

St. Nathy's School Policies - Effective: September 2010

DIGNITY AT WORK CHARTER AND ANTI-BULLYING POLICY

(Required under Safety, Health & Welfare at Work Act 1989)

Dear Staff Member,

The purpose of this document is to ensure that the Board of Management of St. Nathy's College is compliant with current legislation in relation to the Health and Safety Requirements under Section 6(i) of the 1989 Act as follows:

It shall be the duty of every employer to ensure, as far as is reasonably practicable, the safety, health and welfare at work of all his employees.

Section 6(1) Safety, Health and Welfare at Work Act, 1989.

A copy of this document will be issued to each staff member of St. Nathy's College. It is each employee's responsibility to ensure that he / she becomes familiar with the contents of this document.

A copy of the Dignity at Work Charter will be displayed in a visible part of the school premises in order for management, staff, visitors and the general public to view. In the unlikely event of a complaint in relation to bullying in the workplace in St. Nathy's College, the procedures contained within will be followed.

This document will be subject to periodic review.

Fr. Martin Convey

Secretary, Board of Management

Academic Year 2004 / 2005

A core employment value is the commitment to ensuring that each individual is guaranteed a 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 St. Nathy's College 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 realized.

Objectives of Dignity at Work Charter

- To create and maintain a positive working environment in St. Nathy's College where 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 Charter.

The Board of Management of St. Nathy's College is committed to providing all employees with an environment that is free from any form of workplace bullying. This commitment is expressed in the College Charter.

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

A complaint of workplace bullying may, following due procedure, result in disciplinary action.

In approving this policy, the Board has agreed that:

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

Objectives of the Policy

The objective of the Board's policy is to eliminate workplace bullying and to contribute to a supportive environment where Staff have the right to carry out the work of the College – 'the education of the whole person' – c.f. school's Mission Statement.

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 and will be treated as bullying and subject to disciplinary action.

What Constitutes unacceptable Behaviour / Workplace Bullying?

- Refer to the Appendix attached to this document for examples.

What are the Effects of Bullying?

International research shows that 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, 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.

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 St. Nathy's College? Awareness / education about workplace bullying is crucial. Be familiar with and accept responsibility for the Board of Management's Policy and how it works.

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. When bullies know that their behaviour will not be tolerated! they will be halted — at least temporarily. If you find that impossible, tell somebody — a Contact Person, the Union Steward, the Deputy Principal, the Principal, A. N. Other. GET HELP AND SUPPORT.

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.

What if the alleged perpetrator is proven to be the victim as a result of investigation? Where there is a total conflict of evidence between the complainant and the accused, a detailed investigation will be necessary. The Board of Management / Agent appointed by the Board, investigating the complaint should talk to any witnesses in order to try to ascertain the veracity of the alleged incident. In reality, there will often be no witnesses and the investigator will be presented with two conflicting accounts - In such a case, the matter rests on the balance of probabilities and this, in turn, depends on the credibility that can be ascribed to either party. It is not simple.

In such an instance, it is important to pay attention to both the detail of the evidence and the consistency of the account presented by each party. If the complainant's evidence is consistent and detailed and the alleged perpetrators evidence is vague about matters that s/he should have been expected to recall, then their testimony is less compelling.

Another relevant factor is whether the person alleging bullying mentioned the problem to colleagues at the time. Although it may be difficult (if not Impossible) to establish the factual details of the complaint, it may be possible to establish behaviour that, in the Board of Management's view, is unacceptable.

Will I be protected against intimidation if I complain? The Board of Management of St. Nathy's College states that employees will be protected against intimidation, victimisation or discrimination for filing a complaint or assisting in an investigation. Any employee found to be retaliating against a colleague / employee for complaining about bullying would be subject to the disciplinary procedure / action.

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 as part of health, safety and welfare at work.
- Awareness / availability of Policy.
- Existence of Charter: Dignity in the Workplace.
- 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.

Guidelines on the implementation of St. Nathy's College's Anti bullying Policy

There are two stages for dealing with cases of alleged bullying:

Stage 1: Informal and **Stage 2:** Formal. The designated contact people can advise on both stages. If you decide to follow Stage One and the problem persists, the complaint can then be dealt with under Stage Two.

Sometimes individuals may be unaware of the negative effects of their behaviour on other adults in the workplace. Such individuals may simply need to be told. Thus, at times, incidents of bullying can be handled effectively in an informal way under Stage One. If an incident occurs that is offensive, it may be sufficient to explain clearly to the offender that the behaviour is unacceptable. If the circumstances are too difficult or embarrassing for an individual, support may be sought from another colleague, a contact person, staff representative, Principal, Deputy Principal.

The Procedure for dealing with bullying in the workplace.

Stage One: Employees should be advised that, if possible they should attempt to resolve the problem informally in the first instance. It may be possible and sufficient for the employee concerned to explain clearly to the person engaging in the unwanted conduct that the behaviour in question is not welcome, that it offends them or makes them uncomfortable and that it interferes with their work.

In circumstances where it is too difficult or embarrassing for an individual to do this on his/her own behalf, an alternative approach would be for an initial approach to be made to a Contact Person.

The role of the Contact Person is to listen and support a victim. A Contact Person does not advise a victim. The Contact Person should ensure the victim knows about the school's anti-bullying policy.

It is very important for the recipient of bullying / harassment to keep notes detailing times and dates of incidents of bullying / harassment and request eyewitnesses, if any, to note them also.

Attempts will be made to resolve the matter informally. If appropriate, counselling and support services will be made available.

If it is not possible to resolve the matter informally, Stage Two would follow whereby a formal complaints procedure shall be applied incorporating the following steps:

Stage Two: Staff members subjected to bullying / harassment shall make a formal complaint to the Principal who will be responsible, on behalf of management, for investigating such complaints and recommending action. Ultimate disciplinary action as at (d) below is the responsibility of the Board of Management. Disciplinary action should take account of contractual arrangements applying in given situations.

Prior to the commencement of Stage Two of the investigation, the alleged harasser will be given a copy of the formal written complaint and advised that an investigation will ensue which may lead to disciplinary action. Depending on the severity of the alleged bullying / harassment the alleged perpetrator may be suspended with pay pending the investigation. Both the complainant and the alleged perpetrator will be advised of their right to be accompanied and / or represented by their Union Representative or a colleague.

Steps:

- a)** A written report should be made by the complainant and signed by the complainant.
- b)** The complaint will be investigated with minimum delay as confidentially as possible by two individuals, one of whom shall be the same sex as the complainant if so requested. Due respect shall be had for the rights of the complainant and the alleged perpetrator.
- c)** Both parties may be accompanied / represented at all interviews / meetings held and notes of these meetings shall be recorded.

d) Where a complaint is found to be substantiated, the extent and nature of the bullying / harassment will determine the form of the disciplinary action to be taken. These actions may include a verbal warning, a written warning, suspension from duties with or without pay, suspension from full duties with or without pay or dismissal.

e) Where the transfer of one of the parties involved is deemed to be appropriate, the person who has been bullied / harassed shall not be transferred unless they so request.

f) 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.

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

It is the opinion of the school that issues of bullying / harassment are best dealt with within the school. However, no aspect of the Policy affects any employee's individual legal rights to take their complaint outside of the school.

Where any staff members do not find it appropriate to report to the Principal as above, he / she may report to the Deputy - Principal / Chairperson, Board of Management. The list of personnel available for reporting should reflect gender balance.

Investigations of any complaint will be handled with sensitivity and with due respect to the rights of both the complainant and the alleged harasser. The normal grievance procedure or existing practice will be the mechanism for resolving such complaints. It is understood that all complaints will be investigated with the minimum of delay consistent with fairness to both parties.

If it is found that the perpetrator's behaviour had been misinterpreted and s/he was genuinely unaware of the effect of actions, further procedures may not be necessary as the investigation may come to an end. However, the ongoing relationship between both individuals should be monitored over a number of months.

Where there has been a conflict of evidence it may be difficult, if not impossible, to establish as fact the full details of the complaint. However, it may be possible to establish behaviour that, in the Board of Management's view is unacceptable.

This document is a requirement under Health and Safety Legislation, Section 6 and future Codes of

Practice as may be introduced under the Health and Safety Legislation, Employment Equality Act and Industrial Relations Act.

The policy is subject to periodic review.

On behalf of the Board of Management,
St. Nathy's College

Appendix One: *Sample Unacceptable Behaviour in the Workplace.*

Bullying can take a number of forms and the following list is not exhaustive: Aggressive behaviour / attitude / body language, including shouting and uncontrolled anger, being treated in a dictatorial manner, insensitivity regarding the person and the personal life of another, personal insults, verbal abuse, offensive language, ridicule, slagging, belittling of one's subject, continually shouting down other opinion, rudeness, not greeting each other, lack of common courtesy, rude and unhelpful behaviour, spreading negativity by belittling the efforts of others ('What are you doing that for — you'll get no thanks!') not being on time for class / breaks / lunch, non-co-operation, unwillingness to accept / adapt to new staff / management ideas, inability to accept change and competition, whispering comments, whispering in groups, sudden silences that exclude, public verbal attacks, criticising a colleague(s) in their absence, dominant behaviour by strong personalities, a written note of correction rather than a verbal exchange.

Intimidation (physical, psychological or emotional) by open aggression, by saying 'we usually do things this way', condescending tone or unreasonable demands, dictated to in front of students, being 'taken to task' in front of others, threats, staring, persistent negativity in behaviour and attitude, insidious laughter intended to exclude, asking inappropriate questions regarding one's personal life / social life or work, intrusion into personal life, undermining authority, with-holding significant information and resources, labelling, loud conversations that exclude, writing of anonymous notes, persistently being 'narky', talking during staff and other meetings when somebody else is speaking, back-biting, bitchiness or malicious comments, disparaging and demeaning comments, being forced into a committee or particular opinion or decision against one's wishes.

Public or private humiliation, name-calling, ridicule, mocking and belittling new ideas and enthusiasm of others: derogatory jokes, being mimicked in one's absence and before students or colleagues,

verbal confrontation in front of a class, seeking popularity with students at the expense of a colleague, by not being supportive in an encounter with students, not consulting when taking pupils out of class, malicious tricks, spreading rumours, intrusion of personal privacy, being 'spoken down to', ignoring another, branding by association, personalising issues, not sharing / minding / returning resources.

Ostracising and / or marginalizing an individual from relevant discussion or groups (whether overt or subtle), preventing a person from joining a group, social exclusion at breaks / meetings, ignoring a person when addressed, dealing with a person only through a third party (including a student), 'cubbing', 'cliquery' or 'Old Boys' Network', subjecting another to 'the silent treatment' or a form of 'sending to Coventry', being slotted into a clique / group (on the basis of incorrect assumptions).