

Title:

Code of practice detailing procedures for addressing bullying in the workplace.

Relationship of this code to our school:

According to the vision statement of our school:

“Scoil Phobail Bhéara is a school guided by Christian values where children are happy and where everyone is treated with courtesy and respect.

Our staff are our most valuable resource and every effort must be made to ensure that we have a dedicated and committed staff and good pupil-staff relationships.”

Bullying can affect the health and well-being of the recipient, it is important for this reason, to implement a code of practice detailing procedures for addressing bullying in the workplace.

Rationale:

The purpose of this policy is to emphasise the effects of bullying on the individual and the school as an organisation. It is also a legal requirement under three codes of practice:

- The Safety Health and Welfare at Work Act, 1989.
- The Industrial Relations Act, 1990.
- Employment Equality Act, 1998.

Goals:

- To clearly define what constitutes bullying in the workplace.
- To have clearly defined grievance procedures in place to deal with bullying.
- To identify designated contact persons.

By implementing these goals we will strive to uphold the dignity of each individual in our school community.

Roles and responsibilities in implementing this policy:

- The Board of Management has a duty of care towards all its employees.
- All employees are responsible for their professional behaviour in the workplace.
- All individuals, whether directly employed or contracted by the school have a duty and responsibility to uphold this policy.

Content:

For the purpose of this Code of Practice 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/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 one off incident, is not considered to be bullying."

The types of inappropriate behaviour that undermine an individual's right to dignity at work includes behaviour which may:

- Humiliate
- Intimidate
- Verbally abuse
- Victimise
- Exclude and isolate
- Intrude through pestering, spying or stalking
- Give repeated unreasonable assignments to duties which are obviously unfavourable to one individual
- Give repeated impossible deadlines or impossible tasks
- Imply threats

The above list is representative only, not exhaustive, and should be used as guidance.

Acceptable behaviour includes:

- Mutual respect
- Courtesy and acceptance of one's worth
- Valuing each members contribution to the school and respecting the methods and opinions of each other
- Accepting the strengths, limitations and personal differences of others

When assessing the risk of bullying in the workplace many factors have been recognised as being associated with bullying. These include:

- Employment tenure – A bully may regard new, casual and temporary/contract staff as easier targets than permanent colleagues.
- Size of school – It may be easier for bullying to go unchecked in a larger organisation.
- Gender/age imbalance – Bullying may be more likely to occur where there is an age or gender imbalance in the workplace
- Organisational change in the workplace - Organisational change in the workplace can increase the risk of workplace bullying.

This list is representative only, not exhaustive, and should be used as guidance.

Procedures:

Effective procedures for addressing allegations of workplace bullying can be divided into informal and formal procedure.

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 for the individuals involved.

Any employee who believes he or she is being bullied should explain to the alleged Perpetrator(s) that the behaviour in question is unacceptable. In cases 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 could, for example, be one of the following:

- a work colleague
- a trade union representative

It may not be a good idea for the Principal/Deputy Principal to be a contact person as it could compromise any possible future investigation which may arise. The contact person should listen patiently, be supportive and discuss the various options open to the employee concerned. [To be discussed with group]

Having consulted with the contact person, the complainant may request the assistance of the contact person in raising the issue with the alleged perpetrator(s). In this situation the approach of the contact person should be by way of a confidential, non confrontational discussion with a view to resolving the issue in a n informal and low-key manner.

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.

Formal procedure

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

- The complainant should make a formal complaint in writing to his or her principal, or if preferred any member of management. The complaint should be confined to the precise details of actual incidents of bullying.
- 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).

- 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 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 credibility or otherwise of the allegation(s).

Investigation

- 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 to the right of both the complainant and the alleged perpetrator(s).
- The investigation should be governed by terms of reference, preferably agreed between the parties in advance. (needs to be expanded by group)
- The investigator(s) should meet with the complainant and the alleged perpetrator(s) and any witnesses or relevant persons on an individual confidential basis with a view to establishing the facts surrounding the allegation(s). Both the complainant and the alleged perpetrator(s) may be accompanied by a work colleague or employee/trade union representative if so desired.
- 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 investigator(s) should submit a written report to management containing the findings of the investigation.
- Both parties should be given the opportunity to comment on the findings before any action is decided upon by management.
- The complainant and the alleged perpetrator(s) should be informed in writing of the findings of the investigation.

Outcome

- Should the management 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 counselling and/or monitoring or progressing the issue through the disciplinary and grievance procedure of the employment.
- If either party is unhappy with the outcome of the investigation, the issue may be processed through the normal industrial relations mechanisms.

Confidentiality

- All individuals involved in the procedures referred to above should maintain absolute confidentiality on the subject.

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.