like food and water, money or jobs or intangible things like friendship or social standing.

The theory suggests that where there are more than one group looking for the same (limited) resources there will be conflict, bias, damaging stereotyping and often discrimination.

Ultimately there are high degrees of animosity between the groups, and these can cause feuding and conflict which can simmer or boil over.

This theory speculates that there is always a deeper meaning or root cause for group conflicts – whether the conflicts are real or perceived!

Realistic Conflict theory example: The National Front is a far-right, fascist political party in the United Kingdom. They fight against migration into the UK and call for settled non-white Britons to be stripped of their citizenship and deported. They use inflammatory speech relating to immigrants "stealing British jobs" and inflate negative stereotypes about non-white British groups.

3.4.3 Social Identity Theory (SIT Theory)

Social Identity Theory contradicts the conflict theory, it suggests that prejudice happens automatically when groups form and that this is innate or instinctive based on shared beliefs and values of individual members.

This theory advocates that by simply belonging to a group, whether that is the in-group or an out-group, is enough to build automatic prejudices.

When deciding which group to align to, individuals will choose people with whom they share values, beliefs, or other identifying characteristics. Identification with that group leads its members to take on the attitudes, behaviours and values for example by dressing in the same way.

Over time, social comparison between groups takes effect and in-groups and out-groups are inevitably formed, the result is often group-prejudice.

SIT theory Examples:

- Social friendship "cliques" – these often include members who have high self-esteem and similar status, they can make jokes, ostracise others and behaviours towards out-groups may be harmful.
- Football fans have shared identities wear their team's colours and have shared beliefs.

3.5 The Agony of Indecision

Often people who are given orders by an authority figure which they know may cause harm, decide to disobey these orders. The journey to disobedience is, however, sometimes fraught with anxiety and indecision. Disobedience can take many forms and may result in several attempts at early intervention, with a wide variety of strategies deployed (Sanderson 2020).

It's important to understand how power dynamics in many different institutions lead people to stay silent. Research has been conducted in medical settings and it was observed that nurses report not speaking up when they observe doctors' malpractice. Although they appreciate the potential problem for patients and understand the implications on the standard of care they are disinclined to call out bad behaviour through the fear of repercussions meaning that they do not always speak up.

Here comes the science bit… Sanderson draws on neurosciences and references the social pain that comes with feeling ostracised by people or feeling rejected from within a social group.

Sanderson compares it to the pain of scalding yourself with a hot drink, and notes that that the areas of the brain that are activated in that scenario, are the same as those that link to feelings of social pain. In turn, we are motivated not to be ostracised by people in our "in-group" because it triggers sensations of pain.

In other words, it feels bad to be rejected, so people will do whatever is necessary not to feel left out, and this can mean going to great lengths not to call out bad behaviour and not to draw attention to themselves.

Inaction by itself could be perceived as harmful behaviour – but is it bad?

Examples:

- In New York in 1964 a young woman was murdered outside her apartment building. Her name was Kitty Genovese.

- In Liverpool in 1993 a 2-year-old boy was abducted and tortured before being murdered by two 10 year old boys. His name was James Bulger.

Both of these sad crimes caused public outrage at the time and are regularly referenced as examples of the “bystander effect”.

For the purposes of this module, they are important because there were multiple witnesses, or potential witnesses to harmful behaviours.

In Kitty’s case it was reported that around 40 people saw or heard the attack and yet no one called the police (these reports have subsequently been challenged and debated).

In the James Bulger case, the perpetrators walked their victim through a busy shopping centre down to the canal and then further, walking for 2.5 miles in and around Liverpool. Witnesses reported seeing the boy in distress and it has been reported that at least two people approached the older boys who claimed he was their brother.

Sanderson explains that in studies that have followed these tragic events, participants show signs of being physically distressed and talk of feelings regarding the agony of how to respond. Sanderson argues that people don’t choose not to act but can be paralysed by a “state of indecision”.

In the end, all too often good people stay silent.

It is important for us all as individuals to understand that the way we respond to situations is influenced by many internal and external forces and factors that are natural and evolutionary.

In some circumstances in goes against our instincts to intervene, but if it is safe and you feel able to do so, it is possible to switch from being a bystander to an active bystander.

To assist with the internal agony of indecision, Sanderson encourages people to re-establish a sense of “individualisation”, to remind themselves that they are an individual who wants to treat people in the way that they wish to be treated.

In 2012 academics at Harvard University were asked to take part in a math test for which they would receive $1 for each correct answer. There was a twist - the participants marked their tests themselves (thus allowing an opportunity to behave dishonestly and earn undeserved money)

The participants were divided into groups, with one group being asked to sign an honesty declaration at the start of the test and another not being asked to give their declaration until the end.

- 37% of the group who signed their declaration before they started inflated their scores, whereas,
- 79% of those who signed at the end behaved dishonestly and received more money than they should have.

Source: Shu, L. L., & Gino, F. (2012). Sweeping dishonesty under the rug: How unethical actions lead to forgetting of moral rules.

3.6 Gradual Escalation

People who are urged or encouraged to engage in bad behaviour will sometimes take several small steps and with each step they will feel stronger until the behaviour becomes more extreme and escalates. The gradual escalation makes it more difficult psychologically to decide not to do it. When harm escalates it makes it more difficult to change course without explaining one's lack of prior action

What is Gradual escalation?

The phenomenon of gradual escalation is described as '**a situation which makes it hard to recognise the problem and extricate oneself early in the process'.**

Gradual Escalation – Participants and Observers

There are two distinguishing factors aligned with gradual escalation:

1. Initial commitments to a behaviour
2. Continuous perceptions of a behaviour

Gradual Escalation can be used to explain how people become complicit in wide scale acts of inappropriate behaviour, whether they are swept up in corporate fraud over years of turning a blind eye, or just following orders.

However, in addition to those who play an active part (large or small) there is also an impact, and studies, which show the effect of gradual escalations on outside observers and the point at which they begin to disapprove of what they see happening.

Gradually escalating acts start out with inoffensive, mild, or harmless behaviours which either go un-noticed or are generally acceptable forms of conduct or behaviour. These set a safe and comfortable environment and encourage initial commitment from those involved, and observers, in the first instance and as changes in behaviour creep in, it can take a while before both participants and observers realise the change momentum.

Participants may find themselves swept up in actions and behaviours that worsen and intensify, finding themselves unable to escape a situation or affected by those surrounding them and mirroring spiralling behaviours. This is the evident in small scale bar fights or large-scale rioting.

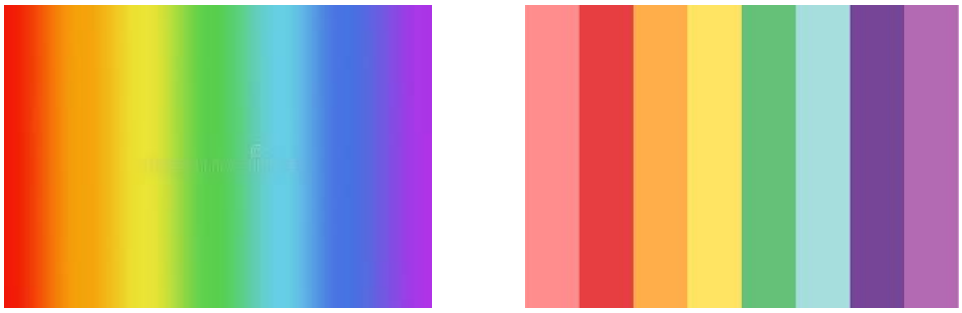
Observers generally 'support' behaviours by sympathising or giving approval, this then continues based on a presumption that because they have previously approved it becomes difficult to withdraw.

Ultimately, if participators find it hard to remove themselves from their actions, it is no surprise that observers struggle to change their approval to contempt.

Blurred Lines

Gradual escalation is associated to perceptions which are often so subtle and small that this can sometimes be described as a blurring of the lines. Where bad behaviour stems from gradual escalation, each step change in behaviour to the point of the ultimate wrongdoing is indistinguishable from the previous behaviour:

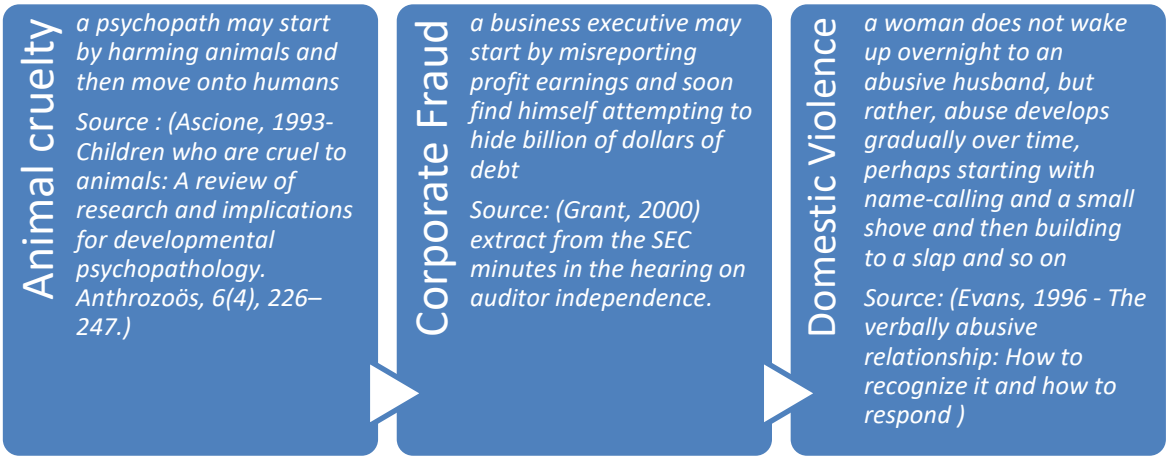
Look at the two images below:



With the image on the right of the page, you will agree that it is easier to identify the number of colours, you can probably name each one and you can identify the point at which the colours change.

The image on the left is an example of gradual escalation, it is hard to know how many colours there are, you may struggle to define each of the colours and find it difficult to establish the point at which one colour changes into the next.

Figure 9: Social Examples



Source: Kimberly A. Hartson , David K. Sherman - Gradual escalation: The role of continuous commitments in perceptions of guilt (University of California, Santa Barbara, USA)

3.6 Other explanations

In recognition that Catherine Sandersons work provides a non-exhaustive list of possible explanations for why “good people behave badly” this section of the workbook invites you to consider other explanations.

One of those might be Fragility, this is more of a psychological concept, although it could be considered sociological when it is present in a group setting or environment, particularly where there is a powerful “in-group”.

Definition:

Fragility

"The state of being easily damaged [or] broken, harmed or destroyed".

Source: The Cambridge Dictionary

For the purposes of this module, Fragility is perhaps best explained by focusing on people’s reaction to ‘feeling fragile’.

Fragility can be a problem in the workplace because it often manifests as an aggressive reaction, defensive behaviours, or complete disengagement.

Psychologists who have researched and studied “white fragility” list the following exaggerated reactions from white people when challenged over the subject of racism:

- red-faces,
- fist thumping,
- disengagement (at its extrema this may mean standing up an leaving the room)

Workplace fragility

In the context of workplace fragility and unacceptable behaviour towards others we consider fragility to mean;

“feelings of discomfort and defensive behaviours on the part of a person when confronted with information about inequality and or injustice"

Source: Binna Kandola (2018) in his book "Racism at Work: The Danger of Indifference" used this to explain the diversity backlash

Kandola (2009) refers to 'diversity backlash' to explain the conflict that is felt when organisations seek to bring about greater equality, diversity, and inclusion.

He states that it is unwise to deny this potential for conflict since ignoring it will lead to ineffectiveness in current diversity initiatives and the loss of credibility of future actions.

Workplace fragility is a form of "diversity backlash" and can be explained as the way in which dominant groups respond and react when their attention is drawn to the powers and privileges of their in-group. This might be between white people and black people, men, and women or old and young.

This results in a range of responses, including:

- **Emotional:** Anger, fear, feeling insulted or attacked
- **Defensiveness:** Arguing, dismissing, explaining or diminishing the information presented to them or the person presenting the information
- **Detracting:** Speaking about other discrimination, for example talking about reverse racism/positive discrimination
- **Disengaging:** Silence, or leaving the conversation altogether.

White Fragility

The concept of 'white fragility' was a phrase coined in 2011 by the sociologist Robin DiAngelo to describe the "disbelieving defensiveness" that white people exhibit when their ideas about race and racism are challenged—and particularly when they feel implicated in white supremacy.

DiAngelo is the author of the book "White Fragility", which was published in 2018 and jumped to the top of the New York Times best-seller list amid the protests following the death of George Floyd and the ensuing American national reckoning about racism.

White fragility behaviours can include detraction or reverse racism, frustration, or disengagement. As a result of how fragile white people can be to discussions about race, more often than not, people respond by avoiding difficult conversations so as to insulate whites from racial discomfort.

This highlights how important it is to understand white fragility as this is a driver behind why it can be difficult to have open conversations about race. Although, while it can be difficult and uncomfortable to discuss issues of race, it's important that the conversations continue to take place, and these will allow for positive change and greater openness to diversity and inclusion.

The antidote to fragility is psychological safety.

Figure 5: Psychological Safety

Source: https://symondsresearch.com/psychological-safety

3.7 Exercises

3.7.1 Watch TedX – Why Good People Do Bad Things

[Why Good People Do Bad Things - And What We Can Do About It | Kulani Abendroth-Dias]

Reflections:

How does Kulani's description of her father-in-law make you think about perpetrators?

3.7.2 Mind-Map

Considering the psychological factors that lead to inaction, create a mind map of the tools and strategies you could use to speak up when faced with bad behaviour.

3.8 Further Reading, Viewing, Listening

Reading:

Interview of Catherine Sanderson by Kim Karetsky 1999 **-** Psychology Professor Catherine Sanderson Explains the Science of Bystander Inaction (amherst.edu)

The collapse of Enron and the dark side of business e Science of Bysta **https://www.bbc.co.uk/news/business-58026162**

Hartson and Sherman - Gradual escalation: The role of continuous commitments in perceptions of guilt Gradual escalation: The role of continuous commitments in perceptions of guilt (ucsb.edu)

The Psychology wizard articles explaining Social Identity Theory and Realistic Conflict Theory - Social Identity Theory AO1 AO2 AO3 - PSYCHOLOGY WIZARD & Realistic Conflict Theory AO1 AO2 AO3 - PSYCHOLOGY WIZARD

Watching:

Catherine Sanderson Ted Talk - https://youtu.be/A_Lmf7ZT_04

The Parody of the Boiling Frog - (1) The “myth” of the boiling frog - YouTube

Learning Summary

Having completed the reading, exercises (and perhaps some additional reading/viewing) understand and be able to explain what factors can affect people's inappropriate behaviours, including the principles of:

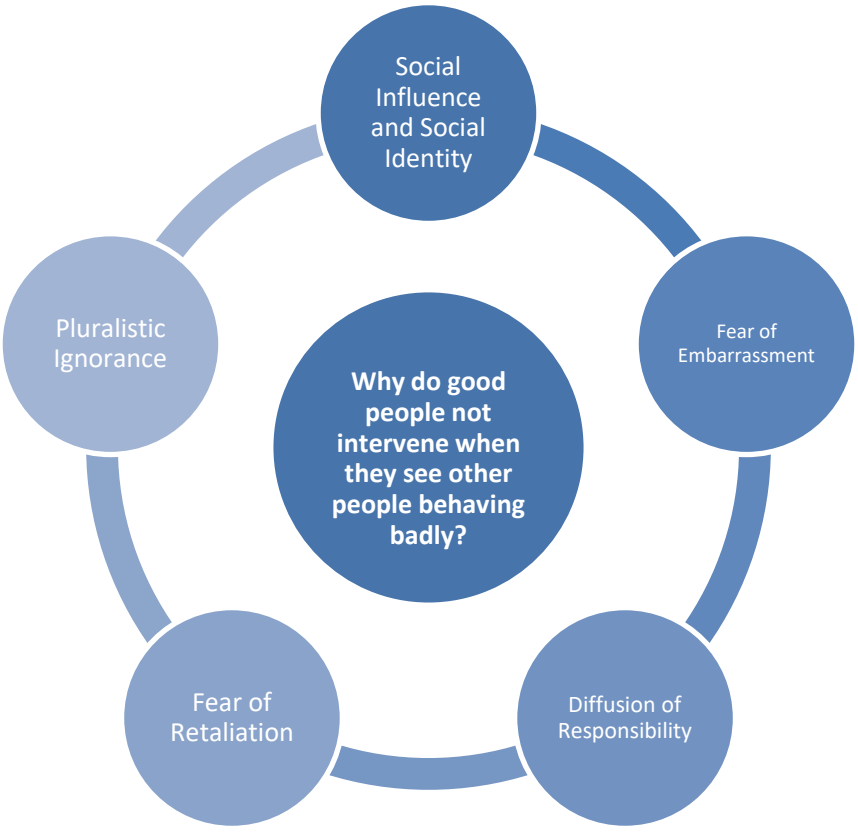
- The Hazard of the Herd
- Just Following Orders
- A Question of Identity
- The Agony of Indecision
- Gradual Escalation

Appreciate how early intervention, allyship and psychological safety can diffuse and de-escalate problematic situations.

As with earlier modules, many of these theories and sociological concepts have similarities and shared characteristics. It is the aim of this module that you will be able to understand that external forces can impact individuals and influence the way they behave. Whilst understanding that sometimes more than one factor can influence behaviours.

Module 4:

Why do good people not intervene when they see other people behaving badly?



Learning outcomes

After reading this module you should be able to:

- Understand and be able to explain why individuals choose not to intervene when they see others behaving inappropriately:
    - Social Influence and Social Identity
    - Fear of Embarrassment
    - Diffusion of Responsibility
    - Fear of Retaliation
    - Pluralistic Ignorance

- Be aware of the importance of psychological safety and the ability to address inappropriate behaviours and thrive in an environment where participants feel a sense of being their true self.
- Consider and assess the various methods, forms and degrees of intervention and have greater awareness about when and where it is safe to intervene.

“History will have to record that the greatest tragedy of this period of social transition was not the strident clamour of the bad people, but the appalling silence of the good people”

Source: *Martin Luther King Jr. 1959*

“All that is required for evil to triumph is for good men (and women) to do nothing”

Source: (widely attributed) *Edmund Burke*

Why do good people not intervene when they see others behaving badly?

In this module we will explore and seek to understand the barriers that prevent people from intervening when they see inappropriate behaviours.

To do this we may reflect on our own reasons for not stepping forward and intervening in different contexts. In turn this will help to assess why others are not intervening and help us to consciously decide to be an Active Bystander.

We will draw on Professor Catherine Sanderson's work and theories (derived from her work and book "The Bystander Effect"). The terms "good" people and "bad" behaviour are simplistic and generic and although we acknowledge that there is a spectrum of inappropriate behaviours and ways to describe people's responses, for the purposes of this module we reference "good" and "bad" in keeping with Professor Sandersons theories.

In the main this module explores the individual influences that determine how people respond and react in certain situations. Much of this content stems from psychological theory.

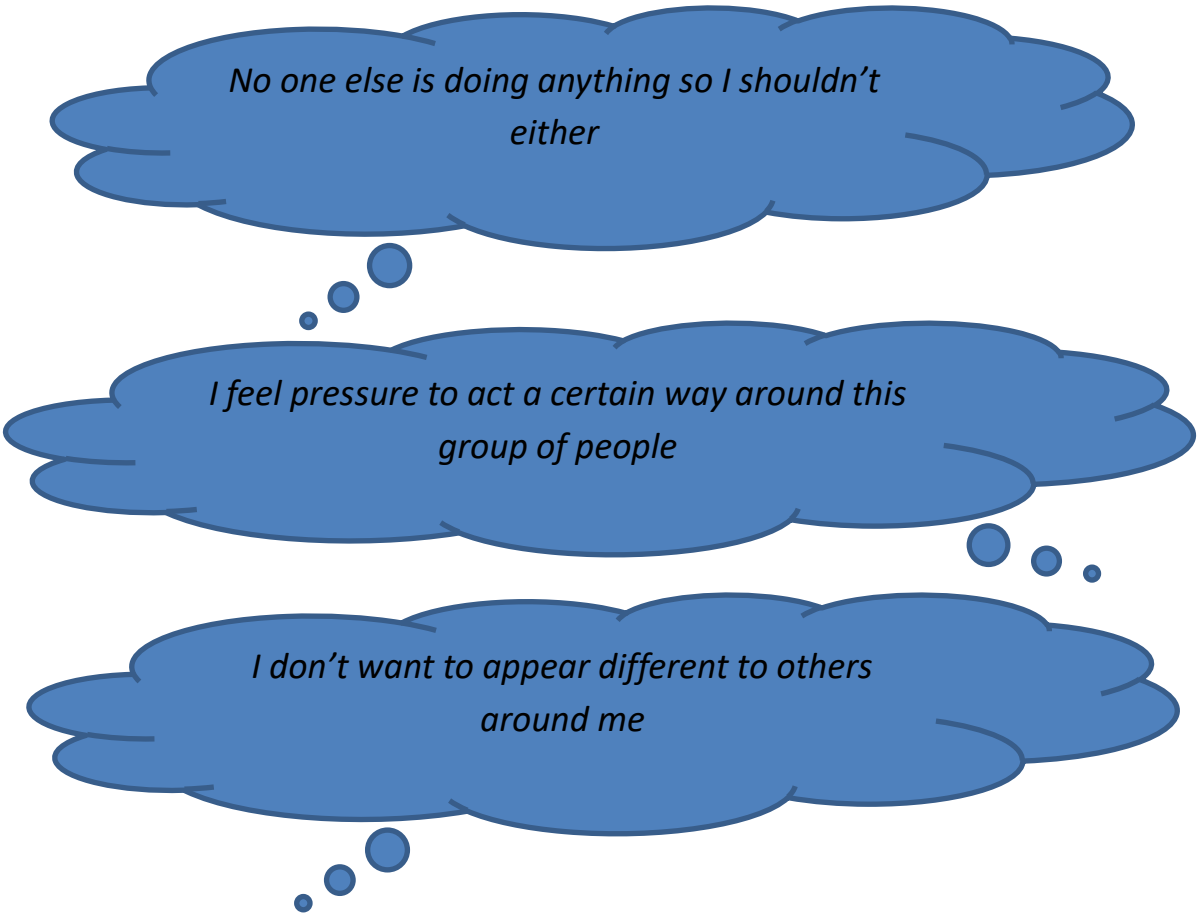
Reasons why we don’t intervene.

Social influence and social identity	• No one else is doing anything so I shouldn’t either, this is often compounded when you don’t feel a connection to the victim
Fear of embarrassment	• The anxiety of not knowing how others will respond to your intervention, worry about getting the intervention wrong or being judged for your intervention
Diffusion of responsibility	• Assume someone else will intervene . Also referred to as the‘The Bystander Effect’
Fear of retaliation	• Fear of physical harm, others’ reactions or the risk of professional and /or personal impact
Pluralistic ignorance	• Individuals underestimate others’ internal beliefs and believe they are in the minority when actually they are in the majority. (I.e.incorrectly believing that nobody else thinks this behaviour is wrong)

4.1 Social influence and social identity

Bystander effect is largely influenced by the action (or in action) of others. Therefore, the external influences of a situation play a significant part in whether a person chooses to intervene.

In many situations bystanders will observe and be plagued by thoughts such as:



In addition, there are many social factors that affect a decision to intervene. For example, being in an environment where you are known (workplace, social setting) and may know the "victim" will trigger different internal dilemma's than situations where you are not known to those around you and when you don't know the victim.

Psychological experiment: Good Samaritanism: An Underground Phenomenon? (Piliavin et al (1969))

Research Method, Design and Variables:

This study explored the reactions and responses of individuals and explored different variables that can influence people's decision to intervene.

The experiment took place in a New York City subway in the middle of the day, in the middle of the week, meaning the environment was not staged and the participants were randomly selected based on them using the subway on the day and time of the experiment.

The total number of passengers was estimated to be 4450 people with 45% being black and 55% being white.

Procedure:

4 teams of student researchers from the University of Columbia carried out the study. On each trial, 2 males and 2 females boarded a train through different doors. Females were observers. The male researchers took the role of the victim and the model.

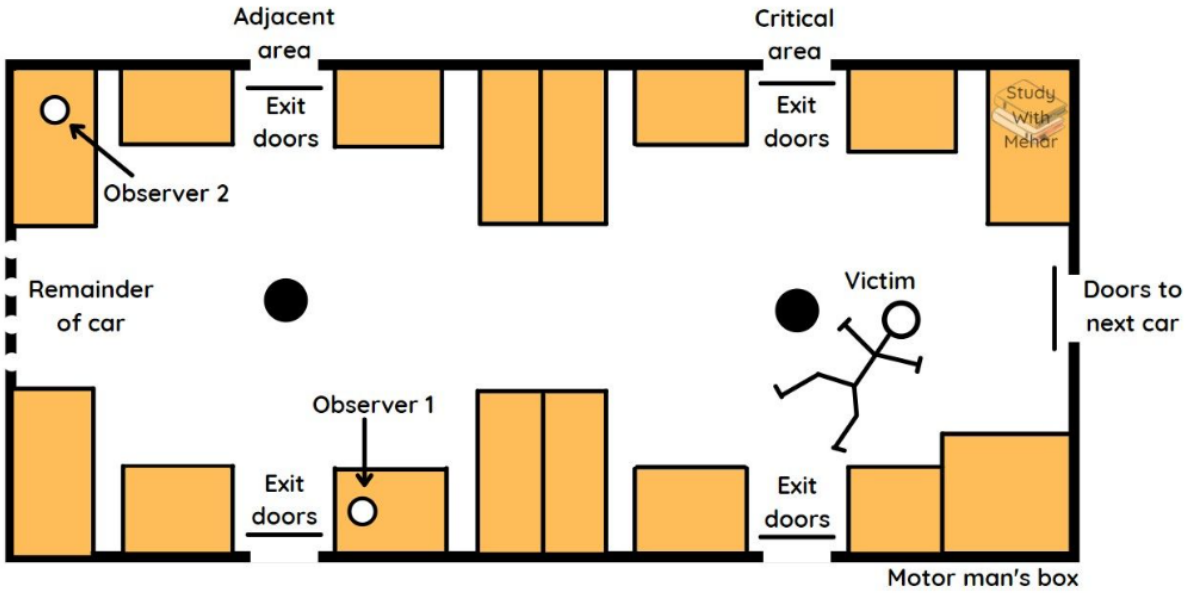
Observer: *Both females researchers observed and recorded data. They sat in the area adjacent to the immediate critical area.*

Victim: *The victim was played by four different men:*

- *1 black and 3 white people.*
- *They were aged 26 - 35 years.*
- *They dressed in identical casual clothing — a jacket, old trousers, and no tie.*
- *On 38 of 103 trials, the victim smelled of alcohol and carried a bottle of alcohol wrapped in a brown bag.*
- *On the other 65 trials, they appeared sober and carried a black cane.*

Model: *They were white males aged 24 – 29 and were dressed informally. They raised the victim to the sitting position and stayed with him till the next stop.*

Figure 10: Staging and setting the scene.



The victim stood at the pole at the centre of the critical area. The model remained standing throughout the trial. Each trial used the same route as it included a 7.5-minute gap between 2 stations. At approximately 70 seconds, the victim staggered forward and collapsed. He lay on the floor looking upwards. If he received no help, the model would help him at the next stop. When 'modelling' helping, the model helped the victim to a sitting position and stayed with him until the next stop.

The researchers controlled the following variables in different scenarios that formed part of the experiment:

Different scenarios:

- *type of victim – in one version the victim was drunk an another the victim was ill*
- *race of victim – in different versions the victim was either black or white*
- *the model behaviour (demonstrated by one of the researchers) – The model was either close to, or some distance away from the "victim" and in different versions they stepped in to help early, or waited before offering help*

They measured the following:

- *time taken for a passenger to help.*

- *total number of passengers who offered help.*

- *verbal remarks were also recorded.*

Trials were split into 5 conditions:

1. ***Critical/ early:*** *the model stood in the critical area and waited 70 seconds to help the victim.*
2. ***Critical/ late****: the model stood in the critical area and waited 150 seconds to help the victim.*
3. ***Adjacent/ early****: the model stood in the adjacent area and waited 70 seconds to help the victim.*
4. ***Adjacent/ late:*** *the model stood in the adjacent area and waited 150 seconds to help the victim.*
5. ***No model condition:*** *the model did not help the victim until after the trial was over and the train reached the next stop.*

Results:

- *The frequency of helping was much higher than expected.*
- *The majority of helpers were males.*
- *80% of victims received spontaneous help.*
- *60% of victims received help from more than one person.*
- *Participants are more likely to help victims with a cane (62/65 trials) than the drunk victim (19/38 trials).*
- *Spontaneous helping was earlier for cane victims.*
- *Both black and white cane victims received equal help.*
- *In drunk conditions, same-race helping behaviour was found - Black drunk victims received less help overall.*
- *Early model intervention at 70 seconds slightly received more helping behaviour than waiting till 150 seconds.*
- *In 20% of trials, people moved away from the critical area during the incident.*
- ***This research does not support the diffusion of responsibility (see later theory "diffusion of responsibility"). In fact, 7 person groups responded faster than 3 person groups.***

Conclusion

In a natural setting, many people would offer spontaneous help to a stranger, even in a group situation.

Factors that may determine the decision to help:

- *Type of victim (people with canes are more likely to be helped rather than a drunk victim)*
- *Gender of helper (men are more likely to offer help)*
- *Similar race (more help is given to a similar race, especially for drunk victims)*
- *The longer the emergency continues, the less likely it is for someone to help. They would cope with arousal in other ways.*

Image and study summary source: Study With Mehar © 2022

This experiment shows us that in a genuine and everyday scenario, individuals are more likely to intervene and offer support or assistance and work together to help others, however, where there are social pressures and influences conformity, and social influence can lead to reduced intervention for fear of the reaction and responses of others.

Conformity and loss of social identity

Conformity and social influence are very closely linked, and this can mean our social identify is affected by our tendency to change what we do, think or say in response to the influence of real or imagined pressure from others.

Normative Social Influence

This occurs when we wish to be liked by the majority group, so we go along with them even though we may not agree with them. In other words, a tendance to follow the crowd in order to fit in with the 'norm' and be liked by the group.

Informational Social Influence

This occurs when we look to the majority group for information as we are unsure about the way in which to behave. A person will conform because they genuinely believe the majority to be right as we look to them for the right

answer.

De-individuation is the loss of personal self-awareness and responsibility because of being part of a group. All too often this can lead to good people doing bad things.

4.2 Fear of Embarrassment

Fear of embarrassment and fear of retaliation are linked, both arise from the internal evaluation that occurs when assessing whether to intervene (or not).

Both fears derive from apprehension - We don't want to be judged by others if, and when, we make the decision to do something publicly.

Individuals may decide not to intervene in critical situations in case they embarrass themselves, make a mistake, make things worse or the situation ends up being less serious than first thought.

Example 1: Imagine you are at the local swimming pool, and you see a child splashing wildly in the water, no one else is around and you can't see the lifeguard:

Option A -You might jump into the water and attempt to rescue the child

Option B -You might not jump in, you might consider all of the following before taking a decision to act including that;

- you are a fully clothed spectator,
- the child might be playing, fully capable of swimming and think you are foolish as they aren't in any difficulty
- other people can see into the pool area and they haven't raised an alarm
- other people can see into the pool area and they haven't acted, or might think you are foolish
- there is likely to be CCTV on the pool, someone is watching
- there should be a lifeguard around – they would be better qualified to help
- You're not a great swimmer myself and don't really know how to get this child out

All of these fears may prevent you from intervening and seconds of hesitation can make all the difference.

Speaking out or making a stand - Social embarrassment

In addition to the personal apprehension that drives embarrassment there may be additional pressure through social norms and fears that by speaking out or standing up to support a victim there is a risk that the active bystander:

- may not be believed,
- could be perceived to be a trouble maker, or,
- could be limiting their own ability to progress (particularly in work environments)

Remember the Golden Rule:

Only intervene if it is safe to do so.

If a fear of embarrassment causes inhibition and it doesn't feel right to intervene, remember the 5 D's of intervention (see Module 5).

Delay or delegate - If you are too embarrassed or shy to speak out, or you don't feel safe to do so, get someone else to step in. Or delay and seek external support or guidance on how to address the situation.

4.3 Diffusion of Responsibility

Whenever there is an emergency in which more than one person is present, there is a diffusion of responsibility. This refers to our inclination to divide the personal responsibility to help by the number of bystanders.

In other words, the larger the crowd, the less personal responsibility a person feels to intervene. By way of example, if there are 4 witnesses to inappropriate behaviour each person may be 25% responsible for acting, whereas if there are 100 then observers may feel that this duty to act drops to just 1%.

There are three main drivers of this phenomenon:

1. The moral obligation to help does not fall only on one person, but to the whole group that is witnessing the emergency.
2. The blame for not helping can be shared instead of resting on only one person.
3. The belief that another bystander in the group will offer help.

Source: Emeghara, U. (2020, Sept 24). Bystander effect and diffusion of responsibility. Simply Psychology. www.simplypsychology.org/bystander-effect.html

Example: A workplace example of diffusion of responsibility would be the existence whistleblowing procedures and policies in the workplace. As these make provision for workers who observe public interest concerns and allows them to make disclosures

In the most extreme cases issues and concerns at organisations can go unreported or get brushed under the carpet for long periods of time. For example, in 2012 a care home for adults with learning disabilities and autism living at Winterbourne View hospital were subjected to systematic abuse by members of staff. This was eventually reported and addressed, but how long it was going on for is unknown.

Examples such as this can stem from a lack of accountability or due to moral disengagement (all too often people are so focused on their job roles and duties that they push aside moral responsibilities as being someone else's problem).

Someone more qualified must be able to assist.

Another driver of diffusion of responsibility is that where the audience is larger, or includes people who are not known to one another, and an emergency occurs, it is common to assume that within the wider group, there is likely to be someone who is more qualified, or better qualified, to intervene. This phenomenon is not present when you are alone or in a smaller group.

The Seizure Experiment

In one study researchers investigated whether the mere presence of other bystanders would affect the likelihood and speed of which subjects would respond to hearing another individual who was having a seizure.

Participants in the study either believed they were in a two-person group, three-person group, or a six-person group. (in reality, all other participants in the study were actors)

The research concluded that participants were less likely to help in situations where there were more people present, thus demonstrating the bystander effect.

Source: Darley, J.M.; Latané, B. (1968). "When will people help in a crisis?". Psychology Today

In Contrast (remember the Good Samaritanism: An Underground Phenomenon? (Piliavin et al (1969) – page 102)

If you recall the details above (within the social influence and social identity section at the start of this module) you may recall that the study (unexpectedly) found that diffusion of responsibility was not detected in that experiment.

Those results showed that the larger the group the more likely that others were to help. Whats more, when one person offered help, this encouraged support from other bystanders.

The purpose of this study was not intended to explore the notion of diffusion of responsibility; however, its observations are interesting to note.

4.4 Fear of Retaliation

As is the case with fear of embarrassment, fear of retaliation is driven by internal apprehension.

Not wanting to face consequences, especially negative or costly ones can cause us to delay, or choose against, intervention because of concerns that if we act there may be consequences that cause harm to ourselves.

That harm may put you at risk of:

- Becoming a victim yourself (on the receiving end of physical or verbal abuse),
- Incurring financial risk (the risk of being sued), or,
- being caught up in the behaviour and appearing to be a perpetrator.

Studies and research

Studies regarding acts of sexual assault: Researchers and authors asked college students to rate the importance of a list of barriers to reporting rape and sexual assault among male and female victims. The authors' findings indicate that the barriers that existed 30 years ago (prior to efforts by the rape reform movement) continue to be considered important among men and women.

The barriers rated as the most important were;

(1) shame, guilt, embarrassment, not wanting friends and family to know;
(2) concerns about confidentiality; and
(3) fear of not being believed.

Both genders perceived a fear of being judged as gay as an important barrier for male victims of sexual assault or rape and fear of retaliation by the perpetrator to be an important barrier for female victims.

Source: Barriers to reporting sexual assault for women and men: perspectives of college students, 2006, Marjorie R Sable 1, Fran Danis, Denise L Mauzy, Sarah K Gallagher

Separate research recognised the complex influences that impede intervention and acknowledged that there are generally 5 barriers to intervention:

1. Failure to notice an event (perhaps due to other sensory distractions or self-focus)
2. Failure to identify a situation as high risk (may be due to ambiguity or pluralistic ignorance – see below)
3. Failure to take responsibility for intervention (diffusion of responsibility, lack of empathy towards the victim, lack of relationship to the victim, and in education settings, there may be a link with the perceived choices of the victim in that they may have increased their exposure to risk, such as provocativeness or intoxication)
4. Failure to intervene due to skills deficit (Not knowing what to say or do)
5. Failure to intervene due to audience inhibition (disinclination to go against social norms)

These barriers need to be addressed and overcome before a potential bystander can become an active bystander.

The study suggests that *"Many of these barriers may be addressed through the presentation of common high-risk scenarios and intervention options during the mandatory sexual assault prevention and risk reduction programming … Prevention programming should also emphasize bystander responsibility and persuade potential bystanders that intervention is appropriate regardless of choices the potential victim made".*

Source: A Situational Model of Sexual Assault Prevention through Bystander Intervention, 2009, S, M, Burn

Workplace studies: Research has shown that working adults who felt greater fear of retaliation from their supervisors were less likely to retaliate in response to their aggressive acts.

Source: Mitchell, M. S., & Ambrose, M. L. (2012). Employees' behavioural reactions to supervisor aggression: An examination of individual and situational factors. Journal of Applied Psychology, 97(6), 1148–1170. https://doi.org/10.1037/a0029452

Bullying: Finally, in relation to bullying, research and studies have shown that the fear of retaliation is a leading factor that prevents intervention in cases of bullying. This is more prevalent for girls than it is for boys, with girls reporting this as the main reason why they would not intervene and boys citing it as the second most important reason that prevents intervention.

Source: Olweus, D. (1999). Sweden. In P.K. Smith, y. Morita, J. Junger-Tas, D. Olweus, R. Catalano, & Slee (Eds.), The nature of school bullying: A cross-national perspective. (p. 7-27). London & New York: Routledge.

Confusion of responsibility

Confusion of responsibility occurs when a bystander fears that helping could lead others' to believing that they are the perpetrator.

The retaliation element of this is the possibility that witness or bystander to inappropriate behaviour may be labelled as "bad". In other words, bystanders may choose not to get involved to save themselves from getting into trouble.

4.5 Pluralistic Ignorance

Pluralistic ignorance describes a situation where a majority of group members privately believe one thing but assume (incorrectly) that most others believe the opposite.

This is important in a bystander context because it means observers are less likely to act and suggests that they choose to not help because of a misperception that others feel there is no sense of emergency or need to intervene and this in turn affects their thought, or decision-making process.

Example 1: Imagine you are at the local swimming pool and you see a child splashing wildly in the water. (Like the example in fear of embarrassment - but this time the pool is busy and there are lots of other people swimming and spectating)

One of your first instincts would probably be to look around you and see how others are responding. If others appear shocked and are yelling for help, you may conclude that the child is drowning and dive in to help. But, if those around you are ignoring the child or laughing, you may conclude that they child is just playing around.

To avoid looking foolish, you would probably just continue watching and would fail to dive in and help. This seems like a reasonable approach and for the most part, it prevents us from making a fool out of ourselves.

The problem is that this tendency to look to others in order to determine how to respond can be biased by a phenomenon known as pluralistic ignorance.

Example 2: Consider a staff training day where you and your team are all learning new skills and you come to a particularly complex part of the session and your trainer (who has missed a key component in the delivery) asks whether anyone has any questions. In truth everyone has concerns, however, you might assume that everyone has understood everything and subsequently you don't ask for clarification. The following week at a team de-brief meeting, you discuss this part of the session and realise that everyone was uncertain, but it is too late to ask the trainer for clarification!

The Smoke Experiment

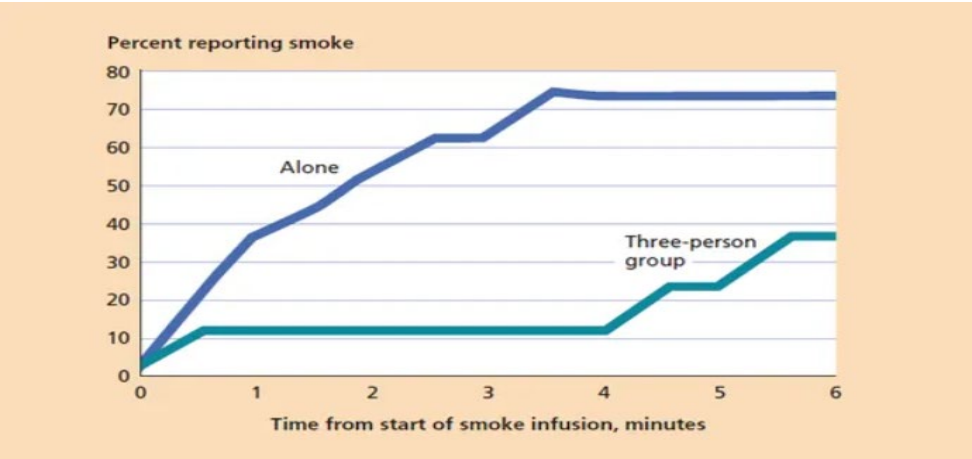
In the late 1960s a classic study was conducted, within which participants were asked to complete a questionnaire in a small room. After a few minutes, smoke was filtered into the room underneath a door.

- Half of the participants in the study were alone and were the only one in the room when this happened,
- The other half of the participants entered the room to find that there were two other students completing questionnaires in the room as well. (In actuality, these two "students" were working for the researchers and were instructed to keep calm no matter what happened.)

The key question in this study was; **would the participant notice the smoke and go get help or would they simply write it off as nothing concerning and continue working on their questionnaire**. (The experiment lasted only 6 minutes once the smoke began)

- The result showed that when the participant was alone, 1 in 4 people acted within 6 minutes of them left to report the smoke.
- But when there were two other people in the room, who both remained calm, only 1 in 10 left to get help in the first 4 minutes, and 6 out of 10 stayed in the room for the entire experiment.

Figure 11: Graph showing percentage of people reporting smoke



In some cases, the smoke got so thick the participant could barely read the questionnaire in front of them! Yet, if their fellow bystanders remained in calm, they did as well.

This demonstrates that, when we are alone, we are more likely to assume a confusing situation could be an emergency and act accordingly. Yet, when we are in the presence of other bystanders, we are likely to look to those others for guidance and if they are not responding, or are laughing or are not showing concern, we will **mistakenly** conclude it is not an emergency and will fail to help.

This study and its findings provide the foundation for many other studies, articles, and reports around the importance of bystander intervention and how observers are influenced by the behaviours of those around them. The authors (Latane and Darley) coined a 5 step model of intervention, whereby bystanders must:

1. Notice the event
2. Interpret it as an emergency
3. Take responsibility for acting
4. Decide how to act, and
5. Choose to act

The situational factors that influence different scenarios and predicaments can have a huge impact on intervention (and cause barriers to intervention).

Source: Latane, B., & Darley, J. M. (1968). Group inhibition of bystander intervention in emergencies. Journal of Personality and Social Psychology, 10(3), 215–221. https://doi.org/10.1037/h0026570.

False consensus

> *This term refers to the incorrect belief that other individuals are like oneself when in fact they are not. False consensus enables an individual to deny that their behaviour is problematic; in addition, it encourages problematic behaviour because it leads others to believe that it is the norm.*
>
> *This can cause problems in cases of unacceptable or inappropriate behaviour because this can mean that the perpetrator and bystanders may consider that the negative behaviour is acceptable.*

The combination of pluralistic ignorance and false consensus is 'mutually reinforcing': the holder of false consensus bias wrongly believes they are in the majority whereas the real majority view is silent due to pluralistic ignorance.

The silence makes it appear that the false consensus view is supported.

Source: Berkowitz, A. (2009) *Response Ability: A Complete Guide to Bystander Intervention*, Beck & Co., p.10)

Always Remember…

You must not start intervening until you have been taught skills in intervention and you have completed this course.

At the point you feel you are ready to intervene, put your health and safety hat on and ensure you carry out a mini risk assessment (even if it is an internal one). Decide what intervention options are available to you and choose the one that is safest in that moment.

4.5 Exercises

4.5.1 Podcasts

Chose one (or more) of the following to listen to:

- **Bad Apples** –Bad Apples "https://www.bbc.co.uk/programmes/m0015ltf" our health and safety hat on and ensure you carry out a mini risk assessment (even if it is an intern
- **Dirty Work** –Dirty Work
- **Race Inequality in UK Science** – Race Inequality in UK - 30 Minutes

Self-Reflection & Notes

4.6 Further Reading, Viewing, Listening

Reading:

Bystander Effect and Diffusion of Responsibility - Udochi Emeghara, published Sept 24, 2020 - Simply Psychology. www.simplypsychology.org/bystander-effect.html

A Situational Model of Sexual Assault Prevention through Bystander Intervention – Shawn Burn (2009) - (PDF) A Situational Model of Sexual Assault Prevention through Bystander Intervention (researchgate.net)

Understanding the barriers to speaking up: bystander conversations at the ICRC (June 17, 2022) Heike Niebergall-Lackner & Paulien Vandendriessche – Humanitarian Practice Network - Understanding the barriers to speaking up: bystander conversations at the ICRC | Humanitarian Practice Network (odihpn.org)

Listening:

Bad Apples - Cara McGoogan investigates shocking claims of bullying, sexual harassment and violence within the ranks of the police towards female officers (37 Minutes) - BBC Radio 4 - Bad Apples

Dirty Work - Despite improvements in workplace culture, bullying at work appears as rife today as it was 20 years ago. Matthew Taylor asks why, and seeks answers to this often hidden problem (37 Minutes) - BBC Radio 4 - Dirty Work

Race Inequality in UK Science - Discussion and analysis on how to improve diversity in science; why both of Earth's poles are experiencing heatwaves; and the search for the most beneficial kind of hedge to plant (30 Minutes) - BBC Radio 4 - BBC Inside Science, Racial inequality in UK science

Watching:

The Smoke experiment (<5 mins) - https://youtu.be/LYENi9padNg

Learning Summary

Having completed the reading, exercises (and perhaps some additional reading/viewing) you should have a greater understanding of what may affect whether it feels appropriate to intervene when you observe inappropriate situations or behaviours.

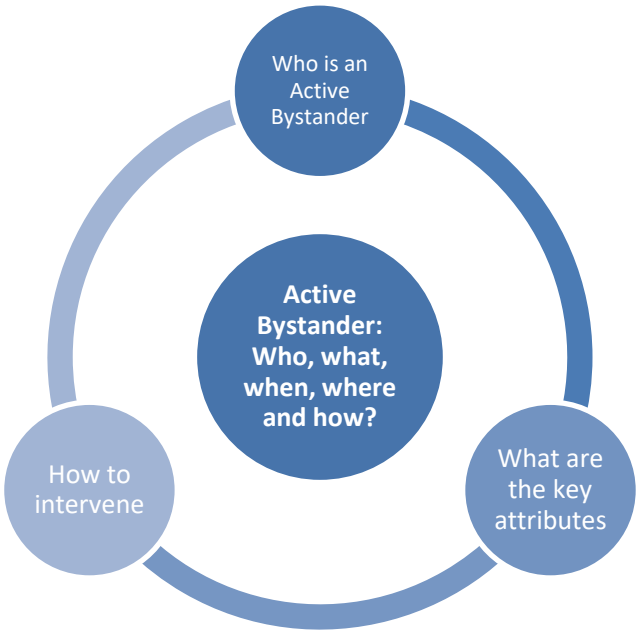
There are external social influences, internal personal (and psychological) influences and consequences that play a part in whether it feels safe and appropriate to act.

Always remember the Golden Rule - Only intervene when it is safe to do

Active Bystander intervention comes in many shapes, sizes and degrees; the type of intervention can vary or occur at different times.

Active Bystanders can thrive where they are in a psychologically safe environment within which it feels comfortable to address inappropriate behaviours and group members can be open, honest and share a sense of being their true self without fear of judgement, embarrassment or retaliation.

Module 5:
Being an Active Bystander



Learning outcomes

After reading this module you should be able to:

- Identify who can be an Active Bystander
- Understand the key characteristics demonstrated by any Active Bystander
    - Moral courage
    - Confident to speak up in support of the beliefs and values of others
    - Principled to take a stand against the status quo
- Understand the difference between being an Active Bystander and being an Ally.
- Identify when intervention may be appropriate and consider how and when and Active Bystander might get involved.
- Understand and be able to apply the 5 D's and how these align with other intervention models.

5.1 Who is an Active Bystander

In this final module we will consider the, who, what, when, where and why's of becoming an active bystander.

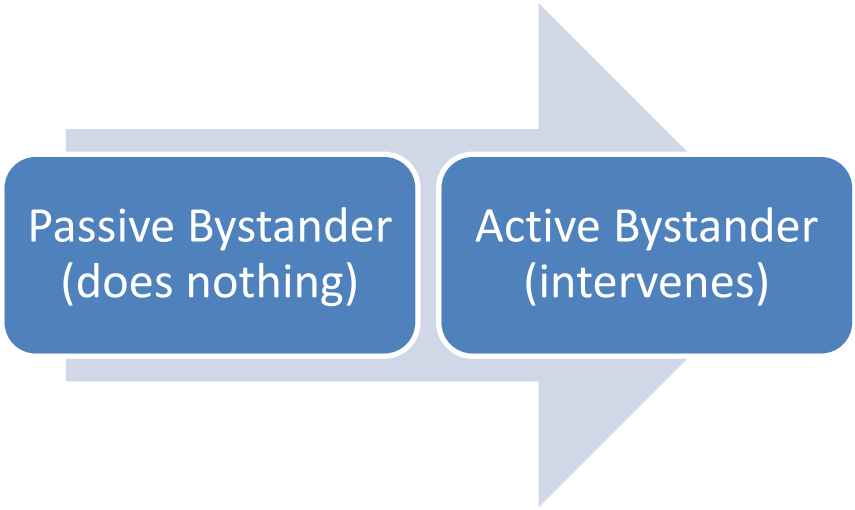
We will continue to draw on the work of Professor Catherine Sanderson who coined the term "moral rebels" to describe active bystanders as being people who show the courage to take actions for moral reasons despite the risk of adverse consequences.

Let us start by first considering what a bystander is:

> "A Bystander is a person who is standing near and watching something that is happening but is not taking part in it"

(Cambridge Dictionary definition)

This helps us to understand that an active bystander is someone who intervenes when they observe and identify bad behaviour being displayed by others. An Active Bystander is not just a witness to an act, and they are sometimes referred to as '**Moral Rebels**'.



Sanderson has explained that moral rebels "tend to have higher self-esteem and believe their actions will make a difference (she estimates that between five and 10% of the population can be categorised this way).

The following questions are extracts of an interview with Catherine Sanderson in October 2020:

What is a Moral rebel?

> "A moral rebel is someone who feels comfortable, or at least willing, to call out bad behaviour, even when that means defying or standing up to people around them who may not be acting. Moral rebels are more able to buck social norms and speak out in the face of bad behaviour, whether it's sexual misconduct, or a racist slur, or corporate fraud."

Are moral rebel qualities innate, and if not, can someone learn to become one?

> "I think the answers are basically yes and yes. Some people are more naturally able to be moral rebels. Moral rebels seem to be less socially inhibited—they don't worry so much about what others think or feel about them, and that makes it easier to speak up. They also tend to have high empathy, so they're pretty good at putting themselves in somebody else's shoes. But importantly, I think it's also something that we can train. As one example that is near and dear to me, as the mom of a 16-year-old girl who's very argumentative, research has shown that children who argue with their moms in particular seem to be better at standing up to peer pressure. Researchers theorize that is because you get good at practicing arguing and speaking your mind and sharing your point by doing it at home. That skill then translates to social situations—a finding that I take a lot of solace and hope in."

(Source: "It's Hard to Speak Out. Yet We Must" - An interview between Kim Karetshy and Catherine Sanderson - October 2020)

A common theme of Sandersons work is that anyone can speak out but no "one-size-fits all" – in different circumstances, on different days and taking into account different factors all of these can influence the active bystander response.

She frequently draws on the example that people trained in first aid are more likely to intervene in dangerous situations. She explains that this is not because

“They weren’t different in personality, but they were equipped with different skills.”

Sanderson shares examples of indirect interventions as follows:

- “You can find a friend if you don’t have the ability to do it alone”
- “sit with the victim and pretend that you know them to interrupt the situation.”
  or
- “in some cases you might diffuse the situation by creating a joke”.

Source: Extracts taken from “The Observer - Walk on by: why do we ignore bad behaviour? – Amelia Tait 2020

5.2 What are the key Active Bystander Attributes?

Moral Courage

Sanderson (2020) suggests that an active bystander should possess moral courage. She describes moral courage as "Entailing a willingness to incur social ostracism for doing the right thing".

Examples of moral courage:

- Confronting a colleague who uses a racist slur or abusive language
- Calling out a friend for sexual misconduct
- Challenging a bully

"All of these are acts of moral courage because they involve confronting bad behaviour in situations where social norms push us towards silence".

Those who display moral courage are referred to by psychologists as 'moral rebels'.

Moral rebels are those people who take a principled stand against the status quo, who refuse to comply, stay silent, or simply go along when this would require they compromise their values.

What makes a moral rebel?

Sanderson (2020) set out the traits of a moral rebel as follows:

- **high self-esteem**
  and
- **feel confident about their own judgement, values and ability**

These traits allow individuals to resist the social pressure to conform.

Confidence

Moral rebels don't just feel confident that they are right, they also believe that their actions will make a difference.

Moral rebels intervene because they **are confident that their interventions will serve a purpose** and have an impact.

Moral rebels have relatively **little concern about fitting in with the crowd** and are not afraid to speak up in support of their beliefs and values.

Empathy & Compassion

Moral rebels demonstrate humanity, they consider the emotional needs of others and strive to make personal connections with people which in turn enables them to consider interactions from multiple perspectives and then offer support and engagement on a multi-dimensional level.

Empathy describes the recognition that someone else is in pain understands that we can appreciate that person's perspective whilst not necessarily sharing it with them and can differentiate that their pain is not our pain.
Whereas, compassion, although similar to empathy, beyond as it often combines empathy with a strong desire to do something to help the other person.

Psychologists talk of "The Empathy Factor" which is a form of prosocial behaviour (meaning behaviour that is intended to help another person) some suggest that we are generally motivated by two different pathways.

- **Egotistical pathway**. Largely self-focused. We provide help if the rewards to us outweigh the costs e.g. handing a homeless person a £10 note to make ourselves feel better
- **Other-focused pathway**. Motivated by a genuine desire to help the other person, even if we incur a cost for doing so. A person acts altruistically when they feel empathy for a person and truly imagine a situation from their perspective.

Source: (Batson , Sanderson 2020)

Self-awareness

Being aware of ourselves and understanding that our actions set examples to others enables us to use our strengths and character traits to influence others.

We may not always get it right, and you must accept that you need time to grow and develop.

Allow yourself to forgive yourself for your mistakes and keep trying.

A sense of ease at being yourself (in working environments this may mean bringing your whole self to work)

Engaging in the attributes of moral rebels, creating psychologically safe working environments where all of your team members feel comfortable to be their whole self at work and remembering that we are all just humans, driven by nature and human instincts will enable people to have a strong sense of themselves and take personal responsibility to reciprocate positive behaviours and work to maintain a more harmonious and more productive team.

"High quality human connections are the fabric of high performing teams and organisations"

Source: The Empathy Factor By Marie R. Miyashiro, Jerry Colonna

How to find your Inner Moral Rebel

If you are not a 'natural' moral rebel, that does not mean that you cannot become an active bystander…

It is possible to develop the ability to stand up to social pressure i.e. we can learn how to become a moral rebel.

- We need to see moral courage through the actions of role models.
- We need skills, and we need to practice these behaviours. Developing skills in moral courage can help people stand up to social influence.
- We need to develop our ability to feel empathy. Spending time with and getting to know people from different backgrounds, ethnic, religious, political, cultural is an activity that helps.

We must believe in change! Many of us stay silent in the face of bad behaviour because we believe that one person speaking up can't really make a difference. If everyone shares that belief and no one chooses to act, the bad behaviour continues.

Emotion is contagious, if we practice and demonstrate the behaviours and characteristics of moral rebels others will reflect those attributes back and together we can work to improve the culture and feel of our team and our organisation

Watch: Catherine Sanderson - Launch of LLR ICS Active Bystander Programme 2022

See: https://www.youtube.com/watch?v=hIDjlJOfLC8

The difference between Allyship and Active Bystanders

An ally is defined as someone who is not a member of a marginalised group but wants to support and take action to help others in that group. Allyship in the workplace is crucial for inclusion and equality.

There are various recognised forms of allyship:

(1) **Performative Allyship** – this is often used to describe declarations of support for a marginalised group often because this affirmation comes with positive reinforcement (or there is something in it for them).
For example: posting on social media about a theme or cause (perhaps because it is the annual day or week to support a particular minority group) and receiving many 'likes' and 'shares' but then taking no further action to support that cause!
In the workplace, performative allyship could take the form of a senior leader sending an email to say they are 'sponsoring' or 'championing' a minority group and then failing to address this group, their needs or their rights at future meetings or considering them when important decisions are under consideration.
Consequently, performative allyship can cause more harm than good.

(2) **Intersectional Allyship** – Intersectionality considers how tradition social categorisations, (race, class and gender) apply to an individual or group. In simple terms Intersectional allyship acknowledges that everyone has their own unique experiences of discrimination and oppression. Therefore, to be an intersectional ally, you will be aware of, and show understanding towards the unique and individual experiences that people can face. In addition to this recognition such an ally would work to correct the negativity and oppression experienced by such marginalised groups.

(3) **Confidant** – someone who provides allyship by creating a safe space for people to express their fears, frustrations and needs.
This may be:

- as a manager by endorsing the principles of psychological safety, allowing people to be their true selves, and listening to what is being said and discussed within the team,

- as a friend being there to listen or
- as an approachable and friendly person that someone can talk openly to.

(4) **Active Bystander (also referred to as an upstander)** - Identifying inappropriate behaviour and taking appropriate action.

In the main "Allyship" is considered to be a lifelong practice to work in solidarity with marginalised groups, whether this is visible or invisible:

Figure 12: The Allyship Iceberg

Source and Image: Staffbase.com - Questions About Allyship Internal Communicators Need to Ask – Staffbase | Blog

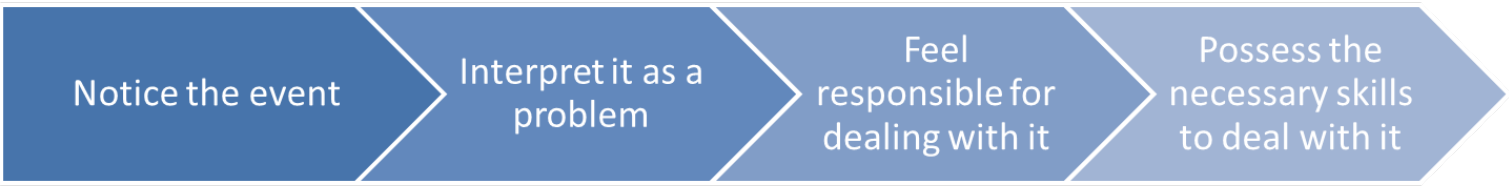
5.3 How to intervene

What is an intervention?

The Cambridge Dictionary defines an intervention as:

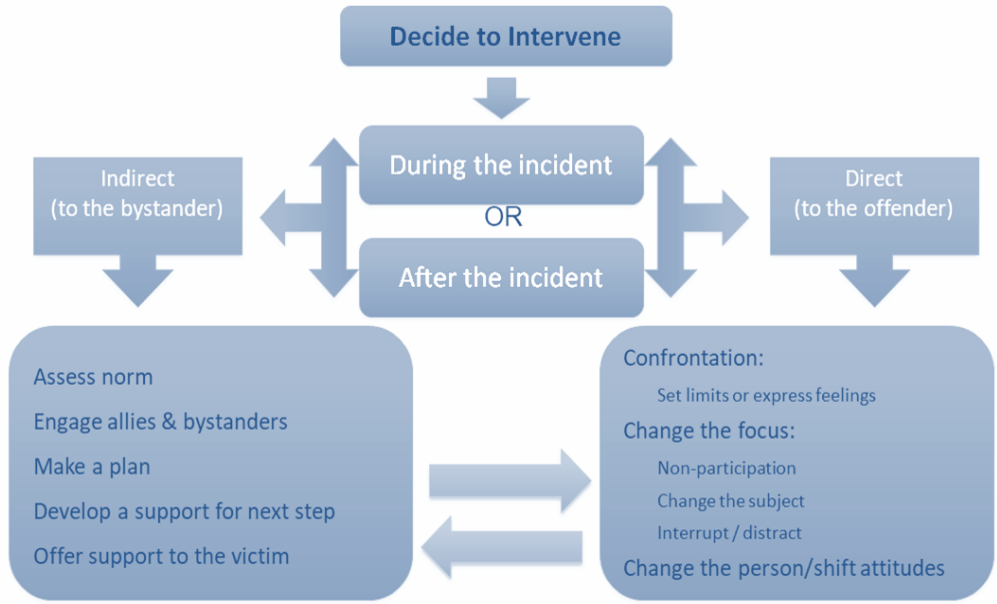
"the action of becoming intentionally involved in a difficult situation, in order to improve it, or prevent it from getting worse"

The four stages of intervention:



An intervention can be direct or indirect, and can take place before, during or after an incident.

Stages of Deciding to Intervention



Source: Adapted from Berkowitz, A (2013) A Grassroots' Guide to fostering Healthy Norms to Reduce Violence in our Communities: Social Norms Toolkit. USA:CDC

5.4 Active Bystander Interventions

5.4.1 The 5 D's

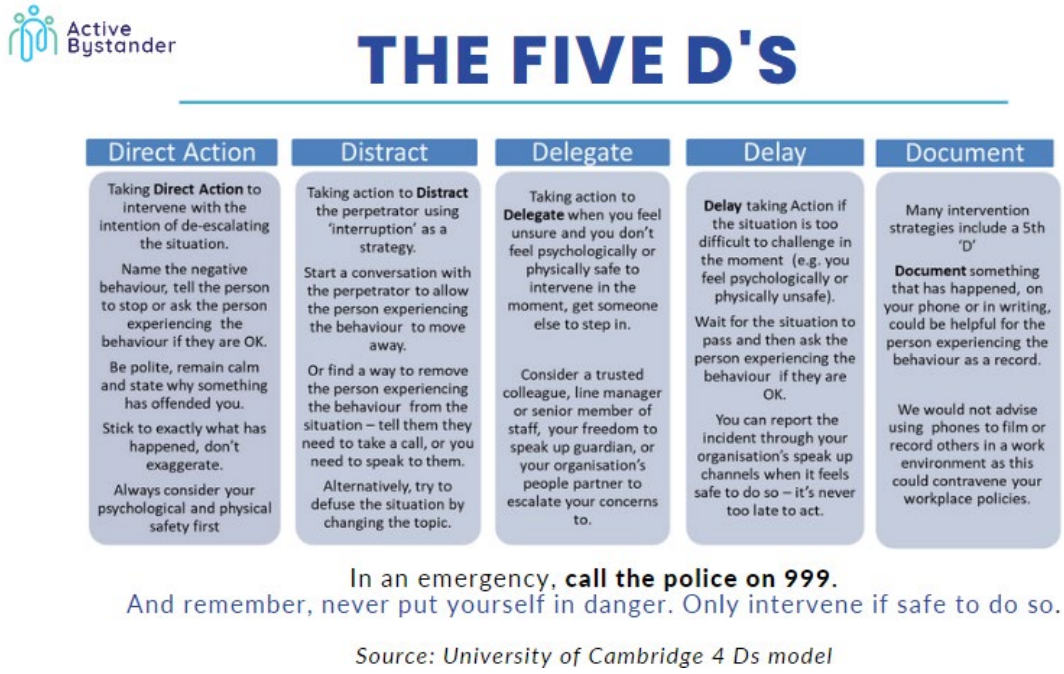
The five Ds of Active Bystander model provides a strategy for intervention which details four options. When it comes to intervening:

1. **Direct**
2. **Distract**
3. **Delegate**
4. **Delay**

(5. Document)

Over time there have been many references and versions of the 5D's model and over time, it has been adapted from a 4D model to one that includes reference to a 5th D, this directs people to document/create a record of the incident.

The Five D's



Source: University of Cambridge 4 Ds model

Direct

When you choose direct intervention, the key is to be succinct, do not argue or debate with the perpetrator as this risk's escalation.

You might call out the negative behaviour perhaps saying something like:

- "Leave them alone"
- "That's inappropriate,"
- "That's disrespectful", or
- "That's not OK."
- "I didn't expect to hear you say something like that"
- "You should leave them alone now, this has gone too far"
- "That was funny, but you need to stop now"
- "Are you trying to be mean/insulting/hurtful…?"

If the perpetrator responds negatively, assist the person being targeted instead of engaging the perpetrator.

Distract

If you choose to distract you are seeking to be subtle and inventive.

Your focus is the person experiencing the behaviour and you will ideally interrupt the unacceptable behaviour, or incident and engage with the person being targeted – often you ignore the perpetrator – mention something completely unrelated for example:

- Ask for the time
- Ask whether they know where the closes toilets are, or whether there is somewhere you can get a coffee nearby
- "Accidentally" spill or drop something or cause a commotion to shift the attention away from the harassment–you could drop your coffee or water, the change in your wallet, your pen
- If you don't know the person – pretend that you are lost and ask for directions somewhere

- Use body language to physically intervene (if it is safe to do so), getting in between the perpetrator and the victim
- Use a micro-affirmation – pay them a compliment such as asking where they got their shoes or jumper from, or noticing that they have new glasses.

Delegate

When delegating you are looking to a third party for help, depending on the circumstances you may need to adapt your approach, but you could look for support from someone more senior than you, a security guard or senior member of staff at any event or, if you are working in a collaborative environment you might:

- Use teamwork to distract and delegate. You can as a colleague use one of the distraction techniques to interrupt the incident harassment long enough for you to find someone to help
- You could speak to someone near you, or make eye contact with others who you believe have also noticed what's happening work together to intervene…

Delay

If the situation is dangerous or challenging and you don't feel comfortable using any other technique then wait for the situation to pass and make a difference afterwards, this can be done by:

- Asking the victim:
    - are you OK? (perhaps more than once!)
    - Is there anything I, or anyone else can do to help?
    - Would you like to talk to me about what happened
    - Would you like me to sit with you for a while
    - Would you like me to talk to someone on your behalf?
    - Would you like me to report this?
- Tell them you're sorry about what happened.
- Share support information if they want assistance or want to report the incident

- Follow up and check in with the person after a short period of time (where possible)

Document

If you can and it is safe to do so, it can be helpful to document what you see or hear, either in writing or even on your phone. This might deter the perpetrator and could also be helpful for the person experiencing the behaviour if they need evidence of what has happened.

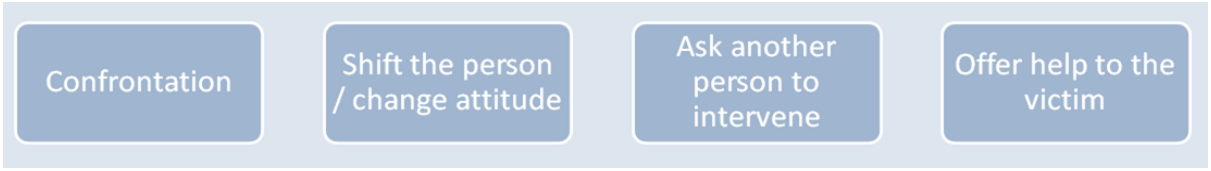
Source: Adapted from The Southern Poverty Law Centre - About Us, Southern Poverty Law Center (splcenter.org), University of Cambridge (breaking the silence), University of York (cross references the SPLCenter website content

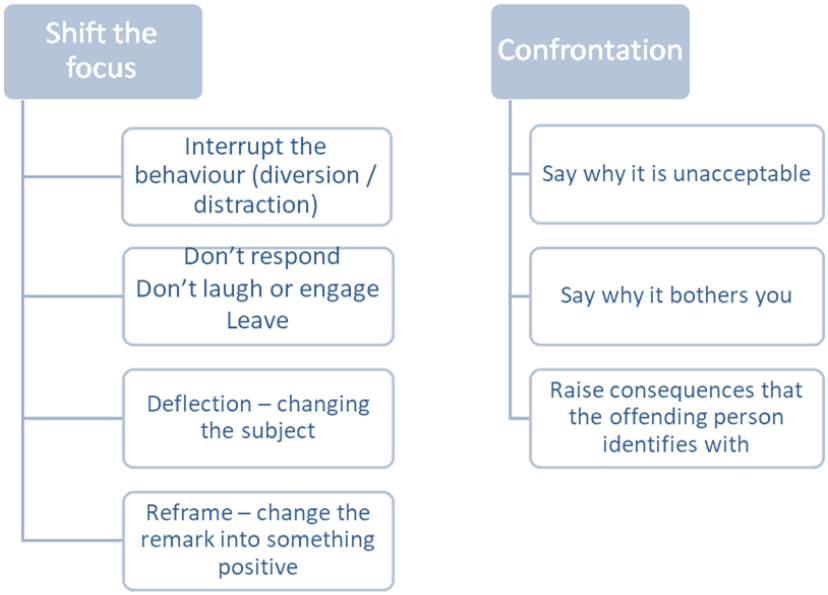
5.4.3 The Intervention Initiative

The University of the West of England developed an intervention strategy which focuses on 4 different active bystander strategies which can be deployed when an incident occurs:

1. Confrontation
2. Shift the person/change the attitude
3. Ask another person to intervene
4. Offer to help the victim

Figure 16: The Intervention Initiative





Some of the bystander intervention strategies they recommend include:

- **ASK THE QUESTION**

If you see someone who looks like they are in trouble, ask if they are ok?

- **DON'T WALK AWAY if you see someone who looks like they need help**

If something doesn't feel right try to remain to offer support or simply be present to keep an eye on the situation.

- **"I" STATEMENTS - Use three part statements:**

State your feelings, 2) Name the behaviour, 3) State how you want the person to respond.

This focuses on your feelings rather than criticising the other person.

Example: I feel _____ when you _____. Please don't do that any more.

- **SILENT STARE/ BODY LANGUAGE**

Remember, you don't have to speak to communicate. Sometimes a disapproving look can be far more powerful than words.

- **HUMOUR**

Reduces the tension of an intervention and makes it easier for the person to hear you. (Do not undermine what you say with too much humour. Funny doesn't mean unimportant)

- **GROUP INTERVENTION**

There is safety and power in numbers. Best used with someone who has a clear pattern of inappropriate behaviour where many examples can be presented as evidence of their problem.

- **"BRING IT HOME" (EMPATHY)**

This prevents someone from distancing themselves from the impact of their actions. For example: "I hope no one ever talks about you like that." This also prevents them from dehumanizing their targets as well.

- **"WE'RE FRIENDS, RIGHT…"**

  This reframes the intervention as caring and non-critical. For example "Hey, Dave. As your friend, I've got to tell you …"

- **DISTRACTION/INTERRUPTION**

  Most effective for intervention where you don't know the victim or the perpetrator. For Example asking for directions or the time.

- **PROVIDING INDIVIDUALISED NORMATIVE FEEDBACK**

  i.e. "most people our age don't think it's ok to…

They remind everyone to approach everyone as a friend, be a good listener and give respectful attention. They discourage antagonism and remind of the importance to recruit help when necessary and stay safe.

Source: Fenton, R. A., Mott, H. L., McCartan, K. and Rumney, P. (2014). The Intervention Initiative. Bristol: UWE and Public Health England.

Tips for Speaking up against Bad Behaviour

Catherine Sanderson wrote an article in 2020 within which she summarised 6 tips for how to speak up and intervene. Those tips are summarised below:

1. **Find a short and clear way of expressing concern or disapproval**

Be succinct and get straight to the point, for example by openly expressing disapproval. "please don't speak like that to other people" or "what you just said was unacceptable"

2. **Assume that a comment is sarcastic and identify it as such**

Respond to an inappropriate situation by saying something like, "I know you weren't trying to be sexist, but what you just said could appear to suggest otherwise". This enables the situation to be handled in a lighthearted way and avoids making the perpetrator appear too uncomfortable

3. **Make the discomfort about you, not them**

Another way to avoid confrontation or blame is to suggest that you felt offended or uncomfortable about another person's behaviour, this evokes empathy. For example " I was raised in a catholic family and that comment was hard for me to hear," or "A close friend of mine was sexually assaulted in high school, so jokes of that nature make me uncomfortable".

4. **Actively play out different types of responses to offensive remarks or problematic behaviour**

By practicing techniques, phrases or other forms of interventions in a safe and comfortable environment you can reduce inhibitions about speaking up and this can make future responses feel more normal. It also increases our confidence that we can intervene in a real-world situation.

5. **Find a friend who shares your concern**

A problem shared is a problem halved. By discussing your concerns, you can help to process and evaluate your perception and response. For some people (particularly if you don't feel too courageous) just having someone standing by your side makes you feel more powerful and builds confidence

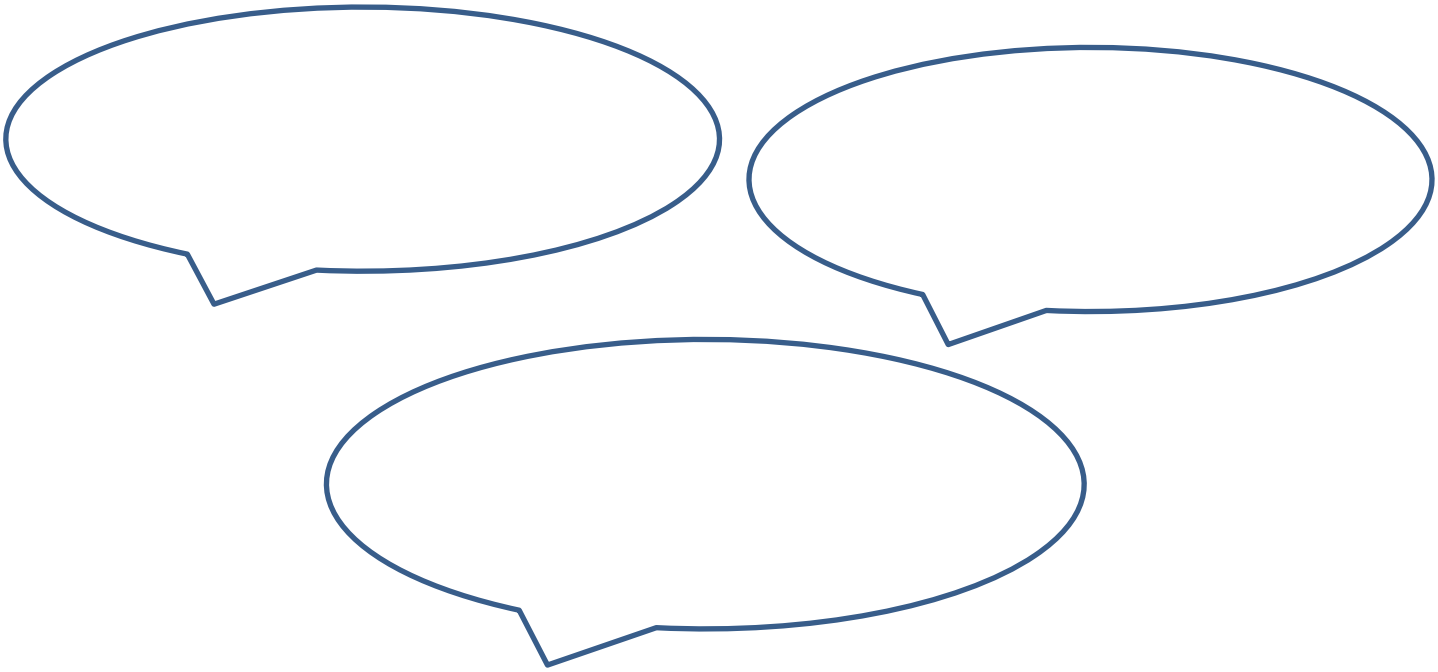
6. **Put yourself in someone else's shoes**

"We can all learn to speak up in the face of bad behaviour. If enough of us do so, we can change the culture to one of courage and action instead of silence and inaction. What would it take to create a culture in which we are expected to act when we hear offensive language, witness sexual misconduct, or see workplace fraud? Sometimes just a single voice can be enough, especially when that one person gives others the courage to speak up." (Catherine Sanderson 2020).

Source: Catherine Sanderson 2020 wrote Six Tips for speaking up against bad behaviour - Six Tips for Speaking Up Against Bad Behavior (berkeley.edu)

5.5 Exercises

Add some of your own intervention phrases or practices based on the 5D's model:



Space to Grow

Consider how you can work on developing a 'growth' mind set (rather than a 'fixed' mind set)

***See: Carol Dweck** 'Developing a Growth Mindset with Carol Dweck'*

https://www.youtube.com/watch?v=hiiEeMN7vbQ (9.37 minutes)

List some of the key things you identify as opportunities for your self-reflection and learning:

Consider daily non-judgemental journaling while growing/ growth mindset (we don't need to do things perfectly – we are all learning together)

5.6. Further Reading, Viewing, Listening

Reading

Its hard to speak out but we must - Interview by Kim Karetsky - Psychology Professor Catherine Sanderson Explains the Science of Bystander Inaction (amherst.edu)

Walk on by: why do we ignore bad behaviour? By Amelia Tait - Walk on by: why do we ignore bad behaviour? | Psychology | The Guardian

In her blog Rosie Clarke, Head of Inclusion & Diversity Services (at Inclusive employers.com), explores what allyship is, why it is important, and how you can become an ally. - What is allyship? A quick guide | Inclusive Employers

Berkowitz, A (2013) A Grassroots| Inclusive Employers/quick-guide-to-allyship/" mployers.com), explores what allyship is, why .
Social_Norms_Violence_Prevention_Toolkit.pdf (socialnorms.org)

Catherine Sanderson 2020 wrote Six Tips for speaking up against bad behaviour - Six Tips for Speaking Up Against Bad Behavior (berkeley.edu)

The Intervention Initiative. Bristol: UWE and Public Health England. Bystander intervention resources - The toolkit | | University of Exeter

Public Health England - A review of evidence for bystander intervention to prevent sexual and domestic violence in universities - Dr Rachel Anne Fenton, Dr Helen L Mott, Dr Kieran McCartan, Professor Philip, NS Rumney, University of the West of England, Bristol, UK. (2016) - A review of evidence for bystander intervention to prevent sexual and domestic violence in universities (worktribe.com)

Watching

What is Allyship - What is Allyship? - YouTube

The 4 D Allyship? - YouTub - https://www.youtube.com/watch?v=cd8FyeT3Dnk

Learning Summary

Having completed this final module and considering all that you have learned through this journey, we hope that you feel confident that you are able to:

- Identify who can be an Active Bystander
- Be aware of the key attributes that are often possessed by an Active Bystander, including:
    - Moral courage
    - Confident to speak up in support of the beliefs and values of others
    - Principled to take a stand against the status quo
- Appreciate the difference between being an Active Bystander and an Ally.
- Identify when intervention may be appropriate and what intervention might look like.
- Understand and be able to apply the 5 D's and how these align with other intervention models.

6. Definitions and Terms

ACAS: Advisory, Conciliation and Arbitration Service

Bullying

"unwanted behaviour from a person or group that is either:

- offensive, intimidating, malicious or insulting
- an abuse or misuse of power that undermines, humiliates, or causes physical or emotional harm to someone" (ACAS-Advisory, Conciliation and Arbitration Service – October 2022)

Victimisation

In summary, the legal definition of victimisation occurs when; a person subjects another to a detriment because they have, intend to, or believe that they may have, brought proceedings under the Equality Act 2010 OR gives evidence or other information in connection with proceedings under the Equality Act 2010 OR makes an allegation that a person (or employer) has contravened the provisions of the Equality Act 2010.

The full definition as outlined in s.27 of the Equality Act 2010 is as follows:

Victimisation

(1) A person (A) victimises another person (B) if A subjects B to a detriment because—

(a) B does a protected act, or

(b) A believes that B has done, or may do, a protected act.

(2) Each of the following is a protected act—

(a) bringing proceedings under this Act;

(b)giving evidence or information in connection with proceedings under this Act;

(c)doing any other thing for the purposes of or in connection with this Act;

(d) making an allegation (whether or not express) that A or another person has contravened this Act.

(3) Giving false evidence or information, or making a false allegation, is not a protected act if the evidence or information is given, or the allegation is made, in bad faith.

Harassment

The full definition as outlined in s.26 of the Equality Act 2010 is as follows:

(1) A person (A) harasses another (B) if—

(a) A engages in unwanted conduct related to a relevant protected characteristic, and

(b) the conduct has the purpose or effect of—

(i) violating B's dignity, or

(ii) creating an intimidating, hostile, degrading, humiliating or offensive environment for B.

(2) A also harasses B if—

(a)A engages in unwanted conduct of a sexual nature, and

(b)the conduct has the purpose or effect referred to in subsection (1)(b).

(3) A also harasses B if—

(a)A or another person engages in unwanted conduct of a sexual nature or that is related to gender reassignment or sex,

(b)the conduct has the purpose or effect referred to in subsection (1)(b), and

(c)because of B's rejection of or submission to the conduct, A treats B less favourably than A would treat B if B had not rejected or submitted to the conduct.

(4) In deciding whether conduct has the effect referred to in subsection (1)(b), each of the following must be taken into account—

(a)the perception of B;

(b)the other circumstances of the case;

(c)whether it is reasonable for the conduct to have that effect.

(5) The relevant protected characteristics are—

age;

disability;

gender reassignment;

race;

religion or belief;

sex;

sexual orientation.

Indirect discrimination

The full definition as outlined in s.19 of the Equality Act 2010 is as follows:

(1) A person (A) discriminates against another (B) if A applies to B a provision, criterion or practice which is discriminatory in relation to a relevant protected characteristic of B's.

(2) For the purposes of subsection (1), a provision, criterion or practice is discriminatory in relation to a relevant protected characteristic of B's if—

(a)A applies, or would apply, it to persons with whom B does not share the characteristic,

(b)it puts, or would put, persons with whom B shares the characteristic at a particular disadvantage when compared with persons with whom B does not share it,

(c)it puts, or would put, B at that disadvantage, and

(d)A cannot show it to be a proportionate means of achieving a legitimate aim.

(3) The relevant protected characteristics are—

age;

disability;

gender reassignment;

marriage and civil partnership;

race;

religion or belief;

sex;

sexual orientation

Direct Discrimination

The full definition as outlined in s.13 of the Equality Act 2010 is as follows:

(1) A person (A) discriminates against another (B) if, because of a protected characteristic, A treats B less favourably than A treats or would treat others.

(2) If the protected characteristic is age, A does not discriminate against B if A can show A's treatment of B to be a proportionate means of achieving a legitimate aim.

(3) If the protected characteristic is disability, and B is not a disabled person, A does not discriminate against B only because A treats or would treat disabled persons more favourably than A treats B.

(4)If the protected characteristic is marriage and civil partnership, this section applies to a contravention of Part 5 (work) only if the treatment is because it is B who is married or a civil partner.

(5) If the protected characteristic is race, less favourable treatment includes segregating B from others.

(6) If the protected characteristic is sex—

(a)less favourable treatment of a woman includes less favourable treatment of her because she is breast-feeding;

(b)in a case where B is a man, no account is to be taken of special treatment afforded to a woman in connection with pregnancy or childbirth.

Protected characteristic

A term used in the Equality Act 2010 to describe the characteristics that people have in relation to which they are protected against discrimination and harassment. Under the Act, there are nine protected characteristics:

1. age,
2. disability,
3. gender reassignment,
4. marriage and civil partnership,
5. pregnancy and maternity,
6. race,
7. religion or belief,
8. sex,
9. sexual orientation.

(Marriage and civil partnership and pregnancy and maternity are not protected under the harassment provisions).

Sexual harassment

Unwanted conduct of a sexual nature that has the purpose

or effect of violating a worker's dignity or creating an intimidating, hostile,

degrading, humiliating or offensive environment for them.

Third party harassment

Harassment of a worker by someone who does not

work for and who is not an agent of the same employer. For example, a client,

customer or service user.

Fragility

"The state of being easily damaged [or] broken, harmed or destroyed".

(The Cambridge Dictionary)

White Fragility

feelings of discomfort a white person experiences when they witness discussions around racial inequality and injustice. This discomfort can become intolerable and trigger a range of defensive moves including:

- anger
- fear
- guilt
- arguing
- silence
- leaving the stress-inducing situation

Consequently, these reactions may prevent people of colour from attempting to talk about racism with them. (Robin DiAngelo)

Micro-Incivilities (also referred to as micro-aggressions)

Brief and commonplace daily verbal, behavioural and environmental indignities, whether intentional or unintentional, which communicate hostile; derogatory or negative slights, invalidations or insults to an individual, or group, because of their marginalised status in society"

(Dr Derald Wing Sue - Microaggressions in Everyday Life: Race, Gender, and Sexual Orientation (2010)).

Biases

“The action of supporting or opposing a particular person or thing in an unfair way, because of allowing personal opinions to influence your judgment OR the fact of preferring a particular subject or thing” (Cambridge Dictionary definition)

Privilege

“The action of supporting or opposing a particular person or thing in an unfair way, because of allowing personal opinions to influence your judgment.

OR the fact of preferring a particular subject or thing”(Cambridge Dictionary definition)

Power

The “ability to control people and events” (Cambridge Dictionary definition)

Old Power

Old power works like a currency. It is held by few. Once gained, it is jealously guarded, and the powerful have a substantial store of it to spend. It is closed, inaccessible, and leader-driven. It downloads, and it captures. (J. Heimans and H. Timms)

New Power

Contrary to “Old Power”, “New power” operates differently, like a current. It is made by many. It is open, participatory, and peer-driven. It uploads, and it distributes. Like water or electricity, it’s most forceful when it surges. The goal with new power is not to hoard it but to channel it. (J. Heimans and H. Timms)

In-Groups and Out-Groups

A form of ‘Group Bias’ whereby we categorise ourselves (and others) into groups, identify with that group and compare that group to other groups. (see Bias definition)

In sociology and social psychology: an in-group is a social group to which a person psychologically identifies as being a member. By contrast; an out-group

is a social group with which an individual does not identify. (Henry Tejfel and John Turners social identity theory of inter-group behaviour 1986)

Stereotypes

“A fixed general image, or set of characteristics, that a lot of people believe represent a particular type of person or thing” (Collins English Dictionary)

Prejudice

“an unfair and unreasonable opinion or feeling, especially when formed without enough thought or knowledge” (Cambridge Dictionary definition)

Hazard of the Herd

The theory that people will do things in a group that they would never do on their own. (Catherine Sanderson)

Just Following Orders

The theory that people are often more willing to follow the instructions of an authority figure especially in situations where the authority figure exudes a willingness to assume responsibility for any negative outcomes as this allows the person who is engaging in the bad behaviour to feel absolved of wrong. (Catherine Sanderson)

A Question of Identity

The theory that People who ‘are just following orders’ tend to identify with the person who is giving the orders, and in this instance they may become willing actors in poor behaviour. (Catherine Sanderson)

The Agony of Indecision

The theory that people who are given orders by an authority figure which they know may cause harm decide to disobey these orders.

It is human nature to deliberate and evaluate, some people find it easier than others to be decisive but in almost all case, when you are given instructions, it is difficult to be disobedient.

Often the decision to disobey is fraught with anxiety and indecision.

Disobedience can take many forms and may result in several attempts at early intervention, with a wide variety of strategies being deployed. (Catherine Sanderson)

Gradual Escalation

The theory that people find themselves in a situation which slowly builds and causes more harm as it progresses. In such circumstances it is often hard to recognise the problem(s) and then harder still to disengage and step away early from the process. (Catherine Sanderson)