

STAFF - SEXUAL HARASSMENT POLICY

1. INTRODUCTION

1.1 For the purposes of this document:

Staff shall mean: Teaching Staff Boarding Staff, Secretarial Staff, Household Staff. Any other person employed directly in the school on a temporary or permanent basis.

Management shall mean: The Headmaster who is the Manager of the School and the employer of the staff. The Headmaster is appointed to manage the school by the Board of Governors. The Board of Governors are the Protestant (local) Board of Education and are in overall charge of the school. They act as an appeals body for staff or pupils in the event of disciplinary action being taken against them.

1.2 The Management of The Royal School Cavan recognises that all staff members have the right to a workplace free from sexual harassment and is fully committed to ensuring that all staff members enjoy that right. In this context:

- Sexual harassment of one staff member by another staff member will not be tolerated and is contrary to school policy.
- Sexual harassment of one pupil by another pupil, or one staff member will not be tolerated and is contrary to school policy.
- Sexual harassment of a pupil by a staff member will not be tolerated. It is contrary to school policy and is a serious abuse of authority.
- Sexual harassment of a staff member or pupil by visitors to the school will not be tolerated.

There is a responsibility on staff members to ensure a workplace free from sexual harassment for all other staff members and to be aware of this policy. Complaints of a sexual nature will always be treated seriously, confidentially and in a sensitive manner. Any complaints of a sexual nature shall 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 permanent exclusion of a pupil.

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.

1.3 What is sexual harassment?

Sexual harassment means unwanted conduct of a sexual nature or other conduct based on a person's sex, which affects the dignity of men and women at work.

Examples of sexual harassment include:

- Unwanted physical or verbal advances
- Unwanted touching or physical gestures
- Comments and remarks of a sexual or discriminatory nature
- Written communications of a sexual nature
- Unwanted sexually suggestive jokes
- Offensive phone calls of a sexual nature
- Offensive text messaging
- Unwelcome comments about personal appearance
- Demands of sexual favours
- Displays of pin-ups and pornographic material
- Innuendoes of a sexual nature or based on a person's sex

(This list is not exhaustive)

2. School Environment and Culture

2.1 The Management is committed to providing an environment free from sexual harassment and ensuring that such behaviour by staff members or pupils is not tolerated.

2.2 Staff member's responsibilities

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

2.3 Sexual harassment and Disciplinary Action

Complaints of sexual harassment will be taken seriously and if proven will constitute grounds for disciplinary action. Prompt action will be taken when incidents involving sexual harassment take place and come to the attention of the management. Fair and equitable procedures will be used in dealing with such complaints both in relation to the complaint and the alleged harasser. These procedures are set out below. Malicious complaints by pupils or staff will be treated as serious misconduct under disciplinary procedures.

2.4 The school authority will endeavour to protect all pupils and staff members from intimidation, victimisation or discrimination in the event of a complaint being filed or while they may be involved in the process of an investigation of sexual harassment in the school.

2.5 Assistance in the event of harassment

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

Persons who sexually harass others will be advised to seek counselling to prevent further incidents of sexual harassment arising.

3. Complaints procedure

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

3.2 Informal procedures for staff members

Any staff member who feels that he/she has been or is being sexually harassed should ask the person 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 management to appoint designated persons who may be approached by complaints for this purpose.)

It is important for the recipient of sexual harassment to keep notes, detailing with times and dates of incidents of sexual 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 Complaints Procedure.

3.3 Formal Procedures

Staff members subjected to sexual harassment shall make a formal complaint to the Headmaster. The Headmaster (not the complainant) will be responsible for investigation such complaints and recommending action.

(Ultimate disciplinary action is the responsibility of the Headmaster taking into account any contractual arrangements which may apply)

Prior to the commencement of the formal investigation the alleged 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 harasser may be suspended from work pending the investigation. Both the complainant and the alleged harasser will be advised of their right to be accompanied and/or represented by their Union Representative or a colleague.

Where any staff members do not find it appropriate to report to the Headmaster as above he/she may report to the Deputy Principal

Investigations of any complaint will be handled with sensitivity and with due respect to the rights of both the the complainant and the alleged harasser.

The normal disciplinary procedure will be the mechanism for resolving such complaints. This will be undertaken with the minimum of delay consistent with fairness to both parties.

- 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 sexual harassment will determine the form of disciplinary action to be taken.
- These may include:

- A verbal warning
- A written warning
- A final written warning
- Suspension from some duties
- Suspension from full duties
- Other disciplinary action short of dismissal
- Dismissal

- Where disciplinary action is taken following a complaint and subsequent investigation, the harasser retains the right of appeal under existing disciplinary procedures and the right of natural justice.
- Where any staff member is victimised as a result of invoking or participation in any aspect of the complaints procedure, including action 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.

3.4 pupils

(a) Where a complaint of sexual harassment involves pupils it shall be reported to any of the following: Headmaster/Deputy Principal, Year Tutor, any other teacher, a member of the Boarding Staff. The matter will then be reported to the Headmaster for investigation. Complaints may be handled under the school code of behaviour for pupils where appropriate

3.5 Visitors

Where a complaint of sexual harassment is made by a visitor to the school this will be reported to the Headmaster or Deputy Principal as appropriate. (cf. procedure in the event of an alleged assault)

NOTE

The Management undertakes to circulate this written Policy on sexual harassment to all staff

This policy will be monitored on an ongoing basis by the Management and subject to review after two years.

STAFF - ANTI BULLYING POLICY

1. INTRODUCTION

1.1 For the purposes of this document:

Staff shall mean: Teaching Staff Boarding Staff, Secretarial Staff, Household Staff. Any other person employed directly in the school on a temporary or permanent basis.

Management shall mean: The Headmaster who is the Manager of the School and the employer of the staff. The Headmaster is appointed to manage the school by the Board of Governors. The Board of Governors are the Protestant (local) Board of Education and are in overall charge of the school. They act as an appeals body for staff or pupils in the event of disciplinary action being taken against them.

1.2 The Management is committed to providing an environment free from bullying/harassment and ensuring that such behaviour by staff members or pupil, parent or guardian is not tolerated at any time. It is recognised that bullying/harassment undermines confidence and dignity of individuals

- Bullying/harassment of one staff member by another staff member will not be tolerated and is contrary to school policy.
- Bullying/harassment of one pupil by another pupil, or one staff member will not be tolerated and is contrary to school policy.
- Bullying/harassment of a pupil by a staff member will not be tolerated. It is contrary to school policy and is a serious abuse of authority.
- Bullying/harassment of a staff member or pupil by visitors to the school or harassment of visitors by pupils of the school will not be tolerated.

There is a responsibility on staff members but particularly on Management to ensure a workplace free from bullying/ harassment for all other staff members and to be aware of this policy.

Complaints of bullying/harassment will always be treated seriously, confidentially and in a sensitive manner. Any complaints of bullying/harassment shall 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 permanent exclusion of a pupil. 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.

1.3 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 as 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 - area 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 marginalising 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
- Unwanted or abusive telephone calls
- Unwanted or abusive text messaging

(This list is not exhaustive)

2. School Environment and Culture

2.1 The Management is committed to providing an environment free from bullying/harassment and ensuring that such behaviour by staff members pupils or visitors is not tolerated.

In keeping with our ethos, the school shall be a place where staff members and pupils 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.

2.2 Staff member's responsibilities

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 the 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.

2.3 Bullying/harassment and Disciplinary Action

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

Malicious complaints by pupils or staff will be treated as serious misconduct under disciplinary procedures.

2.4 The school authority will endeavour to protect all pupils and staff members from intimidation, victimisation or discrimination in the event of a complaint being filed or while they may be involved in the process of an investigation of bullying/harassment in the school.

2.5 Assistance in the event of bullying/harassment

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.

3. Complaints procedure

3.1 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 person's individual legal rights to take their complaint outside of the school.

3.2 Informal procedures for staff members

Any staff member who feels that he/she has been or is being bullied/harassed should ask the person 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 management to appoint designated persons who may be approached by complaints for this purpose. Such persons would act as an impartial mediator in confidence. They shall have no role in the grievance/disciplinary procedure, however they should be trained in counselling skills)

It is important for the recipient of bullying/harassment to keep notes, detailing with 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 Complaints Procedure.

3.3 Formal Procedures

Staff members subjected to bullying/harassment should make a formal complaint to the Headmaster. The Headmaster (not the complainant) will be responsible for investigation such complaints and recommending action. *(Ultimate disciplinary action is the responsibility of the Management taking into account any contractual arrangements which may apply)*

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 pending the investigation.

Both the complainant and the alleged harasses will be advised of their right to be accompanied and/or represented by their Union Representative or a colleague.

Where any staff members do not find it appropriate to report to the Headmaster as above he/she may report to the Deputy Principal.

Investigations of any complaint will be handled with sensitivity and with due respect to the rights of both the the complainant and the alleged bully/harasser.

The normal disciplinary procedure will be the mechanism for resolving such complaints. This will be undertaken with the minimum of delay consistent with fairness to both parties.

- 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.
- These may include:

- A verbal warning
- A written warning
- A final written warning
- Suspension from some duties
- Suspension from full duties
- Other disciplinary action short of dismissal
- Dismissal

- Where disciplinary action is taken following a complaint and subsequent investigation, the bully/harasser retains the right of appeal under existing disciplinary procedures and the right of natural justice.
- Where any staff member is victimised as a result of invoking or participation in any aspect of the complaints procedure, including action 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.

3.4 pupils

(a) Where a complaint of bullying/harassment involves pupils it shall be reported to any of the following: Headmaster/Deputy Principal, Year Tutor, any other teacher, a member of the Boarding Staff. The matter will then be reported to the Headmaster for investigation. Complaints may be handled under the school code of behaviour for pupils where appropriate

3.5 Visitors

Where a complaint of bullying/ harassment is made by a visitor to the school this will be reported to the Headmaster or Deputy Principal as appropriate. (cf. procedure in the event of an alleged assault)

NOTE

The Management undertakes to circulate this written Policy on bullying/ harassment to all staff

This policy will be monitored on an ongoing basis by the Management and subject to review after two years.

PROCEDURE IN THE EVENT OF AN ALLEGED ASSAULT

1. The safety of the individual is at all times paramount.
 2. In the event of an assault, a staff member should not try to resist if cash or goods are the motive for the attack.
 3. Depending on the circumstances the person should seek assistance as quickly as possible.
 4. The incident should be reported as soon as possible to the Headmaster or Deputy Principal as appropriate
 5. The matter should be reported to the gardai where appropriate. this report would normally be made by the person assaulted or someone on their behalf.
 6. Appropriate medical help, support and counselling should be available to all victims who need it. This may be of an informal nature from colleagues or more formalised from trained professionals as necessary.
 7. All details and descriptions of the incident should be recorded.
 8. A report of the incident should be made to the Health & Safety Authority where appropriate.
 9. School Management should be notified of the incident and where appropriate it should be notified to the school insurers and legal advisors
- Where the alleged assault is by a pupil the matter should be dealt with in accordance with the school's Code of Behaviour.
 - Where the alleged assault is by a parent/guardian or visitor the person should be immediately instructed in writing not to make direct contact with the staff member/school pending full consideration of the matter by the Management. Subsequently the Management should correspond with the alleged person stating:
 - That it considers the assault unacceptable
 - The action the Management intends to take
 - Outlining what preconditions should be met before access to the school is restored.
 - Where the alleged assault is by a member of staff, the member should be immediately instructed in writing not to make direct contact with the victim pending full consideration by the Management.
 - It may be appropriate to consider suspension prior to further action/disciplinary measures being taken.