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Nederlandse Arbeidsinspectie
Ministerie van Sociale Zaken en
Werkgelegenheid

Delphi study into risk factors and measures concerning internal unacceptable behaviour

October 2022

Foreword

Inspections by the Netherlands Labour Inspectorate show that many employers are not doing enough to combat internal unacceptable behaviour. (See the glossary in Annex 1 for the distinction between "internal" and "external" unacceptable behaviour.) One of the reasons for this is the lack of up-to-date knowledge on the subject. As an employer, what should you consider, and what can you do to prevent unacceptable behaviour or minimise it if prevention is not possible? The Labour Inspectorate also aimed to expand the knowledge needed when conducting internal unacceptable behaviour inspections. This prompted research into the current state of science regarding internal unacceptable behaviour.[1] This study starts with a literature review and a Delphi study on risk factors for internal unacceptable behaviour and measures that can be taken to prevent or limit it (referred to below as Delphi study risk factors and internal unacceptable behaviour measures or 'the study' for short). This study is the prelude to the 'follow-up project on internal unacceptable behaviour' in which tools and other interventions will be developed for employers to prevent or limit internal unacceptable behaviour.

This report presents the main results of the Delphi study risk factors and internal unacceptable behaviour measures.[2] This study aimed to identify the factors in the working environment that may lead to an increased risk of internal unacceptable behaviour and to determine measures the employer can take to prevent these factors or, where this is not possible, minimise them. This report provides insight into the current state of the science and is therefore of interest to scientists, lawyers, professional service providers and (core) experts. To make scientific knowledge applicable to employers' practices, the Labour Inspectorate will develop tools and other interventions to prevent or limit internal unacceptable behaviour.

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1 Where this report refers to 'state of science', it means 'state of science and professional services'. According to the Working Conditions Act (Explanatory Memorandum), 'state of science' means developments that subject matter experts widely accept as having a practical application, e.g. in dealing with psychosocial workload. The legislative history shows that these are developments widely accepted by subject matter experts and are published in scientific studies, guidance documents, CEN standards, industry guidelines, covenants, case law, catalogues and policy rules.

2 Interested parties should contact Edo Wilcke (ewilcke@nlarbeidsinspectie.nl) and Shirley Rigault (srigault@nlarbeidsinspectie.nl) for further information on the Delphi study

Editorial information

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1 Introduction

All employers are obliged to make an inventory and keep records of the risks related to psychosocial workload, one form of which is internal unacceptable behaviour, in a risk assessment. To assess the risks of internal unacceptable behaviour, the employer needs to look at factors in the organisation that may lead to an increased likelihood of internal unacceptable behaviour (referred to below as risk factors for internal unacceptable behaviour). This assessment is needed to determine the appropriate measures to prevent or limit internal unacceptable behaviour.[1] Internal unacceptable behaviour means: bullying, discrimination, sexual harassment and aggression and violence. This involves unacceptable behaviour between employees or managerial staff.

In practice, many employers do not know enough about identifying internal unacceptable behaviour. They often believe that if no internal unacceptable behaviour occurs at that time, there is no risk of it present. Often, they are unaware of the factors that can lead to an enhanced risk of internal unacceptable behaviour. Employers often do not know what measures may be appropriate.

One consequence of not correctly identifying the risk factors of internal unacceptable behaviour is that employers may take no or insufficient measures to prevent or mitigate it. This is also reflected in the inspection surveys of the Netherlands Labour Inspectorate. Customised measures are often lacking. In cases where measures are taken, it is unknown whether they are aligned to the risks occurring in the organisation or whether other measures may be needed. Also, the emphasis is often on curative measures (complaint mechanisms, for example), while more attention to preventive measures is more effective. The (social) costs of employee attrition due to internal unacceptable behaviour can be high. Preventing internal unacceptable behaviour therefore pays off and will ultimately promote a socially safe working environment in which employees can do and continue to do their jobs healthily and energetically.[2]

A Delphi study was conducted on risk factors for internal unacceptable behaviour and measures that can be taken to prevent or limit it to clarify the risk factors of internal unacceptable behaviour and what measures employers can take to prevent or limit it. This Delphi study was preceded by a literature review and conducted among experts, such as: academics, lawyers and professional service providers from the field of internal unacceptable behaviour. The Delphi method provides an opportunity to systematically gather the knowledge of multiple experts and, in several rounds of iteration, to clarify the relevant factors and the extent to which there is expert consensus that these factors increase the risk of internal unacceptable behaviour. A second reason for choosing the Delphi method is that the method focuses on consensus, potentially creating more support in practice.

A review of risk factors and measures can have a dual effect. It can help employers and health and safety experts identify internal unacceptable behaviour in the work environment and determine measures. It also provides inspectors with more guidance in supervision and enforcement in relation to internal unacceptable behaviour.

1.1 Reading guide

This report covers the main results of the literature review and both rounds of the Delphi study. It also describes possible follow-up measures and interventions by the Netherlands Labour Inspectorate.

Section 1.2 addresses the central question and the resulting sub-questions of the study. Section 1.3 discusses the research methods used. Chapter 2 then goes on to discuss the research findings and answers the sub-questions. This chapter outlines the risk factors and measures that can be taken to prevent or limit the risk of unacceptable behaviour.

Chapter 3 presents the main conclusions arising from the results of the study. Finally, Chapter 4 describes the possible interventions and activities that result. This chapter provides a brief, global outlook on the follow-up project developing possible interventions and activities that the Netherlands Labour Inspectorate can undertake.

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1 Where this report refers to 'measures to prevent or limit internal undesirable behaviour', this means 'measures to prevent internal undesirable behaviour or, if that is not possible, to limit it as much as possible.' Article 3(2) of the Dutch Working Conditions Act states that the aim is always to prevent undesirable behaviour internally, and if that is not possible, limit it as much as possible.
2 Source: Basic inspection module internal undesirable behaviour dated 1 September 2020.

1.2 Research questions

The central question in the study is:
What factors in the working environment may cause employees to experience an increased risk of internal unacceptable behaviour, and what measures can the employer take to prevent or mitigate the related risks?

The insights and ideas obtained from the experts and the literature review answer the following sub-questions:
1. To what extent do experts believe that the risk of exposure to internal unacceptable behaviour is always present whereever people work together?
2. What factors in the work environment may cause employees to experience an increased risk of internal unacceptable behaviour?
3. What measures can employers take to prevent or limit the risks related to the factors mentioned in question 2?

1.3 Research methods

To answer the research questions, we started with a literature review. The results of this literature review were then used to conduct a Delphi study. This involved submitting the results with questionnaires to scientists, lawyers and professional service providers from the field. They were asked if they recognised the Dutch Labour Inspectorate's literature review results and if they could indicate other risk factors or measures. The results from this study can be considered an important step towards the state of science and professional services in terms of internal unacceptable behaviour. The following sections elaborate on the literature review and the Delphi study.

1.3.1 Literature review

The literature review identified the current state of the science concerning the factors that can lead to an increased risk of internal unacceptable behaviour in the work setting. The documents (books, reports, articles, theses) for this literature review were mainly collected from the internet. A paper was considered relevant if it describes substantive knowledge that contributes to answering one or more of the sub-questions. The literature review results were used as input for the Delphi study.

1.3.2 Delphi study

The Delphi study provides an opportunity to systematically gather the knowledge of multiple experts and, in multiple rounds of iteration, to clarify the relevant risk factors and the extent to which there is consensus among experts that these factors increase the risk of internal unacceptable behaviour. A second reason for choosing the Delphi method is that the method focuses on consensus and may therefore create more support among employers and other stakeholders in practice (Keeney et al. 2011). This Delphi study opted for two rounds in which different experts were asked to complete an online questionnaire.[3]

Experts
This survey focuses on all types of internal unacceptable behaviour (aggression and violence, sexual harassment, bullying and discrimination). The literature review shows that the risk factors may vary by type of unacceptable behaviour. It was therefore decided to gather input from various experts: scientists for their research expertise, professional service providers for their practical experience and lawyers for their knowledge of case law on internal unacceptable behaviour. Some experts are attached to different research institutes, universities and colleges and, in some cases (also) self-employed and working for different organisations, such as employer and employee organisations and professional associations. The experts therefore reflect a diversity of expertise in the field of internal unacceptable behaviour (as mentioned earlier: bullying, aggression and violence, sexual harassment and employment discrimination, whether in combination with other areas of expertise such as workload, for example).

Delphi study round 1
The starting point for conducting the Delphi study is a review of existing literature already selected and attending conferences. The questionnaire for the first Delphi study was prepared on this basis. A glossary of the relevant terms central to the study was used for this purpose (Annex 1).

For the first round of the Delphi study, 37 experts were approached. 27 experts eventually completed the questionnaire. This makes the response rate in the first round 73%.

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3   Delphi studies also often include a group discussion (e.g. a focus group) to go deeper into the results. The corona crisis made this difficult to organise.

The questions covered several possible factors that increase the risk of internal unacceptable behaviour. The main purposes of the first round were:

- Gathering input from different areas of expertise on the possible factors that could lead to an increased likelihood of internal unacceptable behaviour.
- Gathering input on effective measures to prevent or limit the risk of internal unacceptable behaviour.

The questionnaire for the first round consisted of statements and closed and open questions. The experts were asked to what extent they believe the factors lead to an increased likelihood of internal unacceptable behaviour. They were asked:

- To indicate this by type of internal unacceptable behaviour (bullying, aggression and violence, sexual harassment and discrimination)
- Which risk factors of internal unacceptable behaviour are still missing
- What risk factors exist that relate to digital forms of internal unacceptable behaviour
- What measures can be taken to prevent or limit internal unacceptable behaviour.

The findings from the first round were fed back to the experts through an interim report.

Delphi study round 2

The same 37 experts were approached for the second round of the Delphi study. Of these, 28 experts completed the full questionnaire. The response rate in the second round was thus 76%. The main purposes of the second round were:

- Providing feedback on the input given by experts in the first round.
- Presenting some risk factors that were divisive in the first round to see if the experts could reach a high degree of consensus on them.
- Presenting the risk factors and measures (categorised into seven themes: see section 2.2) mentioned by the experts in the first round that did not (clearly) emerge in the literature review. The aim was to ascertain the level of consensus among experts on other risk factors in the first round and the effectiveness of the measures mentioned in the first round to counter internal unacceptable behaviour.

Unlike the first round, the second round of the Delphi study no longer asked the experts to specify their answers according to the different types of internal unacceptable behaviour: bullying, aggression and violence, employment discrimination and sexual harassment. This was to keep the questionnaire completion time within reasonable limits. As a result, for every risk factor and measure mentioned in the second round, the extent to which they relate to each of these forms is unknown. This is expected to have few consequences, as the first round had already shown that most factors increase the risk of all types of internal unacceptable behaviour.

The questionnaire started with the statement 'where people work together, the risk of employee exposure to internal unacceptable behaviour is always present'.[4] This is intended to establish whether employers can also be expected to recognise the issue of internal unacceptable behaviour as a risk from a scientific and professional perspective. Inspections by the Netherlands Labour Inspectorate show that there are employers who, when identifying the risk of internal unacceptable behaviour, conclude that it is not a risk in the company because no signs of it have been picked up. For that reason, they may see no need to take certain measures to prevent it. They ignore the fact that there is a risk of internal unacceptable behaviour even if it has not yet actually taken place. It could just as well be argued that there is no need to reinforce the dikes because there has never been a flood. It was decided to present this concept of 'risk' as a proposition to the experts.

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4   This proposition was also presented in the first round. But open answers show that how this statement was formulated at the time led to different interpretations. This proposition was therefore tightened up and resubmitted in the second round (see also section 2.1)
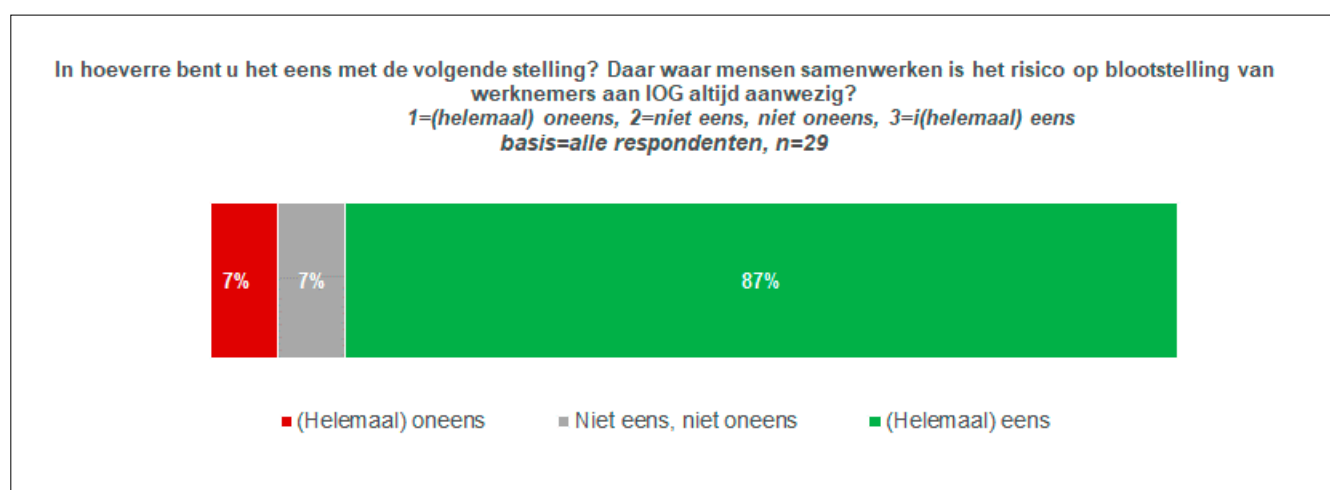
2 Results of the study

This chapter presents the main findings of the study. Section 2.1 describes the experts' views on the proposition: 'Where people work together, the risk of internal unacceptable behaviour is always present.' Section 2.2 then discusses the risk factors for internal unacceptable behaviour.

This includes a discussion of the measures experts believe are most effective in preventing or minimising the risk of internal unacceptable behaviour. It also addresses the extent to which experts believe the Netherlands Labour Inspectorate can reasonably expect employers to take these measures.

2.1 Proposition on risk

In the Delphi study, the experts were presented with a proposition: *'Wherever people work together, the risk of employee exposure to internal unacceptable behaviour is always present'*. Figure 1 shows that the vast majority (87%) of experts agree with this statement.

Figure 1. Degree of consensus on statement 'Where people work together, the risk of employee exposure to internal unacceptable behaviour is always present' 5

Presence of risk of internal unacceptable behaviour
There is a strong consensus among experts that where people work together, the risk of employee exposure to internal unacceptable behaviour is always present. Unacceptable behaviour can occur internally, even in a safe organisation where good policies are in place and propagated.

Unacceptable behaviour is mainly the result of conditions and circumstances
Several times, experts note that, besides the fact that it can originate from people themselves, internal unacceptable behaviour is mainly the result of conditions and circumstances, such as a bad working atmosphere and emotionally taxing work. This means that it is important for employers to pay particular attention to these conditions and circumstances.

No or few reports not significant
Several experts note that there being few/no reports of internal unacceptable behaviour does not mean that it does not occur in a company. According to several experts, this may be due to an unsafe climate in the workplace or because employees do not know where and how to discuss situations of internal unacceptable behaviour or where to report it. The threshold for reporting

In hoeverre bent u het eens met de volgende stelling? Daar waar mensen samenwerken is het risico op blootstelling van werknemers aan IOG altijd aanwezig?
1=(helemaal) oneens, 2=niet eens, niet oneens, 3=i(helemaal) eens
basis=alle respondenten, n=29

7% (Helemaal) oneens
7% Niet eens, niet oneens
87% (Helemaal) eens

[To what extent do you agree with the following proposition? Where people work together, the risk of employee exposure to internal unacceptable behaviour is always present. 1-completely disagree 2-don't agree, don't disagree 3-Completely agree. Base=all respondents n=290]

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5   Due to the rounding of percentages, the total adds up to 101%.

can be perceived as high, often because incidents are part of a larger problem with the culture in the workplace and speaking out against it means challenging that culture. Group pressure (often implicit) does not make this any easier. An unsafe climate in the workplace, peer pressure or unfamiliarity with reporting procedures can be major obstacles to reporting unacceptable behaviour internally.

2.2 Factors that increase the risk of internal unacceptable behaviour

This section answers the first sub-question: What factors in the work environment may cause employees to experience an increased risk of internal unacceptable behaviour? This section summarises the risk factors on which scientists in the two Delphi studies reached a strong consensus.[6]

The risk factors are divided into the following categories:
- Personal factors.
- Factors in leadership style and the role of manager located.
- Factors found in the organisation of work.
- Factors found in the physical working conditions.
- Factors found in social norms and rules.
- Factors found in risk groups and workforce composition.
- Factors found in digital forms of unacceptable behaviour.

Personal factors of the offender and victim
- Psychosocial impairments arising from the use of alcohol or drugs, origin in a socially weaker environment, or upbringing.
- Past history with unacceptable behaviour (as a victim).
- Personality trait aggression.
- Inability to deal with frustrations and tensions.
- Personality trait anxiety.
- 'The dark triad' (narcissism, psychopathy and Machiavellianism) in the offender's personality profile.
- Sexist attitudes of the offender.
- Lack of empathy and empathy towards victims of internal unacceptable behaviour.
- Personal differences between offender and victim in social dominance orientation.
- Deficient or impaired impulse control of offender.

Factors found in the leadership style and the role of manager
- Managers tolerating unacceptable behaviour internally and not taking action.
- Divide and rule leadership.
- Laisser-faire style of leadership (letting things run their course)/ hands-off leadership.
- Authoritarian leadership.
- Overly task-oriented and not enough employee-oriented leadership.
- Leaders who score high on personality traits such as narcissism, psychopathy or tend to employ manipulation and deception.
- Sarcastic, distrustful or malignant manager.
- Inconsistent leadership (leadership overly determined by mood, preferences, and the desire to please their own superiors or clients).

Factors found in the organisation of work
- Incorrect/no implementation and execution of formal policies/ lack of a standards framework.
- High emotional workload.
- Traditional roles for men or women.
- Different norms and values are communicated externally than are held internally.
- Hierarchical culture/organisation.
- Lack of opportunities for employee participation.
- Many organisational changes.
- Role conflict, role ambiguity or unclear task performance.
- High workload.
- Evening and night shifts.
- Work where there are no control options regarding task performance.
- Strong task/cognitive demands and workload.
- Work requiring a low level of education.
- Still meeting each other regularly outside working hours.
- Perceived injustice of procedures in the organisation.
- Closed corporate culture.
- Inadequate guidance for major changes in staff composition.
- Poor internal communication.

Factors found in the physical working conditions
- Organisations where there is little oversight/view of the workplace.
- Poor physical and psychological working conditions.

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6   Some of these risk factors are rather 'technical' and 'academic' in their formulation. In the 'follow-up project on internal undesirable behaviour', these risk factors will be regrouped and, where necessary, reformulated more comprehensibly. See also chapter 4.

Factors found in social norms and rules

- A loose culture in which sexual jokes and comments about ethnicity, for example, are considered normal.
- Group processes in which people reinforce and carry each other along in expressing internal unacceptable behaviour.
- Management's view of internal unacceptable behaviour as an individual problem rather than organisational problem.
- An environment where people are mostly stereotyped/ prejudiced.
- A strong group culture: strong dividing line between those who belong and those who do not.
- Conflict in the team and ineffective way of dealing with it;
- Unwritten rules that conflict with written rules.
- Lack of social support from colleagues.
- 'Mind your own business' culture.
- Traditional/cultural norms and values.
- Strong task- and performance-oriented culture.
- No enforcement or addressing abuses.
- Unclear standard regarding bystander intervention in case of internal unacceptable behaviour: bystander dilemma.

Factors found in risk groups and workforce composition

- Dominant group of employees who do not identify with the other.
- A male-dominated work environment: 10-30% women vs. 90-70% men.
- One-sided staff composition.
- Staff at the same level but informal power structures.
- One-sided composition of management in terms of cultural diversity.
- Homosexual male staff.
- Employees from migrant backgrounds.
- Employees with disabilities.
- Young female employees (18-29 years).
- Women in mid-level managerial positions who mainly manage male employees.
- Part-time workers or temporary contracts/services.
- Women in senior positions.[7]
- Single parents.[8]
- Women with university degrees.[9]
- Divorced or unmarried employees.
- Employees providing informal care.
- Non-binary groups.[10]
- Bi- and transsexuality.

Factors found in digital forms of unacceptable behaviour

- Dissociative anonymity: The ability to disconnect online behaviour from the physical self.
- Online discrimination: informal chat groups.
- Unawareness/absence of management.
- The same risk factors as for the offline world.
- Dissociation between offline and online world.[11]

2.3 Measures to prevent or limit internal unacceptable behaviour

This section answers the third sub-question: What measures can employers take to prevent or limit the risks related to the factors mentioned in question 2?

This section summarises the measures to prevent or mitigate internal unacceptable behaviour that scientists in the two Delphi studies reached a high degree of consensus on.

Measures related to personal factors

1. Being attentive to power structures and vulnerable employees (both within the organisation and teams/departments).
2. Properly attend to employee welfare (employment, colleagues and supervisors, designate contact points for problems).

Measures related to leadership style and the role of managers

3. Having managers propagate a social norm.
4. Structurally increased focus on (strong) leadership and its importance for a socially safe working environment.
5. Measures and auxiliary structures should be 'status blind'.[12]
6. In selection/promotion, consider leadership competencies needed to mitigate risk.

Measures relating to the organisation of work

7. In very hierarchical organisations where a few people have strong decision-making power over others: Transparency and clear procedures so that everyone knows on what basis decisions were made.
8. Implement a working and clear structure: structures should reflect standards.

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7 The risk of internal undesirable behaviour occurs especially in an environment where women in senior positions are a minority and in an environment where envy may play a role.
8 In particular, these are full-time working single women
9 The risk of internal undesirable behaviour occurs especially in an environment where university-educated women are a minority and in an environment where envy may play a role.
10 A non-binary person is someone who does not feel at home in the binary gender categories male or female and is more comfortable with a different, non-binary, gender identity.

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11 This means that people experience a certain distance between themselves and their online activities, such as messenging.
12 This involves applying measures and auxiliary structures without regard to a person's status. In other words: without discrimination.

Measures relating to the physical working conditions

9. Avoid a workplace being lonely and isolated, ensuring good lighting and accessibility to the workplace.

Measures relating to social rules and norms

10. Take strict action when unacceptable behaviour occurs and - as far as possible – put out the message within the organisation as well: such behaviour will not be tolerated.
11. Recognise that unacceptable behaviour is first and foremost an organisational problem and take the lead as employers/directors/leaders to make a cultural change.[13]
12. Symbolic behaviours/good examples of leadership. Based on the intrinsic motivation of the employer.
13. The role of colleagues who are bystanders in unacceptable behaviour: concrete skills learned, rewarded and appreciated by other colleagues and managers.
14. Vision management: making visible the desirable vision and rules on internal unacceptable behaviour through communication (e.g. newsletters).
15. Obtain feedback through measurements of how the working environment is experienced and how safe people feel. And feed these results back to employees.

Measures relating to staff composition and risk groups

16. Assessment based on performance rather than gender or ethnicity etc.
17. Know the composition of the workforce and, through regular contact with vulnerable groups, be informed by their experiences in the workplace.
18. Anonymous channels for reporting unacceptable behaviour. The person people report to should be someone outside their own department, preferably not someone who answers to the offender.
19. Set up support systems (e.g. mentoring and buddy systems).

Measures relating to digital forms of internal unacceptable behaviour

20. Policy/rules on dealing with digital forms of internal unacceptable behaviour (e.g. code of conduct).
21. Approach to bystander role in internal unacceptable behaviour.
22. Increase visibility and supervisor supervision.
23. Manager maintains contact in person.

Other measures

24. See combating internal unacceptable behaviour as a strategy, and therefore implement it very clearly at all levels, make the effects of certain policies measurable, and adjust policies where necessary.
25. A good complaint structure: appoint a confidential advisor, knowledgeable and independent, and appoint an ombudsman.
26. Handle psychosocial workload policy cycle, conduct a risk assessment, starting with a vision on psychosocial workload (set clear standards).
27. Active Bystander training[14] to make unacceptable behaviour discussable.
28. Training courses for managers to increase empathy/empathy/recognise signals for executives.
29. Appoint an external confidential advisor (mandatory).
30. More unsolicited advice from the Works Council regarding safe working atmosphere.
31. Cultural interventions.[15]

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13 This formulation was used by the experts in the Delphi study. Internal undesirable behaviour is often seen as an individual problem or a problem between two or more individuals, but in the vast majority of cases, organisational factors appear to play a role.

14 Active Bystander Training is designed to empower employees to challenge undesirable behaviour and bring about cultural change by reinforcing messages that define the boundaries of unacceptable behaviour

15 This may involve measures that can improve the culture/work climate, such as giving employees more input into their own work and career.

3 Conclusions

The previous chapter outlined the risk factors and measures that employers can take to prevent or limit the risk of unacceptable behaviour according to the literature and the experts involved. The results of the study lead to the following conclusions:

A risk of internal behaviour is always present, but the conditions and circumstances determine the extent to which the risk leads to internal unacceptable behaviour

Almost all experts feel that the risk of internal unacceptable behaviour is always present, but that conditions and circumstances determine the extent to which the risk leads to internal unacceptable behaviour or whether it remains just a risk. Several experts note that there being few/no reports of internal unacceptable behaviour does not mean that it does not occur in a company. The fact that there are few or no reports may be because there is indeed a safe culture, but it may also be a result of an unsafe climate in the workplace, (overly) high thresholds for reporting unacceptable behaviour or because employees do not know where and how to report situations of internal unacceptable behaviour.

An important conclusion is that experts indicate several times that many risk factors do not stand alone and are risks only in combination with other factors. The risk factors combined with conditions and circumstances determine the extent to which this risk leads to internal unacceptable behaviour. Experts also indicate several times that many measures do not stand alone and are effective only in combination with other measures. Experts also differ in their emphasis on certain measures to prevent or limit the risk of internal unacceptable behaviour. Some experts have certain dissenting opinions that are not representative of all experts in their field. Nevertheless, there are many measures on which there is a strong consensus.

Preventive rather than merely reactive approaches

It is important to realise that the measures mentioned by the experts are mostly preventive. A key conclusion that follows is that employers should also take a preventive rather than just reactive approach when it comes to dealing with internal unacceptable behaviour. For this, employers must identify any risk factors as well as possible and take measures that minimise the likelihood of internal unacceptable behaviour. It should be realised that offenders often do not have a clear idea of how internal unacceptable behaviour affects victims and that much internal unacceptable behaviour goes unreported. Investing in an open and safe working environment, making internal unacceptable behaviour open for discussion and creating awareness of it could help enormously in this regard. It is good for employers to realise that good behaviour stems from a professional standard. Communicating a professional standard is crucial in preventing and limiting internal unacceptable behaviour.

A clear and familiar reporting procedure where employees do not experience barriers to using it can also help prevent internal unacceptable behaviour. After all, this gives the employer a better idea of what is going on within the company, and they can then take targeted action accordingly.

4 Follow-up measures and interventions

The previous chapters covered the risk factors for internal unacceptable behaviour. Measures to prevent or limit unacceptable behaviour were also addressed.

This chapter offers a brief, global preview of the follow-up project describing possible interventions and activities that the Netherlands Labour Inspectorate could undertake. This 'follow-up project on internal unacceptable behaviour' started in 2022 and aims to develop tools, instruments and other interventions that the Labour Inspectorate can use to prevent or limit internal unacceptable behaviour within organisations. These are interventions and activities that ensure employers pay (more) attention to identifying the risk factors for internal unacceptable behaviour and taking measures to prevent or mitigate it.

Part of this follow-up project is to merge and reformulate measures to lead to the most operational activities possible for employers. For this, a small-scale survey is being conducted among a number of scientists to find out whether they have any objections to how measures have been merged and reformulated. Another part of this follow-up project is a survey of employers, core experts and inspectors to understand what they know about the risk factors and measures of internal unacceptable behaviour and what they need to identify and counter internal unacceptable behaviour. All this is intended to develop tools, instruments and other interventions that can be deployed to identify risk factors and take measures to prevent or limit internal unacceptable behaviour.

When developing tools, instruments and other interventions, it is important to realise that raising awareness and promoting intrinsic motivation to prevent or limit unacceptable behaviour internally among employers is sometimes more effective than enforcement. Enforcement tends to lead to laying down the rules but not necessarily to compliance. Some activities and interventions therefore call for a different type of inspection. The choice of intervention type depends heavily on the characteristics and motives of the target group and the risk factors involved.

Annex 1: Glossary

Glossary

The glossary provides an overview of the central terms of this study. Here, the definitions of the Dutch Labour Inspectorate have been used.[16, 17, 18] These definitions may differ slightly from those used in the literature.

Internal unacceptable behaviour

Internal unacceptable behaviour is part of the Psychosocial workload risk alongside "external unacceptable behaviour" (by third parties such as clients, visitors, residents, patients, pupils and travellers) and "pressure of work". The risk of internal unacceptable behaviour is between employees or managers and employees within their own organisation. This is not, then, about unacceptable behaviour by third parties. Internal unacceptable behaviour includes the behaviours bullying, sexual harassment, discrimination and aggression & violence.

Bullying

Repeated unacceptably negative behaviour against which someone cannot defend themselves. Bullying behaviour can be directly directed against the person, e.g. belittling and humiliating remarks, constant criticism, physically attacking or threatening. Bullying can also be less direct: isolating, excluding and ignoring someone or gossiping, spreading malicious rumours, lies and false accusations.

Sexual harassment

Any form of sexual advance, request for sexual favours or other sexually oriented behaviour in the work setting that an employee against whom it is directed perceives as unwelcome. This can be verbal, but also non-verbal: showing sexually oriented or pornographic images (including via email, WhatsApp or text messages), prolonged staring or sexually oriented gestures. Sexual harassment can also be physical. These are all forms of unwanted or unacceptable physical contact: an arm around the shoulder, a grab, squeeze, kiss, assault and rape.

Internal aggression and violence/intimidation

Frightening or pressurising an employee through psychological or physical violence or by threatening, for example, dismissal or other sanctions.

Discrimination in the workplace

Discrimination in the workplace is also known as employment discrimination, not to be confused with labour market discrimination. Direct or indirect discrimination based on one or more grounds as referred to in the Equal Treatment Acts and Article 1 of the Constitution, e.g. ethnic background, sexual orientation or gender. Discrimination can manifest itself in bullying or sexual or otherwise intimidating behaviour, but also in aspects like unequal pay.

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16 https://www.nlarbeidsinspectie.nl/onderwerpen/algemeen-werkstress-en-psychosociale-belasting/documenten/brochures/2016/07/15/ongewenste-omgangsvormen

17 https://www.nlarbeidsinspectie.nl/publicaties/richtlijnen/2020/09/01/bim-intern-ongewenst-gedrag

18 https://www.nlarbeidsinspectie.nl/onderwerpen/arbeidsdiscriminatie