



JOHN SCOTTUS SECONDARY SCHOOL

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Dignity in the Workplace Policy

Approved by the Board of Management on 6/6/19.

MISSION STATEMENT

John Scottus School offers a vision of education which gives young people the self mastery, strength of character and compassion to contribute meaningfully to the world around them. It is an education based on the belief that each child can come to discover and express their innate gifts: that each child can come to contribute something unique and exceptional and that each child has at their heart a limitless potential.

Central to the ethos of the school is character development through cultivating the life skills of stillness, attention and enquiry. This takes place by emphasising the importance of coming to know your true self, of discovering your true limitless essence and coming to know that we are united in oneness through this essence.

Mindfulness along with philosophy and meditation are considered the 3 key aspects in the journey of self-discovery. The mindful motto of the school is “Delight in the present” and the belief is that when a child comes to know their true self it is possible to delight in the present every moment of every day.

Rationale

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, work colleagues, and all other stakeholders of the school. This approach emphasises 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.

Introduction to the policy

The Board of Management of John Scottus. 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 policy and procedures in relation to workplace bullying.

The overall aim of the policy is to guard against and also deal with workplace bullying, and to contribute to a supportive environment where staff have the right to carry out the work of the school.

Objectives of this policy

To create and maintain a positive working environment in John Scottus 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 policy.

Scope of the policy

A core value of John Scottus is the commitment to ensuring a work environment where each employee is treated with dignity by management, colleagues, and the wider school community. This policy applies to all employees of the school. This policy aims to ensure, as far as is reasonably practicable, that no employee shall suffer bullying from any source.

Procedures

The Policy guarantees that all complaints will be taken seriously and investigated promptly, and that all parties involved will be treated with respect. A complaint of workplace bullying will be dealt with in accordance to due process. Please see *Procedures for Dealing with Workplace Bullying* in this document for more information on the process.

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.

In approving this policy, the Board has agreed that:

It be brought to the attention of all staff.

All staff are obliged to co-operate in its implementation.

Definitions

Bullying:

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 and Sexual Harassment:

The Equality Act 1998 (Code of Practice) (Harassment) Order 2012 specifically deals with harassment and sexual harassment in the workplace. The Code aims to give practical guidance and advice.

Harassment that is based on the following grounds - Gender, Age, Civil 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.

Harassment:

Harassment is defined in Section 14A(7) of the Employment Equality Act as any form of unwanted 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.

The unwanted conduct may consist of acts, requests, spoken words, gestures or the production, display or circulation of written words, pictures or other material.

Sexual Harassment:

Sexual Harassment is defined in Section 14(A)(7) of the Employment Equality Act 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.

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 behavior. Through this consultation process, the staff will have ownership of the policy as it relates to their school.

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

- Exclusion with negative consequences
- Verbal abuse/insults
- Physical abuse
- Being treated less favourably than colleagues
- Unnecessary and repeated 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
- Spreading rumours/gossip
- Undermining the professionalism of others
- Deliberate non-cooperation

This list is not exhaustive.

It is noted that a once-off incident is not normally considered to be bullying behaviour. While it might not be defined as bullying, a once-off incident of the above behaviour could be an affront to a person’s dignity. In our school we promote positive behaviour as described on Page 6 of this document.

What is not bullying?

Reasonable exercise of authority by staff in management positions is not bullying behaviour.

Effects of Bullying

International research shows that the effects may be physiological, psychological and behavioral. 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.

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.

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

- By being familiar with the school policy.
- By participating in in-service with respect to dignity at work.
- By engaging in consultation with respect to the development and review of the dignity in the workplace policy.
- By being aware and educated about workplace bullying.

Communication

This may be more difficult for some individuals than for others. If you find it impossible or difficult to make an approach to the person involved in the alleged bullying, tell somebody else – the Principal, a Contact Person (Please see *Procedures for Dealing with Workplace Bullying* in this document), the ASTI Steward, or a Deputy Principal.

Positive behaviour in the workplace

In August 2017, the staff and management of John Scottus. attended a presentation on Dignity in the Workplace. This incorporated a consultation session on behavior in our own school. The following a list that the staff drew up together during this training. This list is not exhaustive.

- Professionalism
 - Positivity
 - Empathy
 - Inclusiveness
 - Respect
 - Friendship
 - Fairness
 - Equality
 - Helpful
 - Listening
 - Caring
 - Encouraging
 - Consideration
 - E-mail etiquette
 - Supportive
 - Polite
 - Confidentiality
 - Trust
 - Patience
 - Tolerance
 - Integrity
-
- We accept that there are a variety of personalities and different approaches to work.
 - We accept that what one may find humorous another might find offensive.
 - We allow other people to speak.
 - We apologise for mistakes made.
 - We try to always use appropriate language.
 - We try to be mindful of our gestures and body language and how they may be perceived.
 - We promote well-being.
 - We try to be aware of other people's personal space.

Performance criteria for success of this policy

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 the policy.

Existence of Charter in a visible place: Dignity in the Workplace.

Dignity in the Workplace, as well as inappropriate/bullying behaviour are defined in the policy.

Employee's right to complain is respected.

Informal resolution of complaints is encouraged.

Procedures for dealing with workplace bullying

Please note: it may be relevant to read these procedures in conjunction with both the discipline and grievance procedures that have been agreed between the trade unions and the management bodies. <https://www.asti.ie>

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

Stage 1: Informal and

Stage 2 Formal.

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 1. 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.

A complainant may decide, for whatever reason, to bypass the informal procedure and proceed to Stage Two.

The following section outlines the procedures to be followed with respect to a complaint.

Code of Practice - Procedures for Addressing Bullying in the Workplace (Extract from IR Code of Practice S.I. No. 17 of 2002 Code of Practice)

1. Informal Procedure

While in no way diminishing the issue or the effects on individuals, an informal approach can often resolve matters. As a general rule therefore, an attempt should be made to address an allegation of bullying as informally as possible by means of an agreed informal procedure. The objective of this approach is to resolve the difficulty with the minimum of conflict and stress for the individuals involved.

(a) Any employee who believes he or she is being bullied should explain clearly to the alleged perpetrator(s) that the behaviour in question is unacceptable. In circumstances where the complainant finds it difficult to approach the alleged perpetrator(s) directly, he or she should seek help and advice, on a strictly confidential basis, from a contact person. A Contact Person in the school environment could, for example, be one of the following:

- A work colleague;
- A member of management
- An employee/trade union representative.

In this situation the contact person should listen patiently, be supportive and discuss the various options open to the employee concerned. The Deputy Principal in the school is one such contact person.

- (b) Having consulted with the contact person, the complainant may request the assistance of the Contact Person, a colleague, a member of management or a trade union representative in raising the issue with the alleged perpetrator(s). In this situation the approach of the person should be by way of a confidential, non-confrontational discussion with a view to resolving the issue in an informal low-key manner.
- (c) A complainant may decide, for whatever reason, to bypass the informal procedure. Choosing not to use the informal procedure should not reflect negatively on a complainant in the formal procedure.

2. Formal Procedure

If an informal approach is inappropriate or if after the informal stage, the bullying persists, the following formal procedures should be invoked:-

- a. The complainant should make a formal complaint in writing to his/her Principal. If the Principal/Deputy Principal is the subject of the complaint, the formal complaint should be made to the Chairperson of the Board of Management.
- b. The alleged perpetrator(s) should be notified in writing that an allegation of bullying has been made against them. They should be given a copy of the complainant's statement and advised that they shall be afforded a fair opportunity to respond to the allegation(s).
- c. The complaint should be subject to an initial examination by a designated member of management, who can be considered impartial, with a view to determining an appropriate course of action. An appropriate course of action at this stage, for example, could be exploring a mediated solution by a mutually agreed 3rd party which would require the agreement of all parties, or a view that the issue can be resolved informally. Should either of these approaches be deemed inappropriate or inconclusive, a formal investigation of the complaint should take place with a view to determining the facts and the validity or otherwise of the allegation(s).

Investigation

- d. The investigation should be conducted by either a designated member or members of management or, if deemed appropriate, an agreed third party. The investigation should be conducted thoroughly, objectively, with sensitivity, utmost confidentiality, and with due respect for the rights of both the complainant and the alleged perpetrator(s).
- e. The investigation should be governed by terms of reference, preferably agreed between the parties and the Board of Management in advance.

- f. The investigators, one a chairperson and a second person to take notes, should meet with the complainant and alleged perpetrator(s) and any witness or relevant persons on an individual confidential basis with a view to establishing the facts surrounding the allegation(s). Both the complainant and alleged perpetrator(s) may be accompanied by a work colleague or employee/trade union representative if so desired.
- g. Every effort should be made to carry out and complete the investigation as quickly as possible and preferably within an agreed timeframe. On completion of the investigation, the investigators should submit a written report to the Board of Management containing the findings of the investigation.
- h. The complainant and the alleged perpetrator(s) should be informed in writing of the findings of the investigation.
- i. Both parties should be given the opportunity to comment on the findings before any action is decided upon by the Board of Management. The method of communicating the commentary may be in writing and/or by the individuals presenting at a Board of Management meeting.

Outcome

- j. Should the Board of Management decide that the complaint is well founded, the alleged perpetrator(s) should be given a formal interview with a representative from the Board of Management to determine an appropriate course of action. Such action could, for example, involve counselling and/or monitoring or progressing the issue through the disciplinary and grievance procedure of the employment.

3. Confidentiality

All individuals involved in the procedures referred to above should maintain absolute confidentiality on the subject. Failure to do so will be regarded as a serious issue and will be subject to disciplinary action, up to and including dismissal.

4. At all stages of the process a clear record should be kept of:

- the investigation undertaken.
- all communications to/by the complainant
- the subject of the complaint
- the steps and all the decisions taken

The above records should be held by the Chairperson of the Board of Management in a confidential manner in a secure place.

Where a complaint has been rejected or has not been upheld, a statement to that effect shall conclude the record in the personnel file of the complainant. All records in relation to a rejected/not upheld complaint shall be removed from the personnel file of the subject of the complaint. A statement of the outcome of the investigation will conclude all other files. Where a statement of the outcome of the investigation confirms the allegation to be true then the statement of outcome shall be placed on the file/record of the person against whom the investigation upheld the complaint.

5. Protection and Support

Staff shall be protected from intimidation, victimisation or discrimination for filing a complaint or assisting in an investigation. Retaliation against a member of staff for complaining about bullying/harassment is considered a disciplinary offence. A malicious complaint made by a staff member will be treated as misconduct under the disciplinary procedure.

6. Assistance in the event of Harassment

Every effort will be made to assist if they so wish, persons who are victims of bullying/harassment to deal with the problem and where it is requested, the services of a counsellor will be made available by the Board of Management. Persons who bully/harass others may be requested to attend counselling to prevent further incidences of harassment occurring. Access to such counselling may be made available by the Board of Management.

7. Training/Awareness

It is considered that all personnel who have a role in either the informal or formal procedure – e.g. designated members of management, worker representatives, union representatives etc- should be made aware of appropriate policies and procedures which should, if possible, include appropriate training.

8. Participation

Participation in a dignity at work investigation, if requested to do so by the investigators, is non-optional for any staff member. Failure to participate will be regarded as a serious issue and will be subject to disciplinary action, up to and including dismissal.

Communication, involvement and dissemination

This policy was written by the policy coordinator with the support of the Dignity in the Workplace working group. Information was sourced from JMB and relevant legislation. We engaged in a process of collaboration involving school management and the staff. It was then shared with the students' council and the parents' council.

Evaluation

We are committed to monitoring and evaluating the effectiveness of this policy. In addition to the performance criteria mentioned above, important to this process is:

- Legislation and other relevant guidelines
- Pupil feedback
- Staff feedback
- Parental feedback