



Caherelly National School

Scoil Náisiúnta Ailbhe



Grange, Kilmallock, Co. Limerick.

Dignity at Work Policy

This policy has been formulated by the school community to establish guidelines and procedures to support the establishment of a positive climate for the adults in our school community.

Contents

| | |
|---|------|
| Introduction:..... | 2 |
| Aims and objectives:..... | 2 |
| Rational..... | 2 |
| Procedures:..... | 3 |
| Establishing a Positive Climate..... | 3 |
| Guiding Definitions..... | 4 |
| Procedures in Response to an Allegation of Bullying or Harassment | 6-10 |
| Ratification and Communication: | 11 |



Caherelly National School

Scoil Náisiúnta Ailbhe



Grange, Kilmallock, Co. Limerick.

Introduction:

As a school community, Scoil Ailbhe, Caherelly National School commits itself to working together to maintain a workplace environment that encourages and supports the right to dignity at work. The Board of Management of Caherelly N.S. recognises that all employees have the right to a workplace free from bullying, harassment and sexual harassment. The Board is committed to ensuring that its employees can enjoy that right. This policy covers our school building & grounds and work-related undertakings.

All who work here and are members of the Board of Management and Parent-Teacher Association are expected to respect the right to dignity in their working life. Every person will be treated equally and be respected for their individuality and diversity. Bullying or harassment in any form and from any party within and without the school is not accepted by us and will not be tolerated. Our policies and procedures will underpin the objectives of this policy. All individuals, whether directly employed or contracted by Scoil Ailbhe, Caherelly National School or volunteering as a member of the Board of Management or Parent-Teacher Association or who are volunteering or completing work experience in another capacity have a duty and responsibility to uphold this Dignity at Work Policy.

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

Aims and Objectives:

- To establish working definitions for bullying and harassment.
- To describe procedures for responding to claims of bullying or harassment.
- To identify ways to promote a positive working environment for all adults in our school community.

Rational:

This school is committed to a positive work environment where work is done in an atmosphere of respect, collaboration, openness and equality. Adult bullying and harassment in the workplace are phenomena which this school will seek to prevent and will not tolerate. All employees have the right to be treated with dignity and respect. Management is committed to intervening in an appropriate manner - utilising one of the accepted Management/INTO procedures - to investigate and deal with allegations of bullying or harassment. The provisions of Circular 40/97 on Assaults on Staff in Primary Schools will be utilised as appropriate. The Board of Management adopts the definition of adult bullying as set out by the 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



Caherelly National School

Scoil Náisiúnta Ailbhe



Grange, Kilmallock, Co. Limerick.

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". 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.). 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". It is recognised that bullying and harassment complaints may arise among work colleagues but may also arise in relation to any adults or visitors (including parents or guardians) in the school. In either case, the commitment to a positive workplace, where dignity at work is respected, prevails.

This policy complements other policies including the Anti-Bullying Policy that addresses bullying behaviour involving children as well as the Grievance Policy that sets out a grievance procedure, which directly informs this policy.

Procedures:

Establishing a Positive Climate

It is agreed that we will all work to make this school a good place to work. A good place to work has a positive work environment characterised by:

- A supportive atmosphere
- Good and open communication (e.g. through opportunities at regular staff meetings, parent/teacher meetings, formal and informal conversations, professional development experiences, etc.)
- Appropriate interpersonal behaviour procedures
- Opportunities for members of our community to collaborate on shared projects
- Open discussion and resolution of conflict
- Recognition, feedback and affirmation as appropriate
- Fair treatment of all staff (including fair systems of selection and promotion)
- Opportunities for social interaction that helps build relationships based on mutual respect

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 has a clear responsibility to raise concerns about dignity at work and threats to this, in an appropriate and timely manner.

The Health and Safety Policy includes 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



Caherelly National School

Scoil Náisiúnta Ailbhe



Grange, Kilmallock, Co. Limerick.

manage work activities in such a way as to prevent “improper conduct or behaviour” likely to put health and safety at risk.

Guiding Definitions

Bullying behaviour generally amounts to psychological abuse which causes serious pain and suffering. Studies have shown that any person may become a target, irrespective of their personality or ability. In addition to its unacceptable effects on persons who are its targets, workplace bullying and harassment is extremely detrimental to organisational effectiveness. Examples of Bullying:

- Verbal abuse/insults or undermining remarks;
- Excessive monitoring of work that is not universal or fair;
- Deliberately withholding work-related information;
- Exclusion with negative consequences;
- Constant humiliation, ridicule or belittling efforts, often in front of others
- Verbal abuse, including shouting, use of obscene language or spreading malicious rumours;
- Showing hostility through sustained unfriendly contact or exclusion; and
- Inappropriate overruling of a person’s authority;
- Reducing a job to routine tasks well below the person’s skills and capabilities without prior discussion

Such behaviours need not and should not be part of a workplace. This policy aims to ensure that a positive environment prevents such behaviours from occurring. Where bullying or harassment does occur or is alleged to have occurred, there are means of tackling it through the agreed procedure.

An isolated incident of inappropriate behaviour may be an affront to dignity at work but as a once off incident is not considered to be bullying. Fair and constructive criticism of an employee’s performance, conduct or attendance does not constitute bullying. Complaints relating to instructions issued by a supervisor and/or manager, assignment of duties, terms and conditions of employment or other matters which are appropriate for referral under the normal grievance procedure do not constitute bullying.

Complaints that are appropriate for referral under the normal grievance procedure are usually relatively straightforward to formulate as they refer to a specific issue or incident. Bullying, on the other hand, is repeated, inappropriate behaviour which is specifically targeted at the recipient in order to undermine his or her dignity. Complaints of bullying are sometimes difficult to articulate as it may involve a series of small seemingly innocuous incidents which culminate to create an intimidating hostile working environment.

Harassment is any act of conduct including spoken words, gestures or the production, display or circulation of written words, pictures or other material if the action or conduct is unwelcome to the employee and could reasonably be regarded as offensive, humiliating or intimidating. Harassment is inappropriate behaviour based on the relevant characteristic of the staff member or adult in school. Harassment may relate to the following grounds covered



Caherelly National School

Scoil Náisiúnta Ailbhe



Grange, Kilmallock, Co. Limerick.

by the Employment Equality Act: marital status, family status, sexual orientation, religious belief (or none), age, disability, race or colour, nationality or ethnic or national origin or membership of the Traveller Community such as race, religion, age or any of the other grounds covered by the Act. Harassment may consist of the single incident or repeated inappropriate behaviour.

The following are examples of inappropriate behaviour which may constitute harassment. These examples of harassment are illustrative but not exhaustive:

- Verbal harassment such as jokes, derogatory comments, ridicule or song;
- Written harassment such as text messages, emails or through social media;
- Physical harassment such as jostling or shoving;
- Intimidatory harassment such as gestures or threatening poses;
- Visual displays such as posters, emblems or badges;
- Persistent negative body language; or
- Ostracising a person.

Sexual harassment is defined as follows: any act of physical intimacy, request for sexual favours, other acts or conduct including spoken words, gestures or the production, display or circulation of written words, pictures or other material that is unwelcome and could be reasonably be regarded as sexually offensive, humiliating or intimidating. Sexual harassment may consist of a single incident or repeated inappropriate behaviour. It may be targeted at one person or a group. The following are some examples of inappropriate behaviour which may constitute sexual harassment.

These examples are illustrative but not exhaustive:

- Physical conduct of a sexual nature, for example unwanted physical contact such as unnecessary touching, patting or pinching or brushing against another employee's body.
- Verbal conduct of a sexual nature, for example unwelcome sexual advances, propositions or pressure for sexual activity, continued suggestions for social activity outside the school after it has been made clear that such suggestions are unwelcome, unwanted and offensive flirtations, suggestive remarks, innuendos or lewd comments.
- Non-verbal conduct of the sexual nature, for example the display of pornographic or sexually suggestive pictures, objects, written materials, emails or text-messages.
- Unwanted or derogatory comments about dress or appearance.
- Leering and suggestive gestures. An act of harassment or sexual harassment may occur outside the school premises or normal school hours provided the perpetrator was acting in the course of employment, for example, at a training course, conference or school-related event.

Digital Harassment Every member of staff Scoil Ailbhe, Caherelly N.S. is issued with a school email address. This address is accessible to all. This allows anyone to email a staff member, which can carry a number of risks to a staff member's dignity at work. In light of this, the following ground rules apply.



Caherelly National School

Scoil Náisiúnta Ailbhe



Grange, Kilmallock, Co. Limerick.

-
- There should be a period of 5 school days allowed for a response to an email. Staff are not expected to check their email after hours.
 - Staff are instructed not to give themselves access to their school email after hours on their personal devices. The Board cannot be responsible if staff check emails after hours.
 - Emails sent by and to staff members should be in a respectful tone. A staff member is entitled not to respond to an email that they, themselves, deem to be disrespectful in tone.
 - It is recommended that a staff member who receives an email like this, inform the sender that the email is unacceptable and refer the sender to our Dignity in the Workplace Policy.
 - “Mailbombing,” the excessive sending of emails to a staff member falls under this policy. All users of email should be aware that, despite best intentions, their actions may cause distress to their colleagues. This can come in a number of forms:
 - Excessively forwarding on resources, links or information
 - Using Reply To All, where it is not appropriate
 - Excessive contact from an individual, e.g. checking in on a child everyday unless explicitly agreed.
 - Unsolicited email (or spam). The school uses Google’s services to reduce the volume of spam sent to staff members. The email application recommended by the school contains facilities to report spam. The Board cannot be responsible for any spam that arrives in a staff member’s inbox.
 - Any form of email that falls under the definition of harassment will be treated in the same manner as any other form of harassment.

Other Forms of digital harassment

In the digital age, it is expected that staff are aware of their own online presence and they should adhere to the guidelines of the Teaching Council’s Professional Standards. However, staff are entitled to a private life online and this should be respected. For example, a staff member should not feel under pressure to “friend” another member of staff or a parent or anyone else in the school community. Further guidelines on this can be found in the school’s Internet Acceptable Usage Policy.

Procedures in Response to an Allegation of Bullying or Harassment

The Board of Management recommends that actions (as outlined below) be initiated by its employees in a timely manner, i.e. within 10 school days of an offending incident. However, it is the case that any Statutory Rights remain unaffected by this Dignity at Work policy



Caherelly National School

Scoil Náisiúnta Ailbhe



Grange, Kilmallock, Co. Limerick.

document - and that no aspect of the policy affects any employee's right to take their complaint to an agency outside of the school.

Steps to address any issues

The Board will usually refer to 'Working Together – Procedures & Policies for Positive Staff Relations,' (Irish National Teachers' Organisation, 2000)

However, the Board may also seek advice and then refer to 'Disciplinary procedures for teachers in primary, voluntary secondary, and community and comprehensive schools,' (Department of Education & Skills Circular 0060/2009), as necessary.

Stage 1: Decide to address the matter

If the party (Party A) considers that s/he is being bullied or harassed, and decides to address the matter, s/he should follow these stages. In light of the potential effects of bullying or harassment on an individual, including loss of confidence, extreme upset, anxiety or fear, Party A may initially decide to seek Union or other assistance, including the Employee Assistance Scheme or other counselling, in order to consider the most appropriate application of the procedures in the circumstances.

Party A should keep a record of the pattern of behaviour or instances where s/he considers that bullying/harassment has occurred. The record should contain details such as dates, times, persons present, details of what was said or what occurred.

Stage 2: Informally address the problem

The party who considers that s/he is being bullied, sexually harassed or harassed on other discriminatory grounds (Party A), should request a meeting with the other party (Party B), in order to discuss matters.

The following should apply:

1. Party A should clearly outline his/her difficulties and should clearly object to the bullying/harassment and request that it stop;



Caherelly National School

Scoil Náisiúnta Ailbhe



Grange, Kilmallock, Co. Limerick.

2. It is important that Party A bear in mind, that the other member of staff may not be aware that his/her behaviour is causing difficulty;
3. Both parties should seek to resolve their differences and establish a pattern of interaction exclusive of any forms of bullying/harassment;
4. Party B may respond to Party A at that meeting or if requested, should be given an opportunity to consider his/her response, in which case the meeting may be adjourned. Party B should respond in a constructive manner;
5. The resolution, as appropriate, may include any of the following, e.g. a commitment to cease the particular behaviour, modify the behaviour, and plan to eliminate situations where the parties would be in conflict, or monitoring. Alternatively, it may emerge as a result of the discussions between the parties, that there may have been a degree of misunderstanding in relation to certain behaviours and the resolution may make provision for compromise or appropriate explanation or acknowledgement.

Where necessary, the meeting may be facilitated by a third party, generally a work colleague; Matters should remain confidential between the parties. If there is no satisfactory indication of resolution between the parties, Party A should refer the complaint to stage 3, i.e. formal procedures.

Stage 3: Formally address the problem

Stage 3 provides a mechanism for the principal teacher to intervene and resolve the matter. However, if the principal teacher is one of the parties, the Chairperson of the Board of Management should then be involved, in an individual capacity, in order to achieve resolution. In circumstances where the Chairperson may also be involved at stage 2, another member of the Board of Management may be designated to intervene.

1. Party A should advise Party B that he/she is proceeding with stage 3.
2. Party A should state his/her complaint in writing and request the principal teacher (or Chairperson of the Board of Management, as the case may be) to investigate the matter.
3. The principal teacher (or Chairperson of the Board of Management, as the case may be or an Investigator/Facilitator/Mediator appointed by the Principal or the Chairperson) would:
 - a. obtain background details including details of what occurred at the previous stage;
 - b. consider the pattern of behaviour and the timescale;
 - c. hear the parties and seek to resolve the matter;
 - d. act in a fair and impartial manner and deal with the matter sensitively having regard to the nature of the problem and the principles of due process;



Caherelly National School

Scoil Náisiúnta Ailbhe



Grange, Kilmallock, Co. Limerick.

- e. Exercise judgment and make decisions which s/he considers necessary to resolve matters.

The outcome of the discussions should be noted by the parties. The matter should be dealt with confidentiality. Where resolution has not been possible, and particularly where there is a likelihood of the offending behaviour continuing, either party or the principal teacher (or Chairperson of the Board of Management as the case may be) should refer the matter to the Board in accordance with Stage 4 below.

Stage 4: Board of Management (BOM)

It is open to any of the parties or the principal teacher (or chairperson of the board of management, as the case may be) to refer the matter to the BOM for investigation. The referral should be in writing and dated and should include a copy of the written complaint.

- The BOM should consider the issues and investigate the matter. The BOM may enquire into the background of the difficulties including obtaining details of the sequence of initiatives taken at previous stages;
- The BOM or the Chairperson of the BOM or an Investigator/Facilitator/Mediator appointed by the BoM may meet teachers individually or collectively, and may also request written submissions from the parties, having regard also to the principles of due process;
- The BOM may request the principal teacher to furnish a written submission;
- The BOM may afford the parties an opportunity to present their case orally at a board meeting. For mediation purposes, this would happen in each other's presence;
- Following oral presentations the BOM may designate the Chairperson to meet with the parties again, separately or jointly, if further clarification is required or to work towards a resolution;
- The BOM may convene a number of meetings in order to achieve resolution;
- The BOM shall act in a fair and impartial manner in order to achieve resolution and shall deal with the matter sensitively, having regard to the nature of the problem.

Having considered all matters, the BOM should reach a view on the matter not later than 20 school days after receipt of the written request/referral.



Caherelly National School

Scoil Náisiúnta Ailbhe



Grange, Kilmallock, Co. Limerick.

Where the BOM finds that bullying/harassment has not occurred, both parties should be informed accordingly. No action shall be taken against the complainant provided the allegation was made in good faith. If the complaint was brought maliciously, it should be treated as misconduct and appropriate action taken, (as per relevant Disciplinary Procedures.)

Where the BOM finds that bullying/harassment has occurred, the BOM should deal with the matter appropriately and effectively, (i.e. invoking the relevant Disciplinary Procedures.) This may include:

- the issuing of a clear warning that bullying/harassment is not acceptable in the school workplace and that it will not be tolerated;
- a demand that all forms of bullying/harassment cease and that acceptable patterns of interaction be established between the parties;
- an instruction to the offending party that s/he apologise/ express regret or give an assurance that the bullying/harassment behaviour will cease;
- seeking a commitment to attend counselling or seek appropriate professional assistance, perhaps through the Employee Assistance scheme;

More serious disciplinary sanctions as may be commensurate and appropriate, such as:

- oral warning
- written reprimand
- written warning
- final written warning
- suspension
- dismissal

(Reference also: Circular 0060/2009)

As part of any resolution, the BOM should monitor the situation and should put systems in place to ensure that it is kept informed that resolutions are being implemented. The BOM should keep matters under review.

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. (Ref: Working Together document.)



Caherelly National School

Scoil Náisiúnta Ailbhe



Grange, Kilmallock, Co. Limerick.

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

Gross Misconduct Offences

The Board of Management will adhere to the Principles and Procedures outlined in Circular 0060/2009.

Ratification

This policy was ratified by the Board of Management on _____ 2020

Signed: _____

It will be reviewed as requested.