

# The Red Door School



## Anti-Bullying Policy

Approved by Board of Management: 9<sup>th</sup> March 2020

Next Review date: March 2021

Signed: \_\_\_\_\_  
(Chairperson of the Board of Management)

# Anti-Bullying/Harassment Policy

## Preamble

The Red Door School will not tolerate any employee, regardless of their position, treating a fellow worker with anything else than their due dignity.

### 1. Definition of Bullying

The following definition of bullying is set out by the Health and Safety Authority:

**'Bullying in the work place is repeated aggression, verbal, psychological or physical conducted by an individual or a 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'.**

Accordingly, it is the view of INTO and management, that the exercise of legitimate management functions, in a reasonable and fair manner, does not constitute bullying.

### 2. Sexual Harassment

It is important to distinguish harassment, including sexual harassment, from normal social interaction at work involving mutually acceptable behaviour.

#### Definition of sexual harassment

The Employment Equality Act (1998) defines Sexual Harassment as any unwelcome act, request or conduct, which could be reasonably be regarded as sexually or otherwise on the grounds of gender to be offensive, humiliating or intimidating to the employee in question such as:

1. any act of physical intimacy
2. any request for sexual favours
3. Any conduct, such as, spoken word, gestures or the production, display or circulation of written words, pictures or other materials.

Discrimination may also arise if a person is treated differently in the course of his/her employment by virtue of his/ her acceptance or rejection of the harassment.

## Bullying/Harassment procedure.

### INTRODUCTION.

**Pupil-pupil** bullying is dealt with under the School's *Code of Behaviour Policy*.

In the case of **teacher-pupil** bullying, a complaint should be raised in the first instance with the teacher in question by the parent/guardian of the pupil if possible and then referred on to the Principal. Where it has not been possible to agree a framework for resolution, the matter should be referred in writing, by both parties, to the school Board of Management (BOM) for investigation.

In the case of **parent-teacher** bullying, the Principal should be informed in the first instance, and if deemed necessary, the BOM should subsequently be informed in writing.

In the case of **parent-pupil** bullying, the complaint should be referred in the first instance to the class teacher and then subsequently to the Principal and the Designated Liaison Person (DLP) (if this is not the role of the principal).

In the case of **Principal-parent/pupil** bullying, the issue should be raised with the Principal if possible, or referred to the Chairperson of the Board of Management.

In the case of **intra-staff bullying**, The Red Door School adopts the procedures as outlined below:

The procedure outlined below is designed to address adult bullying or sexual harassment. In implementing the procedure, it is recommended that emphasis should be placed on assuring the party who considers that he/she is being bullied/harassed that his/her complaint is acknowledged, that the matter will be investigated effectively and sensitively and in accordance with the due process.

Equally, where it is found that bullying or harassment has occurred, the emphasis, firstly is to ensure that the offending behaviour immediately cease, and secondly, to help the offending party to acknowledge that his/her behaviour is unacceptable and that steps must be taken to address the matter constructively thereby avoiding any recurrence. **It is important to ensure that resolution is achieved at the earliest opportunity.**

### **STAGE 1: DECIDE TO ADDRESS THE MATTER.**

- The Party (party A) who considers that he/she has been bullied, sexually harassed or harassed on other specified discriminatory grounds, **should decide to address the matter.**
- Party A should keep a record of the pattern of behaviour or instances where he/she considers that bullying/harassment has occurred. The record should contain details such as dates, times, person present, details of what was said or what occurred.

### **STAGE 2: INFORMALLY ADDRESS THE PROBLEM.**

- The party who considers that he/she is being bullied, sexually harassed or harassed on other discriminatory grounds ( party A) , should request a meeting with the other party ( party B), in order to discuss matters.
- The following should apply:
  1. Where necessary, the meeting may be facilitated by a third party, generally a colleague.
  2. Party A should clearly outline his/her difficulties and should clearly object to the bullying/harassment and request that it is stopped.
  3. It is important that party A bears in mind, that the other member of the staff may not be aware that his/her behaviour is causing difficulty.
  4. Both parties should seek to solve their differences and establish a pattern of interaction exclusive of any forms of bullying/harassment.
  5. Party B may respond to party A at that meeting or if requested, should be given an opportunity to consider his/her response, in which case the meeting may be adjourned. Party B should respond in a constructive manner.
  6. The resolution may include any of the following: a commitment to cease the particular behaviour, modify the behaviour etc.  
Alternatively, it may emerge as a result of the discussion between the parties, that there might have been a degree of misunderstanding in relation to certain behaviours and the resolution may make provision for compromise or appropriate explanation or acknowledgement.
- If there is no satisfactory indication of resolution between the parties, party A should refer the complaint to Stage 3 (Formal Procedures).

### **STAGE 3: PRINCIPAL TEACHER OR CHAIRPERSON OF THE BOM.**

- Stage 3 provides a mechanism for Principals to intervene and resolve the matter. However, if the Principal Teacher is one of the parties, the Chairperson of the Board of Management, should then be involved, in an individual capacity, in order to achieve resolution. In circumstances where the Chairperson may also be involved at Stage 2, another member of the Board may be designated to intervene.
- Party A should advise party B that he/she is proceeding with Stage 3.
- Party A should state his/her complaint in writing and request the Principal Teacher (or Chair Person of the BOM, as the case may be) should:
  1. Obtain background details including details of what occurred at the previous stage.
  2. Consider the pattern of behaviours and the timescale.
  3. Hear the parties and seek to resolve the matter.
  4. Act in a fair and impartial manner and deal with the matter sensitively having regard to the nature of the problem.
  5. Exercise the judgement and make decisions which he/she considers necessary to resolve matters.
- The outcome of the discussions should be noted by the parties.
- The matter should be dealt with confidentially.
- Where the resolution has not been possible and either party or the Principal Teacher should refer the matter to the Board of Management in accordance with Stage 4 below.

#### **STAGE 4: BOARD OF MANAGEMENT.**

It is open to any of the parties or the Principal Teacher to refer the matter to the Board of Management for investigation. The referral should be in writing and dated and should include a copy of the written complaint.

- Having considered all matters, the Board of Management should reach a view on the matter no later than 20 school days after receipt of the written request/referral.
- Where the Board of Management finds that bullying/harassment has not occurred both parties should be informed accordingly. No action shall be taken against the complainant provided the allegation was made in good faith. If the complaint was brought maliciously, it should be treated as misconduct and appropriate action taken.
- Where the BOM finds that bullying/harassment has occurred, the Board should deal with the matter appropriately and effectively. This may include:
  1. The issuing of a clear warning that bullying/harassment is not acceptable in the School and will not be tolerated.
  2. A demand that all forms of bullying/harassment cease and that acceptable pattern of interaction be established between the parties.
  3. Instructions to the offending party that he/she apologises/expresses regret or give assurance that the bullying/harassment will cease.
  4. Seeking commitment to attend counselling or the welfare service.
  5. More serious disciplinary sanctions as may be commensurate and appropriate, such as :
    - ◆ Oral warning
    - ◆ Written reprimand
    - ◆ Written warning
    - ◆ Final written warning
    - ◆ Suspension
    - ◆ Dismissal
- As part of any resolution, the BOM should monitor the situation and should put systems into place to ensure that it is kept informed that resolutions are being implemented. The BOM should keep matters under review.