

**Scoil Mhuire Gan Smál**  
**Creagh,**  
**Ballinasloe.**  
**Roll Number: 17198S**



**Dignity at Work Policy**

	<b>Date</b>
Staff Consultation	December 2020
Ratified by BoM	

Signed:  
Chairperson, BoM: \_\_\_\_\_  
Principal Creagh N.S: \_\_\_\_\_  
  
Date: \_\_\_\_\_

## ***Keeping Our Workplace Positive & Effective*** **Dignity in the Workplace Policy and Procedures**

### **Introduction**

The Board of Management, in consultation with staff drew up this Policy on Dignity in the Workplace. The policy is formulated in light of a number of background documents, including:

- The IPPN and NPC joint document 'Supporting Each Other'
- The INTO document 'Working Together'
- DES Circular 40/97 Assaults on Staff in Primary School
- The Health & Safety Authority's 'Code of Practice for Employers and Employees on the Prevention and Resolution of Bullying at Work, 2005'
- The Equality Authority's Code of Practice, given legal effect in the Statutory Instrument entitled Employment Equality Act, 1998 (Code of Practice) (Harassment) Order, 2002 (S.I. No. 78 of 2002).

### **Rationale:**

Creagh National 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.

A core employment value is the commitment to ensuring that each individual is guaranteed a safe working environment where s/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 s/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 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 Creagh National School (Scoil Mhuire Gan Smál) 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 foster a positive and collaborative environment where the efforts and values of all are equally valued.
- To encourage a culture of:
  - Collegiality and Support
  - Open, honest and communication
  - Collaborative planning and practice
  - Non-judgemental (no blame) conflict resolution
  - Positive interactions
  - Fair and just treatment for all staff (including fair systems of selection and promotion)
  - Equal opportunities for participation and involvement
  - Positive and construction feedback and affirmation

It is the responsibility for all persons to play his/her part in contributing to this positive teaching and learning 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 Board of Management of Creagh National School (Scoil Mhuire Gan Smál) is committed to providing all employees with an environment that is free from any form of workplace bullying.

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

A complaint of workplace bullying will be taken seriously and dealt with promptly and in accordance with due process.

In approving this policy, the Board has agreed that:

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

### **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.

## **DEFINITIONS**

### **Definition of Bullying**

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 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.

Codes of Practice 2002 under the Industrial Relations Act and the Health and Safety at Work Act)

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 visitors to the school. In either case, the commitment to a positive workplace, where dignity at work is respected, prevails.

### **Harassment and Sexual Harassment**

The Employment Equality Act, 1998 and 2004 specifically deals with harassment in the workplace. The new code aims to give practical guidance and advice. Harassment that is based on the following nine grounds – gender, age, marital status, family status, sexual orientation, disability, race, religion or membership of the Traveller Community is a form of discrimination in relation to conditions of employment.

### **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.

## **Harassment**

Harassment on the other eight grounds covered by the legislation is any unwanted conduct related to any of the eight grounds (other than gender) and the conduct 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. (Employment Equality Act 2004).

## **What Constitutes 'Unacceptable Behaviour'/Workplace Bullying?**

Bullying can take a number of forms. Under the Health and Safety Act there is a requirement that personnel are consulted in respect of acceptable/unacceptable behaviour and that through this consultation process, the staff will have ownership of the policy as it relates to their school/organisation.

A pattern of the following behaviours are examples of types of bullying:

- Exclusion or isolation with negative consequences
- Verbal abuse/insults
- Abuse of power
- Lack of consultation, dialogue and involvement in the process of decision making
- Physical abuse
- Being treated less favourably than colleagues
- Shouting
- Intrusion – pestering, spying or stalking
- Menacing behaviour
- Intimidation
- Aggression
- Undermining behaviour
- Excessive monitoring of work
- Humiliation
- Withholding work-related information

- Setting unreasonable and unrealistic targets
- Blame for things beyond the person's control
- Unequal treatment

(This list is not exhaustive. It is noted that a once-off incident is not normally considered to be bullying behaviour. )

### **What are the Effects of Bullying?**

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 members 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 person in authority, there may be the fear 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.

### **What can I do to ensure that workplace bullying does not occur in this school?**

Be familiar with the school policy.

Engage in consultation with respect to the development and review of the dignity in the workplace policy.

Be aware and educated about workplace bullying.

### **What can I do to stop people bullying me?**

Tell them it has to stop! This may be more difficult for some individuals than for others. It is inappropriate for work colleagues to act out their behaviour in an unacceptable manner. If you find it impossible or difficult to make an approach, tell somebody – the principal, the deputy principal, a member of the Care Team, the I.N.T.O staff representative or some other person.

### **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 perpetrators(s), for organisational culture/ethos and for the Board of Management.

### **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 forms part of health, safety and welfare at work
- Awareness/availability of policy
- 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

## **Procedure to Address Adult Bullying/Harassment**

### **Preamble**

The procedure outlined below is taken from the **INTO Working Together** document. It is designed to address adult bullying, sexual harassment or other harassment arising in the workplace or otherwise in the course of employment, in a fair and effective manner. In implementing the procedure, it is recommended that emphasis should be placed on

assuring the party who considers that he/she is being bullied/harassed that his/her complaint is acknowledged, that the matter will be investigated effectively and sensitively and in accordance with due process.

Equally, where it is found that bullying or harassment has occurred, the emphasis, firstly, is to ensure that the offending behaviour immediately ceases and secondly, to help the offending party acknowledge that his/her behaviour is unacceptable and that steps must be taken to address the matter constructively thereby avoiding any recurrence.

It is important to ensure that resolution is achieved at the earliest opportunity. Further, it may be appropriate for the victim or the offender to attend counselling or obtain such other help as may be required.

### **Stage 1. Decide to address the matter**

1. The party (Party A) who considers that he/she is being bullied, sexually harassed or harassed on other specified discriminatory grounds, should decide to address the matter. However, 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 INTO or other assistance, including Employee Assistance Scheme or other counselling, in order to consider the most appropriate application of the procedures, in the circumstances.
2. Party A should keep a record of the pattern of behaviour or instances where he/she 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. (Further details on the keeping of records are outlined in section b, pgs 12-13 *Working Together*)

### **Stage 2. Informally address the problem**

1. The party who considers that he/she 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:
  - Where necessary, the meeting may be facilitated by a third party, generally a teaching colleague
  - Party A should clearly outline his/her difficulties and should clearly object to the bullying/harassment and request that it stop
  - 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



- Both parties should seek to resolve their differences and establish a pattern of interaction exclusive of any forms of bullying/harassment
  - 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
  - The resolution, as appropriate, may include any of the following, e.g. a commitment to cease the particular behaviour, modify the behaviour, 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.
2. 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 Principal teacher or Chairperson of the Board of Management**

1. 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, may be designated to intervene.
2. Party A should advise Party B that he/she is proceeding with stage 3.
3. 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.
4. The Principal teacher (or Chairperson of the Board of Management, as the case may be) should:
  - Obtain background details including details of what occurred at the previous stage
  - Consider the pattern of behaviour and the timescale
  - Hear the parties and seek to resolve the matter

- 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
  - Exercise judgement and make decisions which he/she considers necessary to resolve matters
5. The outcome of the discussions should be noted by the parties
  6. The matter should be dealt with confidentially
  7. 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 of Management in accordance with stage 4 below.

#### **Stage 4 Board of Management**

1. 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 Board of Management for investigation. The referral should be in writing and dated and should include a copy of the written complaint.
2. The Board of Management should consider the issues and investigate the matter:
  - The Board may enquire into the background of the difficulties including obtaining details on the sequence of initiatives taken at previous stages
  - The Board or the Chairperson of the Board 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 Board may request the Principal teacher to furnish a written submission
  - The Board may afford the parties an opportunity to present their case orally at a board meeting, in each other's presence
  - Following oral presentations, the Board of Management may designate the Chairperson to meet with the parties again, separately or jointly, if further clarification is required or to work towards resolution

- The Board of Management may convene a number of meetings in order to achieve resolution
  - The Board of Management 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
3. Having considered all matters, the Board of Management should reach a view on the matter not later than 20 school days after receipt of the written requests/referral.
  4. Where the Board of Management 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.
  5. Where the Board of Management finds that bullying/harassment has occurred, the Board should deal with the matter appropriately and effectively. 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 he/she apologise/express regret or give an assurance that the bullying/harassment behaviour will cease
    - Seeking a commitment to attend counselling or the welfare service
    - More serious disciplinary sanctions as may be commensurate and appropriate, such as:
      - Oral warning
      - Written reprimand
      - Written warning
      - Final written warning
      - Suspension
      - Dismissal

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

**Review:**

This policy will be reviewed after two years and amended if necessary subject to legislation, Department Guidelines, etc.

**Ratification & Communication**

This policy was ratified at a Board of Management meeting on \_\_\_\_\_

**Signed:** \_\_\_\_\_

\_\_\_\_\_

**Chairperson**

**Secretary**

**Date:** \_\_\_\_\_