

Scoil Shinsireach Naomh Athracht, Cluain Ghlaise, Áth Cliath 16

Dignity in the Workplace and Workplace Bullying & Harassment

St. Attracta's Senior National School, Meadowbrook, Dublin 16.

INTRODUCTION

It is the policy of the Board of Management of St. Attracta's Senior School to promote an environment within which all employees will be treated with dignity. This school is committed to a positive work environment where work is done in an atmosphere of respect, collaboration, openness and equality.

The Board of Management further recognises that all employees have the right to a workplace free from bullying and harassment (including sexual harassment) and is fully committed to ensuring that all employees are able to enjoy that right.

It is recognised that harassment and bullying can seriously damage working and social conditions and it will not be tolerated during the course of work or any other activity of the school.

There is a responsibility on all employees to be aware of this policy and to promote a working environment free of threat, harassment and intimidation. It is important to distinguish harassment, including sexual harassment, from normal social interaction at work involving mutually acceptable behaviour.

This policy applies to harassment not only by staff but also by any person with whom an employee might reasonably expect to come in contact in the course of his/her school activities including visitors to the school. In any case, the commitment to a positive workplace, where dignity at work is respected, prevails.

AIMS AND OBJECTIVES

This policy aims to raise awareness among staff about the importance of fostering positive working relations with one's colleagues and to give practical guidance to employers and employees on:

- What is meant by workplace bullying and sexual harassment
- How it may be prevented
- What steps to take if it does occur to ensure that adequate procedures are readily available to deal with the problem and to prevent its recurrence.

This policy also aims to ensure that the Board of Management of St. Attracta's Senior National School is compliant with current legislation in relation to the Health & Safety Act 2005 and the Code of Practice on the Prevention of Workplace Bullying (May 2007)

RECOMMENDED GOOD PRACTICE

The Board of Management of St. Attracta's Senior School endorses the Dignity in the Workplace Charter issued by the Health and Safety Authority. Accordingly, this charter is prominently displayed in our school. (Appendix 1)

The Board of Management of St. Attracta's Senior School further recognises the importance of promoting positive harmonious relationships within the school community by ensuring that all people, both adults and pupils, are treated with dignity and respect. It is agreed that we will work to make this school a good place to work. To that end, in our school, we aim to create a supportive workplace atmosphere in which:

- ❑ Regular, transparent, open and direct communication and opportunities for debate are encouraged.
- ❑ Collaborative decision making and constructive discussion based on consultation within the school community is fostered.
- ❑ The different roles performed in the school by each member of staff (teaching and non-teaching) are acknowledged and affirmed.
- ❑ There is fair treatment of all staff (including fair systems of selection and promotion in line with agreed procedures)
- ❑ The entitlement of each member of staff to be treated with respect and dignity is recognised.
- ❑ An awareness of the importance of demonstrating a sense of fair play, tolerance and goodwill is created.
- ❑ It is recognised that there are certain behaviours which are not acceptable among staff members and which create negative staff relations.
- ❑ It is recognised that it is critical to resolve conflict at the earliest opportunity before it is allowed to fester and result in inevitable conflict.
- ❑ All staff are aware of and have access to copies of school policies and procedures covering curricular and administrative areas.
- ❑ These policies are implemented fairly and consistently and where the Board of Management will ensure their implementation.

WHAT IS WORKPLACE BULLYING?

Bullying is a workplace issue and a human relations issue. Harassment or bullying in any form is unacceptable. It is based on a person's standing within one of the nine categories (or grounds) specified in Employment Equality legislation¹, which outlaws discrimination on nine distinct grounds - gender, marital status, family status, sexual orientation, religious belief, age, disability, race and membership of the travelling community. (See Appendix 2)

For the purposes of the procedures outlined in this document, the Board of Management has adopted this definition of workplace bullying:

¹ Employment Equality Acts 1998 and 2004.

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.²

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.

In summary, workplace bullying can take many different forms, which usually include:

- ❑ Purposely undermining someone;
- ❑ Targeting someone for special negative treatment;
- ❑ Manipulation of an individual's reputation;
- ❑ Social exclusion or isolation;
- ❑ Intimidation;
- ❑ Aggressive or obscene language;
- ❑ Jokes that are obviously offensive to one individual by spoken word or email;
- ❑ Intrusion by pestering, spying and stalking;
- ❑ Unreasonable assignments to duties which are obviously unfavourable to one individual;
- ❑ Repeated requests with impossible deadline or impossible tasks

Key factors of workplace bullying are that the behaviour is generally:

- ❑ Persistent
- ❑ Unwanted
- ❑ Subtle
- ❑ Non-physical

The exercise of legitimate management functions, in a reasonable and fair manner, does not constitute bullying and this view of the Board of Management is endorsed by the INTO.

WHAT IS SEXUAL HARASSMENT?

Harassment is any form of unwanted conduct related to any of the discriminatory grounds. Sexual harassment is any form of unwanted verbal, non-verbal or physical conduct of a sexual nature. In both cases it is 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.

² As defined in the Report of the Task Force on the Prevention of Workplace Bullying, published by the Stationery Office, March 2001

The Employment Equality Act (1998) defines sexual harassment as any act of

- **Physical intimacy** - This may include unwanted physical contact such as unnecessary touching, patting, pinching or brushing against another employee's body, assault or coercive sexual intercourse.
- **Verbal conduct of a physical nature** - This includes unwelcome sexual advances, propositions or pressure for sexual activity, continued suggestions for social activity outside the workplace after it has been made clear that such suggestions are unwelcome, unwanted or offensive flirtations, suggestive remarks, innuendos or lewd comments.
- **Non-verbal conduct of a sexual nature** - This may include the display of pornographic or sexually suggestive pictures, objects, written material, emails, text-messages or faxes. It may also include leering, whistling or making sexually suggestive gestures³

MAKING A COMPLAINT OF WORKPLACE BULLYING/ HARASSMENT

Any employee who feels he or she has been or is being bullied or sexually harassed should ask the perpetrator to stop. Where this form of action is unsuccessful the employee may report the matter to any of the following school personnel - the Principal, the Deputy Principal, INTO staff representative or teacher/member of the Board of Management or Chairperson of the Board of Management of St. Attracta's Senior School.

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

Any complaint of harassment shall be fully and properly investigated by the Board of Management and if substantiated, will be regarded as grounds for disciplinary action up to and including dismissal.

An attempt will be made to resolve the matter informally if appropriate. If it is not possible to resolve the matter informally, a formal complaints procedure as agreed by the INTO and management bodies shall be applied. This procedure is outlined in the INTO Members Handbook⁴ and the CPSMA Management Board Members Handbook⁵.

No record of any complaint will be registered on an employees' file unless a formal procedure as outlined in these documents is applied.

Supportive and effective procedures, in accordance with nationally agreed practice, 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 insofar as possible, confidentiality will be ensured at all times during the investigation for all parties involved. In seeking a resolution, due respect shall be had for the rights of the complainant and the alleged perpetrator.

³ Employment Equality Act, 1998 (Code of Practice) (Harassment) Order 2002 (S.I. No. 78 of 2002) Chapter 7

⁴ INTO Members Handbook CD, INTO, 2003

⁵ CPSMA Management Board Members' Handbook, CPSMA

It is the policy of the school that issues of harassment are best dealt with within the school. However, no aspect of this policy affects any employees' individual legal rights to take their complaint outside of the school.

CONCLUSION

The Board of 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 and practices to support the exercise of that duty in our school and to ensure that each and every member of the school community experiences dignity in the workplace.

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 place to work.

MONITORING, EVALUATION AND REVIEW

Members of the teaching staff and other school personnel along with the Board of Management have been involved in the preparation of this policy. A copy of this policy will be given to all employees on their appointment to a position within St. Attracta's Senior School.

APPENDIX 1: DIGNITY IN THE WORKPLACE CHARTER



APPENDIX 2: EMPLOYMENT EQUALITY ACTS 1998 & 2004: GROUNDS OF DISCRIMINATION

The legislation prohibits discrimination on the following nine grounds:

1. **The gender ground:** A man, a woman or a transsexual person (specific protection is provided for pregnant employees or in relation to maternity leave);
2. **The marital status ground:** Single, married, separated, divorced or widowed;
3. **The family status ground:** A parent of a person under 18 years or the resident primary carer or a parent of a person with a disability;
4. **The sexual orientation ground:** Gay, lesbian, bisexual or heterosexual;
5. **The religion ground:** Different religious belief, background, outlook or none;
6. **The age ground:** This applies to all ages above the maximum age at which a person is statutorily obliged to attend school;
7. **The disability ground:** This is broadly defined including people with physical, intellectual, learning, cognitive or emotional disabilities and a range of medical conditions;
8. **The race ground:** A particular race, skin colour, nationality or ethnic origin;
9. **The Traveller community ground:** People who are commonly called Travellers, who are identified both by Travellers and others as people with a shared history, culture and traditions, identified historically as a nomadic way of life on the island of Ireland.