

## **DIGNITY AT WORK POLICY AND CODE OF PROCEDURES**

St. Mary's Junior N.S.

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### **St. Mary's Junior School - Mission Statement.**

St. Mary's Junior School is a Catholic Primary School committed to creating a respectful, caring, safe, supportive learning environment, rooted in the Christian tradition and having as its aim the holistic education of all its students, encouraging each one to develop her full potential.

**Dear Staff Member,**

The purpose of this policy document and the associated procedures is to ensure that all within the school are conversant with their roles and responsibilities in ensuring that we have a workplace which respects the dignity of all who work in St. Mary's. Their duties and responsibilities are given statutory expression in the Health and Safety Act, 2005 and they are further clarified in the Code of Practice on the Prevention of Workplace Bullying which issued in May 2007.

The responsibility vested in management under the 2005 Act is to manage and conduct work activities "in such a way as to prevent, so far as is reasonably practicable, any improper conduct or behaviour likely to put the safety, health and welfare at work of .... employees at risk". Employees also have responsibilities under that Act "not to engage in improper conduct or behaviour that is likely to endanger his or her own safety, health and welfare at work or that of any other person". This document outlines the type and nature of conduct and behaviour which must be avoided and the procedures that will be followed in the event of allegations or evidence of their existence.

A copy of this document will be issued to each staff member of St. Mary's and it is the responsibility of all to ensure familiarity with its contents.

A copy of the Dignity at Work Charter will be displayed in parts of the school premises where it will be visible to management, staff and visitors.

This document will be subject to periodic review.

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Chairman,  
Board of Management.

# **Dignity at Work Charter**

## **St Mary's Junior School**

Management and staff in St. Mary's Junior School are committed to working together to maintain a workplace environment that encourages and supports the right to dignity at work. All who work here are expected to respect the right of each individual to dignity in their working life. All will be treated equally and respected for their individuality and diversity.

Bullying in any form is not acceptable and will not be tolerated. This policy and the procedures will underpin the principles and objectives of this Charter.

All individuals, whether directly employed or contracted by us, have a duty and responsibility to uphold this Dignity at Work Charter.

Those in positions of responsibility have a specific and particular responsibility to promote the provisions of the Charter.

## Introduction

A core employment value is the commitment to ensuring that each individual is guaranteed a working environment where he/she 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 he/she makes to the success of the workplace. It guarantees the optimal working conditions that allow individuals to freely maximise their role in the workplace. Sound management ethos is based on providing leadership that encourages individuals in this regard. This is best achieved in our 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 Policy.

- To create and maintain a positive working environment in St. Mary's Junior 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 policy.
- To outline the Board's policy and procedures in relation to workplace bullying.

The Board of Management of St. Mary's Junior School is committed to providing all employees with an environment that is free from any form of workplace bullying.

In approving this policy, the Board has agreed that:

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

## **THE POLICY**

The objective of this policy is to assure staff that any form of bullying and/or harassment will not be tolerated in St. Mary's and to outline the procedures that will be adopted in the event of an allegation of such behaviour. It also sets out the structures that are in place to lend support and assistance to staff that may make or be the subject of a complaint under the Policy.

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 when assisting in an investigation. Victimisation as a result of a member of Staff raising a complaint will not be tolerated.

For the purpose of this policy, the following definitions apply as per the related Codes of Practice:

### **Bullying:**

Workplace bullying is repeated inappropriate behaviour, direct or indirect, whether verbal, physical or otherwise, conducted by one or more persons against another or others, at the place of work and/or in the course of employment, which could reasonably be regarded as undermining the individual's right to dignity at work.

An isolated incident of the behaviour described in this definition may be an affront to dignity at work but as a once off incident is not considered to be bullying.

There are different types of bullying:

- Verbal Bullying: slandering, ridiculing or maligning a person or his/her family; persistent name calling which is hurtful, insulting or humiliating; using a person as butt of jokes; abusive and offensive 'slagging'
- Physical Bullying: pushing; shoving; kicking; poking; tripping; assault, or threat of physical assault; damage to a person's work or property
- Gesture Bullying: non-verbal threatening gestures, glances which can convey threatening or frightening messages
- Exclusion: socially or physically excluding or disregarding a person in work-related activities
- Extortion: the deliberate extraction of money or other property, accompanied by threats

## **Harassment:**

Harassment is any act or conduct including spoken words, gestures or the production, display or circulation of written words, pictures or other material is the action of conduct is unwelcome to the employee and could reasonably be regarded as offensive, humiliating or intimidating.

The Employment Equality Acts, 1998 and 2004 specifically deal with harassment in the workplace. Harassment that is based on the following eight grounds – Gender, Age, Marital Status, Family Status, Disability, Race, Religion or membership of the Travelling Community is a form of discrimination in relation to conditions of employment.

Common harassing behaviour includes, but is not limited to:

- Verbal harassment; jokes, comments, ridicule, songs, inappropriate comments, suggestions, name-calling
- Written harassment: including faxes, text messages, emails, notices
- Physical harassment: jostling, shoving, or any form of assault
- Intimidatory harassment: inappropriate looks; gestures, posturing, or threatening poses; interfering with or damage to property; threats or extortion
- Visual displays such as posters, emblems, flags, badges
- Isolation or exclusion from work or social activities

## **Sexual Harassment**

Sexual Harassment is defined in the Equality Act 2004 as “any form of verbal, non-verbal or physical conduct of a sexual nature which has the purpose or effect of violating a person’s dignity and creating an intimidating, hostile, degrading, humiliating or offensive environment for the person”.

The unwanted conduct may consist of acts, requests, spoken words, gestures or the production, display, or circulation of written words, pictures or other material.

## 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.

A person may be unwilling to take action in respect of bullying for a number of reasons:

- 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 s/he may be seen as unable for the job or/and a weak person.
- If the alleged bully is a manager, there may be the fear that management will support the alleged perpetrator(s).
- 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 s/he might be seen to be lacking in credibility or/and personal status.
- Where there are witnesses, these might be unwilling to come forward because they are afraid of being branded troublemakers.

## **Procedures for Dealing with Workplace Bullying and Harassment St. Mary's Junior School.**

There are two approaches for dealing with cases of alleged bullying or harassment; the informal and the formal approaches.

The designated contact people can advise on both approaches. If you decide to follow the informal approach and the problem persists, the complaint can then be dealt with under the formal approach.

The informal approach may be effective in situations where 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. Similarly 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.

A complainant may decide, for whatever reason, to bypass the informal procedure and proceed to the formal procedure.

### **1. Informal Procedure.**

While in no way diminishing the issue or the effects on individuals, an informal approach can often resolve matters. As a general rule therefore, an attempt should be made to address an allegation of bullying or harassment as informally as possible by means of an agreed informal procedure. The objective of this approach is to resolve the difficulty with the minimum of conflict and stress for the individuals involved.

(a) Any employee who believes he or she is being bullied or harassed should explain clearly to the alleged perpetrator(s) that the behaviour in question is unacceptable. In circumstances where the complainant finds it difficult to approach the alleged perpetrator(s) directly, he or she should seek help and advice, on a strictly confidential basis, from a contact person. A contact person in the school environment could, for example, be one of the following:

- A work colleague;
- A member of management
- An employee/trade union representative.



In this situation the contact person should listen patiently, be supportive and discuss the various options open to the employee concerned.

- (b) Having consulted with the contact person, the complainant may request the assistance of the contact person in raising the issue with the alleged perpetrator(s). In this situation the approach of the contact person should be by way of a confidential, non-confrontational discussion with a view to resolving the issue in an informal low-key manner.
- (c) A complainant may decide, for whatever reason, to bypass the informal procedure. Choosing not to use the informal procedure should not reflect negatively on a complainant in the formal procedure.

## **2. Formal Procedure.**

If an informal approach is inappropriate or if, after the informal stage the bullying or harassment persists, the following formal procedures should be invoked:

- (a) The complainant should make a formal complaint in writing to his/her Principal. If the Principal/Deputy Principal is the subject of the complaint, the formal complaint should be made to the Chairperson of the Board of Management.
- (b) The alleged perpetrator(s) should be notified in writing that an allegation of bullying or harassment has been made against them. They should be given a copy of the complainant's statement and advised that they shall be afforded a fair opportunity to respond to the allegation(s).
- (c) The complaint should be subject to an initial examination by a designated member of management, who can be considered impartial, with a view to determining an appropriate course of action. An appropriate course of action at this stage, for example, could be exploring a mediated solution which would require the agreement of all parties, or a view that the issue can be resolved informally. Should either of these approaches be deemed inappropriate or inconclusive, a formal investigation of the complaint should take place with a view to determining the facts and the validity or otherwise of the allegation(s).

## **Investigation.**

- (d) The investigation should be conducted by either a designated member or members of management or, if deemed appropriate, an agreed third party. The investigation should be conducted thoroughly, objectively, with sensitivity, utmost confidentiality, and with due respect for the rights of both the complainant and the alleged perpetrator(s).
- (e) The investigation should be governed by terms of reference, preferably agreed between the parties in advance.
- (f) The investigator(s) should meet with the complainant and alleged perpetrator(s) and any witness or relevant persons on an individual confidential basis with a view to establishing the facts surrounding the allegation(s). Both the complainant and alleged perpetrator(s) may be accompanied by a work colleague or employee/trade union representative if so desired.
- (g) Every effort should be made to carry out and complete the investigation as quickly as possible and preferably within an agreed timeframe. On completion of the investigation, the investigator(s) should submit a written report to the Board of Management containing the findings of the investigation.
- (h) The complainant and the alleged perpetrator(s) should be informed in writing of the findings of the investigation.
- (i) Both parties should be given the opportunity to comment on the findings before any action is decided upon by the Board of Management. The method of communicating the commentary may be in writing and/or by the individuals presenting at a Board of Management meeting.

## **Outcome.**

- (j) Should the Board of Management decide that the complaint is well founded, the alleged perpetrator(s) should be given a formal interview to determine an appropriate course of action. Such action could, for example, involve counselling and/or monitoring or progressing the issue through the disciplinary and grievance procedure of the employment.

## **3. Confidentiality.**

All individuals involved in the procedures referred to above should maintain absolute confidentiality on the subject.

#### **4. At all stages of the process a clear record should be kept of:**

- The investigation undertaken
- All communications to/by the complainant
- The subject of the complaint
- The steps and all the decisions taken

The above records should be held by the Chairperson of the Board of Management in a confidential manner in a secure place.

Where a complaint has been rejected or has not been upheld, a statement to that effect shall conclude the record in the personnel file of the complainant. All records in relation to a rejected/not upheld complaint shall be removed from the personnel file of the subject of the complaint. A statement of the outcome of the investigation will conclude all other files. Where a statement of the outcome of the investigation confirms the allegation to be true then the statement of outcome shall be placed on the file/record of the person against whom the investigation upheld the complaint.

#### **5. Protection and Support.**

Staff shall be protected from intimidation, victimisation or discrimination for filing a complaint or assisting in an investigation. Retaliation against a member of staff for complaining about bullying/harassment is considered a disciplinary offence. A malicious complaint made by a staff member will be treated as misconduct under the disciplinary procedure.

#### **6. Assistance in the event of Harassment.**

Every effort will be made to assist if they so wish, persons who are victims of bullying/harassment to deal with the problem and where it is requested, the services of a counsellor will be made available by the Board of Management. Persons who bully/harass others may be requested to attend counselling to prevent further incidences of harassment occurring. Access to such counselling may be made available by the Board of Management.

#### **7. Training/Awareness.**

It is considered that all personnel who have a role in either the informal or formal procedure – e.g. designated members of management, worker representatives, union representatives etc. should be made aware of appropriate policies and procedures which should, if possible, include appropriate training.

## **8. Ensuring that workplace bullying does not occur at St. Mary's.**

Staff should seek to be familiar with the school policy. They should also participate in in-service with respect to dignity at work and engage in consultation with respect to the development and review of this policy. They should also seek to be aware and educated about workplace bullying.

If a staff member feels that they are being bullied the first step is normally to tell the alleged perpetrator that it has to stop! This may be more difficult for some individuals than for others. If this is found to be impossible, somebody who can help should be told – a member of staff, the ASTI Steward, the Deputy Principal, or the Principal.

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

## **9. Evaluating the success of this Policy**

There are a number of criteria by which the success of this policy might be evaluated.

- Awareness/availability of Policy.
- Employee's right to complain is respected.
- Informal resolution of complaints is encouraged.
- The extent to which staff feel that the school culture is one that does not condone any form of bullying and harassment

**The policy is subject to periodic review.**

## ROLES AND RESPONSIBILITIES GUIDELINES.

ROLE	RESPONSIBILITIES.
<b>Teachers</b>	<p>Help to maintain a working environment in which the dignity of all individuals is respected.</p> <p>Comply with this policy and ensure that your behaviour does not cause offence to fellow workers or any person with whom you come into contact during the course of your work.</p> <p>Discourage bullying and harassment by objecting to inappropriate behaviour.</p> <p>Inform the Principal of other person in position of responsibility if you are concerned that a colleague is being bullied or harassed.</p>
<b>Complainant</b>	<p>Consider approaching the person directly to make them aware that the behaviour in question is unwelcome.</p> <p>Alternatively consider requesting a person in a position of responsibility to approach the person on your behalf.</p> <p>Seek advice if unsure of what is happening and how best to stop it.</p> <p>Be prepared to accept that there may have been a misunderstanding.</p>
<b>Person complained (by complainant) of unacceptable behaviour.</b>	<p>If you are approached about your behaviour towards another staff member, listen to what is being said.</p> <p>If there was a misunderstanding it must be clarified with the staff member concerned.</p> <p>Co-operate with any investigation.</p>
<b>Third Party</b>  Union Representative Staff members Other.	<p>Provide confidential listening.</p> <p>Provide a supportive environment.</p> <p>Empower the individual.</p> <p>Provide information on options available.</p> <p>Assist the individual staff member in thinking through options</p> <p>Empathise, without judgement.</p> <p>Remain impartial.</p>
<b>Principal, Deputy Principal and Assistant Principals</b>	<p>Promote a culture of respect and dignity that accommodates diversity.</p> <p>Explain this policy to all staff.</p> <p>Explain the Policy and complaints procedure to new members as part of their induction.</p>

	<p>Promote ongoing awareness of the Policy amongst staff.</p> <p>Communicate the Policy to service providers where possible.</p> <p>Set a good example by treating all staff and service providers and any other person with whom you come into contact in the workplace with courtesy and respect.</p> <p>Be vigilant for signs of bullying and harassment and intervene before a problem escalates.</p> <p>Respond sensitively to any member of staff who makes a complaint of harassment, sexual harassment or bullying.</p> <p>Respond promptly to requests from staff members to intervene and seek to resolve the matter informally where appropriate.</p> <p>Ensure that staff members are not victimised for making a bona fide complaint of harassment, sexual harassment or bullying.</p> <p>Monitor and follow up the situation after a complaint is made so that the behaviour complained of does not recur.</p> <p>Keep a record of all complaints and how these were resolved.</p>
<b>Investigator.</b>	<p>Indicate clearly to the complainant or person complained of, that you are not a counsellor.</p> <p>Avoid discussing the case with any person, whether within or outside of the workplace, other than those to whom you must speak to in the course of the investigation.</p> <p>Do not indicate your views with regard to the credibility or otherwise of the complaint or the evidence given by the complainant, the person against whom the complaint is made or any witnesses.</p> <p>Do not get drawn into any speculation with any party as to the likely outcome of the investigation.</p> <p>Maintain a record of all interviews or meetings held during the investigation.</p>
<b>School Steward.</b>	<p>Co-operate with efforts to resolve complaints locally.</p> <p>Be present at any interviews if the complainant or person complained of so wishes.</p> <p>Co-operate fully with attempts to conduct the investigation fairly and without undue delay.</p>