

Guidelines for

Managing social health risks at work

– victimization and bullying

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Guidelines for Managing social health risks at work – victimization and bullying

The purpose of these guidelines is to provide a framework for supporting employers' work to prevent, remedy and follow up victimization and bullying, based on research and evidence-based practice. These guidelines can be useful for many different actors such as occupational health services in Sweden, staff in Human Resources or who work with personnel issues, and for managers and staff who work with issues of development and occupational health and safety. The guidelines can also be used by unions at the central, regional, and local levels, as well as by safety representatives at various levels. Independent experts and consultants who work with the types of issues covered in these guidelines may also find the content useful. The guidelines contain a review of legislation, the status of current research, international best practices, and practical recommendations.

The guidelines are based on Swedish work environment legislation and its framework for how to counteract, remedy and follow up health risks in the organizational and social work environment. The guidelines are not designed to provide recommendations for management or remedial measures based on anti-discrimination legislation. Nor do they address judicial inquiries into misconduct in which personal responsibility or culpability are to be determined.

Although these guidelines are based on Swedish work environment legislation, the part containing status of knowledge is based on international research on bullying and harassment and the practical recommendations are both based on Swedish legislation, which also makes the guidelines useful for organizations that are not covered by Swedish legislation.

Foreword

The Swedish Agency for Work Environment Expertise, a national knowledge center for matters of occupational health and safety, aims to contribute to a healthy, happy and sustainable working life. As a key part of the work to realize this goal, the agency formulates and develops guidelines for evidence-based practices for occupational health services and other important players in working life, such as managers, safety representatives and union representatives, to support employers' prevention, remediation and follow-up efforts. The agency's goal is to design guidelines based on the best evidence available and with a high degree of applicability to daily practical work in occupational health services, for example. The agency's work to develop evidence-based guidelines is conducted in collaboration with researchers, practitioners, and professionals in the field as well as relevant industry organizations.

Unfortunately, victimization and bullying occur far too often in Swedish workplaces and many people are affected. It is important to remember that bullying and victimization affect not only the individual subjected to these prohibited forms of power wielding, but also the individual's surroundings, the entire workplace, and ultimately the climate of working life and society. They also have a financial impact on society due to increased costs of sick leave, sickness benefit, healthcare consumption, loss of production and more.

To highlight and spread awareness of the available methods and opportunities for counteracting bullying and victimization and similar behaviors, good approaches to resolving these issues, and ways to ensure a good, safe work environment after an issue has been remedied, the Swedish Agency for Work Environment Expertise, with the help of external experts, has developed the guidelines presented here.

The project team and authors of the guidelines, who are presented on the next page, chose their own theoretical and methodological starting points and are responsible for the results presented in the guidelines. I would like to thank the external researchers, practical experts and quality reviewers as well as the agency employees who contributed to developing these valuable guidelines.



Nader Ahmadi

Director General

Swedish Agency for Work Environment Expertise

About the development of the guidelines

The Guidelines for managing social health risks at work – victimization and bullying were prepared by a project group that was created for the purpose, composed of researchers and practitioners. The Swedish Agency for Work Environment Expertise led the process. Other experts also contributed to the development of the guidelines by reviewing part or all the work based on quality and practical application.

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Professor Irene Jensen and Associate Professor Lydia Kwak at the Institute of Environmental Medicine at Karolinska Institutet have reviewed the results and provided feedback before and during the work process.

Erik Gunnarsson and Ulrich Stoetzer from the Swedish Work Environment Authority have reviewed the sections of the guidelines pertaining to work environment legislation, systematic work environment management (SWEM), and the organizational and social work environment (OSWE).

The Equality Ombudsman (DO) has reviewed the sections pertaining to the Discrimination Act.

Faysal Rawandozi and several colleagues from Feelgood occupational health services have reviewed the guidelines from a practical perspective.

The individuals who reviewed the quality of the guidelines are: Live Bakke Finne, Stein Knardahl, Håkon Johannessen (National Institute of Occupational Health in Norway, STAMI, Norway), Professor Emeritus Helge Hoel (University of Manchester, England), Associate Professor Thomas Jordan (University of Gothenburg), Professor Ståle Einarsen (University of Bergen, Norway), Associate Professor Eva Gemzøe Mikkelsen (University of Southern Denmark, Denmark), Professor Denise Salin (Hanken School of Economics, Finland), professor emeritus Töres Theorell (Karolinska Institutet), Doctoral student Anneli Matsson (Malmö University) and M.Sc. and HR specialist Richard Mårtensson (Human & Heart HR AB).

Reading guide

Introduction contains an introductory background description, a description of the current situation, and information on the purpose, goals and target group.

Swedish legislation contains a review of Swedish legislation. This section includes important information on current legislation, including legal references and definitions.

Knowledge status contains a review of research pertaining to the subject of these guidelines.

The first section contains important key principles that impact all work with victimization and bullying. The second part of the chapter comprises a more traditional research review with references to important research literature. These consist mainly of comprehensive research overviews in the area – primarily Bullying and Harassment in the Workplace: Theory, Research and Practice (1) – as well as other individual research studies.

Recommendations contains the recommendations and flow charts in the guidelines, based on the sections Swedish legislation and Knowledge status. This chapter has a more practical focus, and the number of research references and legal references has been minimized to facilitate reading.

Conclusion contains a brief, summarizing conclusion.

Brief explanations of key concepts and abbreviations

Social health risks at work = A general and overarching term that includes all social situations in which there is a risk of ill health, such as escalating conflicts, offensive language, violations or harassment of various kinds, and bullying.

Victimization = The primary legal term used in Swedish legislation on health and safety at work in reference to social health risks at work. Defined as follows: "Actions directed against one or more employees in an abusive manner that may cause ill health or exclusion from the workplace community."

Bullying = Similar to victimization, but with the addition that the actions (or their consequences) occur systematically over an extended period of time and the victim is unable to defend themselves. Bullying is not regulated in the legislation, but generally comprises a severe form of victimization.

Systematic Work environment system = A collective term for the various policy documents, goals, procedures and work methods of an organization with regard to the organization's work environment. Some of these are statutory (for example, occupational health and safety policy and procedures for victimization), while others are voluntary (for example, leadership and employee policies, values). These documents may have different names in different organizations.

OSWE = Provisions on organizational and social work environment (AFS 2015:4).

SWEM = Provisions on systematic work environment management (AFS 2001:1).

AML = Swedish Work Environment Act (Arbetsmiljölagen) (1977:1160).

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Introduction

Victimization and bullying are significant problems in Swedish working life. Current research shows that every year, nearly 20 percent of Sweden's employees are subjected to actions and behaviors that at least border on victimization, and of these employees, seven percent experience ongoing bullying (2).

The first chapter will present a background with an international perspective and a summarized description of how these issues are currently addressed in Sweden today.

Background

Research has been published in recent decades from countries worldwide showing unequivocally that harassment, bullying and similar behaviors are harmful to individuals, organizations and society (for an overview, see for example 3, 4, 5). As we gain more knowledge, it has become increasingly clear to the research community just how damaging these problems actually are. People subjected to bullying and victimization are at much greater risk of developing mental ill health such as depression, and the risk of death from cardiovascular disease increases as much as it does with diabetes. They also run a high risk of exclusion from working life through unemployment or sick leave, while the risk of suicide also increases (see for example 6, 7).

In general, organizations that tolerate harassment have reduced commitment, creativity and satisfaction, while staff turnover increases. In addition, the level of conflict increases, efficiency declines and the clarity of the organization regarding roles and responsibility decreases. Witnessing the mistreatment of one or more colleagues at work can also have a negative impact on individual health. This is very expensive for society in the form of sick leave, sickness benefits, consumption of medical care, loss of production, decreased tax revenue and more (see review of 8). Even if knowledge of these costs has increased over the years, the National Institute for Working Life concluded in 2005 that bullying increases the risk of long-term sick leave by 50 percent (9).

As knowledge of how harmful these problems are has grown, efforts to regulate them have increased. Many countries have now established some form of legislation or case law to address this (10).

International bodies such as the World Health Organization (WHO), the UN, the International Labour Organization (ILO)¹ and the European Parliament² have also addressed this problem. However, different countries and different international players refer to the issue using different terms. The term harassment is often used in some form or in some combination, but terms such as disrespect, unfair treatment, violation and bullying are also used. Research usually uses the terms bullying or harassment. All of these terms are attempting to home in on the same problem: that people are being subjected to situations at work that are harmful to social health.

As in Sweden, they usually differentiate between bullying and victimization in general, and bullying and victimization associated with one or more grounds of discrimination, which are protected by the law. Research also shows unequivocally that several of the grounds of discrimination, such as sexual orientation, disability and ethnicity, sharply increase the risk of exposure to harassment (see for example 4, 11, 12).

The research is unambiguous: no one is sheltered from these problems. Harassment and bullying at work are reported all over the world, in all sectors of the labor market and at all hierarchical levels in an organization (5). This affects employees and managers, and men as well as women, although the incidence may differ (2, 12, 13). Through the digitalization of both working life and private life, the risk of exposure to harassment has also found new arenas with fewer boundaries, because work-related digital harassment can also impact individuals in their private lives, entailing significant new challenges for employers (14, 15).

Brief description of the current situation – Sweden

The process of developing these guidelines included an interview study to map out the situation in Swedish working life. Information was collected both internally and externally from some of the biggest players in occupational health, and from several smaller companies in occupational health. Specialists in HR and occupational health and safety from large and medium-sized employers (in both the private and public sectors) have also contributed information, as have unions and independent consultants and experts. A total of 21 people were interviewed, eleven of whom work in occupational health, three of whom are independent consultants, two of whom work in unions, and five of whom are in companies/organizations (employers).

1 Eliminating Violence and Harassment in the World of Work, Convention No. 190 (International Labour Organization, 2019).

2 Hoel, H. & Vartia, M. (2018). *Bullying and sexual harassment at the workplace, in public spaces, and in political life in the EU*. Policy Department for Citizens' Rights and Constitutional Affairs. Directorate General for Internal Policies of the Union. Brussels: European Parliament.

From these interviews, it emerged that work with issues pertaining to victimization and bullying varies significantly. The picture that was drawn presented a wide variety of needs and challenges. Despite differences, there is a general desire for more information about bullying and victimization at the workplace. This involves how to combat the occurrence of problems, good approaches to resolving these issues, and ways to ensure a good, safe work environment after an issue has been remedied. The interviews revealed a need to understand these problems from individual, group and organizational perspectives. There is also a consistent need for clarity regarding the best ways to manage victimization or bullying, and how roles and responsibilities might be allocated among different players. A holistic approach is largely absent, and the role of occupational health services as an expert resource for systematic work environment management of the organizational and social work environment requires strengthening.

From a purely practical perspective, initiatives to manage the occurrence of victimization or bullying vary significantly. There is no uniform picture, and many people describe challenges related to finding systematic, sustainable and carefully considered solutions.

Appendix 1 contains a more detailed description of the survey.

Swedish legislation

Sweden was the first country in the world to formulate statutory regulation on harassment and bullying at the workplace through the implementation in 1993 of the provision against victimization at work (AFS 1993:17). These provisions were replaced on March 31, 2016, when the provisions on organizational and social work environment (OSWE) took effect (AFS 2015:4). The new provisions define the term victimization in section 4. Section 6 requires all managers and supervisors to have knowledge of how to prevent and manage victimization. The last two sections address how employers should combat and handle the problem (sections 13 and 14). According to section 5, the new provisions must be read and understood together with the provisions on systematic work environment management (SWEM), introduced in 2001 (AFS 2001:1).

Thus, the term that has been used in Sweden since 1993 is *victimization*. When the term was introduced, its definition was similar to how the term bullying is usually defined in the research literature, i.e., repeated exposure to negative, offensive treatment that is different compared to how others at the workplace are treated. Harassment is usually defined internationally the same way. Individual severe violations that have substantial and long-term effects on the victim are also typically covered by the international term harassment, or the early definition of victimization in Sweden.

As is often the case with terms that are not easily defined, however, the term victimization in AFS 1993:17 became difficult to use. For example, how many times must a behavior be repeated in order for it to be considered repeated exposure, and what is the actual limit of what an employee should have to tolerate from colleagues or managers? In addition, if everyone at a workplace experiences highly offensive treatment, then this was not considered victimization, according to the definition. The new provisions introduced in 2016 define victimization in a new way (OSWE, AFS 2015:4). In this definition, if an action or treatment is abusive and poses a risk of ill health or exclusion from the workplace community, then it is considered victimization.

The emphasis on the risk of ill health is key because it relates to the fundamental purpose of the legislation on health and safety at work. To understand how to manage victimization professionally, it is therefore important to understand the structure of the legislation on health and safety at work.

Employer responsibility

The legislation on health and safety at work is protective and primarily serves a preventive purpose. It is characterized by what is referred to internationally as *duty of care*, i.e., the employer is responsible for protecting the employees whom it is responsible from risks of injury, accidents and ill health related to work (Chapter 3, Section 2, AML). This responsibility is common to all countries with well-developed legislation on health and safety at work. The work environment contains a wide variety of risks in many different areas. There are so many risks that it would be impossible to describe or define all of them, whether they are physical, chemical, organizational or social risks. Furthermore, society and its norms change over time, while research and knowledge of various types of risks develops. The Swedish Work Environment Act (AML) is therefore a framework law that uses general terms to establish the fundamental principles of work environment management. The Act describes roles and responsibilities – especially for employers, but also for employees, safety representatives and unions. Occupational health services are also mentioned as an important expert resource. The provisions decided upon by the Swedish Work Environment Authority then specify *how* to carry out work environment management. The so-called SWEM provisions (provisions on systematic work environment management, AFS 2001:1) are particularly important and include additional principles for how to carry out work environment management and what to do in the event of health risks, injuries or accidents occur or are anticipated in the work environment. AML and SWEM specify different work environment areas and risks that require particular emphasis. The OSWE provisions (provisions on organizational and social work environment, AFS 2015:4) constitute one such specification. The OSWE presents requirements for objectives, requirements for specific knowledge, and requirements pertaining to workload (including tasks or work situations that involve significant mental stress), scheduling of working hours, and victimization. General guidance is also presented for each area. The Swedish Work Environment Authority has also published guidelines indicating, for example, that victimization can become bullying when “someone is subjected to systematic violations over an extended period of time and is unable to defend themselves” (16).

In order to understand the definition of victimization and why the Swedish Work Environment Authority chose to broaden it relative to the definition used in the old provisions in the area, the definition must be read based on the *fundamental principle of the legislation on health and safety at work*: the employer’s responsibility to provide protection against ill health and accidents. And in order to understand the requirements for management, i.e. how to systematically combat and manage victimization, we must read OSWE based on an understanding of SWEM. The responsibility to provide protection against accidents, injury and ill health, together with the requirements for systematic work environment management, including prevention, mapping, remedial action and follow-up, comprise the foundation for all work environment management, regardless of risk area.

Definition of victimization

The OSWE defines victimization as follows:

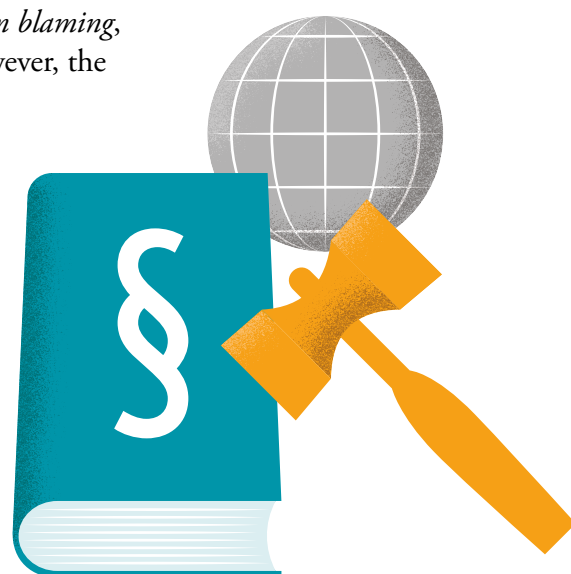
*Actions in an abusive manner at one or more employees that may lead to ill health or to exclusion from the workplace community.
(Section 4, AFS 2015:4)*

This definition is very broad and suggests that an employer must intervene in cases of social harassment at the workplace earlier than before. The offensive actions need not be repeated or systematic, nor are they required to only be experienced by one individual; rather, the actions could involve multiple people. To be considered the subject of victimization, an individual does not have to be treated differently at the workplace, but such treatment can itself be offensive and pose a health risk.

Because it can be difficult to draw a precise line delineating victimization, it is important to interpret the boundary based on the general obligation of employers, as laid out in legislation on health and safety at work, to protect employees from work-related health risks and to assess reasonability.

Different people have different limits with regard to when they feel offended and perceived violations affect people differently. It is therefore also important to have an objective understanding of the concept of victimization. The phrase “a reasonable person” is often used internationally and means in *legal* contexts “an average person.” This means that an ordinary, average person would perceive the action as a violation and the action poses a health risk or a risk of social exclusion for such a person. The problem with including the terms *ordinary* or *average*, however, is that it is both difficult and sometimes questionable to attempt to determine what is ordinary or average. It also immediately creates the risk that an individual who has been subjected to offensive treatment is regarded as unusual, abnormal, or oversensitive for feeling victimized. This is referred to in the research as *victim blaming*, and is unfortunately a well-documented phenomenon. However, the Swedish Work Environment Act acknowledges that not everyone is the same and establishes in its framework that the work environment must be adapted to individual differences and needs. But in practice, there are practical and reasonable limitations to how far an adaptation can go.

The Swedish Work Environment Authority states in its instructions on the organizational and social work environment that employers must explain and clarify what victimization is, for example when stating in a given policy that victimization is unacceptable.



But because the risk of ill health is a central facet, it is also important to understand that the OSWE places victimization in a context. The OSWE has three sections on workload and its health risks (sections 9–11) as well as one section on the scheduling of working hours (section 12). It is no coincidence that a single regulation addresses multiple organizational and social occupational health and safety issues. They are interconnected and impact one another. For example, an imbalance when it comes to demands and resources, as well as work situations involving significant mental stress, can contribute to the occurrence of victimization, for example in the form of escalating conflicts and scapegoating. Even if such a development does not go so far as to be considered victimization, the work environment may still require the remedy of an unhealthy level of risks.

Victimization as an umbrella term

In addition to the fact that it can be difficult to know precisely where to draw the line, another challenge related to the term victimization is how much it covers. It is an umbrella term and primarily describes a work environment risk that *could become* severe if action is not taken. But if the situation has escalated, exposure is systematic and long-term, and the victim is unable to defend themselves, then victimization is still the applicable concept in the legislation.

Legislation on health and safety at work thus does not differentiate between different levels: the risk of ill health and exclusion are the deciding factors. The employer is responsible for acting early, before the problem even occurs, thereby counteracting risks and preventing the problem from worsening and becoming systematic. The more serious a situation involving victimization is, the bigger and more serious the employer's failure to combat the problems.

However, this does not mean that the phenomenon of *bullying* does not exist or that this concept cannot be used. Bullying involves systematic exposure, while the victim experiences some form of powerlessness in the situation. Thus, bullying is an escalated and severe form of victimization. Put simply: Victimization is far from always bullying, but bullying is always victimization. And based on the legislation, the term victimization is always used as an umbrella term if bullying is present.

Other countries (such as our Nordic neighbors) have different concepts in the legislation itself for different levels of exposure to harassment. The research also contains multiple terms for the increasing degree of exposure that harassment often involves. To make it easier to *describe* the situation at the workplace, appendix 2 presents an educational model in which different levels of exposure to harassment are described with different terms. Please note that this table is educational, not legal.

Relationship between legislation on health and safety at work and the Discrimination Act

In addition to the concepts from legislation on health and safety at work, Swedish legislation also includes multiple terms for exposure to harassment in the Discrimination Act, DA (2008:567). The DA is a law of rights aiming to combat discrimination and promote equal rights and opportunities regardless of sex, gender identity or expression, ethnicity, religion or other belief, disability, sexual orientation or age. The DA regulates the right to not be subjected to discrimination and covers several areas of society, including working life. The act uses the terms harassment and sexual harassment to describe two forms of discrimination. Other forms of discrimination are direct or indirect discrimination, inadequate accessibility, and instructions to discriminate.

The legislation on health and safety at work (law of protections) and the Discrimination Act (law of rights) overlap one another and in some situations, work-related exposure to harassment is regulated by both at once (see figure 1 for an overview). Because of this overlap, it may also be beneficial to understand some of the Discrimination Act when obligations according to legislation on health and safety at work are described – even if we do not provide recommendations for remedial measures based on the Discrimination Act in these guidelines.

According to the DA, harassment refers to conduct that violates a person's dignity, is deeply disrespectful, is generally unethical, and is associated with one of the grounds of discrimination. Harassment may involve physical, verbal or other behavior. Harassment does not refer to trivial conduct or treatment, but rather to clear, obvious violations. To be considered harassment, the behavior must be unwanted, which is determined by the person experiencing it. The harasser must then have awareness that the behavior is offending someone in a way that can be considered discrimination. The person who has been exposed to the behavior should make it clear to the harasser that the behavior is perceived as offensive. However, in some cases it may be obvious to the harasser that the conduct is offensive.

According to the DA, *sexual harassment* refers to conduct that is sexual in nature that violates someone's dignity. As with harassment, this conduct is not trivial, it is unwanted, and the harasser must be aware that their behavior is offensive to someone, except in obvious cases. What differentiates sexual harassment from harassment is that it is sexual in nature. The action could be verbal, nonverbal or physical. Verbal behaviors could include unwelcome suggestions or pressure for sex. Nonverbal behavior could include showing pornographic images, objects or writing. Physical behavior could include unwanted physical contact, for example touching, patting, pinching or stroking another person's body.

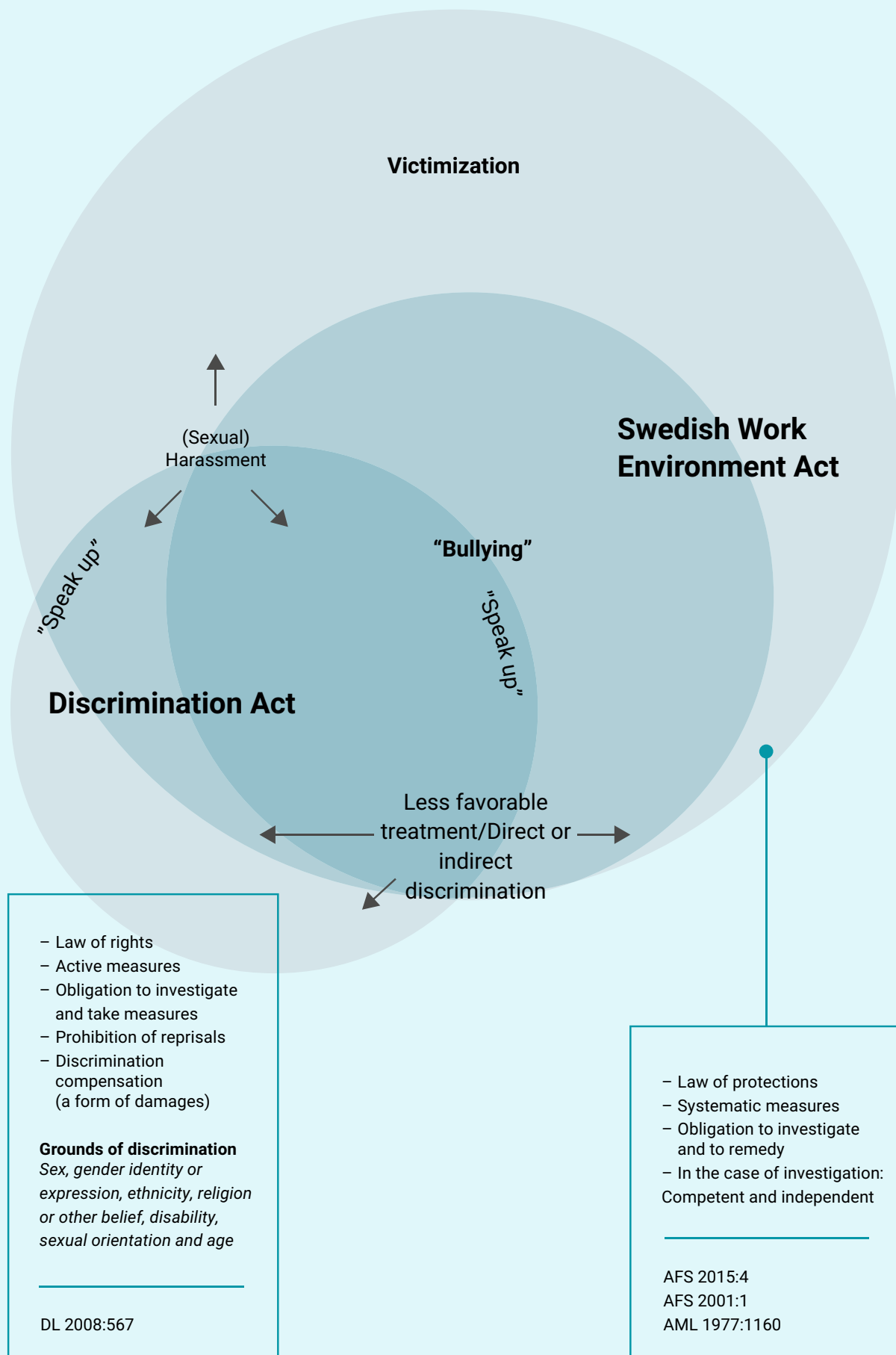


Figure 1. A description in graphic form of how the Swedish Work Environment Act and Discrimination Act overlap in matters pertaining to victimization, bullying, harassment, and sexual harassment. Because the term "bullying" is not used in the legislation, it is put in quotation marks.

In general, harassment is regulated by legislation on health and safety at work, where it is formally referred to as victimization, but it can also be regulated by the DA if the behavior violates someone's dignity, is unwanted, and is connected to one of the seven grounds of discrimination. Harassment that is sexual in nature can be covered by both the legislation on health and safety at work and the DA. Sexualized behaviors (actions that are sexual in nature) at the workplace that entail a risk of ill health or of someone being excluded from the workplace community are considered victimization, according to the legislation on health and safety at work. If these actions violate someone's dignity and continue after the person experiencing them has clarified that the actions are unwelcome (see "Speak up" in figure 1), or if it is obvious that the actions are unwanted, then these actions are also considered sexual harassment according to the DA. Situations involving alleged harassment or sexual harassment that are not considered to meet the DA's criteria for these terms may very well still need to be handled based on the requirement in legislation on health and safety at work to protect employees from health risks.



Both the legislation on health and safety at work and the DA require employers to work actively and systematically with supportive and preventive initiatives. The legislation on health and safety at work refers to systematic work environment management and the DA refers to active measures. According to section 9 of SWEM, in cases of confirmed ill health or serious incidents, the employer is obligated to investigate whether the work environment contains risks that must be remedied. Regarding victimization, this means employers must *at least* investigate whether they have:

1. ensured that managers and supervisors have enough knowledge to prevent and manage victimization as well as the circumstances for applying this knowledge (section 6, OSWE),
2. clarified that victimization is unacceptable in their workplace (section 13, OSWE),
3. eliminated conditions in the work environment that could result in victimization (section 13, OSWE) and
4. have procedures in place for handling victimization (section 14, OSWE), with which employees are familiar.

Chapter 2, section 3 of the DA contains an approximately corresponding duty to act in the event of harassment or sexual harassment. The DA also contains a regulation on discrimination compensation (a form of damages) in the event of harassment and sexual harassment, failure to investigate and take action, and in the event of reprisals (see Chapter 5, sections 1 and 2, DA).

Policies and procedures

Employers must have goals, clarifications and procedures for the social work environment (sections 5, 13 and 14, OSWE) for the purpose of preventing, identifying and remedy health risks. An employee who feels they have been victimized should know where to turn and whom to tell about what happened. Employees should also know what will happen with the information they provide, and support should be available to them. This is the minimum requirement of the legislation on health and safety at work. Many employers also design more comprehensive policies and procedures for handling these issues. If they are decided upon in collaboration with unions, then in practice, the requirements can be refined at local workplaces.

Many employers connect their policies and procedures for victimization to a more general code of conduct and values in order to clarify what behaviors are welcome, and what behaviors are unacceptable at work. Doing so is supported by the OSWE's requirement for employers to work preventively by taking actions that eliminate conditions in the work environment that could lead to victimization. The recommendations in section 13 state that an initiative addressing treatment and conduct can help reduce the risk. They also highlight the importance of paying attention to conflicts, workload, work allocation, work conditions and processes of change.

In cases when an employer decides to investigate victimization, the recommendations in section 14 of OSWE warn that an inadequate investigation could be harmful to both the work environment and health. The recommendations thus emphasize the importance of ensuring the investigator has adequate competencies for the task, the ability to be impartial, and the trust of the parties involved.

Because the Swedish Work Environment Act and the Discrimination Act include several requirements that are not identical, a dual system may be formally required when promoting equal treatment and combating and handling victimization at the workplace. Some employers solve this issue by combining the requirements of the DA and the legislation on health and safety at work in the same procedures and, for example, also applying the DA's prohibition of reprisals in conjunction with notifications of victimization.

Regardless of how employers construct their systems when it comes to issues of victimization, it is important that these systems are actually applied and followed. No matter how well-designed the system may be or how clear a code of conduct is, if they are not put into action at the workplace and if behaviors that break their rules are permitted, the systems lose value and credibility. This is also true when it comes to the extent to which a system applies to everyone at a workplace. If some people are allowed to break rules in a system that others must follow, the system loses credibility. Employers may also have issues if there is an established system of policies and procedures that do not apply to everyone or that are not observed in practice. Employers who commit to taking preventive and remedial measure and then fail to do so in practice face legal risks if a case were to end up in court.

State of knowledge

This chapter contains a description of the status of current research in the area and is thus not primarily connected to the Swedish legislation on health and safety at work. The chapter begins with a description of different kinds of negative and offensive conduct followed by general principles based on research on social and organizational justice. This is followed by a presentation of the status of current research and international best practices for prevention, remedial action, and follow-up.

Different kinds of negative and offensive conduct

Victimization and bullying have negative consequences for the health of the person subjected to this treatment. Research shows that exposure to offensive conduct at a low level of intensity is also linked to reduced well-being (see for example 2, 17, and research on incivility at work).

Similarly, as a result of increased digital communication via email and presence on social media, offensive behaviors take on new forms of expression, with new kinds of consequences for the person subjected to this treatment. In the case of cyberbullying or digital harassment, individual negative behaviors on social media can have enormous spread, they can be searchable, and they can live their own lives online (18).

The research usually distinguishes between active and passive, and between direct and indirect negative behaviors. Indirect and passive behaviors are common at work. With indirect behaviors, the offensive conduct happens through others (examples include gossip, spreading rumors, and negative special treatment) rather than by directly targeting the person subjected to this treatment. Furthermore, harassment could be a consequence of the absence of action, i.e. social exclusion. Examples of this kind of passive behavior include not being greeted, being ignored, exclusion from important meetings, or not being given essential information. Examples of active behaviors include unfair accusations, scapegoating, or being called insulting names in front of others. The research also draws an important distinction between work-related bullying and personal bullying. The former is connected to how a person conducts their work, while the latter is about who the individual is as a person (see for example 19).



General basic principles – respect, objectivity and a systematic approach

The purpose of interventions targeting victimization or bullying is to reduce the problem, thereby reducing risks of ill health. Therefore, no measures should be taken that would obviously risk worsening the problem. To reduce these risks, there are several important basic principles, which are primarily from research on social and organizational justice (see for example 20).

Research on organizational justice also provides additional important information. Specifically, injustice is inherently conflict-generated and over time, it is also a risk factor for experiencing shame and bullying. However, the *perception* of injustice does not always mean injustice is objectively occurring. On the other hand, the perception of injustice does risk leading to conflicts when people attempt to rectify the injustice – regardless of whether the perception is objectively founded or not. This kind of perceived injustice must be explained and justified, but when the experience of injustice has taken hold, it may sometimes be difficult to turn the situation around. The actions of an organization in connection with conflicts or alleged violations must therefore be carefully considered. Specifically, the situation is at great risk of escalating if the way in which a potential violation is handled contains elements of unfairness. Failed or misguided management will worsen the situation.



Research on organizational justice is usually divided into three main areas:

- a) interpersonal justice,
- b) distributive justice, and
- c) procedural justice.

Interpersonal justice involves being treated with respect, being listened to, being taken seriously and reasonable treatment compared with others in the organization. When a difference is made between people without a fair, objective reason, interpersonal injustice is at risk of occurring.

Distributive justice is about the fair and correct distribution of responsibility, resources, information, expertise, competence and the like within an organization. It is also about how burdens and problem-ridden or difficult tasks are distributed. If these are not distributed fairly and objectively, perceptions of distributive injustice are at risk of occurring.

Procedural justice involves how an organization proceeds when allocating advantages and disadvantages, for example in the form of responsibility, authorization and work content, as well as how the organization handles and remedies problems, for example when someone feels they have been mistreated in some way. The key aspect here is the approach of the organization. For the organization's procedures and methods to be properly applied, the way in which roles, responsibilities and conflicts of interest are managed is also important. When problems are not handled objectively and methods are contradictory or involve irrelevant considerations, procedural injustice is at risk of occurring.

This leads to three basic principles for all work with victimization or bullying. The principles apply to preventive measures, remedial measures, and follow-up. Acting in contradiction to these principles may inherently be a form of victimization or even bullying. The principles are respect, objectivity, and a systematic approach.

Respect

Respect is about the fact that everyone in an organization deserves to be treated with the same consideration and thoughtfulness. This means being listened to and taken seriously when conveying something important or difficult. Being disregarded, treated as less important, or unfairly criticized (regarding both substance and scope) leads to the experience of injustice. Receiving false or misleading information or having one's own sensitive and personal information distributed to unauthorized people also leads to the perception of unfairness, and any problems are at risk of escalation.

Objectivity

Objectivity refers to the fact that decisions, initiatives and similar actions that apply to or affect different individuals should be made on fair and comprehensible grounds. Objectivity also means that specific measures are proportionate to the problems to be solved. Naturally, advantages and disadvantages cannot be equally distributed in an organization. People do not all have the same skills, abilities, roles or responsibilities, but arbitrariness is another matter. Lack of objectivity makes it impossible to reasonably explain or understand why decisions or measures look as they do. This can result in perceptions of unfairness and creates the risk that existing problems may escalate.

Systemic approach

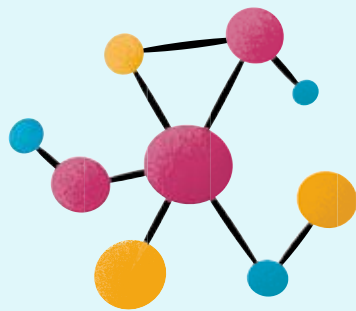
A systematic approach means that remedial actions and procedures used to prevent, investigate, or manage problems or conflicts are applied predictably and similarly in similar situations. This also means being prepared to revise measures or decisions if important new information emerges. It is also important that assessments are made by people who have no conflicts of interest in the matter at hand. Methods must also be ethically sustainable. A system inherently lacking in care that is applied to everyone equally is not a viable option. Defective systems that lack predictability and whose methods generate insecurity cause perceptions of injustice and risk causing any problems to escalate.

These three basic principles are absolutely central to work with preventing, remedying and following up victimization or bullying. If one or more of the principles is not followed, there is a risk that any measures taken will worsen existing problems.

Research and international best practices for prevention, remedial action, and follow-up

In the just over 30 years in which research has been conducted on harassment and bullying at work, two main hypotheses have been used to attempt to explain and understand why problems occur and how to manage them. These two hypotheses are the *work environment hypothesis* (2) and the *individual disposition hypothesis* (22). The work environment hypothesis is based on the explanation that problems are due to organizational failures and issues, while the individual disposition hypothesis is about the extent to which individual factors can explain problems.

Research shows that problems are primarily explained by organizational failures (see for example 23, 24), but an interaction also exists among organizational, group and individual perspectives (22).



Ethical infrastructure

The concept of the *ethical infrastructure* has recently been introduced and proposed in preventive and remedial measures (see 25). The ethical infrastructure refers to both formal and informal systems, such as the organizational climate, which both combat unethical behavior and promote ethical behavior in organizations. The most common way to fight harassment has been to customize special interventions to prevent problems from occurring. However, research has shown that despite their interventions, many organizations are ill-prepared to handle harassment and bullying. This suggests a need for preventive and remedial initiatives alike in order to establish a cohesive and reliable system of values, policies, action plans, conflict management, preparedness to take action and more. One crucial factor for the ethical infrastructure is also trust in the system throughout the organization. Trustworthiness is therefore central when establishing an ethical infrastructure. The concept of the ethical infrastructure thus takes issues of harassment and bullying from being about the most effective intervention method to inclusion in a holistic approach in which protection from victimization and bullying are built into the structure and identity of an organization.

In the following text, the research is divided among the preventive, remedial and follow-up phases. This is a rough division, but still provides some clarity in a complex area. Appendix 3 also presents research on intervention studies.

Preventive initiatives (primary prevention)

At the foundation, preventive initiatives are about ensuring that victimization or bullying do not occur in general, but also being prepared and ready to act if problems still arise. Because the research shows that the leading risk factors are at the organizational level, a large share of primary prevention involves ensuring a well-functioning organization.

Organizational and group level

There is extensive research on the impact of the organization and work group on bullying and harassment (see for example 23, 24). One area pointed out in particular is the risks associated with shortcomings in the work organization and design, which could include unclear or conflicting roles, a high workload and low autonomy. Deficiencies in the organization's culture and climate comprise another area and could include a culture of silence, power struggles, absence of harassment management policies and procedures, lack of trust and support, or exclusionary jargon. Yet another area involves deficiencies in leadership, where for example authoritarian, tyrannical or passive and absent leadership are pointed out as risk-factors. There are also risks associated with poor conflict management, inadequate processes of change, and destructive displays of power. Typically, several of these risk factors interact simultaneously, which increases the risk of problems with harassment in the organization. Precisely which mechanisms cause different organizational risk factors to present a threat of leading to problems with harassment is not as clear. Two mechanisms that are pointed out are the fact that organizational shortcomings risk leading to chaos as well as reduced interpersonal trust, which either together or individually increase the risk of conflicts, which in turn increases the risk of harassment or bullying.

Research shows that so-called high-involvement and high-performance HR practices have the potential to reduce problems with harassment by reducing role conflicts and increasing the experience of organizational justice (see, for example, references 26, 27). These kinds of HR practices include advanced hiring methods, training initiatives, meticulous performance evaluations (as a basis for pay), active staff participation and giving employees a voice as well as space, trust and acknowledgment. Social support from colleagues as well as managers also reduces the risk of exposure to harassment (28).

Individual and relationship level

Regarding research on the individual disposition hypothesis, i.e. the extent to which individual factors contribute to the understanding of victimization or bullying, the research is neither as clear nor as comprehensive (for more information on individual risk factors, see for example 22, 29, 30, 31). Above all, some studies suggest that individual ill health, especially mental ill health, could entail increased risk of exposure to harassment over time. Personality traits such as high conscientiousness and low emotional stability have also been described as risk factors. Individuals with aggressive and narcissistic traits have also been described as being at increased risk of exposure to harassment and of harassing others. Deviating in some way from a work group's intentional or unspoken perception of how a typical employee should be has also been shown to be a risk factor. The mechanisms behind why individual vulnerability poses a risk of leading to bullying are unclear. However, one hypothesis is that groups tend to reject individuals who do not manage to live up to the group's requirements, who do not conform to norms, or who threaten the cohesion of the group. This would mean that individuals who are or who are perceived as weak, different, or unconventional are at risk of being subjected to exclusion.

However, the research points out that individual risk factors are strongly connected to organizational risk factors, in that individual risks are mainly relevant when there are also organizational risks (22). Conversely, this means that it is rare in a well-functioning organization for individual risk factors to lead to exposure to harassment. Thus, the extent of the individual risks depends on the extent of the organizational risks.

The research also describes potentially self-reinforcing vicious cycles, in that harassment and bullying could lead to reactions and counter-reactions at both the organizational and individual levels, which, together, increase problems over time (22).

Interventions when problems occur (secondary prevention)

Interventions to handle social health risks in the work environment include activities and measures taken when problems or signs of problems are evident. However, there is a significant difference between initiatives for handling early and individual problems on the one hand, and escalated, systematic, severe problems on the other (32).

The purpose of remedial action is generally to resolve the problematic situation and reduce the negative consequences for those involved. This includes both early interventions for preventing and reducing individual instances of offensive conduct and/or ongoing conflicts, as well as interventions for severe, escalated problems.

Early interventions and interventions for escalated or severe problems

Early problems include mild forms of victimization involving one or a few negative and offensive behaviors, as well as destructive conflicts (33, 34). Researchers of bullying emphasizes the importance of stopping problems as early as possible to prevent ill health and avoid escalation (32), which could be done through mediation or conflict management, for example. However, if handled wrong, there is a risk that early problems could escalate and become severe problems.

In the event of escalated problems, the research demonstrates that a great deal is at stake for the people involved, including the health of the victim, potential consequences for the alleged harasser in terms of labor law, the continued work environment for the entire work group, and the trustworthiness of the employer. In this kind of situation, the organization's reporting and investigation procedures should be activated and play a key, important role for guiding the actions of the organization and the people involved as they move forward (35). In the work group, remedial measures involve providing sufficient information about managing and preventing speculation and rumors. The work group may also need active support while problems are being investigated. It is crucial for both parties to receive support and to be treated with respect throughout the process (36).

Research-based and guiding principles when carrying out an investigation

When carrying out an investigation, the management of the case should be guided by several general principles to ensure a fair process. A locally adopted policy with clear procedures for addressing victimization and the circumstances under which an investigation should be carried out should be in place prior to deciding upon an investigation. In addition to signaling that the organization takes victimization seriously, the procedures associated with the policy provide predictability for the parties involved. Clear procedures generate trust in the process and strengthen the organization's capacity to act impartial, transparently, and fairly. This is important, because employees commonly abstain from reporting social work environment problems due to discomfort or fear (35, 36).

The accused individual(s) are entitled to know what the accusations are and should be given the opportunity to defend themselves against them. This is called the right to reply or the right to respond to allegations (37, 38). The parties involved should be given equal opportunities to have their voices heard in the investigation process. If either party perceives a lack of respect or unfairness, this could severely complicate management of the process. While most reports of victimization are based on the victim's genuine experience, the possibility of false accusations, in which reports are made for personal gain or to harm the reputation of the accused, cannot be disregarded. It is

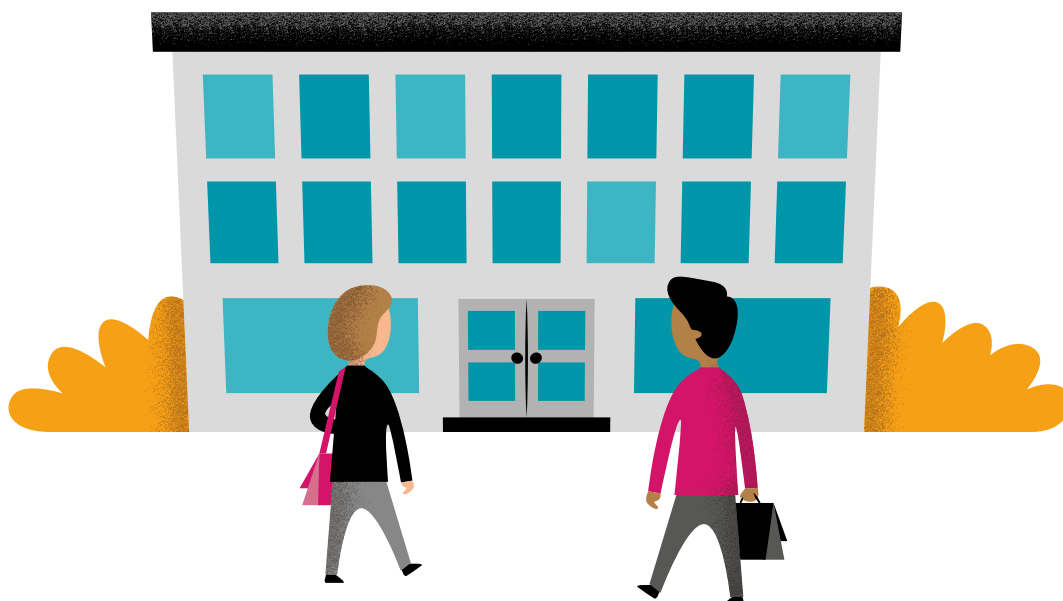
important to protect the confidentiality of the directly involved parties to the extent possible, which means that sensitive information associated with the investigation should be shared with as few people as possible (36).

For most investigations of problems that have escalated, it is necessary to interview people who have witnessed key parts of the course of events. The potential to objectively assess the situation is strengthened by a third party sharing what they have seen or heard in connection to the relevant events (36).

Follow-up (tertiary prevention)

There is little research on follow-up measures in conjunction with victimization or bullying. The literature emphasizes the fact that management and follow-up should lead to sustainable solutions for the organization, for the work group, and for the parties involved (32). It is important to make sure the situation returns to normal as far as possible after remedial have been carried out.

The organization's follow-up measures should be adapted to the severity of what has occurred. As a rule, severe situations of systematic or severe bullying require the parties to be permanently separated and the people involved should be protected from retaliatory acts by one of the parties or by the organization. The establishment of problems also demonstrates shortcomings in the organization that must be remedied. The research provides support for the idea that the organization should offer systematic and individually targeted follow-up support for the parties involved, such as psychotherapy or coaching (32). The research is unambiguous on the health risks. The worse the situation, the greater the risk of severe and chronic ill health.



Recommendations

This chapter presents the recommendations of the guidelines for addressing victimization and bullying in working life. The content is based on the general rules and requirements of the legislation (see the section on Swedish legislation, page 11) and the research-based state of knowledge regarding different kinds of interventions (see the knowledge status section, page 20).

First, a table will be presented (table 1, see next page) that provides an overview of possible interventions for the preventive, remedial and follow-up phases, as well as for the different levels: the societal, organizational, group and individual levels.

This will be followed by practical recommendations, divided into the preventive phase (primary prevention), the remedial phase (secondary prevention), and the follow-up phase (tertiary prevention). Flow charts as support for practical initiatives will also be presented in these sections.

Primär prevention

Preventive initiatives

Preventive initiatives to combat social health risks in the work environment take place on several levels (see table 1). The purpose of these initiatives is to minimize the risk of problems arising, and to be ready to respond respectfully, objectively, and systematically if problems occur anyway.

At the *societal level*, there is the legislation on health and safety at work, the primary purpose of which is to foster a working life without risks of ill health and injury. There is also a framework of international agreements that social partners have agreed to follow, as well as collective agreements between social partners aiming to create order and rules of play in working life. This framework at the societal level influences how work is conducted at the other levels. It is therefore important for all players to be familiar with the framework (see the section on Swedish legislation).

According to the legislation on health and safety at work, efforts to prevent victimization are expected to be part of daily operations. The employer is responsible for ensuring a safe and healthy work environment, for preventing victimization, and for taking care of people

Excerpt from table 1

Intervention level	Primary prevention
Societal level	<ul style="list-style-type: none"> • Laws/regulations, international agreements and collective agreements regarding preventive initiatives
Organizational level	<p>– Ethical infrastructure</p> <ul style="list-style-type: none"> • Organizational culture, values, and code of conduct • Policies and procedures • Forum for early problem-solving • High-involvement and high-performance HR practices • Management training • Organizational analysis • Work environment survey
Team/group level	<ul style="list-style-type: none"> • Promote support and collaboration as well as order • Systematic work environment management • Training in communication and conflict management • Spread awareness of offensive language and violations
Individual level	<ul style="list-style-type: none"> • Skills development • Participation • Training in communication and conflict management • Spread awareness of offensive language and violations

Table 1. Overview and examples of interventions to address victimization or bullying. This table, which is based on Zapf and Vartia (32), has been adapted to apply to Swedish circumstances.

Phase for prevention and interventions				
Intervention level	Primary prevention	----- Secondary prevention -----		Tertiary prevention
		Early problems	Escalated/severe problems	
Societal level	<ul style="list-style-type: none"> • Laws/regulations, international agreements and collective agreements regarding preventive initiatives 	<ul style="list-style-type: none"> • Laws/regulations, international agreements and collective agreements regarding initiatives 	<ul style="list-style-type: none"> • Laws/regulations, international agreements and collective agreements regarding initiatives • Court cases, conciliation processes 	<ul style="list-style-type: none"> • Access to treatment and rehabilitation • Co-Determination in the Workplace Act, collective agreements
Organizational level	----- Ethical infrastructure -----			
	<ul style="list-style-type: none"> • Organizational culture, values, and code of conduct • Policies and procedures • Forum for early problem-solving • High-involvement and high-performance HR practices • Management training • Organizational analysis • Work environment survey 	<ul style="list-style-type: none"> • Conflict management systems and skills • Support and guidance functions 	<ul style="list-style-type: none"> • Reporting and investigation procedures 	<ul style="list-style-type: none"> • Recovery procedures • Rehabilitation procedures • Procedures for handling misconduct • Reorganization
Team/group level	<ul style="list-style-type: none"> • Promote support and collaboration as well as order • Systematic work environment management • Training in communication and conflict management • Spread awareness of offensive language and violations 	<ul style="list-style-type: none"> • Difficult conversations • Setting boundaries for inappropriate behavior • Conflict management 	<ul style="list-style-type: none"> • Adequate information • Stop spread of rumors • Support 	<ul style="list-style-type: none"> • Necessary information • Support for work group and manager • Organizational initiatives
Individual level	<ul style="list-style-type: none"> • Skills development • Participation • Training in communication and conflict management • Spread awareness of offensive language and violations 	<ul style="list-style-type: none"> • Difficult conversations • Setting boundaries for inappropriate behavior • Conflict management 	<ul style="list-style-type: none"> • Preliminary investigation • Investigation and support for victim and accused 	<ul style="list-style-type: none"> • Recovery • Support measures • Rehabilitation • Follow-up

who feel victimized. The inclusion of everyone in an organization is a central aspect of systematic preventive initiatives.

At the *organizational level*, preventive initiatives involve creating systems, acquiring knowledge and systematically monitoring the work environment, at the overarching level, to reduce the risk of problems arising and being ready to act if needed. Central factors in this area are the organization's culture, code of conduct and values, as well as policies and procedures related to exposure to harassment, equal treatment, a staff policy, leadership policy and more. Smoothly functioning preventive initiatives are also associated with high-involvement and high-performance HR practices, for example as regards hiring, performance reviews, and participation. They also involve creating a structure within the organization that promotes compliance and early problem-solving in the various parts of the operation. How an organization trains managers is also key, along with how it collects and analyzes information about how the organization is faring and functioning. The overall common effects of preventive initiatives at the organizational level are based on an *ethical infrastructure* in the organization (see page 24).

At the *team or work group level*, preventive initiatives involve making sure that leadership and collaboration function well and ensuring adequate order in the operation in order to prevent unnecessary frustration and problems. Local systematic work environment management practices are important for identifying and handling potential problems. Skills-enhancing initiatives for communication and conflict management are also important preventive interventions. Creating awareness of offensive language, us vs. them dynamics, and violations is key.

At the *individual level*, preventive initiatives might involve fostering participation and providing individual skills development. Because everyone is different, it is also important to adapt initiatives to individual needs and conditions and to treat everyone with respect and provide support as needed. Special communication and conflict management trainings may be necessary, along with awareness-raising initiatives regarding offensive language and offensive conduct.

Regardless of which preventive initiatives are relevant, or the level at which they are applied, the work should be characterized by the research-based basic principles: *respect*, *objectivity*, and a *systematic approach* (see page 23).



To systematically arrange the various relevant initiatives, they are also presented in a *flow chart* (figure 2). The flow chart applies the “organization and leadership” levels, and the “individual and work group” levels. Work with the areas addressed in the flow chart is usually conducted simultaneously in an organization. However, some initiatives are more fundamental in nature and create the necessary conditions for other initiatives. This applies primarily to initiatives at the organizational level. Without the fundamental initiatives at the organizational level, there is a risk that initiatives at the group and individual levels will have very limited effects. Each potential action area in the chart is presented as a question. If the answer to a question is “no,” an arrow points to recommended interventions. When all questions in the chart can be answered with a “yes,” it means there are good conditions in place for a well-functioning organization with successful preventive initiatives and an ethical infrastructure (for more on the concept of the ethical infrastructure, see page 24).

A complementary or alternative model for preventive initiatives is described in the book *Att bygga en robust samarbetskultur: Förebygga konflikter i arbetslivet* [*Building a robust collaborative culture: preventing workplace conflicts*] by Carlson, Jordan (39).

Occupational health services or other external players should be able to provide support and initiatives in all of the areas described in the flow chart.

Flow chart for preventive initiatives

Systematic and methodical work with social health risks

For organizations, preventive initiatives involve creating conditions at the overarching level that enable methodical, systematic work with the organizational and social work environment (OSWE). The most suitable framework for this process is systematic work environment management (SWEM). SWEM involves the employer taking a structured approach to investigating the work environment, assessing its risks, and implementing remedial measures and follow-up. The OSWE also incorporates clarifying the fact that victimization is not tolerated in the organization. It is important for all organizations to investigate and follow up their operations in order to prevent ill health and achieve a satisfactory work environment (see SWEM, sections 2–5). This also applies to the social conditions at a workplace.

For organizations that do not work methodically and systematically with the OSWE, it is fundamental to begin investigating and analyzing the organizational and social work environment, including issues related to victimization. This kind of analysis can be conducted using questionnaires, conversations, observations, or interviews, and may include employees as well as managers. If using surveys, it is important that they are scientifically quality assured, with so-called reliable and valid measurements. Self-constructed questions and response options are not recommended.

Does the systematic work environment management for the organizational and social work environment function smoothly?

Excerpt from flow chart Figure 2

Primary prevention

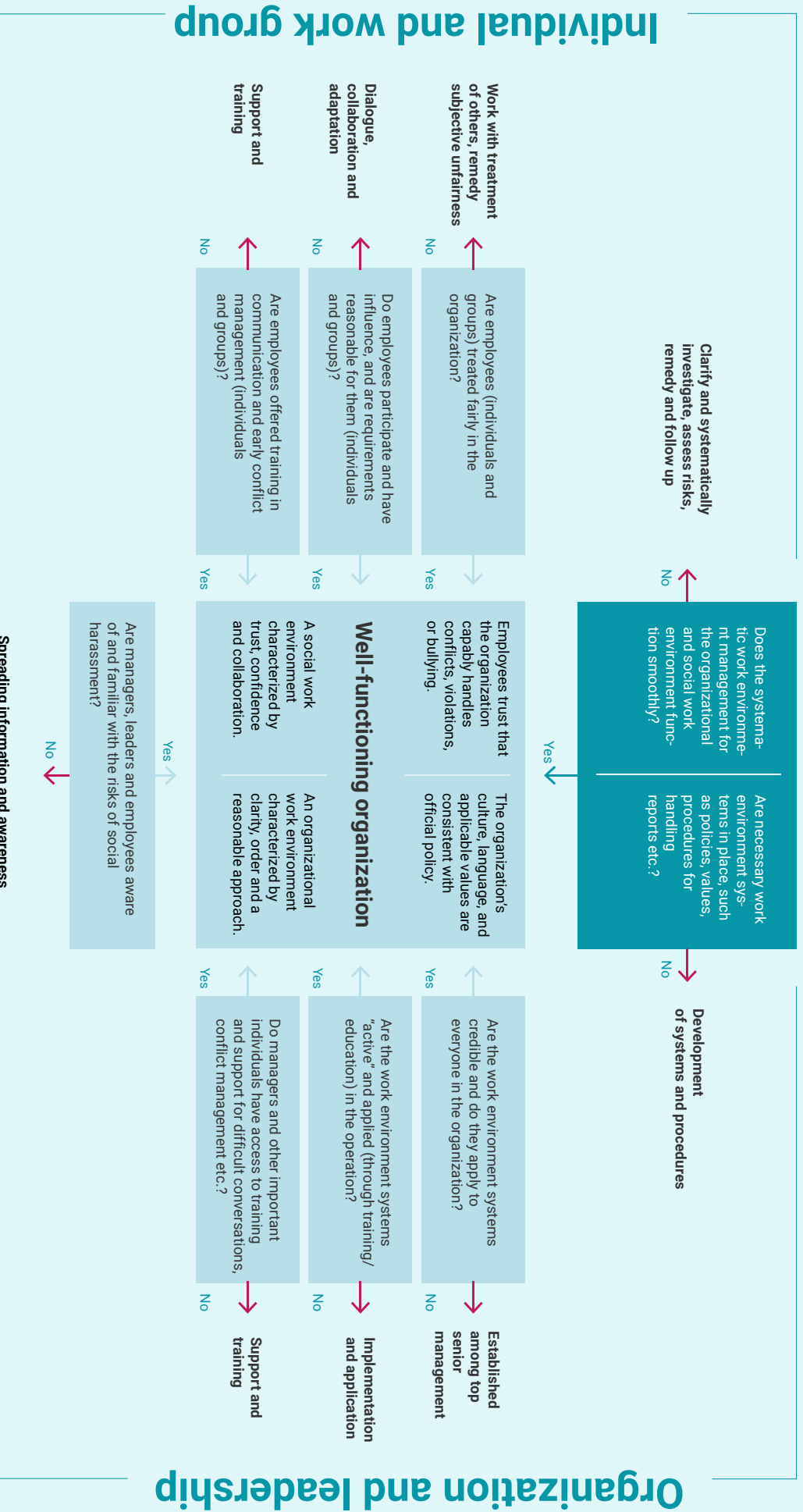


Figure 2. Flow chart of preventive initiatives in an organization.

Survey results can be analyzed at the individual, group and organizational levels, and also based on groups such as gender and the various grounds of discrimination. When conducting surveys, it is important to prepare employees and clearly communicate the purpose and goals, whom the survey involves, how the results will be used, and what will happen if there are indications of social health risks. Once the survey has been conducted and analyzed, the results will be followed with suitable measures. The extent to which these measures achieve the intended effects should also be followed up and monitored. If indications of social health risks emerge after working with SWEM, these should be remedied using suitable interventions. For information on how to design these remedial measures, see the section on secondary prevention (see page 39).

Are necessary work environment systems in place, such as policies, values, procedures for handling reports etc.?

Excerpt from flow chart Figure 2

Necessary work environment systems

Effective preventive initiatives in the organization require clear, applicable work environment systems (the term work environment system should be understood in the broad sense, see explanation on page 6), for example policies and procedures regarding exposure to harassment, equal treatment, staff policy, employee policy, leadership policy etc. Because policies and guidelines comprise the basis of various remedial measures in the work environment, it is essential that these systems are in place, used, and updated. If there are no functioning work environment systems, it is crucial to thoroughly develop them. It is also essential for such systems to include a clear, carefully considered description of how a victimized person should inform the employer, and how the organization protects and supports the victim. See appendix 4 for details on what victimization and bullying policies and procedures should contain.

Are the work environment systems credible and do they apply to everyone in the organization?

Excerpt from flow chart Figure 2

Credible work environment systems

A prerequisite for the usefulness of work environment systems is that they are *credible* and apply to everyone in the organization. Having it embedded within management is necessary for creating credibility, especially when it comes to victimization, because allegations of unacceptable behaviors are sometimes aimed at top executives. Necessary resources must also be in place for preventive initiatives. If work environment systems are not thoroughly established among leadership, there is also a risk that preventive initiatives will not be prioritized.

Are the work environment systems “active” and applied (through training/education) in the operation?

Excerpt from flow chart Figure 2

Applied work environment system

The employer must work actively to distribute relevant policies and guidelines throughout the organization, so that these are well-known and applied in daily operations. If the systems are not used in the organization, it is important to investigate what the obstacles are. This kind of analysis can be conducted through interviews, for example

with managers and safety representatives. Focus groups with broad representation may also be used.

In addition to interviews, surveys may be used. Obstacles could have a variety of different causes; for example, there could be a general lack of awareness among important players, or the systems in the organization could be difficult to apply.

Taken together, well-designed and credible work environment systems paired with well-functioning SWEM – for issues pertaining to social health risks in the work environment – mean the employer is ensuring that issues are handled respectfully, objectively, and systematically. This is a cornerstone of an ethical infrastructure and leads to increased trust in the organization – as well as an improved sense of security within the organization.

Training and support for managers

A fundamental precondition (and a legal requirement) for preventive initiatives is that managers have the organizational conditions and necessary information to carry out preventive work environment management. It is the role of managers to establish the norms of a workplace, and they require knowledge and support to be able to react quickly, correctly, respectfully, and objectively to signs of social health risks in the work environment.

An important element of leadership is the ability to handle complicated situations involving individuals. For preventive initiatives, it is important to be able to recognize signs at an early stage and handle conflicts, for example, before they escalate. Setting boundaries for norm-violating or aggressive behaviors is also essential. How the organization trains its managers is therefore significant for preventive initiatives. It is recommended that managers acquire this information through mandatory trainings held by the organization; through the organization offering continuous support and follow-up, and ensuring that managers have necessary information about the organization's policies and guidelines, as well as knowledge of and skills in *conflict management* and so-called *difficult conversations*. As a rule, difficult conversations involve daring to provide specific and objective feedback on unwanted behaviors or situations, and clearly communicating the desired direction with a written action plan and the offer of support.

Unions and safety representatives may also be offered the same trainings given to managers. It is beneficial to collaboration when managers, unions and safety representatives all have the same knowledge background on these issues.

Do managers and other important individuals have access to training and support for difficult conversations, conflict management etc.?

Excerpt from flow chart Figure 2



Managers need knowledge of:

- The organization's victimization and bullying policies and procedures.
- Early signs.
- How to react in concrete terms.
- Conflict management.
- Difficult conversations.

Are managers, leaders and employees aware of and familiar with the risks of social harassment?

Excerpt from flow chart Figure 2

Initiatives for spreading information and awareness among managers and employees

It is important for managers, leaders, and employees alike (as well as union representatives and safety representatives) to be informed about and have awareness of the risks associated with social harassment, offensive language, group dynamics, us vs. them dynamics, scapegoating and so on. Awareness can be generated through a continuous dialogue on what behaviors are acceptable and what behaviors are unacceptable at the workplace. To keep this awareness vivid and relevant, it may be helpful to develop rules for how members of a work group should treat one another. These kinds of rules work best when they are connected to relevant work environment systems at the workplace. It is important to foster a workplace culture in which it is both legitimate and desirable to speak up if you are treated in a way that is unacceptable, or if you see this happening to someone else. Bystanders, i.e. people who witness unacceptable behavior, have a central role when it comes to curbing harassment by actively opposing negative conduct (see 40). Regular training programs on these issues could also be held during work environment or business-theme days; they could also comprise a recurring topic at workplace meetings.

Are employees offered training in communication and early conflict management (individuals and groups)?

Excerpt from flow chart Figure 2

Training and support for employees

Well-functioning communication and being part of a well-managed work group are key factors in reducing conflicts that could become more systematic problems. Training programs in communication and early conflict management are good investments for preventing social health risks. The recommendations for managers also apply to employees: employees should acquire this information through the employer offering training and continuous support and following up and ensuring that employees have adequate information about communication and conflict management. Such initiatives could also be carried out as specific, targeted measures for work groups under significant pressure, or with difficult assignments or special needs.

Do employees participate and have influence, and are requirements of them reasonable (individuals and groups)?

Excerpt from flow chart Figure 2

Participation, influence and requirements

Work groups with an unreasonable workload, unclear allocation of tasks and responsibilities (see sections 9 and 10, OSWE), and in which employees are unable to influence their working situation have higher risks of conflicts, violations and ill health. It is important to work preventively by creating order and ensuring fairness when it comes to both influence and workload. It is also a meaningful preventive initiative to adapt the workload and situation to employees' changing conditions to the extent possible.

Fairness

How individuals and groups of individuals are treated and treat one another on a daily basis also comprises a central focus area. This is connected to initiatives for spreading information and awareness (see previous page), but if these initiatives are not followed by concrete actions, they will not have the desired effect. It is crucial that the daily social work environment is characterized by respect and objectivity. Reducing unfairness, for example when allocating assignments, workload, or advantages, or when carrying out supervision or giving constructive criticism, is an important preventive initiative for lowering the risk of escalating conflicts and victimization.

Are employees (individuals and groups) treated fairly in the organization?

Excerpt from flow chart Figure 2

Well-functioning organization

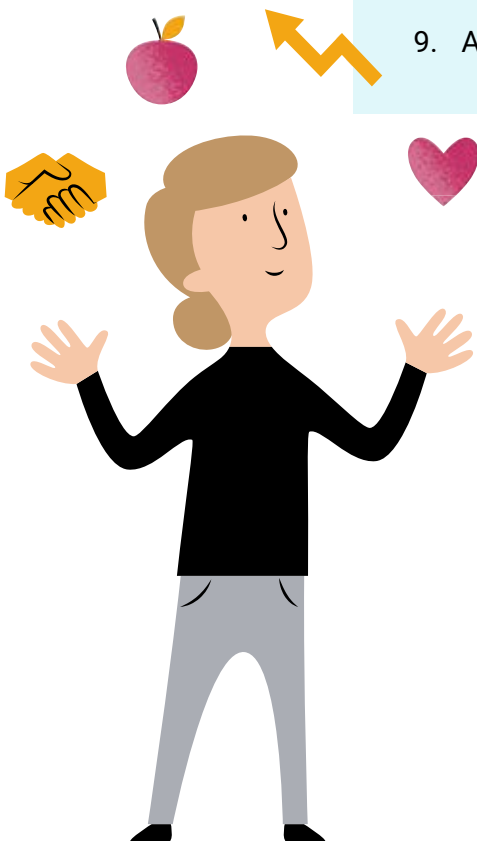
Every component is important for achieving a stable, robust and well-functioning organization with an ethical infrastructure. Depending on how far you have got in the process, each area addressed in the flow chart will impact how the organization functions, either by contributing to or detracting from a well-functioning organization. A well-functioning organization is characterized by trust, confidence and collaboration in the social environment, as well as order and fairness in the organizational environment. An orderly organization is also characterized by a sense of security, where employees trust that the organization will be able to handle any problems and conflicts that arise. In addition, it is characterized by credibility, and by acting in accordance with its proclaimed values.





Checklist: What questions should be asked as part of preventive initiatives?

1. Does the systematic work environment management function for the organizational and social work environment?
2. Are the necessary work environment systems in place (such as policies, guidelines, values)?
3. Are these work environment systems credible?
4. Are these policies and guidelines actively applied in the organization?
5. Do managers and other central people (such as union and safety representatives) have access to training and support for difficult conversations, conflict management etc.?
6. Are managers and employees informed and aware of social health risks at the workplace?
7. Are communication training programs and information about early conflict management available for employees?
8. Do employees participate and have influence, and are requirements of them reasonable?
9. Are employees treated fairly within the organization?



Secondary prevention

Remedial measures – interventions

This section is about which interventions may be appropriate when there are indications or reports of health risks in the social work environment. Indications or reports may vary significantly. For example, this could involve assertions or complaints that one or more individuals are victimizing or bullying others. However, it could also involve unclear situations, such as a manager witnessing a potentially offensive behavior, hearing about ongoing negative treatment or a conflict at risk of escalating, or vague information where little is known about the background. Interventions are necessary in all these situations, but navigation can be difficult. It is also extremely important that all interventions are characterized by the basic principles of respect, objectivity and a systematic approach in order to prevent the interventions themselves from causing the problems to escalate.

The remedial phase is presented in table 1 with two columns under the heading *Secondary prevention*. The left-hand column contains interventions for early problems while the right-hand column contains interventions for escalated or severe problems. As previously, there are examples of initiatives for different levels.

At the *societal level*, we once again have the Swedish legislation on health and safety at work, as well as various agreements describing what employers should do when they become aware of health risks in the work environment. There may also be cases to consult. Sometimes difficult cases end up in court or in conciliation processes, which, in conjunction with victimization and bullying, constitute a societal initiative.

The *organizational level* is an important space for intervening in problems, while the organization is also impacted by the societal context. For example, changes to laws, regulations and agreements could mean the organization must modify its remedial systems. Similarly, issues raised in public debate (i.e. #metoo) may necessitate changes to the content and application of the systems. Early initiatives at the organizational level primarily involve using the organization's work environment system and proficiency in conflict management and clarifying conversations, for example. When problems are more challenging and systematic, the

Excerpt from table 1

Intervention level	----- Secondary prevention -----	
	Early problems	Escalated/severe problems
Societal level	<ul style="list-style-type: none"> • Laws/regulations, international agreements and collective agreements regarding initiatives 	<ul style="list-style-type: none"> • Laws/regulations, international agreements and collective agreements regarding initiatives • Court cases, conciliation processes
Organizational level	---- Ethical infrastructure ----	
	<ul style="list-style-type: none"> • Difficult conversations • Setting boundaries for inappropriate behaviour • Conflict management 	<ul style="list-style-type: none"> • Reporting and investigation procedures
Team/group level	<ul style="list-style-type: none"> • Difficult conversations • Setting boundaries for inappropriate behaviour • Conflict management 	<ul style="list-style-type: none"> • Adequate information • Stop spread of rumours • Support
Individual level	<ul style="list-style-type: none"> • Difficult conversations • Setting boundaries for inappropriate behaviour • Conflict management 	<ul style="list-style-type: none"> • Preliminary investigation • Investigation and support for victim and accused

organization's procedures for reporting and investigation are activated. At the organizational level there is also what is called the ethical infrastructure (see page 24). As described previously, this includes an organization's entire system of values, conflict management, policies and procedures, as well as employees' confidence that the employer can handle harassment issues. A functioning ethical infrastructure thoroughly equips the organization to respond carefully and systematically to signs of social health risks in the work environment.

At the *team and work group level*, early interventions involve managers and work leaders conducting so-called difficult conversations when unacceptable behaviors have occurred in the social work environment, or in the event of misunderstandings. They also involve active conflict management and setting boundaries, where the organization's rules or code of conduct are maintained. In later phases, when problems are significant and systematic, and when the organization has activated its investigation procedures, interventions in the work group involve providing adequate information about managing and preventing speculation and rumors. The work group may also require active support while the problems are being investigated.

At the *individual level*, early interventions also include setting boundaries, clarifying misunderstandings and obligations, as well as conflict management. If the problems are more advanced, interventions involve determining their severity and whether an investigation would be appropriate. In the latter case, the victim and accused must both receive support during the process.





What do the problems involve?

When there are indications or claims of victimization or bullying, it is important to understand what the problems involve. Step one is to talk to the offended person or people and to determine whether the situation might involve unacceptable conduct, or if instead, the experience is based on a misunderstanding, the inability to understand fair criticism, or something similar. In the event of potential unacceptable conduct, the severity can be investigated using six questions. At this phase, the purpose of the questions is not to reach definitive answers, but rather to understand how the situation is perceived. It is common in these situations for individuals to speak vaguely or to use words without fully understanding their technical meaning. It is therefore important to get beyond the words and obtain an understanding at an early phase of what may have happened, regardless of how it is initially described.

Below are six questions to ask to investigate what the problems involve:

1. The first question relates to how long the situation has been going on. This information is important because it can make a big difference to the degree of severity if the problem has recently arisen or if it has been underway for a long time.
2. The second question relates to the type of behavior and conduct. It is important to establish whether the actions are *personal* or *work-related*. Work-related actions are primarily connected to unfair circumstances, requirements and follow-up at work, while personal actions may involve someone being treated poorly or trying to get rid of someone, regardless of how they perform their work. In general, personal actions are more severe than work-related actions. Another division is the degree to which the actions are *active* or *passive*. Active actions are seen and heard in time and space (for example, scolding someone), while passive actions usually involve the absence of action (such as not being greeted). Yet another division is the extent to which the actions are *direct* or *indirect*. Direct actions occur openly in front of someone, while indirect actions occur behind someone's back. Table 2 on the next page presents several examples of different actions and how they are classified.
3. Another important question is how often different kinds of actions occur. It has been established that the greater the frequency, the greater the risk of ill health. Thus, there can be a big difference between situations in which the actions and conduct occur frequently versus infrequently. However, one exception is conduct that produces extensive and long-term consequences. Spreading rumors and defamation are common examples of the latter and can be particularly troublesome when online platforms are used, as then there is also a risk of being subjected to victimization at home after working hours.

Six questions:

1. How long has the situation been going on?

The longer something has been going on, the greater the degree of severity.

2. What kind of actions are involved?

Personal actions indicate a greater degree of severity.

3. How often are the actions occurring?

More frequent actions or consequences of actions indicate a greater degree of severity.

4. Can you influence the situation?

The more powerless and afraid someone feels, the greater the degree of severity.

5. Is support available?

In the absence of support, the sense of powerlessness increases, which increases the risk of ill health and thus the degree of severity.

6. Is there a health risk?

Ill health indicates a higher degree of severity.

4. It is also essential to investigate the conditions of power in the situation. The more powerless someone feels, the greater the risk of ill health. The conditions of power are not always formally determined. Even someone with more official power (such as a manager) could feel very powerless in practice.
5. It is also important to ask about the extent to which someone has received support and how they have handled the situation so far. The availability of good support reduces the experience of powerlessness. The absence of support, on the other hand, increases health risks and thus the degree of severity.
6. Finally, questions must also be asked about the health situation. The employer has extensive responsibility when the work environment has a negative impact on an employee's health. However, the experience of ill health is not necessarily a sign of objective harassment, because experience combined with action is what drives ill health. In some cases, the experience of harassment could turn out to lack an objective basis. On the other hand, ill health always indicates a potential risk.

Developing an understanding of what the indications or assertions actually involve constitutes a so-called *pre-assessment*, the purpose of which is to find a suitable path through the case. A pre-assessment could also be a more comprehensive intervention, in which both parties are heard and supplementary information is collected in order to determine whether, for example, a more comprehensive and systematic investigation would be appropriate. However, it is also important that pre-assessments are systematic, objective, and respectful of the individuals involved. In addition, note that everything that takes place in conjunction with the pre-assessment should be documented in writing.

Table 2. Examples of potential victimization or bullying scenarios, and whether they are work-related or personal, active or passive, and direct or indirect.

	Arbetsrelaterad	Personrelaterad	Aktiv	Passiv	Direkt	Indirekt
Being reprimanded by a manager in front of colleagues after turning in a report late	x		x		x	
A colleague calling someone an idiot behind their back		x	x			x
Being ignored and treated as invisible		x		x	x	
Not being given information necessary for a given task	x			x		x

Personal conflict or victimization?

When dealing with *early problems*, it can be difficult to determine whether offensive conduct should be considered part of a personal conflict or victimization (see 33, 34). In the context of the work environment, all offensive conduct, regardless of context, should be considered unacceptable and hazardous to health. Early problems can sometimes be resolved without the employer getting involved via the parties handling the situation themselves, for example with the help of voluntary mediation or a union representative. Such initiatives are considered informal, in the sense that the employer is not involved. It is enormously valuable to provide employees with the conditions, space, and opportunity to be able to resolve conflicts, or situations in which someone feels offended, on their own. If they do not successfully resolve the problem or if neither party dares to address the situation, the employer should become involved. Before the employer gets involved, a union or safety representative could also offer guidance. All interventions taken after the employer has been made aware of the issue – regardless of the scope of the interventions – are formal and must be carefully documented in order to ensure the case is handled objectively and systematically. Early problems that come to the employer's attention should be considered signs of risk or incidents in the social work environment and taken seriously. As quickly as possible, it is important to obtain a good understanding of what may have happened, to stop the offensive conduct, to clarify the underlying causes, and to take the necessary actions to prevent continued problems. As a first choice, this is done through conversations with the parties involved. However, it is important for these conversations to be characterized by respect and objectivity. Otherwise, the problems are at risk of escalating.

The responsibility for handling early problems lies primarily with the immediate line-manager and demands knowledge, skills and courage. The organization should ensure that managers and work leaders know how to handle situations that potentially involve victimization. It is important that managers know where they can receive qualified support for handling early problems. Such support could be provided by the company's HR organization (if there is one), occupational health services, or external consultants. Another important condition for the success of early interventions is that the manager addressing the situation is impartial with regard to the problems. If the manager lacks impartiality, it would be more appropriate for an outside party to navigate the conflict.

While a manager's efforts to handle an ongoing conflict may be enough to resolve the issue and find a solution in some cases, additional early interventions may be necessary in others. As a rule, occupational health services may offer employees support and guidance through professional discussions.

Professional conflict management and mediation may be necessary. The purpose of mediation between the parties involved is to bring new perspectives to the conflict and restore the working relationship. Mediation can be an effective early intervention, but it tends to be ineffective or even harmful in later phases of conflict and at the early stage of bullying, when a power imbalance has arisen between the parties (32, 41). The more escalated the situation has become, the greater the risk that the parties' desire for redress, or demand that a colleague/manager be punished, will overshadow the desire to act constructively and to try to understand the perceptions of the other party.

Escalated or severe problems

Because the research shows that the risk of escalated problems is primarily affected by factors in the organizational and social work environments, it is important that conclusions and interventions connected to escalated or severe problems reflect this fact as well. When the employer is made aware that one or more people feel severely victimized, it is necessary as a rule to determine the factual circumstances – what may have happened – through a systematic investigation. However, after completing an investigation focused on the behavior of various individuals, there is a risk that the subsequent remedial and follow-up initiatives will be disproportionately focused on the individual level. It is therefore important that remedial initiatives do not stop at the individual level. The factual circumstances at the individual level must be placed in the organizational and social contexts that facilitated and contributed to the occurrence and escalation of the problems (see more about follow-up initiatives on page 51). Escalated problems should always be treated as a strong indication of potential inadequacies in the organizational and social work environments. However, this does not mean the focus should be solely on organizational factors, but rather, that remedy social health risks in the work environment requires a *balance* between the individual, group, and organizational perspectives. We must neither downplay individuals' unacceptable conduct nor make people scapegoats for organizational problems.

Handling escalated or severe problems differs in an important way from how almost all other problems in the work environment are handled. Usually, work environment problems are handled as close to the situation as possible. This means that the most suitable people to handle the problem in the work environment are those who are most familiar with it, together with the immediate line-manager, local union representative, and local safety representative. When it comes to victimization or bullying, that does not work. In general, the problem or the relationship between the parties can have some degree of impact on the immediate line-manager, local union representative and safety representative, which makes it difficult to remain neutral and impartial. Therefore, the basic principle is that escalated or severe problems should be handled higher up in the organization by people

(regardless of role) who are not personally connected to the parties involved. Some larger organizations have special teams with specific skills in these matters, which may be a good solution

The more escalated and severe a problem is, the more important impartiality becomes, i.e., that the people handling the case are able to act independently without personal connections. This is absolutely essential and equally important for the employer's representatives, union representatives, safety representatives, occupational health services and external resources. If impartiality is not maintained, there is a very high risk that the problems could escalate.



Investigating the factual circumstances

The legislation on health and safety at work does not explicitly require investigating the issue, nor does it pose any obstacles. However, since 2007 there has been an EU-level agreement among the social partners (signed by the Swedish parties) that describes such investigations (see the *Framework Agreement on Harassment and Violence at Work*. EU Social Dialogue, 2007). Research also describes investigating the factual circumstances as an important intervention.

In recent years, three methods for investigating victimization have been published in Sweden: *Faktaundersökning [Investigating the Facts]* (38), *KAKS – Konflikter, aggressivt beteende och kränkande särbehandling [Conflicts, aggressive behavior and victimization]* (42) and *RUM – Rättssäker utredningsmetodik [Legally Certain Investigation Method]* (43). See appendix 5 for a brief description of these methods.

Regardless of the method used in an investigation, it is important that the investigation complies with applicable legislation on health and safety at work, and that it is carried out respectfully, objectively and systematically. In addition to determining the facts, an important goal for an investigation is a fair process for all parties involved. If a party perceives the process as unfair, the problems will be at significant risk of escalating. An inadequate investigation could also lead to victimization, where a party is subjected to health risks and exclusion.

The investigation process can be conducted by trained people internally in the organization or by external consultants from occupational health



In general, investigations include the following primary components (see 44):

1. A rational examination of the perspective and experiences of the victim(s).
2. A rational examination of the perspective and experiences of the accused.
3. A rational examination of the perspective and experiences of any witnesses.
4. A rational examination of other data, such as documents, letters, emails, notes, decisions, screenshots, pictures and so forth.

services or other players. No matter who conducts the investigation, it is important that they have the trust of the parties and a position that ensures their impartiality. However, the fact that the parties should trust the investigators does not give the parties the right to veto when it comes to the organization's choice. But if a party can objectively defend inadequate trust, then finding an alternative solution is strongly recommended. Disregarding objective and reasonable objections are disrespectful.

The individual who initiates an investigation (internally or externally) should also be independent in relation to the parties. In other words, the ordering party may not be involved in the problem or attempt to influence the investigation in any way. See appendix 6 for a suggested code of ethics for both the investigator and the party initiating the investigation.

For an investigation to function well as an intervention and create a factual basis for follow-up initiatives, the organization must have clear procedures and rules of play for the process. This provides peace of mind and predictability for the parties involved.

All directly involved individuals (the parties) must always be granted the right to full information about the accusations that have been made against them. They should also have the opportunity to defend themselves, which the organization should make possible in practice. The directly involved parties should be given the same opportunities to have their voices heard in the investigation process. The organization is also responsible for ensuring that everyone who participates in an investigation is protected from reprisals. This is essential for people to feel safe talking about what happened. It is unacceptable to allow anonymous or anonymized information in an investigation, where the accused is/are not given the opportunity to respond or defend themselves against the accusations. This kind of procedure would create significant risks of ill health and meets the scientific criteria for bullying of the accused. Due to the known, well-established health risks of such an action, this remedial measure is prohibited in the work environment. In addition, investigations that use concealed information are at risk of abusing the system. Even if most reports of victimization are based on a genuine experience of harassment, false accusations can also occur, in which allegations are made for personal gain or to damage the reputation and position of the accused.

To ensure an objective and systematic process, an investigation should be presented in a detailed written report that comprehensibly and transparently lays out the mandate, process, method, data collection and conclusions. The parties involved should be given the opportunity to see the report in its entirety (see "follow-up initiatives," page 51).

As a rule, the information in an investigation and in any ensuing report, if there is one, is considered sensitive personal information and should therefore be treated confidentially in relation to external parties. This also means that consideration for the privacy of the parties involved limits the scope of an investigation in order to avoid sharing sensitive information about the situation with more people than necessary.

An investigation is an extensive remedial measure that can have a powerful impact on the parties and on the organization. The risks of the remedial measure may therefore need to be assessed to be able to ensure good conditions for the investigation (see appendix 7, Risk assessments before an investigation).

Investigating organizational problems

The legislation on health and safety at work (see page 18) requires answering the following four organizational questions in conjunction with an investigation of victimization:

1. Has the employer ensured that managers and supervisors have sufficient knowledge to prevent and manage victimization, as well as the circumstances for applying this knowledge?
2. Has the employer made it clear that victimization is unacceptable at the operation?
3. Has the employer challenged conditions in the work environment that could give rise to victimization?
4. Does the employer have procedures in place for handling victimization and are employees familiar with these procedures?

Investigating the factual circumstances (see page 39, Remedial measures) may or may not provide enough information to answer these questions. If not, the investigation must be expanded. However, it is important to understand that suitable methods for investigating the factual circumstances are not necessarily appropriate for investigating organizational factors.

Suitable methods for investigating and remedy organizational problems at a workplace differ in crucial points from methods for investigating and handling specific assertions of victimization. When investigating organizational problems, broad and representative participation from staff at the relevant workplace is usually important.

It is common and not problematic in such investigations to have information that may not be able to be directly connected to a specific source. On the other hand, when investigating and handling specific

problems, that is, where someone has been accused of unacceptable conduct, only the parties involved as well as any witnesses should participate in order to avoid spreading sensitive information and contributing to the spread of rumors. It is therefore recommended to carry out investigations of the facts of the case and investigations of organizational factors separately and sequentially. Indications of specific problems and risks should be addressed and investigated first, using appropriate methods with regard to the degree of severity. After that, the organizational problems should be investigated. The advantage of beginning with the factual circumstances is that if it turns out that the problem involves, for example, a misunderstanding or a limited personal conflict, then the entire workplace does not need to get involved in a time-consuming review of how the organization functions. (For more information, see page 51, Follow-up initiatives.)

If organizational problems are addressed first, there is also a risk that complaints of victimization or bullying will emerge in an investigation that lacks the necessary framework and conditions for handling such information. This would entail an imminent risk of disrespectful and unfair treatment of the accused, which could lead to ill health and escalation.

To only investigate organizational problems – and thus abstain from investigating and handling specific claims of victimization or bullying – would be disrespectful of the parties involved and would constitute unfair conduct. This would therefore entail a risk of the problems escalating.

Support

It is clear in the legislation on health and safety at work that people who perceive they have experienced victimization should be offered support. However, it is strongly recommended to offer generous support to *all* parties involved, for example through occupational health services. The requirements in the provisions on first aid and crisis support (AFS 1999:7) may also be relevant in severe cases. Because it can be difficult to know how the situation will develop and what a possible investigation would lead to, great consideration for the parties involved is recommended throughout the process. For example, it may occasionally be necessary to separate the parties while an investigation is being carried out. This kind of action must also always be characterized by respect, objectivity and a systematic approach to avoid the risk of the situation escalating. In addition, such a decision must be made legally as regards labor law.

Flow chart - step-by-step procedure for interventions

Figure 3 on next page presents a flow chart of remedial initiatives (secondary prevention), with a comprehensive procedure for conducting interventions in the event of indications or reports of victimization.

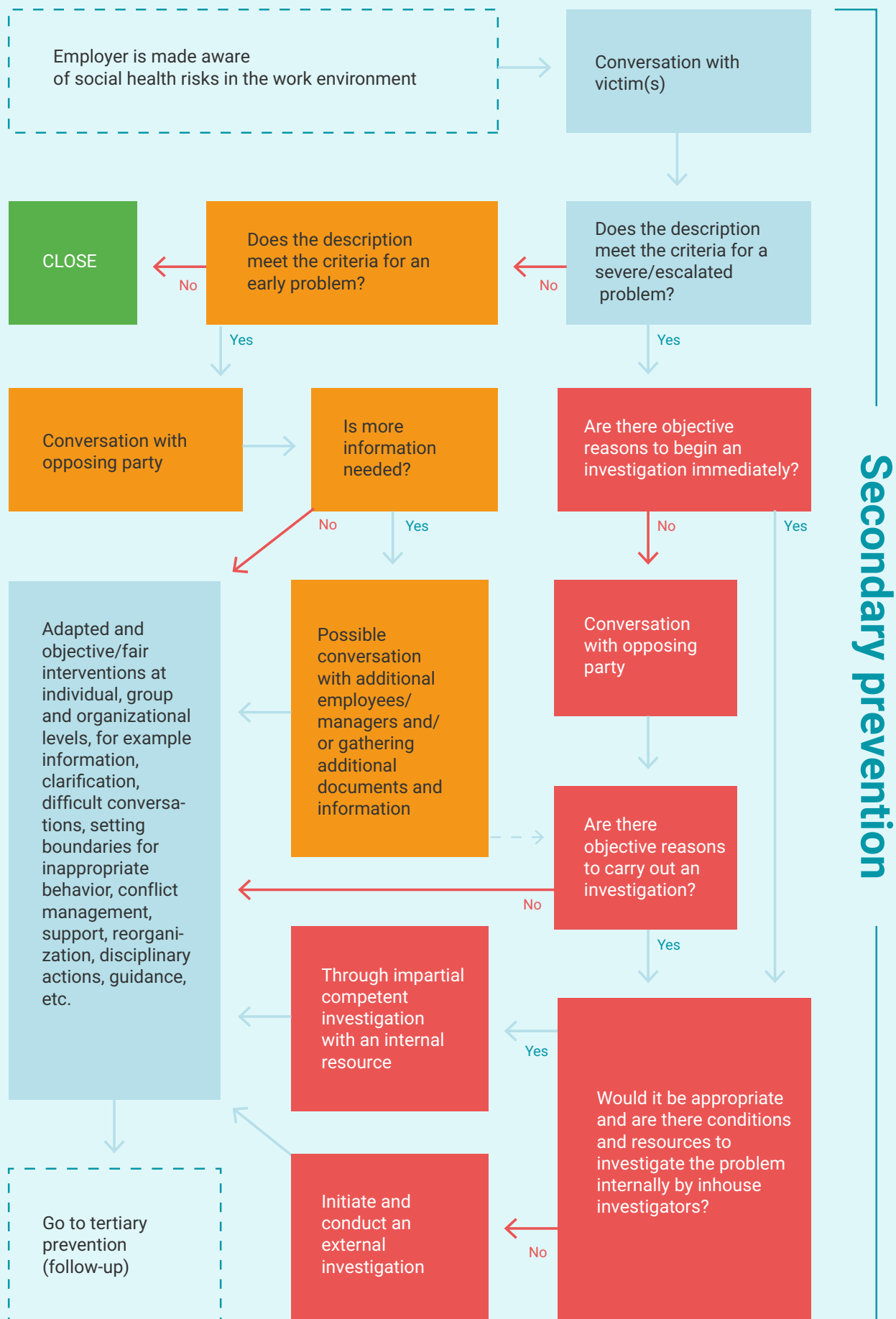


Figure 3. Flow chart for remedial initiatives in an organization.

When an employer is made aware of a risk that one or more employees is experiencing social harassment, with a risk of ill health or exclusion (in other words, victimization and/or bullying), the employer must act. Regardless of how the case unfolds, all initiatives must be documented in writing.

Early problems (orange path in flow chart)

To understand the problem and get a quick picture of the situation, it is appropriate to begin with an individual conversation with the person or people who feel victimized. A comprehensive and systematic investigation is not necessary if the problem is at an early phase (see appendix 2 and page 41 for how to assess the degree of severity).

If the description presented involves disappointments or the perception of an offense that employees must accept at the workplace, such as fair criticism, reasonable follow-up and work-performance monitoring, or a leadership decision that fails to meet an employee's wishes, the case should conclude with an objective, respectful explanation of the conditions of employment.

But if the description indicates a likely problem that is at an early phase, the next step should be to hold an individual conversation with the opposing party. If navigating the issue requires more information, additional conversations with colleagues/employees or managers may be necessary. Once the employer has enough information to decide upon a suitable intervention, you can move on to the next important steps, which involve remedying the work environment to prevent risks of ill health or accidents in the future. This could involve initiatives at the organizational level, group level and individual level (see the paragraphs on initiatives at the group and individual levels on page 40, as well as the section about follow-up initiatives on page 51 and forward).

However, sometimes new information can emerge during the process that changes the original assessment of the issue as an early problem. In that case, it may indeed be necessary to begin a systematic investigation.

Escalated/severe problems (red path in flow chart)

If the description leads to the assessment that the risks involve severe/escalated problems (see appendix 2 and page 41 for how to assess the degree of severity), the next step is to consider whether there are objective reasons to immediately launch a systematic investigation. As a rule, this is the primary option when complaints come in that contain extensive information about long-term, systematic offensive behaviors.

If the picture is less clear, or if a pre-assessment of the case is deemed necessary, a conversation is to be held with the opposing party for the

purposes of determining whether there are objective reasons to launch a systematic investigation. In such a pre-assessment, it is important to use the same fundamental principles applicable to investigations of escalated problems, for example, to not accept anonymous accusations, and to ensure the parties are given the opportunity to see and respond to accusations, counter-allegations, or statements made about them.

If the conversation with the opposing party leads to the assessment that there are objective reasons to conduct an investigation, the next step is to assess how to conduct it and whether or not the circumstances permit an internal investigation. If the investigation could be conducted impartially and with the proper expertise, there is nothing to prevent it from being done internally, but in the absence of impartiality or adequate expertise, it is important to appoint an external investigator. Investigations conducted with inadequate expertise and/or inadequate impartiality are hazardous to health and present a risk of severely worsening the situation; therefore, this constitutes a prohibited remedial measure in the work environment. (See also appendix 6, Suggested code of ethics for the investigator and ordering party.)

Procedures for escalated problems also culminate in adapted interventions conducted at the individual, group and organizational levels following the investigation (see below on follow-up initiatives).

Tertiary prevention

Follow-up initiatives

Interventions for harassment should always be succeeded by a follow-up phase, so-called tertiary prevention (see table 1). This involves helping individuals, work groups and the organization to function normally again, i.e., ensuring and checking that the work environment has indeed been restored. As with preventive and remedial initiatives, the principles of respect, objectivity and a systematic approach are central to follow-up initiatives in order to ensure long-term and sustainable solutions. If the follow-up initiatives – as a result of disrespect, lack of objectivity or unpredictability – lead instead to perceived unfairness, the problems could continue or even escalate.

Follow-up initiatives at the *societal level* are mainly outside of the target audience of these guidelines, but familiarity with potentially relevant initiatives may be helpful. Victims and accused individuals may both require long-term, professional treatment and rehabilitation, which is sometimes carried out within the framework of occupational health services, but often

Excerpt from table 1

Intervention level	Tertiary prevention
Societal level	<ul style="list-style-type: none"> • Access to treatment and rehabilitation • Co-Determination in the Workplace Act, collective agreements
Organizational level	<ul style="list-style-type: none"> • Recovery procedures • Rehabilitation procedures • Procedures for handling misconduct • Reorganization
Team/group level	<ul style="list-style-type: none"> • Necessary information • Support for work group and manager • Organizational initiatives
Individual level	<ul style="list-style-type: none"> • Recovery • Support measures • Rehabilitation • Follow-up

outside of it. For example, treatment for trauma and long-term therapy may be required for one or more of the parties involved if they have lost their ability to trust their surroundings and feel they are experiencing personality changes. The research unequivocally demonstrates a very high risk of severe health problems after exposure to harassment. The risk of permanent exclusion from the labor market (sick leave and unemployment) is also significant. Unfortunately, access to specialized care and rehabilitation in these cases is inadequate, which may make it difficult for people who feel unwell to find help.

It is recommended that occupational health services, employers and unions all try to provide generous help to find the necessary care for those in need of help and support.

At the overarching *organizational level*, procedures should be in place for following up the efforts, in which the organization ensures the problems have stopped. Procedures should also be in place for how the parties involved are cared for, for example after an investigation, in terms of how to handle rehabilitation, job redesign and possible reassignments. This also involves how the organization protects the parties involved from any reprisals and helps individuals who have experienced harassment, or who have been erroneously accused of harassing others, to recover. The organization's procedures for handling misconduct may also need to be activated. It is also common for the remedied problems to indicate the presence of shortcomings in the organization, which means organizational changes in some form may be necessary.

At the *team and work group level*, sufficient information must be provided about the outcomes of the initiatives. Support may be necessary to help the group function again. Similarly, support for managers may be necessary. Organizational initiatives may also be needed when the process has revealed underlying problems.

Initiatives at the *individual level* primarily involve support and rehabilitation, but the need for redress for the parties involved may also need to be addressed. It is also important to subsequently check that the problems have stopped, after the initiatives are completed.

Flow chart of follow-up initiatives

Figure 4 on the next page is a flow chart of follow-up initiatives.

Information on assessment and conclusion

When initiatives are conducted in an organization to counteract victimization, bullying, or similar behaviors, especially in conjunction with a more extensive investigation, the parties involved should receive complete information

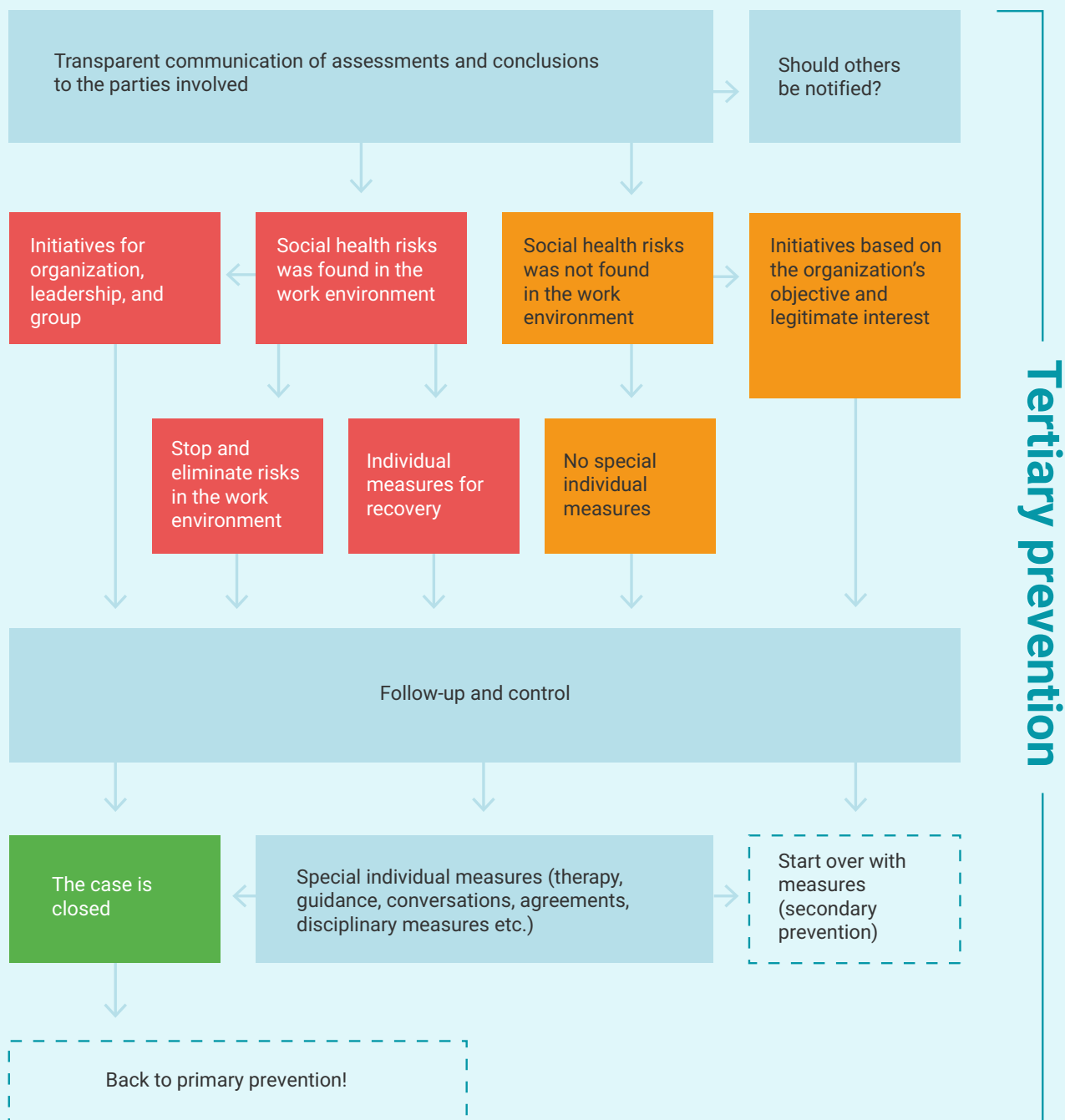


Figure 4. Flow chart of follow-up initiatives in an organization (inspired by Einarsen, Pedersen [38] and adapted in accordance with the terminology and structure of the guidelines).

about the assessments and conclusions made in the case and what they are based upon. This is a matter of respect and objectivity. If decisions or the basis for decisions are concealed in some way from someone involved, the problems you have attempted to resolve may escalate instead. The parties involved should have complete insight into questions, factual circumstances and decisions pertaining to them. However, respect for the parties involved means that sensitive information about events that took place and initiatives that have been taken should not be shared with unauthorized parties. Spreading sensitive information could be in violation of the General Data Protection Regulation (GDPR) and could also pose a health risk to one or more of the parties involved.

However, there may be situations in which individuals other than those involved should still be notified. For example, this might be to minimize speculation and the spread of rumors in the organization. Safety representatives and managers in charge may also require certain information. If it is deemed necessary to inform people in addition to the parties involved, careful consideration should be given to who needs the information, what information to provide in that case, and how to do so (which should be documented in writing). If possible, this should happen in consultation with the parties involved in order to continue handling the matter respectfully and objectively. However, the organization may decide to share the information against the wishes of the parties involved if there are objective and legitimate reasons for doing so.

If remedial measures in conjunction with victimization and bullying have been taken and documented in a public organization, this documentation may be available upon request in accordance with the principle of public access to official documents. If such documentation, such as an investigation report, is requested, then a confidentiality assessment must be carried out. Information pertaining to an individual's personal circumstances is considered confidential if it is unclear whether that information can be disclosed without adverse effects for the individual or his or her close contacts. A request to obtain documentation must always undergo a confidentiality assessment.

Two tracks

Follow-up initiatives fall into two different tracks based on the extent to which the work environment does or does not contain social health risks. These two outcomes are described separately below.

Social health risks have been established (red path in the flow chart)
When the assessment and conclusion are that some form of victimization has occurred, it must be remedied immediately because there is a clear health risk in the work environment. The research is unambiguous on this matter.

Legislation on health and safety at work is also extremely clear that known risks of ill health in the work environment must be eliminated immediately.

This means that unacceptable actions must stop. A number of initiatives for this purpose are described in the section on remedial initiatives, page 39 and forward. For more severe cases of harassment, follow-up might also include measures related to labor law or disciplinary measures (such as a warning, reassignment, or dismissal). However, it is important not to overreact, but also not to ignore the matter. As previously mentioned, the initiatives implemented to stop different forms of offensive conduct must be objective, systematic, and carried out respectfully. When the established risk is eliminated, the initiatives themselves will not create a foundation for new risks through arbitrary or disrespectful actions. On the other hand, failing to take action to stop ongoing harassment, or abstaining from disciplinary measures in the presence of outright bullying, will lead to reduced credibility for the organization and give rise to perceived unfairness among the individual(s) who have experienced victimization, which presents a risk of the problems escalating.

Follow-up initiatives characterized by respect, objectivity, and a systematic approach are important when it is established that someone has been victimized. The need for redress is often significant, especially if the issue has been going on for a long time. In this case, it may be necessary for the organization to offer some form of apology followed by reasonable actions to underscore that the apology is genuine and sincere. However, redress for the victim may not go so far that the individuals who engaged in misconduct and behaved offensively are treated unfairly and disrespectfully.

If all parties involved are treated fairly and respectfully throughout the process, this will also improve the possibility for mutual reconciliation. A carefully considered and systematic approach will facilitate this. Similarly, conditions for good follow-up initiatives will improve if the organization has familiar and functioning procedures for redress and for handling potential misconduct.

When social health risks at work have been established, it often means there are also shortcomings in the organization, leadership, or work group. Indications of these shortcomings are often detected during an investigation, when the parties involved present information about what happened. Such indications must be taken seriously and, as a rule, should be further investigated using suitable methods. This might involve inadequate procedures, a chaotic organization, destructive language, lack of support and trust in the social work environment, ongoing conflicts, an excessive workload, inadequate communication, problems among leadership and so forth. Efforts to make improvements must also be carried out with respect for everyone at the relevant workplace. There should also be objective grounds for improvement initiatives and they should be carried out in a

systematic and orderly fashion. After severe cases of bullying, for example, are remedied, work groups and local managers may also have a significant need for support in order to gradually begin functioning normally again.

Social health risks have not been established (orange path in the flow chart)

When it has been determined that there are *not* social health risks in the organization – despite receiving complaints of harassment and bullying, for example – then the follow-up initiatives must also be compatible with this conclusion. This result must also be handled objectively and with respect for the parties involved. If someone was accused of misconduct and offensive behavior, but the assessment demonstrates this to be false, it is important for the actual follow-up to not reject the conclusion. Such an action could point to someone as “guilty” even though they were cleared of the accusations, which risks leading to the experience of unfairness. When someone has been accused of unacceptable behavior, but the remedial phase (secondary prevention) clears that person of the accusations, then as a rule, this individual also requires some form of redress. If an investigation has been carried out, the investigation and its report may constitute a form of redress. It may also be necessary to communicate the result in a way that repairs the damage that the accusations may have caused for the accused.

Even in the event that an assessment indicates a lack of social health risks, an investigation may still provide clear indications of more general problems at the workplace, such as challenging conflicts, inappropriate language, inadequate leadership or something similar. Such indications of risks must then be handled respectfully and objectively for the parties involved. The most reasonable course of action is to wait for a period of time to give the measures taken (such as an investigation) to investigate and remedy the particular situation an opportunity to take effect. Indications of other risks are then assessed separately, along with other knowledge and information about the relevant workplace. It may be necessary to gather additional information. Then, if the overall assessment indicates objective and legitimate reasons for implementing improvement initiatives, these should be carried out. However, the previous complaints of harassment or a specific investigation into victimization or bullying do not constitute justification for these initiatives. The justification is the overall assessment of the situation at the workplace or in the organization.

Follow-up and control

All interventions must be followed up. Systematic work environment management is the natural framework for regularly checking and following up how the situation subsequently evolves. A reasonable goal for remedial measures and follow-up of victimization or bullying is for the problems to subside. If all initiatives are characterized by respect, objectivity and a

systematic approach, this will improve the chances of resolving the problems. The follow-up demonstrates that the situation has calmed down and the social work environment has stabilized, the “case” can be closed.

However, sometimes things do not subside. One or more of the parties might reject the assessment or the follow-up initiatives and their behavior may cause the problems to persist or even escalate. If this is due to inadequate handling by the organization and the perceived unfairness thus has a factual basis, it may be necessary for the organization to start over with remedial measures (secondary prevention). On the other hand, if there is no evidence to demonstrate an unfair process, and a party is still actively maintaining the problems, the organization may need to take action in order to stop this conduct. This could involve the employer using the management prerogative and objectively and respectfully clarifying the boundaries of unacceptable behavior. Disciplinary measures may also ultimately be necessary. If a person who does not accept the results of a fair and objective process defames, spreads rumors about, or retaliates against someone, this behavior can itself be considered victimization or even bullying.

To help the parties move on, individual support initiatives may be necessary. This might include therapy, rehabilitation, adaptation, and guiding conversations, but also agreements to help someone progress professionally. Sometimes relationships can be so damaged at a workplace that it is difficult for the workplace to function again. In this case, support, help and agreements for one or more parties to find new a new position (within or outside the organization) may be necessary. This might be in the interest of both the organization and the individual. The overarching goal is to ensure a safe and healthy social work environment for all.



Conclusion

A holistic perspective is required for efforts to prevent, remedy, and follow up social health risks at work, such as victimization or bullying. Working only with a few selected elements is not enough to achieve successful results. True change occurs when all elements have been properly handled and fit together. Working holistically involves gradually building an ethical infrastructure in which respect, objectivity and a systematic approach characterize the organization's work environment systems, values, HR functions, support systems and training programs for managers, employees and union representatives. This creates credibility and peace of mind. At the same time, a structure is built that combats social health risks in the organization at all levels. And while combating the risks, these efforts also foster good conditions for a well-functioning and healthy organization. It is truly a win-win situation.

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Appendix 1. Description of the current situation

For the purposes of developing these guidelines, interview surveys were conducted to map the situation in Swedish working life. Information was collected both internally and externally from some of the biggest players in occupational health, and from several smaller companies in occupational health. Specialists in HR and occupational health and safety from large and medium-sized employers (in both the private and public sectors) have also contributed information, as have unions and independent consultants and experts. A total of 21 people were interviewed, eleven of whom work in occupational health, three of whom are independent consultants, two of whom work in unions, and five of whom are in companies/organizations (employers).

Below is a summary of the 21 interviews conducted for the purpose of clarifying the current situation with regard to how work is perceived, and to point out challenges and areas for improvement.

Preventive initiatives

Many employers in Sweden currently have developed policies and procedures for victimization, equal treatment and discrimination, values, leadership policies and more, while some employers still have this work ahead of them. Thus, the progress made by employers in this work varies significantly. In addition, some employers do not update their policies and procedures as legislation on health and safety at work changes, which suggests that the documents are not utilized.

When the Provisions on organizational and social work environment, OSWE (AFS 2015:4), were introduced on March 31, 2016, many workplaces launched training initiatives, particularly for managers and safety representatives. The OSWE is implemented at the work group level in various ways, for example through discussions about goals, roles, values and rules.

Despite many good initiatives, preventive work has yet to receive the attention and space it requires. Goals for the organizational and social work environment are often absent, despite being required by the OSWE. Consultations on how to handle challenging situations, as well as better conditions for managers to prioritize preventive work environment management are both needed. It is currently very common for occupational health services, HR, or unions to be contacted only when problems have emerged in a work group and when conflicts and violations are already surfacing or have escalated.

Training programs in conflict management and difficult conversations are increasingly in demand, in addition to training programs for investigators to ensure skills for investigations. In addition, more information is requested in general about victimization and bullying, and how to prevent these problems.

When organizations do describe preventive initiatives, they primarily involve conflict management and the design of informal and more formal strategies, for example, the opportunity for help with conflict-navigating conversations within the organization. Another important aspect involves ensuring that managers have the organizational circumstances and skills required to be able to react properly to signs of conflict or harassment.

Remedial initiatives

There is a great deal of variation with regard to how remedial initiatives are carried out and how workplace roles are designed. In some cases, occupational health services are deeply involved both in early remedial measures, such as consultation support for HR/managers, conflict management, clarifying conversations and similar, as well as in measures for handling more challenging cases involving specific complaints. The latter may involve investigations. However, different occupational health services vary significantly; some work with remedial measures for early problems as well as for escalated and severe problems. Some occupational health services are never engaged at an early phase, but are brought in late in the process. Other occupational health services never work with investigations, but only with remedial measures earlier in the process. Some occupational health services also engage subcontractors to investigate victimization or bullying. In some cases, the employer handles all remedial measures themselves through HR and only engages occupational health services for individual support for the parties involved. It is also common for employers to engage specialized consulting firms for investigations instead of occupational health services. It is common for HR, occupational health services, independent consultants or unions to not be engaged until late in the process, when positions are already locked in place and conflicts have escalated beyond control.

Employers often need the support of consultants to navigate a suitable and carefully considered action plan. But it is problematic for the people who provide consultation support to simultaneously serve as investigators, because this mixes roles together and puts independence at risk.

A common problem is that conflicts and differences of opinion are permitted to go on for a long time. How and when such problems are handled depends

largely on the knowledge and abilities of the immediate supervisor. Structures for conflict management and conflict-navigating conversations must be developed to keep conflicts from escalating. Whether it is HR staff, occupational health services, or an external consultant, the problem with being brought in late in the process is that the later it is, the more complex and difficult the problem will be to handle. Another problem that arises late in the process is that it is difficult to meet the expectations of the parties involved with regard to an investigation. For example, individuals who

submit a complaint may commonly think they can receive damages or that the accused individual will be dismissed.

The importance of independence and competence cannot be emphasized enough. As a rule, a substandard investigation will cause significant damage and make the situation worse. This applies to both the investigator and the ordering party of the investigation. The ordering party may sometimes be involved with the issue or may have preconceived ideas about what an investigation should lead to. Some ordering parties also attempt to get involved and influence the outcome of the investigation. It is crucial for both the ordering party and the investigator to be impartial in relation to the parties involved in the conflict. The ordering party and investigator must be prepared for and open to the investigation outcome differing from their initial expectations.

It is essential for the investigator to be thoroughly competent in investigation methods. The investigator must understand the subject area and work systematically and in steps. Pre-assessments are also important in order to avoid investigating situations unnecessarily, because an investigation is inherently strenuous and burdensome for the parties and for the organization.

Follow-up initiatives

Follow-up initiatives in Swedish working life also vary significantly. Sometimes relatively extensive follow-up work takes place, while in many cases there is none at all, demonstrating significant needs in this area. The overarching problem is that follow-up initiatives are generally low priority. As a rule, organizations want to finish and move on without understanding the enduring needs. One major challenge is getting a workplace to function smoothly again after remedying a problem, which is connected to the fact that relationships are often damaged by the problems. The parties involved may have trouble working together afterwards. The situation could also have a significant impact on others at the workplace. Sometimes, a potential goal conflict may arise here between getting the workplace to function smoothly again on the one hand, and clearly following up individually with the parties involved on the other. In addition, cases of victimization or bullying sometimes end up in the media or shared on social media. Similarly, the spread of rumors in an organization can be a problem.

There is a clear need for skills enhancement related to carefully considered follow-up measures. This applies to efforts at the individual, group, and organizational levels. The matter of roles is also important. Problems and risks are reported when the same people who worked to remedy challenging social problems at a workplace also work on the follow-up measures.

When follow-up measures are reported, they offer examples of initiatives that may be relevant. For individually oriented follow-up, there is often a great need for support for the person subjected to negative treatment. This could involve relief, crisis management, rehabilitation and measures for recovery. However, many people choose to leave their position or to be bought out. Accused individuals also require support. In some cases, disciplinary measures are carried out, such as reassignment or dismissal. In serious cases, there may also be subsequent police reports. When the parties involved stay at the same workplace, measures such as mediation and conflict management may subsequently be necessary.

Mediation and conflict management are both possible follow-up measures for the work group as well, in addition to crisis support and work with values. Managers in charge may also require follow-up measures, such as crisis support and guidance. Skills development with regard to difficult conversations and conflict management may be necessary as well.

At the organizational level, there may be a need for follow-up in the form of organizational improvements, such as clarification of roles and schedules, for example. Other areas that may need to be followed up and improved include procedures, action plans and values.

In general, workplaces lack carefully considered methods for follow-up. Important existing frameworks are systematic work environment management focused on the organizational and social work environment, in addition to labor law frameworks. Prevent and Suntarbetsliv also provide support materials.

Appendix 2. Pedagogical description of different levels of negative treatment and health risks

The table below demonstrates how social health risks at work are not a matter of either/or. There are different levels of negative treatment that can be considered victimization. There is a large difference between the health risks associated with individual cases of offensive conduct and severe, long-term exposure, in which the victim is unable to defend him or herself. A police report or notification of legal action may need to be considered in the latter case, because it may fall under the Penal Code (for example, unlawful threats or abuse) or the Swedish Work Environment Act's cause of ill health.

All levels under the heading Victimization (umbrella term) are referred to in the legislation as victimization and are regulated by sections 4, 13 and 14 of AFS 2015:4. The legislation does not include the term bullying, but this term can be used to *describe the severity* of the actual situation.

Even if a situation does not fall under the category of victimization, the general organizational and social work environment at the workplace may still entail a risk of ill health.

Pedagogical model describing different levels of risk associated with different work situations or victimization (inspired by 38) See also Rosander and Blomberg (2) for a scientific review of the various levels of bullying.

Level	Severity	Ill health	General work situation	
0		No unreasonable risk	Unpleasant/stressful work situations that must still be tolerated and endured at a workplace (such as receiving objective criticism, being directed to carry out undesirable work tasks or to stop carrying out desirable work tasks, working with people you do not like and so on).	
1a	May become serious	Risk	Unreasonable work situations that are so deeply psychologically stressful that they should not need to be tolerated or endured at a workplace (such as escalated general conflicts at the workplace, chaotic and unsafe situations, offensive language and so forth)	
Victimization (umbrella term)				
1b	May become serious	Risk	Individual cases of offensive and/or exclusionary conduct that constitute a health risk and which one should therefore not have to tolerate or endure at a workplace	Risk of bullying
2	Fairly serious	Clear risk	As in level 1b and the conduct or its consequences are repeated over time	Beginning of bullying
3	Serious	High risk	As in level 2, as well as being at a disadvantage in which the individual is unable to defend himself/herself	Bullying is ongoing
4	Very serious	Serious risk	As in level 3 and the disadvantage is considered substantial, and the exposure to negative treatment is long-term and escalated	Severe bullying
5	Extremely serious	Extreme risk	As in level 4, as well as <i>occurrence of aggressive/threatening and/or frightening behaviors</i>	Extreme bullying

Appendix 3. Research-based interventions to counteract bullying

The development of effective workplace interventions is often emphasized as central to combating bullying. Interventions, or in other words, a process of initiatives for creating change in an organization or at a workplace, may take several different forms. Interventions can be focused on changing the organization, work and work methods, or on changing employees' and managers' attitudes and approaches to and knowledge of harassment. Furthermore, interventions can focus on different stages of a problem. Despite the important role of interventions in creating necessary changes, when it comes to empirically tested and scientifically evaluated measures and initiatives, research is lagging (3, 45, 46). On the other hand, there is increased interest among researchers of bullying in developing and evaluating successful programs.

More recently, research has emphasized people who have witnessed offensive conduct, so-called bystanders. A Scandinavian study recently demonstrated that witnessing harassment at the workplace has an impact on the health of bystanders themselves (40). The study demonstrated a negative impact on the health of passive bystanders, while bystanders who get involved experience a positive impact on health, while simultaneously making an important effort for the victim. Bystanders therefore play an important role when it comes to taking action against harassment when it is actually occurring. As a result of this finding, Danish researchers led by Eva Gemzøe Mikkelsen have developed a preventive intervention focusing on bystanders' actions to stop conflicts and bullying at the workplace (47). Their method, *grib ind*¹ – “intervene” in English – involves preventative and remedial initiatives at the work group and individual levels. The method is composed of three steps, and in the first step, participants are given six different ways for bystanders to take action against bullying. In the second step, participants discuss the various risk situations of bullying developing in relation to their work group. Based on a few key themes developed by the participants, step three involves the work organization developing and taking preventive measures to handle the risks identified by the group participants. Norwegian researchers led by Kari Einarsen have begun an evaluation of the method to study its effects on participants in the intervention (48).

1 <https://www.arbejdsmiljoweb.dk/trivsel/mobning/grib-ind-godt-kollegaskab-uden-mobning>

Another method for identifying risk factors and developing anti-bullying initiatives is *The Risk Audit Tool for Psychosocial Hazards*, which was developed by a group of Australian researchers led by Michelle Tuckey (49). This tool shifts the focus from individual responsibility for handling situations involving bullying to the employer's obligation to ensure a safe work environment. The tool identifies risks in the workplace organization that research has shown facilitate, activate, or even reward the occurrence of bullying.

Based on the material, action points are identified that are used as part of a cohesive intervention strategy. The tool was developed in an Australian context and is based on content analyses of 342 complaints of bullying. The results have been followed up with an evaluation of effects, which demonstrates the success of the tool in identifying organizational risks for bullying.

The existing intervention studies primarily involve face-to-face harassment. As regards digital harassment and cyberbullying, there is a dearth of thorough interventional studies based on adult exposure in working life. However, research is ongoing in Sweden in which scientifically based methods for preventing digital harassment in working life are in development.

Appendix 4. Content of victimization policies and procedures

Clear and applicable policies and procedures pertaining to victimization are an important and statutory element of preventive initiatives in the organization.

The book *Faktaundersökning [Investigating the Facts]* (38) has a chapter on what a policy and procedures should contain and how to conduct the process of developing these documents. Below is a summary of some of the main steps described in the book.

Clarification of values

There should be a policy that clearly states how the operation views unacceptable conduct, victimization, and bullying, for example. Through a policy, the organization can clarify how to address these problems at the workplace and what kind of work environment they aim to achieve.

Local support and background

A clear background should be provided for the implementation of the relevant policy. Who has participated in the work? Who has taken the initiative and who has potentially adopted the policy? Who is the owner and what is its status? Why is the organization taking this step and what do they hope to achieve through the policy?

Current legislation impacting the policy

It is natural to refer to and explain relevant legislation in the area, especially sections from the Swedish Work Environment Act as well as the provisions on systematic work environment management (SWEM) and organizational and social work environment (OSWE).

Problem descriptions, definitions, and examples

Important terms should be explained and defined in the policy with references to and citations of relevant sections of legislation. Terms that are not included in the legislation, but that are still used in the policy (such as bullying), should be explained in detail.

Roles

It is important to describe what is expected of different players and what their rights and obligations are. These players may include employer representatives (managers, HR), employees, union representatives and safety representatives, occupational health services, and more (such as politically appointed roles).

Phases of the process

It is good to describe how the employer intends to work with the issues based on preventive, remedial, and follow-up perspectives..

Remedial measures for problems

It is important to describe what an employee should do if they are subjected to negative treatment or see this happening to someone else. Descriptions should also be included of the types of measures that may be relevant if unacceptable conduct is suspected, including informal measures, measures for early problems, and measures for severe problems. The principles used by the employer upon being made aware of problems should also be described here, such as the right to contradict allegations and for protection from reprisals, as well as the consequences of unacceptable conduct.

Access to support

This section should describe the support provided by the employer when handling and remediate situations that potentially violate the policy.

The table on the next page includes suggestions for a simple checklist that can be used when developing a policy and procedures. The checklist was developed by Thomas Jordan and has been linguistically modified for these guidelines.

Place a check in the column for *No* or *Yes* beside each point to address what a policy/procedure/action plan should contain in addition to the stipulations in AFS 2015:4.

Checklist for developing victimization policies and procedures

Will the action plan/procedures include:	No	Yes
1. Descriptions of all or just some of the following concepts ?		
Victimization		
Bullying		
Harassment in connection to the grounds of discrimination in the DA		
Sexual harassment/sexual assault in connection to the grounds of discrimination in the DA		
2. Definitions of victimization etc.?		
3. Examples of behaviors that can be classified as victimization etc.?		
4. Clarification of the difference between victimization or bullying on the one hand, and conflicts and collaborative difficulties on the other?		
5. The organization's position (goals) regarding the occurrence of victimization etc.?		
6. What legislation says about victimization etc.?		
7. Typical signs of the occurrence of victimization etc.?		
8. Common causes of the occurrence of victimization etc.?		
9. Descriptions of factors and measures that reduce the risk of victimization etc.?		
10. How to work preventively against victimization etc.?		
11. What are the responsibilities /obligations of the employer and managers?		
12. What are the responsibilities of employees and what should employees do if they witness a colleague being victimized etc.?		
13. What are the responsibilities of elected representatives ?		
14. Values related to reciprocal treatment (such as respect, tolerance, being solution-oriented)?		
15. Guidance for victims (rights, what can/should they do)?		
16. How to submit a complaint and what it should include?		
17. How an investigation is carried out (description of principles and procedures)?		
18. What support is available for someone about whom a complaint has been submitted for victimization etc.?		
19. Prohibition of reprisals against the individual who submitted a complaint of victimization etc.?		
20. What sanctions may be considered if it is concluded that someone engaged in victimization etc.?		

Appendix 5. Brief description of published investigation methods in Sweden

Below are descriptions of three methods for investigating victimization. The list only includes methods that have been published and that also include training in the method. The methods are presented in alphabetical order.

Faktaundersökning [*Investigating the Facts*] (FU)

Faktaundersökning [*Investigating the Facts*] (FU) is a method for investigating victimization and challenging problems in the work environment. The method was developed in the

2000s by Norwegian and English researchers on behalf of the Norwegian National Institute of Occupational Health (the equivalent of the Swedish Work Environment Authority) and is based on international research on bullying, conflicts, leadership, and injustice, as well as experiences from investigations of bullying, harassment and discrimination in England. The FU method is based on the principles of the legislation on health and safety at work for systematic case management (AFS 2001:1) and the requirements of the provisions on the organizational and social work environment (AFS 2015:4). The method was originally designed based on the principles of the European framework agreement between social partners at the EU level in 2007 (*Framework Agreement on Harassment and Violence at Work*. EU Social Dialogue, 2007). The method was extensively circulated for comment within the Norwegian labor market before it was launched. In just over ten years, over 1,000 people have trained in the method in the Nordic region.

A central component of the FU is the right of reply, which means that full transparency and the opportunity to address all accusations against them should be available to all parties involved in a case. This method primarily addresses the individual level, where the conduct of the parties involved is clarified as objectively as possible. The key question investigated in an FU is *what* happened, not *why* it happened. Contributing or aggravating factors at the group and organizational levels are studied to the extent that they are thought to have had an impact on the case at hand.

The first book on FU was published in Norway in 2016 (50). The method was also described that year in Swedish literature (44), and in 2020, a Swedish book of methods was published (38). The principles upon which the method is based have also been published in international scientific literature (36, 51, 52).

The method may be used without training, but it is recommended that investigators take a certification course.

Conflicts, aggressive behavior and victimization (Konflikter, aggressivt beteende och kränkande särbehandling, KAKS)

KAKS (Konflikter, aggressivt beteende och kränkande särbehandling, or conflicts, aggressive behavior and victimization in English) is a trademarked model for investigating victimization and bullying and is based on the provisions on the organizational and social work environment (AFS 2015:4). The focus of an investigation is on identifying risks in the social and organizational work environment and assessing whether there are risks of exclusion and ill health due to victimization. Instead of searching for causes of various destructive processes among the individuals involved, the context in which the conduct has arisen is emphasized.

Thus the focus of this investigation method is on the organizational and group level. If the problem originated with an individual, then according to this investigation method, the organization must limit the incidence of the negative behaviors.

Central to KAKS is the basis on the narrative method. Based on a narrative method, behavioral analyses are conducted of how the interviewees say an event occurred.

The interviews are not led by predetermined questions or hypotheses, but instead aim to create the conditions for a free narrative. Instead of confronting the various parties with one another's narratives, it is the investigator's role to identify patterns in the stories, to attempt to understand the significance, and to assess and transparently report on how he or she reached his or her assessment.

KAKS was established in 2017 after fifteen years of development, based on approximately 400 interviews and around 60 investigations. A KAKS method book was published in 2017 (42) and working with the method requires licensing through training. The method was developed by an organization consultant who is now a doctoral student researching victimization in working life.

Legally Certain Investigation Method (Rättssäker utredningsmetodik, RUM)

Legally Certain Investigation Method (Rättssäker utredningsmetodik, RUM) is a trademarked method for investigating victimization at workplaces.

The method constructs a legal perspective on investigations and is based upon principles such as predictability, transparency, party insight, and legal certainty. It was inspired by and developed with consideration for

the legislation on health and safety at work and adjacent legislation, primarily in labor law and non-discrimination law.

RUM comprises a prerequisite model based on the definition of victimization in the provisions on the organizational and social work environment (AFS 2015:4) and aims to identify and establish whether a given action can be categorized as victimization. To confirm the occurrence of victimization, RUM uses the same evidentiary requirements as labor law assessments.

RUM investigations consist of two parts: a) an assessment and analysis of the extent to which claims of victimization can be confirmed (individual perspective), and b) an assessment and analysis of the underlying causes of the problems at the workplace (group and organization perspective).

RUM was developed by a lawyer and an HR specialist based on a large number of investigations and complaints of victimization. A book on the RUM method was published in 2019 (43). A licensing training program is available for people interested in working with the method.

Appendix 6. Suggested code of ethics for the investigator and ordering party

A code of ethics provides guidance for investigators and ordering parties of investigations. Emphasizing the obligations and interrelationships of the investigator and ordering party creates the conditions for an objective and systematic approach to the investigation, and a fair process. Below is a list of ethical requirements of the investigator and ordering party that should be taken into consideration when appointing, conducting and reporting on investigations. This code of ethics is based on Mårtensson and Malm's (2019) book *Kränkande särbehandling – Rättssäker utredningsmetodik i arbetslivet* [Victimization – Legally Certain Investigation Method in Working Life].

Applying a code of ethics when investigating victimization involves the following:

- *The investigator* is responsible for ensuring that all parts of the investigation are correct and that the investigation process is conducted fairly.
- *The investigation and investigator* must always be characterized by objectivity and accuracy. An investigator may not consider irrelevant circumstances or purposes.
- *The ordering party* of the investigation must ensure that the investigator has the opportunity to independently conduct and complete the investigation, without the influence or direct access of the ordering party.
- *The ordering party* must ensure that they cannot become personally involved in any way, directly or indirectly, in what the investigator has been tasked with investigating.
- In contact with one another and with parties in the investigation and others affected by it, the *investigator and ordering party of the investigation* must act appropriately and in such a way that suspicions do not arise of irrelevant considerations or risks of conflicts of interest or similar conditions.
- *The investigator* shall conduct the investigation cost-efficiently, without sacrificing the quality of the investigation for that sake.
- *The ordering party* is responsible for arranging follow-up of the investigation and may not delegate responsibility for the parties' well-being or any measures to the individual who conducted the investigation.

Appendix 7. Risk assessments before an investigation

Carrying out an investigation is usually an extensive remedying measure for the work environment that can potentially have far-reaching consequences for the parties and for the organization. A poorly conducted investigation could make the work environment worse and lead to ill health and could even constitute victimization. When planning an investigation, it is therefore important to ensure good conditions for its implementation through a risk assessment.

To assess the conditions and risks, and to make ethical considerations before an investigation, reviewing the questions below is recommended. This list of questions is not exhaustive but should be seen as a way to help identify potential risks that may need to be addressed and remedied prior to an investigation.

- Are there organizational conditions, such as action plans, procedures, policy documents, and expertise, for conducting an investigation? Is expert support available (for example, through occupational health services) in the event of inadequate in-house expertise?
- Can the parties involved handle the burden of an investigation in terms of their health? Is extra support needed?
- Can the relevant work group or operation handle the burden of an investigation? Is extra support needed?
- Does the organization contain power relationships that risk influencing the implementation of the investigation?
- Are the necessary conditions in place in terms of finances, time, and practically speaking for an independent, competently conducted investigation?
- If using an internal investigator: Does this person have the proper and adequate expertise as well as the necessary mandate to be able and dare to criticize the conduct of their own employer's representatives?
- If an external investigator is hired: How will it be ensured that they have adequate expertise for the task? What is the business relationship between the ordering organization and the external investigator? Is there a risk that the investigation could be influenced by current or future business relationships?

- What kind of preparations and planning have been carried out for addressing the results of the investigation, including an unexpected or undesired result?

If it is assessed that the proper conditions are not in place and there is a risk that an investigation would do more harm than good – and an investigation therefore cannot be carried out – this circumstance must be objectively and respectfully explained and justified to the parties. However, abstaining from investigating a potentially serious social health risk in the work environment is itself risky. The individual(s) who reported the risk may perceive this as deeply unfair and not objective, and thus it could entail a significant risk of causing the problem to escalate. The organization would also risk losing credibility and later being criticized for not meeting the requirements of sections 9 and 10 of SWEM.

Appendix 8. Conflict of interest disclosure

Guideline group

Stefan Blomberg: Contributed to the development and distribution of Faktaundersökning, a method for investigating bullying and victimization.

External reviewer

Helge Hoel: Contributed to the development and distribution of Faktaundersökning, a method for investigating bullying and victimization.

Ståle Einarsen: Contributed to the development and distribution of Faktaundersökning, a method for investigating bullying and victimization.

Anneli Matsson: Developed and conducts trainings in the KAKS investigation method (Konflikter, aggressivt beteende och kränkande särbehandling, or Conflicts, aggressive behavior and victimization).

Richard Mårtensson: Contributed to the development and distribution of RUM (rättssäker utredningsmetodik, or Legally Certain Investigation Method), a method for investigating bullying and victimization.



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