

**St. David's Holy Faith Secondary School, Greystones, Co.
Wicklow**

Dignity at Work Policy

**This Dignity at Work Policy Document was ratified by the
Board of Management on 7th March 2022**

The purpose of this document is to ensure that the Board of Management of St. David's Holy Faith Secondary School, Greystones, compliant with current legislation in relation to the Health and Safety Requirements under Section 6(i) of the Safety, Health and Welfare at Work Act (1989) as follows:

1. It shall be the duty of every employer to ensure, so far as is reasonably practicable, the safety, health and welfare at work of all his/her employees as per Section 6(i) Safety, Health and Welfare at Work Act, 1989.
2. A copy of this document will be issued to each employee of St. David's Holy Faith Secondary School.
3. It is the responsibility of all employees to ensure that they familiarise themselves with the contents of the document.
4. A copy of the Dignity at Work Charter will be displayed in the school premises in order for management, staff, visitors and the general public to view.

In the event of a complaint in relation to bullying in the workplace in St. David's Holy Faith Secondary School, the procedures contained within will be followed.

Objectives of Dignity at Work Charter:

1. To create and maintain a positive working environment in St. David's Holy Faith Secondary School where the right of each individual to dignity at work is recognised, promoted and protected.
2. To ensure that all are aware of and committed to the principles set out in this Charter.
3. To ensure that the individual employees are guaranteed a working environment where each is treated with dignity.
4. To provide working conditions which encourage each employee to feel a sense of belonging, of having a positive contribution to make to the overall environment of the school.

This approach places positive emphasis on the importance of each individual and on the contribution made by each to the success of the workplace. The creation and maintenance of a positive working environment is a high priority and each employee also has an important role to play in this regard.

With the right, not to be bullied or undervalued in any way, comes a corresponding obligation on all employees to ensure that their own attitudes and behaviour are such as to contribute in a positive way to the general ethic of professional commitment and competence in St. David's Holy Faith Secondary School.

Examples of these positive attitudes and behavior may include:

- Punctuality, general organisation and classroom management.
- Firm and consistent adherence to procedures agreed at staff meetings.
- Manner, tone and even volume, used addressing students.
- Avoidance of excessive familiarity with students.

- Ensuring confidentiality between colleagues.
- Non-interference in matters, disciplinary or pastoral, being handled by a colleague.

The Board of Management of St. David's Holy Faith Secondary School is committed to providing all its employees with an environment free from any form of bullying. This commitment is espoused and reflective of the ethos of the Holy Faith Sisters and Le Chéile Charter.

The purpose of this document is to outline the Board of Management 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 of Management has agreed that:

- It be brought to the attention of all employees.
- All employees are expected to co-operate in its implementation.

Objectives of the Policy:

The objective of the Board of Management policy is to prevent bullying in the workplace and to contribute to a supportive environment for all employees. The policy guarantees that all complaints will be taken seriously and investigated promptly, and that all parties involved will be treated with respect and dignity.

Employees will be protected from victimisation or discrimination for assisting in an investigation. The Board will not tolerate victimisation as a result of an employee raising a complaint. It will treat any such behaviour as bullying in itself and may take disciplinary action as required.

What Constitutes 'Unacceptable Behaviour/Workplace Bullying'?

Unacceptable behaviour and bullying can manifest as various types of behaviour which may include;

1. Verbal abuse
2. Intrude through unreasonable attention (stalking, etc.)
3. Assign unreasonable duties to an individual
4. Give impossible deadlines or impossible tasks
5. Consistent negative commentary on the work of an employee
6. Consistent expression of disrespect for particular subject or area of responsibility
7. Sexual Harassment.

The above list is representative only, and is not exhaustive. These are types of inappropriate behaviour that undermine an individual's right to dignity at work and can constitute bullying.

What can be done to ensure that workplace bullying does not occur in St. David's Holy Faith Secondary School?

1. Be familiar with and accept responsibility for the Board of Management's policy and how it works
2. Make every possible effort to contribute in a positive way to developing good personal relations with fellow employees.

What can individual employees do when they become aware of bullying?

Tell somebody – an appointed contact person, the Union representative(s), the Deputy Principal or the Principal.

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 truthfulness 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 perpetrator's evidence is vague about matters that could reasonably be expected to be recalled, then the alleged perpetrator's testimony is less compelling.

Another relevant factor is whether the person alleging bullying mentioned/discussed/referenced 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, having corroborated with a second person, to establish behavior that in the Board of Management's view is unacceptable.

Will an employee who complains be protected against intimidation?

The Board of Management of St. David's Holy Faith Secondary School will protect employees against intimidation, victimisation or discrimination for filing a complaint or assisting in an investigation. This is to say, any employee found to be retaliating against a colleague/employee for complaining about bullying (or for assisting in an investigation of such behaviour) may be subject to disciplinary action by the Board of Management.

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

Stage one: Informal and **Stage two:** Formal

The designated contact people can advise at 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, and Union representative, Principal or 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(s) concerned to explain clearly to the offending person that the behaviour is not welcome, is offensive and that it interferes with the right to freedom from bullying in the workplace.

If it were too difficult or embarrassing for an individual feeling bullied to do this, an alternative approach would be for an initial approach to be made through a contact person (as suggested above).

The role of the contact person is to listen and support an alleged target. A contact person does not advise an alleged target. The contact person should ensure the alleged target knows about the school's Dignity in the Workplace policy.

It is very important for the complainant of bullying/harassment to keep notes, detailing times and dates of incidents of bullying/harassment and request eye-witnesses, if any, to note them also. This helps in the verification of claims and furthermore, helps to prevent false accusations.

Attempts will be made to resolve the matter informally, if appropriate. The Board of Management will provide for counselling and support services, if necessary.

If it is not possible to resolve the matter informally, Stage Two will follow, introducing a formal complaints procedure, which incorporates the following steps:

Stage Two:

Employees subjected to alleged bullying/harassment shall make a formal complaint to the Principal who will be responsible on behalf of the Board of Management for investigating such complaints and recommending action.

Ultimate disciplinary action as at (4) 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 perpetrator of unacceptable behavior, 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 offender 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:

1. A written report should be made by the complainant and signed by the complainant.
2. The complaint will be investigated with minimum delay as confidentially as possible by an external investigator. The investigator may be of the same gender as the complainant, if so requested. Due respect shall be had for the rights of the complainant and of the alleged perpetrator.
3. Both parties may be accompanied/represented at all interviews/meetings held and these shall be recorded.
4. Where a complaint is 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, and suspension from duties with or without pay, suspension from full duties with or without pay or dismissal.
5. 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.
6. 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 itself be subject to disciplinary action, as outlined above.
7. No record of any complaint will be registered on an employee's file unless the formal procedure outlined above has been invoked.
8. It is the opinion of the school that issues of bullying/harassment are best dealt with within the school. However, no aspect of this Policy affects any employee's individual legal rights to take their complaint outside the school.
9. Where employees do not find it appropriate or possible to report to the Principal as above (e.g. if complaint relates to alleged behaviour by principal) they may report to the Deputy-Principal and or the Chairperson, Board of Management. Same procedures will be followed, with responsibility resting with the Board of Management.

Investigations of any complaint will be handled with sensitivity and with due respect to the rights of both the complainant and the alleged offender. The normal grievance procedure or existing practice will be the mechanism for resolving such complaints. 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 he/she 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 at least 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 that behaviour has occurred which, in the Board of Management's view, is unacceptable.

This documentation 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 (1998) and Industrial Relations Act (1990).

This policy is subject to review by the employees and Board of Management one year from the date of ratified by the BOM.

This policy was ratified by the Board of Management of St David's Holy Faith Secondary School on the 7th March 2022.