



Patrician High School

The very spring and root of honesty
and virtue live in good education

DIGNITY AT WORK POLICY

Objectives of Dignity at Work Charter

- 1 To create and maintain a positive working environment in the Patrician High School where the right of each individual to dignity at work is recognised and protected.
- 2 To ensure that all are aware of and committed to the principles set out in this Charter.

Dignity At Work Charter

A core employment value is the commitment to ensuring that individual employees are guaranteed a working environment where each is treated with dignity both by management and colleagues.

This approach places positive emphasis on the importance of each individual and on the contribution made by each to the success of the workplace. It aims 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. The creation and maintenance of a positive working environment are 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 the Patrician High School. This, together with a positive, sincere attitude to the school and one's role within it, is seen as the most effective way to ensure one's own esteem in the eyes of fellow workers.

Foreword:

Workplace bullying, harassment and sexual harassment pollutes the working environment and can have a devastating effect upon the health, confidence, morale and performance of those affected by it. The anxiety and stress produced by it may lead to those subjected to it taking time off work due to sickness and stress, being less efficient at work or leaving their job to seek work elsewhere.

Employees often suffer the adverse consequences of the harassment itself and the short and long term damage to their employment prospects if they are forced to forego promotion or to change jobs.

workplace bullying, harassment or Sexual Harassment may also have a damaging impact on employees not themselves the object of unwanted behaviour but who are witness to it or have a knowledge of the unwanted behaviour.

There are also adverse consequences arising from workplace bullying, harassment or sexual harassment for employers. It has a direct impact on the overall efficiency of the school where staff take sick leave or resign their positions.

* Some specific groups are particularly vulnerable to workplace bullying, harassment or sexual harassment as there may be a link between the risk of these and the recipients perceived vulnerability - such as new entrants to the labour market and those with irregular or precarious employment contracts, in particular non- permanent staff.

Introduction

The Board of Management of the Patrician High School, Carrickmacross is committed to providing all its employees with an environment free from any form of bullying. This commitment is expressed in the School 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:

- 1 it be brought to the attention of all staff
- 2 all staff are expected to co-operate in its implementation

Rationale of this policy

The rationale for this policy is that all members of the school staff are entitled :

- (a) To carry out their work in an environment in which they feel respected and supported.
- (b) To have their dignity as valued members of the school community recognised and protected.
- (c) To discharge the responsibilities associated with their role in a positive environment.

Objectives of the Policy

The objective of the Board policy is to prevent bullying in the workplace and to contribute to a supportive environment for all staff.

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 victimisation 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 in itself and subject to disciplinary action.

DEFINITIONS

For the purpose of this policy the following definitions apply as per the related codes of practice.

Definition of 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.

Neither must occasional workplace inter-personal difference(s) be confused with the definition of bullying as described above.

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, Family 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 (also refer to JMB/ASTI Guidelines)

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.

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.

What constitutes Unacceptable behaviour / workplace bullying?

Please refer to Appendix 1 for examples.

Effects of bullying behaviour in the workplace.

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 persons career may be adversely affected.

Effects also include such physical examples as : disturbed sleep, feeling sick, headaches, palpitations, panic attacks, sweating, shaking, stomach or bowel problems, frequent aches, pains / infections, numbness, trembling, loss of appetite, excessive thirst.

Psychological Effects may include: acute anxiety, loss of confidence, feeling isolated, loss of self esteem and motivation, depression, mood swings, tearfulness, obsesiveness and withdrawal.

Effects / impact on the workplace;

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 absenteeism, low morale, reduced productivity, increased sickness, demotivation, damage to image, high turnover.

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 a fear that the complaint may not be taken seriously.
- Because (s)he may be seen as unable for the job and/or a weak person.
- If the alleged bully is a manager, there may be a fear that more senior management will support that individual.
- 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 persons word against another.
- 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 the Patrician High School?

- 1 Be familiar with and accept responsibility for the Board of Management's Policy and how it works.
- 2 Through the way I approach my work and my working relationships, make every effort to contribute in a positive - and concrete - way to developing good personal relations with fellow-employees.

What can individual employees do to stop people bullying?

1 Tell somebody – an appointed contact person, the ASTI Steward, the Deputy Principal or the Principal or other.

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 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 behaviour that in the Board of Management's view is unacceptable.

Will an employee who complains be protected against intimidation?

The Board of Management of the Patrician High School will protect employees against intimidation, victimisation or discrimination for filing a complaint or assisting in an investigation. That 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.

AGREED PROCEDURE FOR RESOLVING CONFLICT BETWEEN COLLEAGUES

PREAMBLE:

The ASTI and JMB have agreed a set of Grievance Procedures for use in voluntary Secondary Schools where disagreement arises between a teacher and the principal, or between a teacher and another member of staff who has a managerial function or between a teacher and the Board of Management.

However this agreement does not envisage that conflict may arise from time to time between colleagues on the staff.

This internal agreement is designed to cater for such an eventuality - it relates therefore to grievances between members of staff, who are not already covered under the national agreement.

The Board of Management of this school acknowledges that from time to time disagreements may arise between any two or more members of staff and considers it prudent to formulate a set of procedures, which could be used in such circumstances. It recommends the following procedures to

staff and would wish that all cases of disagreement be resolved in accordance with these procedures.

Each individual has basic civil and legal rights and is free to pursue them at their discretion. However it may be possible to redress a grievance without recourse to such external measures and the procedures which follow, may in many cases be preferable for the individuals and staff as a whole. By agreeing to follow these procedures one is not setting aside any other civil or legal rights, which may be invoked if the procedures fail to resolve the issue to the satisfaction of all. Nor does it preclude anyone from seeking legal advice.

It is intended that in most cases members of staff would attempt to resolve a grievance initially by reference to the informal procedures outlined in Stage 1 below. However it is recognised that exceptional circumstances may arise where a member would wish to move directly to the formal stage (Stage 2), without recourse to stage 1. For the benefit of all parties Appendix 2 sets out some guidelines on the resolution of conflict.

Conflict Resolution Procedures:

The person with the grievance shall be called the complainant. The other party is the person(s) against whom the complaint is being made.

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 behaviour 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, if appropriate.
- Counselling and support services will be made available.

If it is not possible to resolve the matter informally, Stage Two would follow whereby a formal complaints procedure shall be applied

Stage Two:

(Formal Procedure)

Throughout the formal stage the complainant and the person against whom the complaint is made shall be entitled to be represented by or accompanied by the school steward or other representative.(work colleague)

1. The complainant gives notice in writing to the principal or if deemed appropriate an agreed third party of their intention to invoke the Formal Stage of the Procedures for Resolving Conflict between Colleagues. Such notice shall include a precise written factual statement of the grievance. The principal / agreed third party shall discuss the grievance with the complainant with a view to exploring ways of resolving it. The principal / third party shall inform the person against whom the complaint is being made about the grievance and will give that party an opportunity to respond to the grievance. A copy of the written notice shall be made available to the person against whom the complaint is made. The principal / agreed third party shall attempt to resolve the issue to the satisfaction of both parties. Should the grievance require an investigation of any kind the principal / third party shall ensure that it is pursued with due respect to the rights of both parties, that it is investigated thoroughly, objectively, with sensitivity and with the utmost confidentiality as far as possible and is carried out with the minimum of delay consistent with fairness to both parties. All parties shall be informed in writing of the findings of the investigation and will be given an opportunity to comment on them before any action is decided by management.

2. If the grievance is not resolved within a reasonable time not exceeding 15 working days, the complainant shall be entitled to bring the matter to the attention of the Chairperson of the Board of Management. On foot of the formal adoption of these procedures by the Board of Management, the Chairperson/or if deemed appropriate an agreed third party will have been empowered by the Board to exercise the following role at this stage.

Where step 2 has been invoked, the Principal/agreed third party shall make a written report to the Chairperson setting out the steps taken to date. The Chairperson/agreed third party shall meet with the complainant within 5 school days of receipt of the grievance and shall immediately take such steps as s(he) considers appropriate to have the grievance resolved by conciliation, without reference to the Board of Management. If the Chairperson/agreed third party is unable to resolve the matter by conciliation, s(he) will make a recommendation on the grievance within 15 working days of receipt of the grievance.

Where either party is unwilling to accept this decision or where the Chairperson/agreed third party fails to observe the terms of this agreement, the matter may be referred to the Board of Management for decision.

3. The party who so wishes to refer the matter to the Board shall give notice in writing to the Chairperson of the Board of the intention to do so. Such notice shall be given within 10 school days of receiving the recommendation or at the end of the period specified in paragraph 2. The date on which such notice will be referred to as the "date of referral". The notice shall include a submission setting out the grievance and the redress, which is sought.

4. The other party and the Board of Management shall be informed and presented with a copy of the referral submission. The person against whom the complaint is being made shall be afforded the opportunity of making a written submission also; where this right is invoked the complainant and the Board will be given a copy of this response. The matter shall be presented to the Board of Management at its next ordinary meeting unless an emergency meeting is deemed necessary by the Chairperson. The Board shall take whatever steps it deems appropriate to have the grievance resolved. Before making a decision on the matter the Board shall give all parties to the dispute an opportunity to present their case.

5. Where management determines that a complaint is well founded, the party at fault shall be given a formal interview to determine the appropriate course of action. This action might involve counselling and/or monitoring or progressing the issue through the school's disciplinary procedure.

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

Appendix 1:

Unacceptable Behaviour:

The following is an example only and is not exhaustive

Verbal Abuse

Deliberate Isolation / Exclusion

Reprimand in front of colleagues.

Deliberate aggression.

Malicious Rumours / Gossip

Undermining colleagues.

Deliberate non-cooperation.

Not being treated equally

Victimisation

Lack of respect in any way.

Persistent derogatory insensitive material - comments, jokes etc.

Bad manners / rudeness / abrupt.

Personal criticism of the person

Making snide remarks

Discrimination

Deliberate infringement of confidentiality

discussing personal business of other staff members with the student body or with other staff members.

Belittling the occupation / role of another member of the school community.

Criticising an others teaching subject.

inappropriate questions about an others personal life

Offensive written material

Acceptable Behaviour - this is not an exhaustive list.

Respect for others professionally and personally.

to give and receive trust

Tolerance of differences

Cooperate together

Self awareness- be aware of your behaviour towards others.

Supporting colleagues in all aspects of their working day in so far as is possible.

Collective responsibility for maintenance of working environment

Common courtesy

Inclusiveness in social arrangements and decision making.

Listening and communicating with staff on policies and ideas.

Incorporate new staff in a positive way.

Understanding in times of bereavement, illness, difficulty.

Recognition. Giving praise when due.

Transparency

Acknowledgement of others.

Address others in a proper tone.

Communicate with a person directly

Listen!

Appendix 2: Some Guidelines on Dealing with Conflict

A key thing in dealing with conflict is to realise that there is room for only one upset at a time! If the other person is too upset to listen, that fact must be recognised; there is little benefit in listing the upsets of others at that time. In the case of one-to-one conflict there are a number of things that we can do that will make it more likely that the conflict will be well handled:

- * Listen: do not interrupt
- * Try and separate the person from the problem (try and put yourself in the other person's shoes)
- * Ask questions. (Try and put yourself in the other person's shoes).
- * Tell your own side of the story without attacking the other person.
- * Balance Inquiry and Advocacy, engage in Dialogue not Debate; Don't argue with the other person
- * Try to focus on finding a workable solution to the problem (not apportioning blame)
- * Make "I" statements not "your" statements
- * Be specific, not general
- * Don't apportion blame

Where the relationship is difficult or where the circumstances make the problem more intractable the following approaches may make it easier to make progress:

Don't over-react: pay attention to your own feelings. Do all you can to defuse hostile emotions on both sides. Listen actively to avoid interruptions at all costs - even if you feel the other person is wrong or insulting.

Acknowledge their point of view: summarise what you have learnt and clarify whether your summary is accurate. Look for points of agreement and stress these. Acknowledge the feelings of the other person and try to respond appropriately; if appropriate offer an apology.

Buy time to think: Pause occasionally and say nothing; agree to meet after a short break. Don't make hasty decisions don't feel you have to make important decisions there and then.

Try and state your Views without being provocative: Distinguish between thoughtless and deliberate offences and be open to hearing of the other side. Don't reject any statement or response out of hand.

Where a third party is present they can play a useful role in making a distinction between the problem and possible solutions to the problem. A useful starting point for any third party is to separate the process of finding a solution from the process of clarifying the problem.

Begin with the problem: get a clear picture of the issues involved before moving on to the process of finding solutions. Focus on listening and understanding rather than on discussion, debate or argument. Try not to comment or reply to what people say.

Treat each person with respect: avoid blame or accusations. Give each person equal time to talk without interruption. No one should speak twice until everyone has spoken once.

Keep it confidential: stress this with all parties.

Remember there are not magic tricks that will solve all conflicts. The key is to keep thinking about what will move things forward. Remember the following:

- * Good communication is supportive communication
- * It focuses on the event or the behaviour rather than on individuals
- * It is descriptive not evaluative
- * Good communication is open and acknowledges feelings
- * It validates rather than invalidates all involved in the process
- * Above all it requires good listening - probably with your eyes as well as your ears!
- * It involves appropriate feedback (empathic) that clarifies what is being said and heard and hopefully strengthen the relationship at the same time

Appendix 3

Performance criteria by which the success of this policy might be judged;

- The existence of a policy 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 behaviour are defined in Board Policy.
- Employee's right to complain is respected.
- Informal resolution of complaints is encouraged.

Appendix 4:

The Role of the Contact Person:

Purpose:

The purpose of the Contact Person is to provide a voluntary informal resource for any individual who wishes to discuss any incidence of alleged harassment or bullying in the workplace as provided for in order (S.I. No 17 of 2002) Code of Practice under the Industrial Relations Act 1990.

Definition:

The CP is a resource to a complainant of alleged harassment or bullying as well as to the person 'complained of' at the informal stage.

Role:

CP's are available for confidential support, information and as points of referrals for complainants. Equally the service is available to the person 'complained of' in regard to allegations.

Service:

Where a CP is asked to make an initial approach, such an approach should be by the way of a confidential, non-confrontational discussion with a view to resolving the issue in an informal low key manner. The CP will be asking the alleged perpetrator to think of the effects of the behaviour referred to from his/her colleagues perspective and be prepared to respect his/her request to change how the alleged perpetrator acts towards his/her colleague.

- Personnel willing to become Contact Persons will have undertaken training for the role.(to include response of a CP to an informal approach by a complainant and response of a CP to an informal approach by a 'complained of and training in making an approach on behalf of a complainant as well as dealing with any response forthcoming as a result.
- The parameters by which a CP should operate should include: - Confidential listening / Providing a supportive environment/empowering the individual/ providing information on the options available/ assisting the individual member in thinking through options / empathising without judgement, remaining impartial.
- The role DOES NOT INVOLVE: - Mediation or negotiation / Counselling / Directional Advice / 'Taking Sides' / Providing Unrealistic Assurance / Investigation or Adjudication / Meeting outside working hours / recording Complaints.

Boundaries of CP Role:

The CP will operate at all times within the underlying principles outlined in the Code of Practice under the Industrial Relations Act and in accordance within the guidelines identified in the schools policy.

- A CP cannot support both parties on the same complaint but rather should support the first party who has made an approach whilst referring the other, if approached, to the CP panel.
- The CP Role only covers support for issues relating to those issues as provided for in the schools charter. The role does not extend to any other forms of workplace grievances or personal problems.
- The CP is not obliged or compelled to support anyone they do not wish to. If for whatever reason this might be the case, the CP should refer the person making the approach to the CP panel.
- A CP will offer confidentiality within the limitations as set out below

Where a CP has indications;

* that there is a potential danger or threat to one person seeking support, or to any other person, such as assault or threat of suicide for example

OR

*that a serious criminal offence may have been committed,

the CP will report the matter to an appropriate identified person, e.g. the Principal , Chairman of the Board etc. In any such case the CP will also advise the person concerned that the matter is being reported directly to the appropriately identified person.

- CP's will not keep any notes or records of their meetings
- 1 to 1 meetings between the CP and a person looking for support should take place on site at work in a suitable location where privacy can be assured. If there is a need to meet off the site, then at no time should these meetings take place in a venue where alcohol is being served.
- No home or personal mobile numbers should be given to the person looking for support.
- If the service is being misused the CP has the right to terminate the process. Misuse might include - excessive time demands on the CP, Unrealistic expectations of the service by the complainant / person complained of, a breach of confidentiality by the complainant / the person complained of.
- A CP will familiarise the person who has made the approach of the above boundaries and parameters at the initial meeting. These will form the ground rules for the complainant / person complained of and the CP.
- The CP has no role in the Formal Stage as outlined

In respect of Confidentiality, victimisation and frivolous, vexatious complaints the following are the:

Guiding Principles:

Confidentiality: - Confidentiality, discretion and due regard for privacy will be maintained by all concerned where a complaint is being dealt with at whatever level. Complaints of this nature can be

stressful for the people involved as well as witnesses. Resolution can be more easily achieved when confidentiality, discretion and the individuals right to privacy are maintained.

Victimisation: - Personnel shall be protected from intimidation or victimisation for making a complaint or assisting in an investigation. Retaliation against a person for making a complaint or for coming forward as a witness may be treated as a disciplinary matter.

Malicious or Mischievous Complaints: - Even if a complaint is not upheld personnel can be assured that bona fide complaints will not be viewed as malicious or mischievous. However if a complaint on investigation is determined to have been taken with malicious or mischievous intent, appropriate disciplinary action may be initiated against the complainant. This provision should not deter members from forwarding genuine complaints.