



## St. Vincent's Special School

### Dignity at Work: Building & Maintaining a Positive & Effective Work Environment

#### 1.0 Introductory Statement

1.1 This policy has been devised in conjunction with the Board of Management and staff at St. Vincent's School. It outlines St. Vincent's School's commitment and intended actions to promote dignity and respect in the work place.

#### 2.0 Rationale and background

2.1 The policy is formulated in light of a number of background documents, including the Health & Safety Authority's *Code of Practice for Employers and Employees on the Prevention and Resolution of Bullying at Work* (2007) and the Equality Authority's *Code of Practice*, given legal effect in the Statutory Instrument entitled *Employment Equality Act 1998 (Code of Practice) (Harassment) Order 2002* (S.I. No. 78 of 2002).

2.2 A core employment value is the commitment to ensuring that each individual is guaranteed a safe working environment where s/he may expect to be treated with dignity both by management and work colleagues.

2.3 St Vincent's school is committed to a positive work environment where work is done in an atmosphere of respect, collaboration, openness and equality. This approach is a positive emphasis on 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.

2.4 Both the school's management and its employees have a responsibility for creating and contributing to the maintenance of a positive work environment.

2.5 Adult bullying and harassment in the workplace are phenomena which this school will seek to prevent and will not tolerate.

#### 3.0 Vision:

3.1: All staff are encouraged to reach their full potential mentally, physically, spiritually, emotionally and socially, in an atmosphere and environment in which they feel safe, valued and secure.

3.2: The staff of our school, conscious of their role in creating a positive working environment, will encourage the involvement of the wider school community in the achievement of these ends through a whole-school approach whereby every individual is involved in the development of a school environment where each person is respected and valued. This policy includes all adults regardless if they work under the remit of the Department of Education e.g. health staff.

#### 4.0 Definitions

4.1: There is currently no uniform definition of workplace bullying available. The INTO policy document *Staff Relations: a Report on Adult Bullying in Schools* relies on the definition that bullying is "repeated aggressive behaviour of a verbal, physical or psychological nature". The document presents a range of other definitions in use by

various unions and organisations and also describes the forms and effects of bullying and profiles both the typical victim and bully.

**4.2:** Adult bullying can take many different forms which usually include:

- Intimidation or harassment
- Aggression
- Verbal abuse
- Humiliation
- Undermining
- Dominance or abuse of power
- Different or unfavourable treatment
- Exclusion or isolation

**4.3:** Key features of adult bullying are that the behaviour is generally:

- Persistent and/or systematic
- Unwanted
- Subtle
- Non-physical

## **5.0: Definition of Bullying**

**5.1:** Management have adopted the definition of bullying set out by the Health and Safety Authority which is:

*“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 be 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.”*

Accordingly, it is the view of the Board of Management that the exercise of legitimate management functions, in a reasonable and fair manner, does not constitute bullying.

## **5.2: Harassment and Sexual Harassment**

The Employment Equality Act, 1998 and 2004 specifically deals with harassment in the workplace. Harassment that is based on the following nine grounds – gender, age, marital 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.

## **5.3: Sexual Harassment**

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.

#### **5.4: 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. (Employment Equality Act 2004).

**5.5:** This list is not exhaustive. It is noted that a once-off incident is not normally considered to be bullying behaviour. Fair and constrictive criticism of conduct and attendance is not considered to be bullying behaviour.

### **6 .0 Adult Bullying as a Problem**

**6.1** Bullying behaviour generally amounts to psychological abuse which causes serious pain and suffering. Studies have shown that any person may become a target, irrespective of their personality or ability. In addition to its unacceptable effects on persons who are its targets, workplace bullying and harassment is extremely detrimental to organisational effectiveness.

**6.2** Bullying may include behaviours such as:

- Verbal abuse/insults, undermining remarks
- Excessive monitoring of work
- Withholding work-related information
- Exclusion with negative consequences.

### **7.0: Effects of bullying behaviour in the workplace.**

**7.1:** Research shows that the effects may be physiological, psychological and behavioural.

**7.2:** 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.

**7.3:** 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, and withdrawal.

**7.4:** 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, de-motivation, damage to image, high turnover.

### **7.5: 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 person's word against another.
- Where there are witnesses, these might be unwilling to come forward because they are afraid of being branded troublemakers.

### **8.0: What can a staff member do to ensure that workplace bullying does not occur in St Vincent's School?**

**8.1:** Be familiar with and accept responsibility for the Board of Management's Policy and how it works.

**8.2:** 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.

### **9.0 A Positive Work Environment**

**9.1** It is the responsibility of each staff member to make this school a good place to work. A good place to work has a positive work environment characterised by

- A supportive atmosphere
- Good and open communication
- Appropriate interpersonal behaviour
- Collaboration
- Open discussion and resolution of conflict
- Recognition, feedback and affirmation as appropriate
- Fair treatment of all staff (including fair systems of selection and promotion in line with agreed procedures)

**9.2** It is recognised that bullying and harassment complaints may arise among work colleagues but may also arise in relation to visitors to the school. In either case, the commitment to a positive workplace, where dignity at work is respected, prevails.

**9.3** Every person has a responsibility to play his/her part in contributing to a positive work environment. In this regard, a person who is a witness or bystander has a clear responsibility to raise concerns about dignity at work and threats to this, in an appropriate and timely manner.

**9.4** It is recognised that bullying and harassment complaints may arise among work colleagues but may also arise in relation to visitors to the school and other non-educational professionals who are involved in the school. In either case, the commitment to a positive workplace, where dignity at work is respected, prevails.

**9.5** The Safety Statement - as mandated under the Safety, Health and Welfare at Work Act 2005 – will also include a commitment to a positive work environment, in light of the Employer’s obligations as outlined at Section 8 of that Act, including the duty to manage work activities in such a way as to prevent “improper conduct or behaviour” likely to put health and safety at risk.

### **10.0 What happens if there is an allegation of bullying or harassment?**

**10.1** This policy aims to ensure that a positive environment prevents such behaviours from occurring.

**10.2** Where bullying or harassment does occur or is alleged to have occurred, there are means of tackling it through the agreed procedure.

**10.3** Without prejudice to an individual’s right to take such advice or steps as they themselves may decide, the Board of Management will take seriously any allegations or workplace bullying or harassment.

**10.4** Supportive and effective procedures, in accordance with nationally-agreed practice, are in the place in this school. These procedures to address and investigate allegations will focus on the earliest possible resolution, will proceed as necessary from informal to formal stages and will have a stress on confidentiality.

### **11.0 PPROCEDURE TO ADDRESS STAFF DIFFICULTIES**

#### **Stage 1: Informally address matters between the parties**

It is open to an individual teacher/group of teachers/entire staff to raise the matter of internal working relations in the school, particularly, where staff relations difficulties exist.

For the purpose of this procedure the staff member(s) who raises the matter shall be termed party A. Party A should raise the matter with the staff member(s) it considers to be the source of the difficulty or who is contributing to the difficulty and this may include the principal teacher, i.e. for the purpose of this procedure, party B.

The manner by which party A decides to raise matters, will to a large extent depend on the issues identified by the party, previous experience and the existing procedure in the school for raising matters. In general, the following steps should be taken:

Party A should identify the areas where staff relations difficulties exist or if applicable, where relations can be improved; party A should raise matters at the earliest opportunity directly with party B; party B should make every effort to respond in a constructive manner to the issues raised by party A; the onus is now on both parties to engage constructively to sort out matters and it would be expected that the parties would be prepared to reach solutions and if appropriate, move their position in order to resolve matters at the earliest opportunity; both parties should agree realistic time frames which should not be later than 20 school days by which time a framework for resolution of issues should be agreed the outcome of the discussions should be recorded by the parties in a mutually agreeable manner; by agreement the 20 school day period may be extended and the parties should take specific note of the new time frames.

Please note that if resolution is not achieved and the Principal Teacher is one of the parties at stage 1, then, where a party wishes to continue, the procedure should, after completion of stage 1, move directly to stage 3 or stage 4.

## **Stage 2: Role of the Principal Teacher**

Where it has not been possible to resolve matters informally and directly between the parties and where the principal teacher is not a party to the conflict, the principal should be consulted by both parties as follows:

- The Principal Teacher should be briefed by each party on the discussions which have occurred at the informal stage;
- As part of effective leadership, the principal teacher has a role in promoting positive working relations and accordingly should hear the parties and seek to mediate and resolve the staff relations difficulty;
- The Principal should act in a fair and impartial manner and may exercise judgement and make decisions which he/she considers necessary to resolve matters;
- The onus is on both parties, facilitated by the principal teacher, to engage constructively to resolve matters and it is expected that the parties would be prepared to reach solutions and, if appropriate, move their position in order to resolve matters at the earliest opportunity;
- Where the principal teacher deems it prudent and appropriate, he/she may raise the matter at a staff meeting and seek to initiate a framework through full staff dialogue, to resolve matters. In these circumstances, it is recommended, that where possible, a neutral member of staff or a member of staff acceptable to both parties, should be selected to chair the staff meeting;
- The outcome of the discussions should be recorded by the parties including the principal teacher in a mutually agreeable manner;
- 20 school days are provided to resolve matters at stage 2 and the parties should note the time frames which should only be extended by agreement.

Please note that where resolution is not achieved at stages 1 or 2, it is open to the parties to move to stage 3 or to go directly to stage 4.

## **Stage 3: External intervention**

If a resolution has not been achieved at either stage 1 or stage 2, the parties and/or the Principal Teacher may request the Board of Management to appoint a mediator, agreeable to the parties.

Prior to entering a mediation process, each of the members of staff concerned, will be required to supply the following background information for the attention of the mediator only:

- A written account of the issues involved;
- A written account of the initiatives taken to date to resolve matters, detailing any progress made, together with a general outline of the sequence of dates. Where the principal teacher has been involved at stage 2, he/she should also supply an account;
- A list of the outstanding issues and the resolutions sought by the parties; and
- A written and signed undertaking, to the effect, that he/she:
  - will constructively participate in the mediation process;
  - will be flexible in order to achieve resolution; and
  - will abide by and act on the recommendations of the mediator.

The mediator shall:

- Review all of the documentation;
- Arrange to meet with the parties;

- Decide on whether it is possible to achieve a framework for resolution in light of the attitudes of the parties; and
- Where the mediator decides to proceed, he/she shall, following the mediation process, draft a conclusion.

The conclusion of the mediator shall solely state whether mediation has either achieved or failed to achieve a framework for resolution. The conclusion of the mediator shall be available to the parties and to the board of management.

In addition, if a framework for resolution is agreed between the parties, then a copy of same may be appended to the conclusion.

As a rule, the mediator shall complete his/her work within 20 school days.

#### **Stage 4: Formally address matters with the Board of Management**

Where it has not been possible to agree a framework for resolution at previous stages, the matter should be referred, by the parties, to the Board of Management for investigation. The referral should be in writing. In addition, the conclusion of the mediator may indicate that the matter should be referred to the board of management and in this regard, the mediator's conclusion may itself constitute a referral. Once a Board of Management has received a written referral to investigate a staff relations difficulty, it should, generally, proceed as follows:

- The Board may enquire into the background of the difficulties including obtaining details on the sequence of initiatives taken at previous stages;
- The Board or the Chairperson of the board may meet the teachers individually or collectively and may also request written submissions from the parties, having regard also to the principles of due process;
- The Board may request the Principal Teacher to furnish a written submission;
- The Board may afford the parties an opportunity to present their case orally at a board meeting, in each other's presence;
- Following oral presentations the board of management may designate the Chairperson to meet with the parties again, separately or jointly, if further clarification is required or to work towards resolution;
- The Board of Management may convene a number of meetings in order to achieve resolution. The Board of Management shall act in a fair and impartial manner in order to achieve resolution;
- The Board is entitled to reach conclusions and to request the parties to agree a framework for resolution in which the parties will fully and constructively participate;
- Where the parties fail to voluntarily agree a framework for resolution, following a request by the board of management, the Board itself is entitled to decide on an appropriate framework for resolution and may, if considered necessary, direct the parties to participate in same;
- The Board of Management should complete its investigation within 20 school days of receipt of the written referral;
- The steps taken at stage 4 should be recorded, reviewed and monitored and the record should be available to the parties.

## **12.0 Summary**

**12.1** Management has a duty of care towards employees. Similarly, employees have a duty of care towards one another. This policy seeks to set out principles and practices to support the exercise of that duty in our school.

**12.2** Just as inappropriate and undermining behaviour among work colleagues is taken seriously, so is such behaviour when perpetrated against an employee of this school by any other person.

**12.2** Together we are committed to building and maintaining a work environment where respectful, open and equal relationships are the norm.

### **13.0 Ratification**

**13.1** This policy was ratified April 2018.

### **14.0 Review**

**14.1** This policy will be reviewed in 2020.