

**MEAN SCOIL SHEOSAIMH
RINN NA SPÁINNEACH
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DIGNITY IN THE WORKPLACE POLICY

Policy Ratified: 08/05/2017

Review Date: May 2019

Signed: _____

John Smith

Dignity at Work Charter
St Joseph's Secondary School
Spanish Point
Co Clare

A core employment value is the commitment to ensuring that each individual is guaranteed a working environment where she/he may expect to be treated with dignity both by management and work colleagues.

This approach is a positive emphasis on the importance of each individual and the contribution she/he makes to the success of the workplace. It guarantees the optimal working conditions that allow individuals to freely maximise their role in the workforce. Sound management ethos is based on providing leadership that encourages individuals in this regard. This is best achieved in St Joseph's Secondary School through the creation and maintenance of a positive working environment.

Integral to this employment value and in particular to the principle of mutual respect is the commitment to provide a workplace free from bullying. It is in such a context that the philosophy and policy statement will be realised.

Objectives of Dignity at Work Charter

- To create and maintain a positive working environment in St Joseph's Secondary School where the right of each individual to dignity at work is recognised and protected.
- To ensure that all are aware of and committed to the principles set out in this Charter.

INRODUCTION

The Board of Management of St Joseph's Secondary School is committed to providing all employees with an environment that is free from any form of workplace bullying. This commitment is expressed in the school Charter.

The purpose of this document is to outline the Board's policy and procedures in relation to workplace bullying.

A complaint of workplace bullying may, following due procedure, result in disciplinary action.

In approving this policy, the Board has agreed that:

- It is brought to the attention of all Staff
- All Staff be asked to co-operate in its implementation

Objectives of the Policy

The objective of the policy is to eliminate workplace bullying and to contribute to a supportive environment where Staff has the right to carry out the work of the school – 'the education of the whole person'.

The Policy guarantees that all complaints will be taken seriously and investigated promptly, and that all parties involved will be treated with respect.

Staff will be protected from victimisation or discrimination for assisting in an investigation. Victimisation as a result of a member of Staff raising a complaint will not be tolerated and will be treated as bullying and subject to disciplinary action.

What Constitutes 'Unacceptable Behaviour' / Workplace Bullying?

Bullying can take a number of forms and the following list is not exhaustive:

- Aggressive behaviour/attitude/body language, including shouting and uncontrolled anger, being treated in a dictatorial manner, insensitivity regarding the person and the personal life of another, personal insults, verbal abuse, offensive language, ridicule, slagging, belittling of one's subject, continually shouting down other opinion, rudeness, not greeting each other, lack of common courtesy, rude and unhelpful behaviour, spreading negativity by belittling the efforts of others ('What are you doing that for – you'll get no thanks!'), not being on time for class/breaks/lunch, non co-operation, unwillingness to accept/adapt to new staff/management ideas, inability to accept change and competition, whispering comments, whispering in groups, sudden silences that exclude, public verbal attacks, criticising a colleague(s) in their absence, dominant behaviour by strong personalities.
- Intimidation (physical, psychological or emotional) by open aggression, by saying 'we usually do things this way', condescending tone or unreasonable demands, dictated to in front of students, being 'taken to task' in front of others, threats, staring, persistent negativity in behaviour and attitude, insidious laughter intended to exclude, asking inappropriate questions regarding one's personal life/social life or work,

intrusion into personal life, undermining authority, with-holding significant information and resources, labelling, loud conversations that exclude, writing of anonymous notes, persistently being 'narky', talking during staff and other meetings when somebody else is speaking, back-biting, bitchiness or malicious comments, disparaging and demeaning comments, being forced into a committee or particular opinion or decision against one's wishes.

- Public or private humiliation, name-calling, ridicule, mocking and belittling new ideas and enthusiasm of others, derogatory jokes, being mimicked in one's absence and before students or colleagues, verbal confrontation in front of a class, seeking popularity with students at the expense of a colleague by not being supportive in an encounter with students, not consulting when taking pupils out of class, malicious tricks, spreading rumours, intrusion of personal privacy, being 'spoken down' to, ignoring another, branding by association, personalising issues, not sharing/minding/returning resources.
- Ostracising and/or marginalizing an individual from relevant discussion or groups (whether overt or subtle), preventing a person from joining a group, social exclusion at breaks/meetings, ignoring a person when addressed, dealing with a person only through a third party (including a student), 'cubbing or cliquery', subjecting another to 'the silent treatment' or, a form of 'sending to Coventry'), being slotted into a clique/group (on the basis of incorrect assumptions).

What are the Effects of Bullying?

International research shows that the effects may be physiological, psychological and behavioural.

Effects on the individual: research shows that individuals who are continually bullied lose self-confidence as self-esteem is eroded and they are at an increased risk of suffering stress. There may be serious effects on health and the person's career may be adversely affected.

Effects on the Organisation: individuals who are bullied will find it difficult if not impossible to give their best in the workplace. Among the well-documented effects are increased sickness/absenteeism, low morale, a tense atmosphere, cliques or factions.

Why might an individual be reluctant to take action?

- ⇒ Because the particular workplace culture passively supports bullying i.e. staff in general are unaware of the seriousness of bullying.
- ⇒ Because of fear that the complaint may not be taken seriously.
- ⇒ Because she/he may be seen as unable for the job and/or a weak person.

- ⇒ If the alleged bully is a manager, there may be the fear that more senior management will support the manager/supervisor.
- ⇒ Because making a complaint could result in further intimidation and increased bullying.
- ⇒ Because there are no witnesses to the bullying and it would be one person's word against another.
- ⇒ Because she/he might be seen to be lacking in credibility and/or personal status.
- ⇒ Where there are witnesses, these might be unwilling to come forward because they are afraid of being branded troublemakers.

What can I do to ensure that workplace bullying does not occur in St Joseph's Secondary School?

Awareness/education about workplace bullying is crucial.

Be familiar with and accept responsibility for the Board of Management's Policy and how it works.

What can I do to stop someone bullying me?

TELL THEM TO STOP! This may be more difficult for some individuals than for others. When bullies know that their behaviour will not be tolerated, they will be halted – at least temporarily.

If you find that impossible, tell somebody – a Contact Person (*refer Appendix (i)*), the ASTI Steward, the IMPACT Steward, The Deputy Principal, and the Principal. GET HELP AND SUPPORT.

What may be the consequences of not dealing with workplace bullying?

There are consequences for the individuals who perceive themselves to be targets of bullying behaviour for the alleged perpetrator(s), for organisational culture/ethos and for the Board of Management.

What if the alleged perpetrator is proven to be the victim as a result of investigation?

Where there is a total conflict of evidence between the complainant and the accused, a detailed investigation will be necessary. The Board of Management/Agent appointed by the Board investigating the complaint should talk to any witnesses in order to try to ascertain the veracity of the alleged incident. In reality, there will often be no witnesses and the investigator will be presented with two conflicting accounts. In such a case, the matter rests on the balance of probabilities and this in turn, depends on the credibility that can be ascribed to either party. It is not simple.

In such an instance, it is important to pay attention to both the detail of the evidence and the consistency of the account presented by each party. If the complainant's evidence is

consistent and detailed and the alleged perpetrator's evidence is vague about matters that she/he should have been expected to recall, then their testimony is less compelling.

Another relevant factor is whether the person alleging bullying mentioned the problem to colleagues at the time. Although it may be difficult (if not impossible) to establish the factual details of the complaint, it may be possible to establish behaviour that in the Board of Management's view is unacceptable.

Will I be protected against intimidation if I complain?

The Board of Management of St Joseph's Secondary School state that employees will be protected against intimidation, victimisation or discrimination for filing a complaint or assisting in an investigation. Any employee found to be retaliating against a colleague/employee for complaining about bullying would be subject to the disciplinary procedure/action.

Are there performance criteria by which the success of the Policy might be judged?

- ⇒ The existence of a policy on Dignity in the Workplace and the prevention of workplace bullying as part of health, safety and welfare at work.
- ⇒ Awareness/availability of Policy.
- ⇒ Existence of Charter: Dignity in the Workplace.
- ⇒ Dignity in the workplace as well as inappropriate/bullying behaviour are defined in the Board Policy.
- ⇒ Employee's right to complain is respected.
- ⇒ Informal resolution of complaints is encouraged.

Guidelines on the implementation of St Joseph's Anti-bullying Policy

There are two stages for dealing with cases of alleged bullying:

Stage 1	⇒	Informal
Stage 2	⇒	Formal

The designated contact people can advise on both stages. If you decide to follow Stage 1 and the problem persists, the complaint can then be dealt with under Stage 2.

Sometimes individuals may be unaware of the negative effects of their behaviour on other adults in the workplace. Such individuals may simply need to be told. Thus, at times incidents of bullying can be handled effectively in an informal way under Stage 1. If an incident occurs that is offensive, it may be sufficient to explain clearly to the offender that the behaviour is unacceptable. If the circumstances are too difficult or embarrassing for an individual, support may be sought from another colleague, a contact person, staff representative, Principal, Deputy Principal.

Procedure for dealing with bullying in the workplace

Stage 1

1. Employees should be advised that, if possible, they should attempt to resolve the problem informally in the first instance. It may be possible and sufficient for the employee concerned to explain clearly to the person engaging in the unwanted conduct that the behaviour in question is not welcome, that it offends them or makes them uncomfortable, and that it interferes with their work.
2. In circumstances where it is too difficult or embarrassing for an individual to do this on her/his own behalf, an alternative approach would be for an initial approach to be made to a contact person(s).
3. The role of the contact person is to listen and support a target. A contact person does not advise a target. The contact person should ensure the target knows about the school's anti-bullying policy.
4. It is very important for the recipient of bullying/harassment to keep notes, detailing times and dates of incidents of bullying/harassment and request eyewitnesses, if any, to note them also.
5. Attempts will be made to resolve the matter informally, if appropriate. Counselling and support services will be made available.

If it is not possible to resolve the matter informally, Stage 2 would follow whereby a formal complaints procedure shall be applied incorporating the following steps:

Stage 2

Staff members subjected to bullying/harassment shall make a formal complaint to the Principal who will be responsible on behalf of management for investigating such complaints and recommending action. *Ultimate disciplinary action as at (4) below is the responsibility of the Board of Management. Disciplinary action should take account of contractual arrangements applying in given situations.* Prior to commencement of Stage 2 of the investigation the alleged harasser will be given a copy of the formal written complaint and advised that an investigation will ensue which may lead to disciplinary action. Depending on the severity of the alleged bullying/harassment the alleged perpetrator may be suspended with pay pending the investigation. Both the complainant and the alleged perpetrator will be advised of their right to be accompanied and/or represented by their Union representative or a colleague.

Steps:

1. A written report should be made by the complainant and signed by the complainant.
2. The complaint will be investigated with minimum delay as confidentially as possible by two individuals, one of whom shall be the same sex as the complainant if so requested. Due respect shall be had for the rights of the complainant and the alleged perpetrator.

3. Both parties may be accompanied/represented at all interviews/meetings held and these shall be recorded.
4. Where a complaint is found to be substantiated, the extent and nature of the bullying/harassment will determine the form of the disciplinary action to be taken. These actions may include a verbal warning, a written warning, suspension from duties with or without pay, or dismissal.
5. Where the transfer of one of the parties involved is deemed to be appropriate, the person who has been bullied/harassed shall not be transferred unless they so request.
6. Where an employee is victimised as a result of invoking or participating in any aspect of the complaints procedure, including acting as a witness for another employee, such behaviour will also be subject to disciplinary action.

No record of any complaint will be registered on an employee's file unless the formal procedure outlined above has been invoked.

It is the opinion of the school that issues of bullying/harassment are best dealt with within the school. However, no aspect of this Policy affects any employee's individual legal rights to take their complaint outside of the school.

Where any staff members do not find it appropriate to report to a Principal as above, she/he may report to the Deputy Principal/Chairperson, Board of Management. The list of personnel available for reporting should reflect gender balance.

Investigations of any complaint will be handled with sensitivity and with due respect to the rights of both the complainant and the alleged harasser. The normal grievance procedure or existing practice will be the mechanism for resolving such complaints. It is understood that all complaints will be investigated with the minimum of delay consistent with fairness to both parties.

If it is found that the perpetrator's behaviour had been misinterpreted and she/he was genuinely unaware of the effect of actions further procedures may not be necessary as an investigation may come to an end. However, the ongoing relationship between both individuals should be monitored over a number of months.

Where there has been a conflict of evidence it may be difficult, if not impossible, to establish as fact the full details of the complaint. However, it may be possible to establish behaviour that in the Board of Management's view is unacceptable.

This document is a requirement under Health and Safety Legislation, Section 6 and future Codes of Practice as may be introduced under the Health and Safety legislation, Employment Equality and Industrial Relations Act.

**The policy is subject to periodic review.
Board of Management, St Joseph's Secondary School.**

ST JOSEPH'S SECONDARY SCHOOL SEXUAL HARASSMENT POLICY

Introduction

1. The school recognises that all employees have the right to a work place free from sexual harassment and is fully committed to ensuring that all employees are able to enjoy that right. Sexual harassment is prohibited under the Employment Equality Act 1998. Complaints of sexual harassment must always be treated seriously and dealt with in a sensitive manner.

There is a responsibility on all employees to ensure a work place free from sexual harassment for all other employees, and to be aware of this Policy.

Management shall be required to implement this Policy and set a standard of behaviour by their own example. Any complaints of sexual harassment shall be fully and properly investigated and, if substantiated, will be regarded as grounds for disciplinary action up to and including dismissal. An attempt will be made to resolve the complaint informally in the first instance but if this is not possible, a formal procedure will be invoked. Confidentiality will be ensured, insofar as is possible, at all times during the investigation for all parties involved.

2. What is Sexual Harassment?

Sexual harassment means unwanted conduct of a sexual nature or other conduct based on a person's sex which affects the dignity of men and women at work.

3. Examples of Sexual harassment Include:

1. Unwanted physical or verbal advances.
2. Unwanted touching or physical gestures.
3. Comments and remarks of a sexual or discriminatory nature,
4. Unwelcome comments about personal appearance.
5. Demands of sexual favours.
6. Displays of pin-ups and pornographic material,
7. Innuendoes of a sexual nature or based on a person's sex.

This list is not exhaustive.

Sexual harassment may be perpetrated by a superior, a subordinate, a colleague or a non-employee and may take place outside the work place. The degree of control available to the employer in this particular circumstance will be relevant.

School Environment and Culture

1. **School Commitment to Cultivate an Environment Free from Sexual Harassment**

The school recognises that all employees have the right to a work place free from sexual harassment and is fully committed to ensuring that all employees and students are able to enjoy that right and that sexual harassment will not be tolerated.

Management shall be required to implement this Policy and set a standard of behaviour by their own example.

Any complaint of sexual harassment shall be fully and properly investigated and, if substantiated, will be regarded as grounds for disciplinary action up to and including dismissal. An attempt will be made to resolve the complaint informally in the first instance but if this is not possible, a formal procedure will be invoked.

Confidentiality will be ensured, insofar as is possible, at all times during the investigation for all parties involved. The school authority is committed to providing an environment free from sexual harassment and ensuring that such behaviour by employees or students is not tolerated,

1. Sexual harassment of one staff member (teaching or non-teaching) by another staff member (teaching or non-teaching) will not be tolerated and is contrary to school policy.
2. Sexual harassment of one student by another student, or of one staff member (teaching or non-teaching) by a student will not be tolerated and is contrary to school policy,
3. Sexual harassment of a student by a staff member (teaching or non-teaching) will not be tolerated. It is contrary to school policy and is a serious abuse of authority.

2. Employees' Responsibilities

Employees have a clear role to play in the creation of an environment at work in which sexual harassment is unacceptable.

Employees can contribute to preventing sexual harassment through an awareness and sensitivity towards the issue and by ensuring that standards of conduct for themselves and for colleagues do not cause offence.

3. Sexual Harassment May Result in Disciplinary Action

1. Complaints of sexual harassment will be taken seriously and if proven could constitute grounds for disciplinary action. Prompt action will be taken when incidents involving sexual harassment take place and come to the attention of management. Fair and equitable procedures will be used in dealing with such complaints both in relation to the complainant and the alleged perpetrator of such harassment. These procedures are set out in Section 3 below.
2. Malicious complaints by students or teachers will be treated as misconduct under disciplinary procedures.
3. The school authority will endeavour to protect all students and employees from intimidation, victimisation or discrimination in the event of a complaint being filed or while they may be involved in the process of an investigation of sexual harassment in the school.

4. Assistance in the Event of Harassment

1. Every effort will be made to guide persons who are victims of sexual harassment into therapy/counselling to assist their recovery.
2. Persons who sexually harass others will be advised to seek counselling to prevent further incidents of sexual harassment arising.

Appendix (i)

Staff Support Contacts

Michael Neylon
Lyz Anne King
Tom Dillon
Mary Ryan