

Sexual Harassment – Adult Bullying Policy

Scoil Mhuire Junior

The Board of Management of Scoil Mhuire Junior recognises that all employees have the right to a workplace free from sexual harassment and bullying and is fully committed to ensuring that all employees are able to enjoy that right.

The policy is formulated in light of the Labour Relations Commission's Codes of Practice S.I. No.17/2002 and S.I. 208/2012 for addressing bullying in the workplace and harassment/sexual harassment respectively, together with the Health & Safety Authority Code of Practice (2007) on the prevention and resolution of bullying at work.

A. Core Principles of Policy

This school is committed to a positive work environment where work is done in an atmosphere of respect, collaboration, openness and equality.

Adult bullying and sexual harassment will not be tolerated by this school. All employees have the right to be treated with dignity and respect. Management is committed to intervening in an appropriate manner - utilising one of the accepted Management/INTO procedures - to investigate and deal with allegations of bullying or harassment. The provisions of DES Circulars 61/2017 and 62/2017 with respect to the assault of teachers and SNA will be apply, as appropriate.

There is a responsibility on all employees to ensure a workplace free from sexual harassment and bullying for all other employees, and to be aware of this policy.

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. This can include unwelcome physical, verbal or non-verbal conduct which is offensive and causes discomfort or humiliation to the individual concerned.

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

This above list is not exhaustive.

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 on-going should be regarded as bullying'.

In summary, 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
- Non-physical

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.

A key characteristic of bullying is that it usually takes place over a period of time, it is regular and persistent inappropriate behavior, which is specifically targeted at one employee or a group of employees.

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 Scoil Mhuire Junior.

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;

- 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
- 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
- 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 the nature of the sexual harassment or bullying will determine the form of action to be taken. These actions may include a verbal warning, a written warning and suspension from some duties with or without pay or suspension from full duties with or without pay or dismissal
- Where an employee is victimised as a result of invoking 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

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 or bullying 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 subject to periodic review

Prepared by representatives of the BOM, in consultation with teachers and ancillary staff in October 2022.

The policy was ratified by the Board of Management on 25/10/22

Signed: *Lee Anne*
Chairperson Board of Management

Reviewed on 22/10/24
Signed: *Frank Cox*
Chairperson Board of Management.

