

St. Bernadette's School
Principal: Mr. J Haran

RN: 19592J



Dignity in the workplace policy

1.0 Introduction

The Board of Management of St. Bernadette's recognises that all staff members have the right to a workplace free from bullying and sexual harassment and is fully committed to ensuring that every staff member will enjoy that right. Each employee has a duty to uphold the right of every individual in the facility to work in an environment that is free from bullying or harassment of any kind.

2.0

The Dignity in the Workplace Policy applies to all persons employed at Bernadette's. This network of relationships must be underpinned by a deep respect for persons and is characterised by courtesy, tolerance, loyalty and respect for the integrity of all as the facility and workplace works towards a common vision.

3.0 Dignity in the Workplace Charter

3.1 Every person in this workplace has the right to be treated with respect and courtesy and to have his or her individuality valued. While we recognise that there may be personal differences between people who work at St. Bernadette's, these differences will not impinge upon good working relations in the workplace.

3.2 All staff are valued for their personal and professional experience, knowledge and expertise and for their contribution within the workplace.

3.3 Courtesy, helpfulness, co-operation, integrity, trust, generosity, kindness, friendliness and justice are among the qualities that are valued in the workplace.

3.4 All individuals who work at St. Bernadette's or who come into contact with its staff or the people who use the facility have a duty to uphold this charter and to promote its provisions.

4.0 Statement of Policy

4.1 The staff of St. Bernadette's have the right to be treated with dignity and respect in accordance with our existing equality policies. St. Bernadette's is committed to ensuring that staff work in a positive and safe working environment which is free from all forms of bullying and harassment. It also includes any volunteers who work on the premises regardless of whether they are being paid or not. Therefore, this policy applies to everyone.

4.2 Sexual harassment, other forms of harassment or bullying in any form is not acceptable and will not be tolerated whether it is carried out by a member of staff or by anyone associated with St. Bernadette's.

4.3 Offending staff members will be subject to St. Bernadette's disciplinary procedures up to and including dismissal. Complaints by staff will be treated with fairness, sensitivity and in as confidential manner as possible.

4.4 A complainant's rights are protected under this policy and he/she will not be penalised for making a complaint in good faith. If, however, it is found that the complaint was brought maliciously, it will be treated as misconduct under the disciplinary code.

4.5 Complaints of victimisation which result from lodging a complaint, or giving notice of intention to do so, will be treated as allegations of misconduct and dealt with through the appropriate grievance procedure and if upheld will be dealt with under the disciplinary procedure.

4.6 Where a complaint against a non-staff member arises, appropriate remedial measures will be taken to protect the staff member. For example, if a user of the facility, bus driver, work person, delivery driver etc. is complained of and this is substantiated then this may lead to the implementation of the steps outlined.

4.7 Inappropriate behaviour may lead to termination/non-renewal of contract, suspension/non-renewal of services, exclusion from premises or the imposition of other appropriate sanctions as may be deemed appropriate in accordance with relevant procedures.

5.0 Purpose of the Policy

The purpose of this policy is to assure members of staff who are subjected to sexual harassment, other forms of harassment and bullying that action will be taken to end such abusive and offensive behaviour. The policy outlines the internal procedures that should be followed in attempting to address issues of this nature. It also provides details of structures that are in place to lend support and assistance to staff that are either making or are subject of a complaint under this policy.

6.0 Definition of Bullying

6.1 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 one-off incident, is not considered to be bullying. An act of bullying or harassment can occur outside the work premises or normal working hours provided the perpetrator was acting in the course of employment, for example, at a training course, conference or work-related social event organised by the BoM.

6.2 It is also the policy of St. Bernadette's that bullying is not acceptable.

6.3 Bullying and harassment can be broadly characterised as behaviours which are unwanted, unwelcome, and intimidating or offensive to the recipient. It is the unwanted nature of the contact that distinguishes bullying, sexual harassment and other forms of harassment from friendly behaviour which is welcome and mutual. The intention of the perpetrator is irrelevant.

6.4 Bullying and harassment are defined by the impact of the behaviour on the recipient rather than the intention of the perpetrator. The effect of the behaviour on the staff member concerned is what is important. It is up to each member of staff to decide what behaviour is unwelcome, irrespective of the attitudes of others to the matter. It is important to note that when it comes to bullying and harassment, no hierarchy exists in St. Bernadette's. A person should not feel that they can be bullied just because the person is their supervisor, manager, Board of Management etc.

6.5 What Bullying is Not

The following behaviour does not constitute bullying: The proper exercise of authority by management Constructive and fair criticism of a staff member's conduct or work performance. Poor work performance and/or conduct is dealt with according to the operation of the appropriate (discipline and grievance) procedures.

6.6 Examples of Bullying

Behaviour that constitutes bullying may be physical, non-physical or verbal.

6.7 Physical forms of bullying (the list is not exhaustive) Shoving, jostling, interfering with personal property or workstation.

6.8 Non-physical and verbal forms of bullying may include: (the list is not exhaustive) -Private or public humiliation, deliberate exclusion/ostracism, Repeated use of offensive language directed at an individual or individuals, Personal insults, such as name calling, sneering, continued and deliberate staring, Repeated put downs, offensive jokes -Repeated verbal abuse, Undermining a person's role, dignity or respect e.g. removing areas of responsibility and imposing menial tasks, Spreading malicious rumours, Derogatory graffiti, Threatening behaviour.

7.0 Definition of Harassment

7.1 Discrimination is defined in the Equality Act 2004 as the treatment of a person in a less favourable way than another was, is or would be treated on nine distinct grounds: Gender Age Disability Family status Marital Status Membership of the Travelling Community Race, ethnic origin or colour Religion Sexual orientation

7.2 The Equality Act 2004 extended the definition of harassment to include discrimination which arises where one of the nine grounds is imputed to a person or where a person who is associated with another person, and is treated by virtue of the association, less favourably than another person.

7.3 The Equality Act 2004 outlaw's discrimination in the course of employment by the Board of Management, another employee or by clients, customers or business contacts of the organisation.

7.4 For the purpose of this policy, the definition of harassment as outlined in the Equality Act 2004 will apply as follows:

7.5 Harassment is any form of unwanted conduct, related to any of the nine discriminatory grounds and being conduct 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.

7.6 Many forms of behaviour may constitute harassment including: (the list is not exhaustive) Verbal harassment – jokes, comments, ridicule or songs, Written harassment – including faxes, text messages, emails or notices, Physical harassment – jostling, shoving or any form of assault, Intimidatory harassment – gestures, posturing or threatening poses, Visual displays such as posters, emblems or badges, Isolation or exclusion from social activities, Pressure to behave in a manner that the employee thinks is inappropriate, e.g. being required to dress in a manner unsuited to a person's ethnic or religious background.

7.7 Harassment may consist of a single incident or repeated inappropriate behaviour.

8.0 Definition of Sexual Harassment

8.1 The Equality Act 2004 outlaws sexual discrimination in the workplace in the course of employment whether by a member of the Board of Management, another employee or by clients, customers or business contacts of the organisation.

8.2 For the purposes of this policy, the definition of sexual harassment as outlined in the Equality Act 2004 will apply as follows:

Sexual harassment is any form of unwanted 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. Such unwanted conduct may consist of acts, requests, spoken words, gestures or the production, display or circulation of written words, pictures or material.

8.3 Sexual harassment may consist of a single incident or repeated inappropriate behaviour.

8.4 The legislation applies to incidents of a sexual nature between a woman and a man and to individuals of the same sex.

8.5 Sexual harassment may take many forms, for example: (List not exhaustive) - Sexual jokes, innuendoes, comments, use of telephone (including text messages, picture messages and video messages) for inappropriate suggestive comments, unwelcome comments about dress or appearance, Quid pro quo harassment – e.g. I will give you a good reference, report etc. if you go on a date with me, Display of offensive pictures, slogans graffiti, written suggestive materials etc. though email or otherwise (including a display of pornographic or sexually suggestive pictures or objects) - Asking personal questions, telling lies or spreading rumours about a colleague's sex life, Unwanted physical contact ranging from unnecessary touching to assault, Persisting in unwelcome attempts to form or continue a relationship from which the consent of one party has not been given or has been withdrawn.

9 9.0 Responsibilities of Staff

9.1 All staff members share a responsibility for ensuring that the work environment is free from any form of bullying or harassment (including sexual harassment). This individual responsibility extends to an awareness of the potential impact of personal behaviour on others and how it may cause offence and make them feel uncomfortable or threatened.

9.2 All staff members must comply with the policy and ensure that their behaviour does not cause offence to fellow workers or any person with whom they come into contact in the course of their work. Staff members should confidentially inform a contact person if they are concerned that a colleague is being bullied or harassed and be prepared to co-operate fully with any investigation set up under these procedures.

9.3 All staff members are invited to talk to their trade union representatives for advice and assistance.

10.0 Responsibilities of Managers and Supervisors

It is the responsibility of managers and supervisors to:

- Familiarise themselves with this policy
- Uphold it as an integral part of their work
- Promote awareness of the policy among staff
- Communicate policy to staff and non-staff members (ensure charter is displayed at the front entrance of the school and that the policy is readily available)
- Be vigilant for signs of bullying and/or harassment
- Intervene in any instance where offensive behaviour is observed or brought to their attention

- Provide good example by treating all in the workplace with dignity and respect
- Respond sensitively and confidentially to a staff member who makes a complaint of bullying or harassment
- Respond promptly to requests from staff to intervene promptly and seek to resolve the matter informally where appropriate
- Explain the procedures to be followed if a complaint is made
- Ensure, insofar as practicable, that the staff member is not victimised for doing so
- Monitor and follow up situations after a complaint is made to ensure that it does not reoccur.

11.0 Communication of this Policy

11.1 The Board of Management is committed to taking positive steps to educate all staff in awareness of bullying and harassment and the effects of this type of behaviour. Our commitment is to bring the policy to the attention of management, staff, and non-staff members.

11.2 This will be achieved in respect of staff members by the following:

- Dignity in the Workplace seminar (March 2024)
- Policy available on the school website/drive
- Training senior management to deal with bullying and harassment issues

11.3

This communication of the policy can be achieved in respect of non-staff members by reference to the Dignity in the Workplace Charter which will be displayed at the entrance of the school.

12.0 Contact Persons If you believe that you are being or have been bullied or harassed, you can seek information or assistance in strictest confidence from any of the Contact Persons, a list of whom will be publicly displayed on charter at the school entrance.

These contact persons are the Principal and the Chairperson of the BoM.

13.0 Complaint Procedure

13.1 There are two approaches in St Bernadette's for dealing with bullying and harassment; one informal and one formal. While it is the decision of the complainant in the first instance which approach to adopt in any particular situation, St. Bernadette's, having regard to the Code of Practice on the Prevention and Resolution of Bullying and Harassment at Work, will encourage the use of the informal approach. However, if an issue is sufficiently serious then St. Bernadette's reserves the right to initiate a formal investigation into the matter.

13.2 Notwithstanding that the complaint is in writing it can still be dealt with as part of the informal process.

13.3 Information on the formal and informal complaints procedure is outlined below.

13.4 A complaint must be made within six months of the latest incident(s) of alleged bullying, harassment or sexual harassment behaviour.

13.5 Any complaints regarding pupils are dealt with through the Code of Behaviour. In exceptional circumstances, the six month time limit may be reviewed.

14.0 Informal Procedure

14.1 In many instances complaints of bullying and harassment can be dealt with successfully on an informal basis. Often such incidents can be resolved amicably between the parties involved using an informal approach. In many instances, such an intervention should be sufficient to enable the alleged offender to see the offending behaviour from the complainant's perspective and no further action may be required. A staff member who feels subjected to bullying or harassment should take the following actions:

- If you feel able, speak privately to the person you feel is bullying/harassing you, make it clear that their behaviour is unacceptable and ask them to stop. It is imperative that you make the Board of Management through one of the contact person aware of the situation at this stage.
- If you find it difficult or embarrassing to communicate directly with the person you feel is bullying/harassing you, you may request that one of the contact persons speak to the person on your behalf. It is imperative that you make the Board of Management aware of the situation at this stage through a contact person.
- Approach any of the contact people referred to on this policy for assistance/advice. In turn the contact people must relay all information to the Board of Management.
- All matters must be dealt with in a confidential and sensitive manner. The matter should not be discussed outside of the relevant meetings. Any breach of this may be dealt with by the relevant disciplinary procedures.
- Privately record all incidents of harassment or bullying in writing, including time, date and place. It may be of assistance to include a description of your feelings at the time.
- Ascertain if there were any witnesses to the bullying/harassment.
- If possible, avoid situations where you may be alone with the alleged bully/harasser.

14.2 If the informal approach is not effective in stopping the offensive behaviour, or if the incident is of a more serious nature, a formal complaint should be made.

15.0 Formal Procedure

15.1 A formal complaint can be made to any person on the contacts list who in turn will pass it on to the Board of Management. The complainant may request a nominated trade union representative to lodge the complaint.

In each case, a formal complaint must be: (a) In writing (b) Signed and dated by the complainant.

15.2 A formal complaint, as far as possible, must contain: - Clear, specific allegations against named individual(s) - Dates and times of incident(s) - Name of witness(es), if any - Factual descriptions of incident(s) - Direct quotes, if they can be recalled - A brief description of the context of each incident - Any other documentary evidence - Details, if any, of how the complainant has shown the behaviour complained of, to be unwelcome.

15.3 Where necessary, assistance in writing or dictating a complaint will be provided or arranged by any of the Contact Persons.

16.0 Investigation

16.1 When a formal complaint is received, it will be forwarded to the Investigating Officer, who will initiate a full and confidential investigation where an informal approach is either not possible or inappropriate.

16.2 All complaints will be acknowledged without delay. There will be prompt initiation of investigation and an initial interview will be issued within two weeks of the complaint being received. In the interests of natural justice, the alleged bully or notified in writing of the nature of the complaint, given a copy of the allegation, informed of his or her right to representation and will be given every opportunity to rebut the detailed allegations made.

16.3 Confidentiality will be observed in matters connected with any enquiry or investigation of the complaint raised, insofar as is practicable. It is also the policy of the Board of Management to ensure that matters are dealt with in a confidential and sensitive manner. It is not appropriate behaviour to air grievances in a public way, discuss confidential matters in a public way etc. Any contravention of this may lead to disciplinary procedures.

The period of two weeks will be complied insofar as this is practicable. If the case is unusually complex or if legal advice suggests, the period of two weeks will be extended. However, the investigating officer will make every effort to invite the person(s) for their initial interview as quick a time as possible.

16.4 The investigation will include separate interviews with both the complainant and the alleged offender(s) and anyone identified as a witness to the behaviour. All parties will be given the opportunity to be represented at the investigation interviews.

16.5 At the completion of the investigation, a report determining whether an allegation of bullying or harassment has been substantiated, or not, will be prepared.

16.6 The complainant, persons complained of and if applicable their nominated trade union representatives will be notified in writing of the outcome of the investigation stage. If an allegation is substantiated, that is, if it is concluded that bullying or harassment has occurred, a disciplinary enquiry will be initiated under the Board of Management's normal disciplinary procedures.

17.0 Post Investigation

17.1 Regular checks will be made to ensure that where an allegation has been substantiated, the bullying/harassment has stopped and that there has been no victimisation for referring a complaint in good faith. Retaliation of any kind against an employee for complaining or taking part in an investigation concerning bullying/harassment at work is a serious disciplinary offence.

18.0 Records

18.1 If after the formal procedure, the allegation has been substantiated, this will be recorded on a person's personal file.

19.0 Monitoring

19.1 Once a situation has been dealt with under the formal procedure there will be regular formal monitoring to ensure that the situation has been resolved satisfactorily and that no further incidents have occurred.

19.2 This information will also be used to monitor this policy in its application, to track the number and nature of the complaints being raised, how people are accessing the policy, the speed of processing and any modifications which may be required.

19.3 This policy will be reviewed on a regular basis in line with changes in the legislation, relevant case law and other developments.

20.0 General

20.1 If a change of work location is deemed appropriate at any stage during the investigation, it will normally be the alleged offender rather than the complainant who will be reassigned, if practicable.

20.2 In circumstances where a complaint is not upheld, a change of work location for either or both parties, if requested, will be considered by management.

20.3 This policy does not affect the statutory rights of a staff member. Nothing in this policy is designed to prevent a person exercising his or her statutory entitlements by making a complaint under the Equality Act 2004, or the Industrial Relations Acts 1946-2001. Complaints under the Equality Act must be brought within six months of the last act of discrimination. In exceptional circumstances, the six-month time limit may be extended.

Review

This policy will be reviewed as necessary in line with legislation.

Communication and Ratification

This policy was communicated to staff through seminar held by the principal on behalf of the BoM in March 2024.

This policy was ratified by the BoM in _____

This policy is available on our school website and also in our school drive.