



**COLÁISTE CHRÍOST RÍ**

**Dignity at Work Charter**

**And**

**Anti-Bullying Policy**

**(required under Safety, Health and Welfare at Work Act 1989)**

Dear Staff Member,

The purpose of this document is to ensure that the Board of Management of Coláiste Chríost Rí 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, so far as is reasonably practicable, the safety, health and welfare at work of all his employees.**

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

A copy of this document will be issued to each staff member of Coláiste Chríost Rí. It is each employee's responsibility to ensure that s/he 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 to facilitate its viewing by management, staff, visitors and the general public.

In the event of a complaint in relation to bullying in the workplace in Coláiste Chríost Rí, the procedures contained within, will be followed.

This document will be subject to periodic review.

Secretary, Board of Management

## **Dignity at Work Charter – Coláiste Chríost Rí**

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 Coláiste Chríost Rí 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 Presentation Brothers philosophy and policy statement will be realized.

### **Objectives of Dignity at Work Charter**

- To create and maintain a positive working environment in Coláiste Chríost Rí, where the right of each individual to dignity at work is recognized and protected.
- To ensure that all are aware of and committed to, the principles set out in this Charter.

## **INTRODUCTION**

The Board of Management of Coláiste Chríost Rí 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 the Staff
- All Staff be asked to co-operate in its Implementation

## **Objectives of the Policy**

The Objective of the Board 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 College – “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 victimization 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.

## DEFINITIONS

### **Bullying**

Workplace bullying is repeated inappropriate behavior, direct or indirect, whether verbal, physical or otherwise, conducted by one or more persons against another or others, at a place of work and/or in the course of employment, which could be reasonably be regarded as undermining the individual's right to dignity at work. An isolated incident of the behavior 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 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, Sexual Orientation, Disability, Race, Religion or membership of the Travelling 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. (Employment Equality Act 2004)

### **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 Behavior/Workplace Bullying”?**

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

## **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 organization:* 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 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 manager, there may be the fear that more senior management will support the manager/supervisor.
- 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 Colaiste Chríost Rí?**

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 behavior will not be tolerated, they will be halted – at least temporarily.

If you find that impossible, tell somebody – a Contact Person, the ASTI Steward, a Deputy Principal, and the Principal, other teachers. 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 behavior, for the alleged perpetrator(s), for organizational 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 to investigate 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 perpetrator's evidence is vague about matters that s/he should have been expected to recall, then her/his 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 behavior that, in the Board of Management's view, is unacceptable.

### **Will I be protected against intimidation if I complain?**

The Board of Management of Coláiste Chríost Rí states that employees will be protected against intimidation, victimization 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 behavior are defined in the Board Policy.
- Employee's right to complain is respected.
- Informal resolution if complaints is encouraged.

### **Informal Guidelines on the Implementation of Coláiste Chríost Rí's Anti-Bullying Policy.**

There are two stages for dealing with cases of alleged bullying: Stage One: Informal and Stage Two: Formal. The designated contact people can advise on both stages. If you decide to follow Stage One and the problem 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 behavior 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 behavior 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 behavior 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(s).
- The role of the contact person is to listen and support a target. A contact person does not advise a target. The contact person should ensure the target 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, 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 actions 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 of their Union Representative or a colleague.

**Steps:**

- A written report should be made by the complainant and signed by the complainant.
- The complaint will be investigated with minimum delay and 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.
- Both parties may be accompanied/represented at all interviews/meetings held and these shall be recorded.
- 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. The actions may include a verbal warning, a written warning, suspension from duties with or without pay or dismissal.
- 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.
- Where an employee is victimized as a result of invoking or participating in any aspect of the complaints procedure, including acting as a witness for another employee, such behavior 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 this Policy affects any employee's individual legal rights to take their complaint outside the school.

Where any staff members do not find it appropriate to report to the Principal, as above, s/he 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 behavior 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.

**Board of Management - Maria Walk [2021]**

**Peincipal – Pdraig Mac An Rí [ 2021]**

**Coláiste Chríost Rí**