

## Dignity at Work Policy

### Policy Statement

----- is committed to providing a safe working environment for all employees including management, which is free from bullying and harassment in any form and will not permit or condone instances of bullying and harassment which impact on anyone's right to enjoy respect and dignity at work. All employees are required to take note of the following definitions and examples of behaviour that may constitute bullying or harassment and which will not be tolerated under any circumstances in the Company.

### Scope

This policy applies to all employees and management of the Company as well as third party contractors and Directors of the Company.

It should be noted that bullying and harassment may be carried out by both employees and non-employees, (including e.g. board members, service users and suppliers) and employees have the right to bring to the attention of management, any such behaviour that occurs in the course of their work, that they feel is inappropriate, regardless of who it is perpetrated by. Equally, bullying and harassment may be perpetrated outside of the workplace at work related events such as social and training events.

### Definitions & Examples

Inappropriate behaviours under this policy can range from extremes such as physical assault to less obvious forms like ignoring someone on a regular basis.

### *Bullying*

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 be reasonably be regarded as undermining an individual's right to dignity at work. Some examples of bullying behaviour in the work place includes but are not limited to:

- oral or written slurs;
- physical contact;
- gestures or threats;
- jokes, remarks, gossip, offensive language;
- humiliation in front of others;
- intimidation;
- unreasonable demands;
- non co-operation;
- threats; or
- Exclusion and isolation of individuals from events or social activities.

Bullying at work does not include reasonable and normal management of performance in the workplace or actions taken in respect of protecting the health and safety of employees.

### ***Sexual Harassment***

Sexual harassment is 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 but are not limited to:

- sexual gestures of a physical or non-physical nature;
- displaying sexually suggestive objects, pictures, calendars;
- sending suggestive correspondence;
- unwelcome sexual comments or jokes;
- unwelcome physical conduct such as pinching or unnecessary touching; and
- Failure to respect personal space.

### ***Harassment***

Harassment is defined as any unwanted conduct relating to

- marital/civil status;
- family status;
- race;
- age;
- religious belief;
- sexual orientation;
- disability; or
- membership of the travelling community

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 be verbal, physical or non-verbal and may consist of acts, requests, spoken words, gestures, or the production, display or circulation of written words, pictures or other material.

### ***Impact***

It is important to understand that with all bullying and harassment behaviour, it is the impact of the behaviour on the recipient regardless of the intention that is relevant. What may be acceptable to one person may not be to another. It is the duty of every individual to be aware of and sensitive about the impact they have on people around them. It should also be noted that the bullying definition does not cover incidents that occur on an one off basis, even though a single inappropriate incident may be an affront to one's dignity at work, whereas, harassment and sexual harassment may occur in respect of a single incident.

### ***Complaints Procedure***

If an employee feels that their rights have been violated for any reason under this policy, the Company is committed to ensuring that complaints can be dealt with effectively and fairly for all parties. Complaints may be raised either informally or formally. All complaints will be treated seriously, dealt with confidentially and as quickly as possible.

### ***Informal Procedure***

Any employee who feels that they are being harassed or bullied in any form should where possible attempt to resolve the problem informally. This often produces an effective and speedy resolution to a problem. In the first instance, it is recommended that any employee who feels that they are the subject of inappropriate behaviour should bring it to the attention of the person concerned and let them know that they find it offensive or unacceptable and that they want it to stop. If an employee has difficulty with this approach they should contact their line Manager or named contact person for help and support to make contact with the alleged perpetrator on their behalf. If an attempt at informal resolution is unsuccessful or if an employee wishes to pursue the formal route initially they may do so.

### *Formal Procedure*

If an employee wishes to raise a formal complaint, they should issue their complaint in writing to their line Manager, or the next level of management if it is more appropriate. If management wishes to raise a formal complaint against a staff member/board member the same procedure should be followed.

If appropriate, a formal investigation will be instigated. Investigations may be carried out by senior management, Board members or appointed qualified 3rd parties may be used.

### *Mediation*

Mediation by an independent party is another option that will be considered in advance of undertaking a full formal investigation or at any point during an investigation, provided both parties to the complaint agree. This involves a third party working with both parties to the complaint to reach a mutually acceptable outcome, in respect of the behaviour complained about.

### *Investigation Time Frames*

Investigations will be carried out as quickly as reasonably practicable and all parties will be required to adhere to timelines established by the investigator (s) which may vary according to the scope of the investigation.

### *Due Process*

The purpose of an investigation is to determine the facts of the allegation. The alleged bully/harasser will be made aware of the complaint and given an opportunity to respond fully. Both parties will be allowed to be represented by a colleague/representative at any meetings that take place.

### *Suspension & Reassignment*

The company reserves the right to place one or both of the parties to a complaint on paid leave or to be reassigned to other duties for the duration of an investigation.

### *Appeals*

Either party may appeal the decision of an investigation in writing. Persons not previously involved will be appointed to carry out appeals and may include Managers, directors or independent third parties.

### *Outcomes*

If a complaint of bullying or harassment is upheld it may result in disciplinary action being taken under the disciplinary policy, up to and including dismissal. Other forms of action may include counselling, demotion or a transfer to other duties of either party.

Records of all meetings and decisions under the Dignity at Work Policy will be maintained.

### *Confidentiality*

At all stages of an investigation all parties involved will be required to ensure that full confidentiality is maintained.

### *Malicious Complaints*

Any employee who is found to have deliberately made a malicious or false complaint under the Dignity at Work Policy will be subject to disciplinary action. Employees who raise a complaint in good faith that is not upheld will not be penalised in any manner.

### **Some useful website links:**

<https://www.tcd.ie/tcpid/research/anti-bullying/>

<https://antibullyingcentre.ie/>

<https://www.antibullyingcampaign.ie/>

<https://www.tusla.ie/parenting-24-seven/6-12-years/child-safety-practices-reduce-injury/is-your-child-affected-by-bullying/>

<http://www.youth.ie/nyci/lets-beat-bullying>