

# Dignity In The Workplace

## **Anti – Bullying Policy of Alexandra College**

### Section B: Dignity in the Workplace

#### Scope:

*This policy concerns internal staff relations between all employees, between employees and management and also between employees and the Council of Alexandra College.*

#### **Rationale:**

- *The Council has a statutory obligation to ensure that a policy is in place that reflects the principles and values of the religious and educational philosophy of the School.*
- *The Department of Education and Science requires schools to have a written policy on bullying.*
- *Accordingly in order to fulfil this obligation and this requirement all members of the school community have been involved and encouraged to develop, formulate and review this policy on bullying in order to promote partnership and ownership and implementation of a living policy.*
- *This policy is one aspect of the treatment of Health and Safety issues within the School premises.*

#### **Links to Mission Statement:**

*This policy is linked to the College Mission Statement, which states "Alexandra College is dedicated to the pursuit of excellence in all areas of education. Our aim is to generate and maintain an inclusive climate of learning within which every pupil is enabled to develop and fulfil her own unique potential."*

#### **Links to Ethos:**

*This policy is linked to the College Ethos statement, which states "From the Quaker inspiration of Anne Jellicoe who founded the College, and from the Church of Ireland dedication which supported, enabled and still maintains the foundation, we have inherited our commitment:*

*to learn to think independently,*

*to tolerate and value diversity,*

*to respect ourselves and each other, and*

*to be responsible for ourselves and to society."*

### **Objective:**

*We aspire to fulfil the commitment contained in the mission statement and ethos document by fostering an atmosphere of respect, understanding and encouragement between all who teach, work and learn in the College, so that the development and contribution of every individual can be acknowledged, and all can work together to benefit personal growth and the common good.*

### **Definition of Bullying and Harassment**

For the purpose of this Dignity in the Workplace policy the definition of workplace bullying is as follows:

*"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."*<sup>3</sup>

- It should not be confused with workplace inter-personal conflicts which may, in themselves, be damaging and stressful, but which do not necessarily constitute bullying

- It should not be confused with the reasonable conduct of their responsibilities by school management staff.
- It should not be confused with industrial relations difficulties, which should be handled using the appropriate industrial relations procedures.

Bullying and harassment is behaviour that is unprovoked, unwelcome, persistent and is intimidatory or offensive to the recipient. It can take the form of a verbal, physical or psychological attack and can be openly aggressive or subtle. Generally, bullying and harassment is taken to mean repeated and persistent behaviour. The impact of bullying and harassment can be devastating, it can affect a person's work performance, health and personal life outside of work.

Bullying is frequently perceived to be a problem between someone in management and staff. However, bullying can occur between any members of staff. A "Bully" may pick on one person or may turn his / her attention onto a group; a "bully" may bully a colleague or someone senior to him / her.

Groups can bully individuals or other groups. In addition the bullying of one student by another, is a serious offence and is dealt with under the "Anti-Bullying Policy of Alexandra College, Section A".

While the following examples of bullying and harassment are not exhaustive, it is important to be mindful of the fact that if a person behaves inappropriately to another and the victim can make a case that injury has been caused, then in such incidences there is a case for harassment.

Bullying can include:

- Using open aggression, threats, shouting, abuse or obscenities towards a colleague;
- Horseplay, offensive gestures and unwanted physical contact;
- Derogatory or offensive nicknames;
- Subjecting a colleague to constant humiliation, sneering, ridicule or using a person as a constant butt of jokes;
- Maligning or spreading malicious gossip about a colleague;
- Subjecting a colleague to unreasonable scrutiny with persistent unwarranted criticism about minor matters;

- Undermining a person's authority, work or achievements;
- Removing for no justifiable reason areas of work responsibility from an individual;
- Setting impossible and unreasonable objectives for an employee, or constantly changing the work requirements without telling him / her and criticizing or reprimanding him / her for not meeting these impossible objectives or requirements;
- Deliberately withholding information which an employee needs to do his / her job effectively;
- Shunning or marginalizing a colleague, excluding him / her from discussions, decisions, etc. or refusing to deal directly with him / her in the workplace.

## **Procedures for Dealing with Complaints of Bullying and Harassment in the Workplace**

### **Purposes of Complaints Procedure**

- To provide a fair, consistent and expeditious mechanism to process complaints of bullying and harassment against staff.
- To do so in a manner that affords all concerned full rights in accordance with natural justice.
- To outline the principles for both the employer, the staff member and their representatives in the event of complaints of bullying and harassment being made against staff.

### **Specifically this procedure may be utilized**

- To investigate complaints of bullying / harassment made by staff against other members of staff.
- To investigate complaints of bullying / harassment made by staff against holders of management responsibility.
- To investigate complaints of bullying / harassment made by holders of management responsibility against staff.

## **Issues to which these procedures do not apply**

- Complaints of bullying / harassment made by staff against students. Such complaints will be treated in accordance with "Anti-bullying Policy of Alexandra College, Section C" (Still to be agreed).
- Matters of the professional competence of teachers which cannot be dealt with at school level or which are referred to the Department of Education & Science for investigation under the terms of circular letter 43/85 or other existing arrangements.
- Anonymous complaints.
- Frivolous and vexatious complaints which do not impinge on the work of the staff member.
- Complaints which are the subject of legal proceedings.

Complaints of bullying / harassment made by a student(s) against a staff member do not fall within the remit of these procedures. Such complaints will be dealt with under appropriate guidelines or other agreed codes of practice. (See Anti-Bullying Policy of Alexandra College, Section A)

Note: Claims of harassment under the nine grounds set out in the Employment Equality Act, 1998, may be taken under the provisions of that Act. Section 32 of the Act defines these grounds as follows:

## **Stage 1                      Informal Procedures**

### **1.1**

A staff member who feels that he / she may have been bullied or harassed should immediately ask the person harassing them to stop. It may be possible and sufficient for the employee concerned to explain clearly to the person engaging in the unprovoked conduct that the behaviour in question is unwelcome, that it offends them, or makes them uncomfortable and that it interferes with their work.

A person who wishes to make a complaint (hereinafter referred to as the complainant) should make an appointment and discuss the matter with the staff member (hereinafter referred to as the alleged perpetrator(s)) with a view to resolving the complaint.

It is important for the recipient 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.

## **1.2**

If the complainant feels that he / she cannot directly address the alleged perpetrator(s) engaging in the unprovoked conduct they should ask a Designated Person to do so on his / her behalf. In Alexandra College five Designated Persons 1 (2 male and 3 female) shall be approved by Council, following constructive and positive consultation and agreement where possible, in line with good industrial relations practice, with the relevant trade union (s). There shall be two Designated Persons, nominated by the Senior School of Alexandra College; one person by the Junior School and two by all other staff. It is recommended that, following training, a Designated Person would retain the position for two years; however a person may opt out of the position at any time.

Any employee of the College may approach any one of these five designated persons to raise the issue with the alleged perpetrator.

In this situation the approach of the Designated Person should be by way of a confidential, non-confrontational discussion with a view to resolving the issue in an informal low-key manner.

If the harassment complained of does not cease, or, if in the first instance, it is of a nature that the complainant (following discussion with a Designated Person) considers that it should be reported, the matter should proceed to stage 2.

The procedures at stage 1 should be concluded within 5 working days of the reporting of the matter to Designated Person.

## **1.3**



of the investigation, the investigator(s) should be submit a written report to Council containing the findings of the investigation.

#### 2.2.5

Both parties should be given the opportunity to comment on the findings before any action is decided upon by Council.

#### 2.2.6

The complainant and the alleged perpetrator(s) should be informed in writing of the findings of the investigation.

### **2.3 Outcome**

#### 2.3.1

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

#### 2.3.2

If either party is unhappy with the outcome of the investigation, the issue may be processed through the normal industrial relations mechanisms.

#### 2.3.3

For teaching staff, whether paid by the Department of Education & Science or privately paid by Alexandra College, the JMB / ASTI agreed disciplinary procedures will be the mechanism for dealing with substantial / vexatious allegations of bullying / harassment following the exhaustion of the formal procedures as provided in this Code of Practice for dealing with bullying behaviour.

#### 2.3.4

The disciplinary procedures for non-teaching staff (whether paid by the Department of Education & Science or privately paid by Alexandra College) will be adopted from the Code of Practice (Grievance and Disciplinary Procedures) under the Industrial Relations Act. This procedure will be invoked for dealing

with substantial/ vexatious allegations of bullying / harassment following the exhaustion of the formal procedures as provided in this Code of Practice for dealing with bullying behaviour.

#### 2.3.5

Ultimate disciplinary action as at 2.5.5 below is the responsibility of the Council. Disciplinary action should take account of contractual arrangements applying in given situations.

### **2.4 Protection and Support**

Staff shall be protected from intimidation, victimization 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 procedures herein.

- **Assistance in the Event of Harassment**

#### 2.5.1

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 counselor will be made available by the Council.

#### 2.5.2

Persons who bully / harass others may be requested to attend counseling to prevent further incidences of harassment occurring; there should be a minimum of three and a maximum of six such counseling sessions. Access to such counseling may be made available by Council.

#### 2.5.3

At all stages of the Complaints Procedure a clear record should be kept of:

- The investigation undertaken
- All communications to / by the complainant, the alleged perpetrator(s), the investigator(s), management and Council.
- The steps and all the decisions taken.

#### 2.5.4

Where a complaint has been rejected or deemed unfounded, a statement to that effect shall conclude the record in the personnel rejected / unfounded complaint shall be removed from the personnel file of the alleged perpetrator(s); A statement of the outcome of the investigation will conclude all other files.

#### 2.5.5

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.

#### 2.5.6

For teaching staff, whether paid by the Department of Education & Science or privately paid by Alexandra College, the JMB / ASTI agreed disciplinary procedures will be the mechanism for dealing with substantial / vexatious allegations of bullying / harassment following the exhaustion of the formal procedures as provided in this Code of Practice for dealing with bullying behaviour.

#### 2.5.7

The disciplinary procedures for non-teaching staff (whether paid by the Department of Education & Science or privately paid by Alexandra College) will be adopted from the Code of Practice (Grievance and Disciplinary Procedures) under the Industrial Relations Act. This procedure will be invoked for dealing with substantial / vexatious allegations of bullying / harassment following the exhaustion of the formal procedures as provided in this Code of Practice for dealing with bullying behaviour.

### **Progress:**

It is proposed to adopt the informal and formal procedures from the Code of Practice on Bullying Behaviour (Industrial relations Act) into Alexandra College's Anti-Bullying policy for school personnel. Until the JMB / ASTI and other parties conclude discussions on an agreed national policy, the interim arrangements will remain as this school's policy statement.

### **Policy Development and Availability:**

The policy relating to Dignity in the Workplace will be developed in consultation with all staff employed in Alexandra College.

A Dignity in the Workplace committee shall consist of one representative of the management of the College, two representatives from the Senior School (one ASTI member and one non union member), and one representative each from the Junior School, office staff, maintenance/cleaning staff and residence staff.

A report is to be submitted to Council at each stage of the development of the policy.

The members of the committee are responsible for ensuring that each member of staff in their section is familiar with the Dignity in the Workplace Policy.

The Principal is responsible for ensuring that each new employee is issued with a copy of the policy.

### **Implementation and Compliance:**

The Council of Alexandra College is responsible for ensuring that the policy is implemented.

All members of staff are expected to abide by the Dignity in the Workplace Charter and Policy.

**Success Criteria:**

Well-being and happiness of the staff in the light of incidents of bullying behaviour encountered.

Staff resignations are un-connected to workplace bullying.

**Review and evaluation:**

This complaints procedure shall be reviewed after three years.

**Legislation / equality proofing:**

A solicitor who has expertise in this area must approve the draft of the Dignity in the Workplace Policy and any subsequent additions, amendments or alterations. These must be submitted to Council for final approval. Any amendments will become part of the Policy and will be notified to members of staff.

Dates of the meetings at which the Dignity in the Workplace Policy, any additions, amendments or alterations were ratified:

	Representative Signature:	Date:
Council:	.....	.....
Staff of Senior School:	.....	.....
Staff of Junior School:	.....	.....
Administration Staff:	.....	.....
Staff of Residence Houses:	.....	.....
Support Staff:	.....	.....

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The Designated Persons elected during the Summer Term 2004 are as follows:  
Senior School: *Ben Murray and Margaret Ainsworth*

Junior School: *Honor O Brolchain*

Other staff: *Ian Molloy (the Bursar) and Karen Scales (school Nurse)*

The word "ethos" may be changed to "characteristic spirit" and the Mission statement is currently under review. This paragraph will be amended following agreement on the wording.

See Dignity in the Workplace Charter

This policy is being drawn up in consultation with all sections of staff employed in Alexandra College. It commenced during the academic year 2002-2003 and was continued during 2003-2004 in consultation with the JMB.