



Dignity at work policy

Introduction

The Board of Management of St. Teresa's Special School is committed to ensuring that all employees have the right to a workplace free from bullying and sexual or other harassment. The Board and the School believe that everyone has the right to be treated equally and respected for their individuality and diversity.

The policy is formulated considering the *Labour Relations Commission's Codes of Practice* (S.I. No.17/2002 and S.I. 208/2012) for addressing bullying in the workplace and harassment/sexual harassment respectively, together with the *Health & Safety Authority Code of Practice (2007)* on the prevention and resolution of bullying at work. This policy complements other policies including the Anti-Bullying Policy, Grievance procedure policy and Child Protection Policy.

The policy applies to the Board of Management, Teachers, Special Needs Assistants, support staff, volunteers, students and parents. The policy is underpinned by respect, tolerance for the integrity of all the school community. All staff have a duty and responsibility to uphold this Dignity at Work Policy.

The policy covers all forms of harassment including harassment of staff by other staff, harassment from other stakeholders (parents and other family members, guardians, carers, contractors, visitors, etc.) of staff, sexual harassment, digital harassment and other forms of harassment. These are defined in the Appendices at the end of the policy.

Bullying and harassment will not be tolerated by the school.

Dignity in the Workplace Charter

Every person in this workplace has the right to be treated with respect and courtesy and to have their individuality valued. While we recognize that there may be personal differences, these differences must not impinge upon good working relations in the school.

Aims and Objectives of the Policy:

1. To establish working definitions of bullying and harassment.
2. To identify ways to promote a positive working environment for all in our school community.
3. To set out procedures for responding to claims of bullying or harassment.

Core principle of the policy

This school is committed to a positive work environment where work is done in an atmosphere of respect, collaboration, openness and equality; an environment where everyone is treated with dignity and respect. In order to investigate and deal with allegations of bullying or harassment the



school is committed to intervening in an appropriate manner - utilising one of the accepted Management/INTO procedures -. The provisions of *DES Circulars 61/2017 and 49/18 and 40/97* with respect to the assault of teachers and SNA will be applied, as appropriate.

1. Definitions of bullying and harassment

Bullying

The School defines (adult) bullying as 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 elsewhere, 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, may not be considered to be bullying.

A key characteristic of bullying is that it usually takes place over a period of time, it is regular and persistent inappropriate behaviour, which is specifically targeted at one employee or a group of employees.

Under the definition, all four elements must exist for behaviour to be considered bullying.

It must be:

1. Repeated
2. Inappropriate
3. Conducted in the Course of employment
4. Targeted at a specific person or group.

The following is a non-exhaustive list of examples of types of behaviour that may constitute bullying:

- Exclusion with negative consequences.
- Verbal abuse or insults.
- Being treated less favourably than colleagues in similar roles.
- Belittling a person's opinion.
- Disseminating malicious rumours, gossip or innuendo.
- Socially excluding or isolating a person at work.
- Intrusion – pestering, spying or stalking.
- Intimidation/aggressive interactions.
- Excessive monitoring of work.
- Withholding information necessary for proper performance of a person's job.
- Repeatedly manipulating a person's job content and targets.
- Blaming a person for things beyond their control.
- Use of aggressive and obscene language.



- Any other form of menacing behaviour.

The Bullying Code also provides guidance on what is not bullying and lists a number of examples such as:

- Offering constructive feedback.
- Strongly expressing differences of opinion; and
- Ordinary performance management.

Harassment

Harassment is any form of unwanted or uninvited verbal, non-verbal or physical conduct related to any of the following:

- Gender
- Civil status
- Family status
- Sexual orientation
- Religious belief
- Age
- Disability
- Race, colour, nationality or ethnic or national origin
- Membership of the Traveller community.

Harassment has the purpose or effect of violating a person's dignity and creating an intimidating, hostile, degrading, humiliating or offensive environment for the person. Unlike bullying, a single incident may constitute harassment.

Sexual harassment is harassment of a sexual nature.

It is recognised that bullying and harassment complaints may arise among work colleagues but may also arise in relation to visitors to the school. In either case, the commitment to a positive workplace, where dignity at work is respected, prevails.

2. A Positive Work Environment

It is agreed that everyone must endeavour to make school a good place to work. A good place to work has a positive work environment which is characterized by:

- A supportive atmosphere
 - Good and open communication
 - Appropriate interpersonal behaviour
 - Collaboration
 - Open discussion and resolution of conflict
 - Recognition, feedback and affirmation as appropriate
- Fair treatment of all staff



Every person has a responsibility to play his/her part in contributing to a positive work environment. In this regard, a person who is a witness or bystander to bullying or harassment has a clear responsibility to raise concerns about dignity at work and threats to this, in an appropriate and timely manner.

The Safety Statement - as mandated under the *Safety, Health and Welfare at Work Act 2005* – will also include a commitment to a positive work environment, in light of the employer's obligations as outlined at Section 8 of that Act, including the duty to manage work activities in such a way as to prevent "*improper conduct or behaviour*" likely to put health and safety at risk.

The adoption of this policy in our school will be accompanied by a number of steps to examine our work environment and, as necessary, to agree changes which reflect a commitment to dignity at work. These steps will be initiated by School Management and be repeated by way of review at appropriate intervals.

The actions to be undertaken may generally be described as Identification, Assessment, Implementing Strategies and Monitoring.

3. Procedures for responding to claims of bullying or harassment.

Without prejudice to an individual's right to take such advice or steps as they may decide, the Board of Management will take seriously any allegation of workplace bullying or harassment.

Supportive and effective procedures, in accordance with nationally agreed procedures, as outlined in Circulars 49/18 and 72/11 are in place in this school. These procedures to address and investigate allegations will focus on the earliest possible resolution, will proceed as necessary from informal to formal stages and will have a stress on confidentiality. The procedures are set out at appendix 2.

The Employee Assistance and Wellbeing Programme (formally called Carecall), a free and confidential counselling service, is available to teachers, SNAs and other staff. The Freephone number is 1800 411 057 and the Service is available 24 hours a day, 365 days a year.

Summary

Management has a duty of care towards employees. Similarly, employees have a duty of care towards one another. This policy seeks to set out principles, practices and procedures to support the exercise of that duty in our school.

Together we are committed to building and maintaining a work environment where respectful, open and equal relationships are the norm.

In summary, we are committed to having a good and safe place to work, where every individual's dignity is respected.

This policy was ratified by the Board of Management at its meeting of

Review Date: _____

Signed : _____ Date _____

Chairperson of Board of Management



Appendix 1 Definitions

Task Force (2001):

"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".

Employment and Equality Legislation:

Harassment is defined in law as "unwanted conduct" related to one or more of the discriminatory grounds 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".

Harassment is covered by Employment Equality legislation and is based on a person's standing within one of the nine categories (or grounds) specified in that legislation (gender, marital status, religion, sexual orientation, etc.).

Appendix 2 Procedures

Procedures for Dealing with Allegations of Bullying/Harassment among Staff.

Stage One: Informally addressing the allegation or complaint.

1. If the behaviour of one or more members of staff towards another is found to be unacceptable by the latter, they have the right to explain to the former that they are being made to feel uncomfortable at work or are being offended in some way. If, as a result of this informal conversation, the offending words, behaviour or demeanour change so as to make the environment comfortable for the person who had experienced the unwelcome behaviour, the matter will be closed.
2. Should the offended party feel unable to approach the person or persons causing offence, they may approach the Principal or a designated contact person, who may be associated with the school but not working directly with staff who has been nominated by the school in agreement with the staff.
3. The role of the Contact Person at this informal stage will be to support and advise the person who has contacted them as to what steps might be taken to resolve the situation informally. He or she will act as an impartial mediator but will have no direct role in the grievance procedure. He or she may be trained in counselling skills and will at no stage divulge any information about the particular case without the consent of the staff member who has sought advice from them.
4. As soon as any member of staff is made to feel uncomfortable to the extent to which they feel bullied or harassed, they should keep detailed notes of incidents including times, dates and



particulars. If other members of staff witness any of the incidents, they may be asked, without prejudice to themselves, to provide a report to the Principal or Contact Person.

5. If despite the above actions, the issue is not resolved and the unacceptable conduct continues, the staff member who is the victim will bring the matter to the attention of the Principal or a representative of the Board of Management.

Stage Two: Formally addressing the allegation or complaint

Should the complainant find that the informal procedure outlined does not bring about a resolution of the problem, they should approach the contact person, Principal or other person who can represent his or her case to either the Principal or representative of the Board of Management. The nature of the complaint may be outlined verbally or in writing.

On receipt of the complaint, the Principal or person acting on behalf of the Board of Management will investigate the complaint by interviewing the complainant to ascertain the details of the complaint and by finding out

- who was involved;
- when the incident(s) occurred;
- where the incident(s) occurred;
- if there were any witnesses to the event(s)

They will then consider possible solutions to the problem.

A written record of the meeting will be kept and a written statement shall be provided by the complainant.

The Confidentiality of the complainant will be maintained at this stage in the investigation.

The alleged bully/harasser will now:

be advised of the complaints brought against them;

given an opportunity to be heard;

allowed representation if requested;

be assured of confidentiality where possible.

be given the opportunity to read the written statement(s) of the complainant and

be offered the opportunity to reply in writing.

Copies of all written records will be kept in the school files.

If, following the investigation, the complaints are found to be valid, prompt action will be taken by the Principal and Board of Management to stop the bullying or harassment up to and including disciplinary action. (See Disciplinary Procedure JMB/ASTI). Action may involve a verbal warning or a written warning or referral of the matter to be dealt with under the school's disciplinary procedure.



In some cases, suspension with pay of the alleged harasser may be warranted (and in special circumstances, suspension the complainant) to facilitate a full investigation

If it is found that the perpetrator's behaviour was misinterpreted and that they were genuinely unaware of the effects of their words or actions and on being made aware, they make every effort to put the situation right for the complainant, no further action will be taken and the investigation will be closed.