



# Our Lady's School

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## **DIGNITY IN THE WORKPLACE POLICY OF OUR LADY'S SCHOOL**

### **1. Introduction**

This policy has been adopted to comply with the requirements of the Safety, Health and Welfare at Work Act, 2005.

The Board of Management of Our Lady's School recognises that all staff members – teachers and non-teachers – have the right to a workplace free from bullying/harassment and is fully committed to ensuring that all staff members enjoy that right.

The Board of Management is committed to providing an environment free from bullying/harassment and ensuring that such behaviour by any staff member, student or visitor – including parent/guardian, is not tolerated at any time. It is recognised that bullying/harassment undermines the confidence and dignity of individuals.

- Bullying/harassment of one staff-member (teaching or non-teaching) by another staff member (teaching or non-teaching) will not be tolerated and is contrary to school policy.
- Bullying/harassment of one student by another student, or one staff member (teaching or non-teaching) by a student will not be tolerated and is contrary to school policy.
- Bullying/harassment of a student by a staff member (teaching or non-teaching) will not be tolerated. It is contrary to school policy and is a serious abuse of authority.
- Bullying/harassment of a staff member (teaching or non-teaching) or student by visitors - including parents/guardians, or bullying/harassment of visitors - including parents/guardians, to the school by students or staff members will not be tolerated.

There is a responsibility on all staff members, but in particular on school management to be aware of this policy and to ensure a workplace free from bullying/harassment for all other staff members.

Complaints of bullying/harassment will always be treated seriously, confidentially and in a sensitive manner.

Any complaints of bullying/harassment will be fully and properly investigated and, if substantiated, will be regarded as grounds for disciplinary action up to and including dismissal of a staff member or exclusion of a student. An attempt will be made to resolve the complaint informally in the first instance, but if this is not possible, a formal procedure will be invoked. Confidentiality will be ensured, in so far as it is possible, at all times during the investigation for all parties involved.

## 2. What is bullying/harassment?

Bullying can be defined as repeated inappropriate behaviour, direct or indirect, whether verbal, psychological, physical or otherwise, conducted by one or more persons against another or others, at the place of work or during the course of employment, which could reasonably be regarded as undermining the individual's right to dignity at work.

This definition includes harassment, which is any act or conduct which is offensive, humiliating or intimidating on a discriminatory ground including spoken words, gestures or the production, display or circulation of written words, pictures or other material.

An isolated incident of the behaviour described in this definition may be an affront to dignity at work but a once-off incident is not considered to be bullying/harassment.

Examples of bullying/harassment include:

- Using aggression, threats, shouting abuse or obscenities towards any person
- Horseplay, offensive gestures, language or pictures, gossip
- Unwanted physical contact
- Derogatory or offensive nicknames
- Racist comments
- Unwanted comments on an individual's religious beliefs
- Subjecting a person to constant humiliation, sneering, ridicule or using a person as a constant butt of jokes
- Subjecting a person to unreasonable scrutiny with persistent unwanted criticism about minor matters
- Undermining a person's authority, work or achievements
- Removing – for no justifiable reason – areas of work responsibility from an individual
- Constantly changing the work requirements of an employee without consultation or criticising or reprimanding him/her for not meeting these changes in requirements
- Deliberately withholding information which an employee needs to do his/her job effectively
- Deliberately blocking another staff member's development
- Shunning or marginalizing a person, excluding him/her from discussions, decisions, etc. or refusing to deal directly with him/her in the workplace
- Isolation or non co-operation or exclusion from social activities
- Vandalism of personal property
- Unsolicited/abusive/insulting telephone calls
- Unsolicited/abusive/insulting text messages
- Posting unsolicited or abusive messages online
- Using internet sites to damage the character of another person
- Using internet site to hurt/insult/abuse another person
- Taking and distributing photos of another without his/her permission
- Posting photographs on websites without the permission those in the photographs
- Any other form of bullying mentioned in the Department of Education's Guidelines.

This list is not exhaustive.

### **3. School Environment & Culture**

In keeping with our Mission Statement, the Board of Management is committed to providing an environment free from bullying/harassment and ensuring that such behaviour by staff members, students or visitors - including parents/guardians to the school is not tolerated.

In keeping with our ethos, the school shall be a place where staff members and students shall feel secure in a safe environment where all are accepted for themselves and have the freedom to grow and develop self-confidence and self-esteem.

It is acknowledged that the impact of bullying/harassment can be devastating – it can affect a person's health and personal life, their work and performance. It can also have a detrimental effect on the whole school where poor relations can lower morale.

Staff members can contribute to an environment at work in which bullying/harassment is unacceptable through an awareness and sensitivity towards the issue. They can ensure that standards of conduct for themselves and for colleagues do not cause offence.

Training in dealing with incidents of bullying/harassment will be provided where appropriate.

Complaints of bullying/harassment will be taken seriously and if proven could constitute grounds for disciplinary action. Prompt action will be taken when incidents involving bullying/harassment take place and come to the attention of management. Fair and equitable procedures will be used in dealing with such complaints both in relation to the complainant and the alleged harasser. These procedures are set out below.

Malicious complaints by students or teachers will be treated as misconduct under disciplinary procedures.

In the event of a complaint being made, the school authority will endeavour to protect complainants from intimidation, victimisation or discrimination. The school authority will also endeavour to protect anyone involved in the investigation of bullying/harassment in the school.

Every effort will be made to guide persons who are victims of bullying/harassment into therapy/counselling to assist their recovery.

Persons who bully/harass others will be advised to seek counselling to prevent further incidents of bullying/harassment arising.

### **4. Complaints Procedure**

It is the opinion of the school that issues of bullying/harassment are best dealt with within the school. However no aspect of this policy affects any staff member's individual legal rights to take their complaint outside of the school.

#### **Informal Procedures for staff members**

Any staff member who feels that s/he has been or is being bullied/harassed should ask the person who is bullying/harassing them to stop. It may be possible and sufficient for the staff member concerned to explain clearly to the person engaged in the unwanted conduct that the behaviour in question is not welcome, that it offends them or makes them uncomfortable and 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 by a sympathetic colleague.

Staff may wish school management to appoint designated persons with appropriate skills who may be approached by complainants for this purpose. Such persons would act in confidence as an impartial mediator. They shall have no role in the grievance/disciplinary procedure.

It is 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.

If the matter is still unresolved or if it is not appropriate to resolve the problem informally (because of the severity or continuation of the harassment, for example) it should be raised through the formal procedures.

### **Formal procedures for staff members**

Any staff member subjected to bullying/harassment, that cannot be dealt with informally, may make a formal complaint to the Principal. The Principal will be responsible, on behalf of the Board of Management, for investigating such complaints and recommending action.

Investigations will be undertaken with the minimum of delay, consistent with fairness to both parties. They will be handled with sensitivity and with due respect to the rights of both the complainant and the alleged bully/harasser.

Ultimate disciplinary action is the responsibility of the BOM, taking into account any contractual arrangements which may apply. Should the Principal be either the complainant or the alleged bully/harasser, or should a staff member not feel comfortable in bringing such a matter to her/his attention, referral should be made to the Chairperson, BOM for investigation.

Formal procedures will be as follows:

- Prior to the commencement of the formal investigation, the alleged bully/harasser will be given a copy of the formal written complaint and advised that an investigation will ensue which may lead to disciplinary action.
- Depending on the severity of the alleged harassment, the alleged bully/harasser may be suspended with pay, pending the investigation.
- Both parties may be accompanied/represented at all interviews/meetings held and these shall be recorded.
- Where a complaint is found to be substantiated, the extent and nature of the bullying/harassment will determine the form of disciplinary action to be taken by the BOM. Such action may include:
  - (a) a verbal warning
  - (b) a written warning
  - (c) a final written warning
  - (d) suspension from some duties with or without pay
  - (e) suspension from full duties with or without pay
  - (f) other disciplinary action short of dismissal
  - (g) dismissal

- Where disciplinary action is taken following a complaint and subsequent investigation, the bully/harasser retains the right of appeal and the right of natural justice.
- Where a staff member is victimised as a result of invoking or participating in any aspect of the complaints procedure, including acting as a witness for another staff member, such behaviour will be subject to disciplinary action.
- No record of any complaint will be registered on a staff member's file unless the formal procedure outlined above has been invoked.

### **Students**

Where a complaint re bullying/harassment is made against a student, it shall be reported to any of the following: Principal, Deputy Principal, Guidance Counsellor or Class Teacher. Any complaint will be handled under the school's Anti-Bullying Policy.

### **Visitors**

Where a complaint of bullying/harassment is made by or about a visitor - including a parent/guardian, to the school it will be reported to the Principal for investigation and subsequent referral to the Board of Management.