



RUSHEEN N.S.

ADULT BULLYING – SEXUAL HARASSMENT POLICY

The Board of Management of Rusheen N.S. seeks to provide a supportive work place where its staff is free from all forms of bullying/harassment and is fully committed to ensuring that all employees are able to enjoy that right. .

All complaints relating to bullying/harassment will be taken seriously and investigated thoroughly and promptly. All parties involved will be treated with respect.

Victimisation as a result of a member of staff raising a complaint will be treated as harassment/bullying and subject to disciplinary action. Similarly, staff will be protected from victimisation or discrimination for assisting in an investigation.

The Employment Equality Act (1998) explicitly states that any kind of harassment on legally defined discriminatory grounds is unlawful and constitutes discrimination contrary to the Employment Act 1998. In keeping with this and in line with our mission statement we, along with our partners in Education, endeavour to create a school climate and atmosphere where respect for each and every person is promoted.

What is Adult Bullying?

The Health & Safety Authority defines bullying as follows:

“Bullying in the workplace is repeated aggression, verbal, psychological or physical, conducted by an individual or group against another person or persons. Bullying is where aggression or cruelty, viciousness, intimidation or a need to humiliate, dominate the relationships. Isolated incidents of aggressive behaviour, while to be condemned, should not be described as bullying. In the workplace environment there can be conflicts and interpersonal difficulties. Many of these are legitimate industrial relations difficulties, which should be dealt with through the appropriate industrial relations channels. Only aggressive behaviour which is systematic and ongoing should be regarded as bullying”.

In summary, it can be verbal, gesture or physical bullying, exclusion or extortion. It can be sexual, ageist, sectarian or racial in form or in undertone, or it can offend because of a person's disability. 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.

Key factors of Adult Bullying are that the behaviour is generally:

- Persistent;
- Unwanted;
- Subtle; and
- Non-physical.

What is Sexual Harassment?

The Employment Equality Act (1998) Section 14A (7) defines sexual harassment as:

“any form of unwanted 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.”

Examples of sexual harassment include:

1. Unwanted physical or verbal advances.
2. Unwanted touching or physical gestures.
3. Comments and remarks of a sexual or discriminatory nature.
4. Unwelcome comments about personal appearance.
5. Demands of sexual favours.
6. Displays of pinups and pornographic material.
7. Innuendoes of a sexual nature or based on a person's sex.
8. Bullying.
9. Inappropriate contact via phone/social media.

This list is not exhaustive.

Other harassment on specified discriminatory grounds.

The Employment Equality Act (1998) states that other harassment, whether in the workplace or otherwise, in the course of employment may constitute discrimination contrary to the legislation in circumstances where the harassment arises from an employee's:

- Marital status
 - Family status
 - Sexual beliefs
 - Age
 - Disability
 - Race or membership of the traveller community and
- ❖ The harassment is unwelcome and could reasonably be regarded as offensive, humiliating or intimidating to the employee concerned.

A Positive Work Environment

It is agreed that we will all work 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 (e.g. through opportunities at regular staff meetings)
- 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)

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.

Making a complaint of Sexual Harassment/Adult Bullying

Any employee who feels he or she has been or is being sexually harassed or bullied should ask the perpetrator to stop. Where this form of action is unsuccessful the employee may report the matter to any of the following – the Principal, INTO staff representative or teacher/member of the Board of Management of Rusheen National School.

Attempts will be made to resolve the matter informally, if appropriate. If it is not possible to resolve the matter informally, a formal complaints procedure shall be applied incorporating the following steps:

1. A written report to the Board of Management should be made by the complainant or an authorised person to whom the complaint is being made and signed by the complainant.
2. The complaint will be investigated with minimum delay as confidentially as possible by two individuals named by the Board of Management, one of whom shall be the same sex as the complainant and the alleged perpetrator with due respect shown for the rights of both the complainant and the alleged perpetrator.
3. Both parties may be accompanied/represented at all interviews/meetings held, and these shall be recorded.
4. Where a complaint is found to be substantiated, the extent and the nature of the sexual harassment will determine the form of action to be taken. This should involve counselling and/or monitoring or progressing the issue through the disciplinary and grievance procedure of the employment. Actions may include a verbal warning, a written warning, suspension from some duties with or without pay, suspension from full duties with or without pay or dismissal.
5. Where an employee is victimised as a result of involving or participating in any aspect of the complaints procedure, including acting as a witness for another employee, such behaviour will also be subject to disciplinary action.
6. If either party is unhappy with the outcome of the investigation, the issue may be processed through the normal industrial relations mechanisms.

No record of any complaint will be registered on an employee's file unless the formal procedure outlined above has been invoked. It is the policy of the school that issues of sexual harassment are best dealt with within the school.

However, no aspect of this Policy affects any employee's individual legal rights to take their complaint outside of the school.

This policy will be reviewed when necessary.

This Policy was prepared by the Board of Management of Rusheen National School in good faith, taking the welfare of all parties into account.

Signed on behalf of the Board of Management

Fr Joseph O Mahony

(CHAIRPERSON)

Date:

16/03/2021.