



Saint Aloysius' College Policy Statement on: Dignity in the Workplace; Guidelines for Countering Workplace Bullying, Harassment and Intimidation; Procedures for Processing of Complaints of Bullying, Harassment and/or Intimidation.

1. INTRODUCTION.

- 1.1. This Policy Statement has been devised and published by the Board of Management of Saint Aloysius' College, "the College", following collaboration and consultation with the following partners and interested parties:
 - 1.1.1. - the staff of the College,
 - 1.1.2. - the Parents' Association of the College,
 - 1.1.3. - the Trustees of the College,
- 1.2. This policy statement was ratified by the Board of Management on _____, and replaces all previous policy statements on this topic.
- 1.3. In this policy statement, the term "College Authorities" is used in reference to the Trustees, the Board of Management, and the management of the College.
- 1.4. The College's Ethos and Operating Context are detailed and explained in the Admissions Policy statement, which is available from the College office.
- 1.5. The College's policy on Student Behaviour is contained in the document "The Code of Behaviour" which is given to all students and which is available from the College office.
- 1.6. Issues regarding bullying, harassment and/or intimidation of staff or visitors to the College by students of the College are dealt with in the policy statement entitled, "Saint Aloysius' College Anti-Bullying Policy", which is available from the College office.
- 1.7. Instances of alleged bullying, harassment and/or intimidation of a student or students by a member or members of the staff or by visitors to the College or by clients of the College will be dealt with under the terms of this policy statement, and under agreed codes of practice as outlined in the "*Complaints Procedure*" (September 2000), or the "*Disciplinary Procedure*" (September 2000), both of which have been agreed by the ASTI and the JMB.
- 1.8. It is the aim of the College to promote an environment which enhances the self-esteem and personal well-being of all members of the College community. Any abusive behaviour is unacceptable and is repugnant to the ethos of the College.
- 1.9. The College is committed to the provision of the highest possible standard of education for all its pupils in a stable and secure learning environment and to the provision of a secure and dignified working environment for all who work at the College.
- 1.10. The Board of Management of Saint Aloysius' College is committed to the successful implementation of all relevant legislation, particularly:
 - 1.9.1 Industrial Relations Act 1990,
 - 1.9.2 Safety, Health and Welfare at Work Acts 1989, and 2005.
 - 1.9.3 Employment Equality Act 1998,
 - 1.9.4 Unfair Dismissals Act 1997,
 - 1.9.5 Equal Status Act 2000,
 - 1.9.6 Protection of Employees (Part-time work) Act,

- 1.11. The College is committed to supporting employees by providing a caring and positive working environment, and by supporting initiatives and/or training that enhance that aim. It is expected that all who work at or visit the College will do everything possible to maintain a safe and secure College environment in which personal dignity is cherished.

2. Extract from the College MISSION STATEMENT

...We recognise that the school community consists also of parents/guardians, teachers and non-teaching staff. Therefore we aim to promote an environment which enhances the self-esteem, personal development and talents of all its members, recognising each one's unique contribution to the school community."

(The entire Mission Statement is copied in Appendix 2.)

- 2.1 In line with that mission, we at Saint Aloysius' College strive:
- 2.1.1 to support one another in a spirit of partnership and fellowship; and
 - 2.1.2 to engage with one another in work practices in a spirit of kindness, consideration and caring.
- 2.2 Should interpersonal conflicts arise, it is our intention that:
- 2.2.1 those involved would deal with them speedily, and privately if possible, and
 - 2.2.2 where facilitation and/or mediation may be necessary in addressing particular issues, that the College authorities would facilitate such intervention.
- 2.3 It is our aim that all who work here would feel comfortable, secure and supported by colleagues and by the College.
- 2.4 The College is committed to a system of regular, open, direct and transparent communication, and to facilitate the raising by staff of issues of concern to them in their dealings with one another and/or with the management of the College.
- 2.5 It is our aim that all parties operating within the College community would be open to hearing the opinions of others and would respond to issues in a constructive and respectful manner. It is the aim of the College that the opinions of staff members would be valued. Each staff member is entitled to be treated with professional respect and with dignity.
- 2.6 The College fosters consultation among staff members and supports a process of collaborative decision-making, where appropriate.
- 2.7 The College supports a philosophy in which staff and management of the College are aware of the importance of a sense of fair play. This sense of fair play, coupled with a sense of tolerance and support for one another, should pervade all dealings among working colleagues.
- 2.8 All documents relating to College policies and College and Department of Education procedures and regulations will be made available to all members of staff on request.

3. BULLYING, HARASSMENT, INTIMIDATION.

Sections 3 of this policy statement deals with the identification of examples of bullying, harassment and intimidation, and the effects of such behaviour. In Section 5, incidents that could be considered to be once-off incidents that constitute an affront to the dignity of a person or persons will be dealt with.

- 3.1 In the "Report of the Task Force on the Prevention of Workplace Bullying, 2001, (Government Publications), Workplace Bullying is defined as:

- 3.1.1 *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 work.*
- 3.1.2 The definition is further refined to state that:
 - *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.*
- 3.2 Bullying behaviour has been defined by the Department of Education and Science as:
 - 3.2.1 *repeated aggression, verbal, psychological or physical conducted by an individual or group against others. Isolated incidents of aggressive behaviour, which should not be condoned, can scarcely be described as bullying. However, when the behaviour is systematic and ongoing it is bullying.*
- 3.3 The Department of Education and Science describes a variety of bullying behaviours that are unacceptable. For the purposes of this Policy Statement, the terms “*bullying, harassment and intimidation*” are used to include all of the behaviours listed below. Paragraphs 3.3.1 to 3.3.11 list typical behaviours which may be construed as being repugnant to the College Ethos and to the terms of this policy statement. This list of behaviours is developed and extended further in Appendix 1. It is thus intended to cite examples of unacceptable behaviours, and is not presented as an exhaustive list.
 - 3.3.1 *Physical Aggression: including aggressive attitude, intimidating body language, and physical assault;*
 - 3.3.2 *Shouting and uncontrolled anger directed at a person;*
 - 3.3.3 *The treatment of a person in dictatorial manner;*
 - 3.3.4 *Insensitivity regarding the personal life of a person;*
 - 3.3.5 *Emotional Aggression;*
 - 3.3.6 *Rudeness directed at a person;*
 - 3.3.7 *The public criticism of a colleague;*
 - 3.3.8 *Actions that impede a person's ability to carry out his/her duties.*
 - 3.3.9 *Non-co-operation with agreed routines or schedules;*
 - 3.3.10 *Sexual harassment;*
 - 3.3.11 *Racist aggression.*
- 3.4 The effects of bullying, harassment or intimidation on individuals may be as follows:
 - 3.4.1 the development of feelings of insecurity and extreme anxiety;
 - 3.4.2 the damaging of self-confidence with a consequential lowering of self-esteem;
 - 3.4.3 the suffering of changes in mood;
 - 3.4.4 the development of an inability or a reluctance to talk about the distressful situation;
 - 3.4.5 an increase in incidents of absenteeism;
 - 3.4.6 the development of illness;

- 3.4.7 the victim's career may be adversely affected, and s/he may feel forced to resign from a position or may not seek advancement, and
 - 3.4.8 in cases of extreme vulnerability, bullying, harassment or intimidation may result in suicide.
- 3.5 The effects of bullying, harassment or intimidation on an organisation may be as follows:
- 3.5.1 Increase in staff illness and consequent absenteeism;
 - 3.5.2 General low morale among the staff;
 - 3.5.3 The prevalence of a tense atmosphere;
 - 3.5.4 The formation of divisive cliques.
- 3.6 Situations and locations that may facilitate bullying, harassment or intimidation are varied, but, while such behaviour may happen anywhere, it is more likely to occur in the following places and situations:
- 3.6.1 In situations in which the victim is insecure and may be reluctant to confront the offender or complain.
 - 3.6.2 In an atmosphere that tolerates unwanted teasing, and the playing of unappreciated practical jokes, and
 - 3.6.3 In situations in which the behaviours listed in Section 3.3 above are not confronted and dealt with.
- 3.7 People may be reluctant to take action or to complain regarding bullying, harassment or intimidation under certain circumstances. The College authorities are committed to the fair treatment of all its employees, clients and visitors to the College, and encourage any person who feels s/he is being bullied, harassed or intimidated to confront the offending person in the first instance and to ask that the behaviour not continue. If such intervention has not been successful, the offended person is asked to make the appropriate complaint so that the College may take whatever action is deemed necessary to deal with the matter. The following typical situations represent occasions in which a person may be reluctant to make a complaint:
- 3.7.1 There may be a particular culture in the workplace that passively or furtively supports bullying, harassment or intimidation, one in which a complaint could lead to further intimidation and/or increased bullying;
 - 3.7.2 Staff may be unaware of the stress, worry or damage that such behaviour may be causing to a colleague;
 - 3.7.3 People may be unwilling to complain if they are employed in a temporary capacity or are doing teaching practice or work experience;
 - 3.7.4 People may be afraid that their complaint will not be taken seriously, or that such complaints would be viewed in a negative light;
 - 3.7.5 People may not feel free to complain when the complaint involves a person who is senior to them;
 - 3.7.6 A victimised person may not have a reliable witness or people willing to come forward as witnesses.

4 REPORTING OF BULLYING, HARASSMENT OR INTIMIDATION

The College endeavours to foster an environment in which all victims of bullying, harassment or intimidation would be willing to confront the offending party and/or

to make a complaint to the Principal or the Chairperson of the Board of Management.

4.1 Incidents of bullying, intimidation or harassment may be reported by:

4.1.1 The victim,

4.1.2 The victim's colleagues,

4.1.3 Anybody who has observed the offending behaviour or knows about it may, with the consent of the alleged victim, make a complaint.

4.2 Incidents of bullying, harassment or intimidation may be reported in a variety of ways, for instance:

4.2.1 By direct verbal report to the Principal;

4.2.2 By letter or written report to the Principal or the Chairperson of the Board of Management.

4.2.3 The College authorities will keep notes and files on all complaints, investigations and procedures.

5 ONCE-OFF INCIDENTS OF AFFRONT TO PERSONAL DIGNITY

5.1 The College is committed to maintaining a harmonious working environment for all employees and clients of and visitors to the College.

5.2 Once-off incidents of conflict or affront should be dealt with if at all possible by the individuals concerned. Recourse to official intervention should be sought only in instances of a serious nature.

5.3 Incidents of serious affront to the dignity of an individual, such as those described in Section 3 above and in Appendix 1, which are once-off occurrences, are unacceptable, and will be dealt with should a complaint be received by the College.

5.3.1 In an instance of serious affront to a person's dignity, the offended party should, in the first instance, approach the offending person. S/he should identify the offence and should seek an apology for the offence. S/he should seek a commitment that the offending behaviour will not be repeated.

5.4 If the offended person is not satisfied with the response, or if s/he cannot approach the offending person, s/he should then bring the matter to the attention of the Principal, or in an instance in which the complaint involves the Principal, the Chairperson of the Board of Management.

6 PROCEDURES ON RECEIPT BY THE COLLEGE AUTHORITIES OF A COMPLAINT OF ALLEGED BULLYING, INTIMIDATION OR HARASSMENT, OR OF A ONCE-OFF SERIOUS INCIDENT OF AFFRONT IN RELATION TO TEACHING STAFF

6.1 The Principal will, as soon as possible after receiving the complaint, set about an investigation to establish the facts surrounding the allegation.

6.2 If the complaint is received by the Chairperson of the Board of Management, s/he will ask the Principal to investigate the complaint. In a situation in which the complaint involves the Principal, the Chairperson will appoint an independent person from outside of the College community to investigate the complaint.

6.3 The Principal or the person appointed to investigate the complaint will, in the first instance, take steps to ensure the safety and security of alleged victim and

the alleged offender. It may be appropriate at this stage to offer counselling services to those involved.

- 6.4 The Principal, or person appointed to investigate the complaint, will:
 - 6.4.1 meet with the person who has made the complaint in order to establish the nature and extent of the alleged offence, and to be assured of that person's well-being and safety.
 - 6.4.2 explain to the alleged victim the procedures that will be followed.
- 6.5 The parties concerned will be made aware that, while total confidentiality cannot be guaranteed, information about the alleged offence will be confined within the College's structure for dealing with such matters.
- 6.6 The person making the complaint will be invited, in the first instance, to address the complaint to the person against whom the complaint is directed. It may be appropriate at this stage to offer mediation services to the parties involved.
- 6.7 If the alleged victim wishes to formally pursue the complaint, the Principal, or the authorised investigator, will ask that the complaint be presented in writing, and will inform the person making the complaint that the alleged offender will be interviewed.
- 6.8 The parties concerned will be assured that any investigations will be carried out in a sensitive manner, and they will be informed of the nature of the investigation and the possible actions that may follow.
- 6.9 The alleged offender will be interviewed and will be asked to confirm or deny the substance of the allegations.
- 6.10 The alleged offender will be given an opportunity to explain his/her actions and, in an instance where an offence is admitted, will be given an opportunity to propose what s/he will do to correct the situation.
 - 6.10.1 In such a circumstance the Principal, or the investigator, will ensure that both parties are comfortable with the approach that is being proposed.
- 6.11 In an instance where the alleged offence is denied, the Principal or the investigator will take note of the alleged offender's response to the allegations and will seek to satisfy him/herself as to the veracity of the allegations. Without prejudice to the outcome of the investigation, the alleged offender will be informed in writing that s/he is not to engage in any further meetings with the alleged victim, unless with that person's permission, until the matter has been resolved.
- 6.12 When the Principal or authorised investigator deems the complaint to be significant, and when s/he decides that an offence may have occurred, and/or when the matter cannot be resolved with the parties concerned, the matter will be brought before the Board of Management. The Board will proceed as laid out in Chapter 12 of: *A MANUAL FOR BOARDS OF MANAGEMENT of Voluntary Secondary Schools, published by the JMB, AMCSS, Secretariat of Secondary Schools, 2003*. The relevant extract from Chapter 12, which gives details of the formal procedures as agreed between the JMB and the ASTI, is copied in Appendix 3.
- 6.13 At all stages as outlined above, parties may be accompanied and/or represented at meetings or hearings.
- 6.14 A decision of the Board of Management to discipline a staff member shall be final and binding. However, this is without prejudice to the right of the

employee to have recourse to law to protect his/her employment or to appeal to the Trustees under contractual arrangements.

6.15 At any of the stages listed above, or in Chapter 12 of the Manual referred to above, the Board of Management may offer to provide facilitation, mediation or counselling services to the parties involved.

6.16 The above process will not apply in instances that are subject to legal proceedings.

7 PROCEDURES ON RECEIPT BY THE COLLEGE AUTHORITIES OF A COMPLAINT OF ALLEGED BULLYING, HARASSMENT OR INTIMIDATION, OR OF A ONCE-OFF SERIOUS INCIDENT OF AFFRONT IN RELATION TO NON-TEACHING STAFF

7.1 Complaints by non-teaching College staff members will be dealt with under the guidelines below.

7.2 *Stage 1: PRINCIPAL ATTEMPTS TO RESOLVE THE MATTER.* When, in the professional judgement of the Principal or other authorised investigator (in an instance in which the complaint involves the Principal), it is established that the alleged offence may be of an adequately serious nature, the alleged offender will be informed of that decision, and will be informed that the matter will be reported to the Board of Management for further consideration, and that, should the situation not be satisfactorily resolved within a specified period, (usually 5 school days), Stage 2 will be invoked. The alleged victim will also be so informed.

7.3 If at the end of the specified period the matter is still unresolved, Stage 2: *INVESTIGATING COMMITTEE* will be invoked. The principal or authorised investigator will lodge the charge against the alleged offender with the Board of Management. The Board will then appoint an independent Investigating Committee consisting of: a staff member from another school, and a Board of Management member from another school.

7.4 Within ten school days of the receipt of the charge by the Board, the Investigating Committee will:

7.4.1 Provide the alleged offender with a copy of the written charge;

7.4.2 Seek a report from the Principal or investigator;

7.4.3 Arrange to meet both parties with a view to resolving the charge.

7.5 The Investigating Committee will report its findings to the Board, the person making the complaint, and the person against whom the allegations have been made. If the matter has not been resolved at this stage, and the aggrieved party wishes to proceed to Stage 3, s/he must indicate this in writing to the Board within ten school days of receipt of the Investigating Committee's findings. The Board must proceed to Stage 3 within twenty days of the meeting with the alleged offender.

7.6 **STAGE 3: BOARD OF MANAGEMENT HEARING.**

7.6.1 If the Board considers the charge is not substantiated, both the person making the complaint and the person against whom the complaint has been made should be so informed within three school days of the Board meeting.

7.6.2 If the Board considers that the charge should be further investigated, it should proceed as follows:

- 7.6.2.1 The alleged offender will be informed that there will be a formal hearing by the Board which may lead to disciplinary action up to and including dismissal;
- 7.6.2.2 S/he will be supplied with a copy of any written evidence relevant to the charge;
- 7.6.2.3 S/he will be requested to supply a written response to the charge;
- 7.6.2.4 S/he will be given an opportunity to make a formal presentation of the case to the Board.
- 7.6.3 Should the Board decide that the charge is either unjustified or is unproven no action will be taken, other than that of so informing both parties;
- 7.6.4 Should the Board decide that the charge is substantiated, the Board will take one of the following courses of action based on the level of the misdemeanour and/or the sanctions that may have already been assigned to the offending party:
 - 7.6.4.1 An oral warning;
 - 7.6.4.2 A written warning;
 - 7.6.4.3 A final written warning;
 - 7.6.4.4 Suspension with pay;
 - 7.6.4.5 Suspension without pay;
 - 7.6.4.6 Demotion;
 - 7.6.4.7 Other disciplinary action short of dismissal;
 - 7.6.4.8 Dismissal.
- 7.7 A decision of the Board of Management to discipline a staff member shall be final and binding. However, this is without prejudice to the right of the employee to have recourse to law to protect his/her employment or to appeal to the Trustees under contractual arrangements.
- 7.8 At all stages as outlined above, parties may be accompanied and/or represented at meetings or hearings.
- 7.9 At any of the stages listed above the Board of Management may offer to provide facilitation, mediation or counselling services to the parties involved.
- 7.10 The above process will not apply in instances that are subject to legal proceedings.

8 GENERAL GUIDELINES ON THE PREVENTION AND THE ELIMINATION OF BULLYING, HARASSMENT OR INTIMIDATION

8.1 IN RELATION TO STAFF

- 8.1.1 The prevention and elimination of bullying, harassment and intimidation is a matter for the whole College community, and all staff of the College are committed to that aim. Staff are expected to be aware that bullying, harassment and intimidation only work where people are willing to ignore them, and therefore all such incidents or suspected incidents should be confronted and/or failing a satisfactory resolution, should be reported.
- 8.1.2 College authorities will deal immediately with complaints of bullying, harassment or intimidation and will proceed as outlined in Section 6 or Section 7 above.
- 8.1.3 The College authorities are concerned that all members of the College community would feel safe, confident and secure in the College, and that clients of and visitors to the College would be treated with courtesy,

respect and dignity. The College authorities are committed to dealing appropriately with all complaints.

8.1.4 The College authorities will deal sensitively with any concerns that a person may have regarding bullying, harassment or intimidation that s/he may experience or that s/he may suspect is happening to another person.

8.1.5 The College authorities will continue to monitor the workplace conditions and atmosphere following the resolution of a bullying, harassment or intimidation problem.

8.1.6 The College authorities will appoint two members of the staff at the start of each school year to perform such functions as the management of the College specifies in relation to protection from and prevention of risks to safety, health and welfare.

8.2 IN RELATION TO STUDENTS

Students are expected to be sensitive and caring in their dealings with others in the College community and are to be made aware that the bullying, harassment or intimidation of any student, staff member or client of the College will be dealt with under the terms of the Anti-Bullying Policy.

8.3 IN RELATION TO VISITORS TO THE COLLEGE OR OTHER CLIENTS OF THE COLLEGE.

8.3.1 Visitors to the College are expected to respect the sensitivities of all members of the College community, and to treat all with courtesy, respect and dignity.

8.3.2 In the event of the bullying, harassment or intimidation of a staff member by a visitor to the College or by a client of the College, the College authorities reserve the right to refuse such a person admission to the College premises, or to limit that person's access to the College premises or to certain members of staff in the future.

8.4 MONITORING AND SUPPORT

8.4.1 Management and staff members will strive to foster an environment of care, consideration and personal security.

8.4.2 Management and staff will be vigilant in checking for the signs of bullying, harassment and intimidation, and will be proactive in countering such behaviour.

9 REVIEW OF THIS POLICY STATEMENT

The Board of Management of Saint Aloysius' College, in consultation with the relevant partners, will review this policy statement from time to time as appropriate, but will normally do so at the commencement of each new Board of Management. In the process of such review any section of this policy statement may be amended.

Approved and ratified by the Board of Management on _____.

Signed _____

Chairperson, Board of Management, Saint Aloysius' College,
Carrigtwohill, Co. Cork.

Date: _____

APPENDIX 1

The Department of Education and Science describes a variety of bullying behaviours. The list of such behaviours is not intended to be exhaustive or complete. The examples are categorised and listed as follows:

- a) *Physical Aggression: including pushing, punching, kicking, hitting, damage to or unauthorised taking of property, extortion – being forced to hand over property, violent behaviour, aggressive attitude, body language or actions that may be construed as intimidating, humiliating, harassing or bullying of another person.*
- b) *shouting and uncontrolled anger directed at a person;*
- c) *the treatment of a person in dictatorial manner;*
- d) *insensitivity regarding the personal life of a person;*
- e) *Emotional Aggression: including, being unfriendly, excluding, cliquing, tormenting, hiding of a person's belongings, abusive telephone calls, abusive e-mails, text or picture messages, isolation, name calling, sarcasm, rumour spreading, whispering, passing demeaning notes, threats of attack, threats or insults to a person's family, the systematic directing of personal insults, verbal abuse, continually shouting down the opinion of another, belittling the opinions or the efforts of another, "taking a person to task" in a public humiliating manner, sudden silences – wherein any or all of which may be construed as offending, humiliating or bullying of a person. .*
- f) *rudeness directed at a person; rude and unhelpful comments or behaviour;*
- g) *the public criticism of a colleague;*
- h) *the disruption of schedules or routines by regular lateness for duties, meetings, breaks or other events, in such a manner that the behaviour systematically offends a person or impedes that person in carrying out his/her duties.*
- i) *non-co-operation with agreed staff/management routines or schedules;*
- j) *sexual harassment: including unwanted physical contact or verbal comment or advance of a sexual nature, abusive comments about a person's sexuality or sexual orientation, staring, leering, or the presenting of unwanted sexual attention to a person;*
- k) *physical intimidation such as shouting into a person's face; threatening gestures such as finger pointing; jabbing at a person in an aggressive manner; the striking of a person.*
- l) *Racist aggression: including racist taunts, graffiti or gestures, racist name calling*

APPENDIX 2

Saint Aloysius' College MISSION STATEMENT

APPENDIX 3

Extract from Chapter 12 of: A MANUAL FOR BOARDS OF MANAGEMENT OF VOLUNTARY SECONDARY SCHOOLS.

From Page 1 to page 6. Stop at the end of section 12.1.11.

Do not include Dismissal of a Teacher 12.2