



## DIGNITY IN THE WORKPLACE POLICY

### Introduction

Our school Scoil an Spioraid Naoimh is a workplace and as such, it can sometimes be a pressurised environment. Differences of opinion and misunderstandings are inevitable. Consequently, it is incumbent on our school to have procedures and guidelines to promote positive staff relations, to minimise the potential for conflict and provide a template to address conflict constructively when it does occur.

Everyone shares responsibility for creating a positive working environment and culture. Everyone shares responsibility for resolving difficulties that arise from time to time.

The ethical values that underpin the professional code of conduct for teachers include 'respect, integrity, trust and care' for others. It is clear therefore that teaching staff, as professionals, are ethically, contractually, and professionally bound to develop a culture ensuring a working environment that promotes dignity and respect for all.

As a workplace, all employees and visitors benefit from a wide range of statutory protections. Health and Safety standards must be adhered to, there are protections relating to employment, terms and conditions, and specific protections relating to assaults (physical or verbal), discrimination, bullying and harassment.

The School Statement (mandated under the Safety, Health and Welfare at Work Act 2005) contains a commitment to a positive work environment. Section 8 of the Act obliges the BOM, as employer, to manage work activities in such a way as to prevent "*improper conduct or behaviour*" likely to put health and safety at risk.

Notwithstanding these statutory protections, management bodies and unions have agreed a range of procedures to be utilised in dealing with complaints, grievances, conduct, or competence issues arising in the workplace.

These procedures recognise that employees, stakeholders, and visitors must proactively seek to promote positive relations to ensure that the school is free from conflict which is destructive. In other words, we share responsibility for promoting positive relations. By implementing Dignity in the Workplace, instances of bullying, harassment and/or conflict are reduced, and issues can be resolved respectfully.

### **THE POLICY - underpinned by the rights and responsibilities of all covered:**

- ✓ The right of all parties to work in an environment that is free from harassment, sexual harassment and bullying;
- ✓ The right to fair and prompt procedures in dealing with allegations and for allegations to be dealt with in a confidential manner;
- ✓ The responsibility of each individual to treat colleagues/associates with dignity and respect and to refrain from harassment, sexual harassment and bullying;
- ✓ The responsibility of each individual to support this policy on harassment, sexual harassment, and bullying by bringing instances to attention at an early stage, not making frivolous complaints and co-operating with an investigation, as an aggrieved person, a witness or a person against whom a complaint has been taken.
- ✓ The responsibility of management to create a culture in the workplace that is based on dignity and respect for all, including acknowledging and valuing the diversity of employees across the 9 grounds as per Equality legislation.

In line with recommendations from management bodies and unions, the Staff and BOM have discussed Dignity in the Workplace and have developed and adopted this Dignity at Work policy.

Characteristic Spirit & Ethos of Scoil an Spioraid Naoimh.  
School Mission Statement for Scoil an Spioraid Naoimh.

### **Objectives**

The objectives of this policy are to:

- ❖ outline good practice around promoting dignity and respect in the workplace
- ❖ raise awareness among employees and visitors about the importance of fostering positive relations
- ❖ highlight the distinction between a workplace and other settings
- ❖ provide guidelines for good practice
- ❖ provide protocols for respectful interactions in the workplace for staff, visitors, parents, and others, defining what are acceptable and unacceptable behaviours

- ❖ Highlight various procedures to be used in addressing conflict, staff relation difficulties, adult bullying or harassment, complaints and/or grievances that may arise.

This policy and its constituent procedures will be monitored and reviewed from time to time to ensure satisfactory operation.

## **Definitions**

### **Adult Bullying**

The BOM defines adult bullying as 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 and/or in the course of employment, which could reasonably be regarded as undermining the individual's right to dignity at work.

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, is regular and persistent inappropriate behaviour, specifically targeted at one employee or a group of employees.

The following is a non-exhaustive list of behaviours that may constitute bullying:

- ❖ verbal abuse/insults, undermining remarks
- ❖ exclusion with negative consequences
- ❖ intimidation
- ❖ aggression
- ❖ humiliation, ridicule, belittling efforts
- ❖ excessive monitoring of work
- ❖ withholding work-related information

### **Harassment**

Harassment is any form of unwanted conduct 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. Unlike bullying, a single incident may constitute harassment.

It may be related to any of the following:

- ❖ Gender
- ❖ Civil status
- ❖ Family status
- ❖ Sexual orientation

- ❖ Religious belief
- ❖ Age
- ❖ Disability
- ❖ Race, colour, nationality or ethnic or national origin
- ❖ Membership of the Traveller community

## **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/or creating an intimidating, hostile, degrading, humiliating or offensive environment for the person.

It is recognised that bullying and harassment complaints may arise among work colleagues but may also arise in relation to visitors to the school. In either case, the commitment to a positive workplace, where dignity at work is respected, prevails.

## **2. Best Practice for a Positive Working Environment**

### **2.1 Dignity at Work Culture**

A culture of Dignity in the Workplace underpins the two key Dimensions contained in Looking at our Schools (2016) namely, 'Teaching and Learning' and 'Leading and Managing'. Standards that relate directly to Dignity at Work include the requirement to:

- ❖ *Establish an orderly, secure, and healthy learning environment and maintain it through effective communication*
- ❖ *Manage the school's human, physical and financial resources so as to create and maintain a learning organization*
- ❖ *Manage challenging and complex situations in a manner that demonstrates equality, fairness and justice*
- ❖ *Develop and implement a system to promote professional responsibility and accountability*
- ❖ *Promote a culture of respect and dignity that accommodates diversity*

The school's senior and middle leadership team have significant responsibility for promoting positive relations across the school. In addition, each staff member, by virtue of the role they play in the workplace, also has significant responsibilities in this regard.

The following key practices are very important for promoting positive working relations. Their presence within the school can determine the school climate, culture, and the dynamics of working relations among staff.

### **2.1.1 Good, open, communication**

Regular, transparent, open, direct, and respectful communication is encouraged. Communication involves sharing information, seeking information and/or requesting information. *“If we don’t know, we can ask”.*

As part of this process, individuals may wish to raise issues with each other, within teams, with the principal or with the Board of Management. Where issues relate to differences of opinion, each party should be aware of the appropriate procedures and how they operate, open to hearing and addressing other viewpoints and responding in a constructive manner to any matters raised.

Staff are encouraged and facilitated to share information and best practice. The principal may have to share certain information with individuals relating to issues or complaints that have come to his/her attention. The sharing of information in no way implies guilt or wrongdoing. In the interest of justice and fair procedures, individuals are entitled to be made aware of any complaints or issues that relate to them.

### **2.1.2 Roles and Responsibilities**

Education Act S.22: Functions of the principal and teachers

1. The principal of a recognised school and the teachers in a recognised school, under the direction of the principal, shall have responsibility, in accordance with this Act, for the instruction provided to students in the school and shall contribute, generally, to the education and personal development of students in that school
2. Without prejudice to subsection (1), the principal and teachers shall
  - a. encourage and foster learning in students
  - b. regularly evaluate students and periodically report the results of the evaluation to the students and their parents
  - c. collectively promote co-operation between the school and the community which it serves and
  - d. subject to the terms of any applicable collective agreement and their contract of employment, carry out those duties that
    - I. in the case of teachers, are assigned to them by or at the direction of the principal, and`
    - II. in the case of the principal, are assigned to him or her by the Board.

It is important to note that as the person responsible for the day-to-day management of the school, the principal may have cause to speak with individuals related to ‘giving direction’, ‘the instruction provided’, ‘the education and personal development of students’, ‘evaluations of students’ (i.e. assessments). There may also be conversations relating to following agreed procedures, policies and/or carrying out contractual duties.

Conversations such as these are commonplace in workplaces and should not be construed as being part of a grievance, complaints, or disciplinary procedure unless the parties are clearly informed that this is the case. It is incumbent on all parties to show respect and adhere to the principles of Dignity at Work, due process, and fair procedures during any such conversations.

### **2.1.3 Processes of decision making**

In accordance with the Education Act, 1998, the BoM and the principal are responsible for the quality of teaching and learning in the school and for the management of staff. Some decisions are relatively automatic, particularly if governed by legislation, statutory guidelines, Circulars and/or clearly established and agreed procedures.

Stakeholders, including staff, parents, pupils, and others are frequently consulted around policies, procedures or decisions which can impact on the school. These consultations are important. Decisions following consultations are made by the relevant authority within the school, i.e., the BoM decides school policy and the principal makes decisions in relation to the day-to-day management of the school. While decisions take account of the consultative process, the final decision is based on what is in the best interest of the pupils, teaching, learning, leadership, and management in the school context.

### **2.1.4 Effective school policies and procedures**

All stakeholders should be aware of and have access to copies of relevant school policies and procedures. Key policies include those relating to Admissions, Child Protection, Behaviour, Health and Safety, Substance Use, Protected Disclosures, Data Protection, Anti-Bullying/Anti- Harassment, Acceptable Use Policy (for internet and social media).

Procedures that relate to employees are outlined in a range of departmental circulars, contracts of employment, codes of conduct e.g., Professional Code of Conduct for Teachers, statutory instruments, health and safety procedures and agreed disciplinary procedures. Procedures for dealing with issues that arise from time to time can be found in the school's code of behaviour, the parental complaints procedures, and procedures for dealing with staff relations.

These policies adopted and approved by the school's BoM guide practice.

### **2.1.5 Mutual respect**

Every member of staff performs a different role in the school and each staff member is fully entitled to be always treated with dignity and respect. The principal teacher is

both a staff member and a team leader with overall responsibility for the day-to-day activities in the school. Functions and responsibilities may be delegated to the other members of the Leadership Team in the school, Deputy Principal and Assistant Principal(s).

As well as being responsible for their individual classes, each teacher has a responsibility to adhere to school policies. SNAs and Ancillary Staff also have responsibilities in terms of duties and tasks and likewise must adhere to school policies.

Where an individual chooses to raise an issue with a colleague, mutual respect dictates that this would be done on a 1:1 basis initially. Criticisms or complaints aired publicly, shared on-line, or to third parties circumvent fair process and breach the dignity at work policy.

### **2.1.6 A sense of fairness**

Individuals should be aware of the importance of demonstrating a sense of fair play, tolerance, and goodwill. Exercising sound judgement based on relevant information, common sense and reasonableness are also significant factors in promoting positive staff relations and positive relations across the school community. For example, working to achieve an agreed solution that both parties can '*live with*' will result in better long-term relationships.

It is important to note that fairness is often a matter of perception and that one should always strive not just to be fair, but to be seen to be fair.

### **2.1.7 A supportive, affirmative, and collaborative atmosphere**

It is the responsibility of everyone in the workplace to conduct themselves in a manner which is supportive of their colleagues and to alter any behaviour not conforming to this standard when brought to their attention.

Individual staff members do not work in isolation and are required by this policy to collaborate with school leadership and colleagues in relation to teaching and learning in the school. School leaders at all levels are reminded that it is their duty to acknowledge and affirm staff members in their work. This duty applies also to the BOM as a corporate body in its management of the school.

In our school we expect everyone to be kind, supportive, courteous, polite, patient, and positive, in their dealings with each other, with staff, with pupils, with parents and with visitors to the school. Openness and co-operation are encouraged.

There are certain behaviours which we consider to be unacceptable in our school. These include publicly criticizing, blaming, using threatening language, rudeness, aggressiveness, shouting at, being dismissive, ignoring or isolating others, undermining or making derogatory, defaming or insulting comments or personal remarks, using offensive language, threatening or intimidating behaviour, victimisation and harassment, workplace bullying and/or sexual harassment. This also applies to comments on social media.

### 3. Unacceptable Behaviour

Every individual is entitled to their good name and to have their dignity respected by colleagues and visitors. While any member of staff or individual can ‘have a bad day’, it is important that where an individual, a colleague, or person acting on their behalf, brings to it to an individual’s attention that his/her behaviour towards another was perceived as rude, curt or not consistent with our dignity at work policy, this individual is expected to reflect on this and take appropriate steps to resolve the matter, ensuring the continuance of positive working relations.

In relation to adult bullying and sexual harassment, the BOM has adopted a policy and procedure which includes a clear statement that any such behaviour is not acceptable within the school. A complaint of sexual harassment or bullying may result, following investigation, in disciplinary action.

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### 4. Roles and Responsibilities

The BOM endorses the Guidelines below as an aid to clarifying roles and responsibilities for everyone in the school community. Clarity around roles and responsibilities is essential in relation to the implementation of a proper Dignity at Work Policy.

ROLE	RESPONSIBILITIES
<b>Dept.of Education, Patron, Management Bodies &amp; Unions</b>	<p><b>Ensure legislative framework in place</b> for the protection of employees in keeping with due process, fair procedures and the principles of dignity and respect.</p> <p><b>Agree appropriate procedures</b> for dealing with conduct and competence issues and/or for handling grievances and discipline in the workplaces e.g., Circular 49/2018, Circular 72/2011 Statutory Instrument No 146 2000</p>



<p><b>Board of Management</b></p>	<p>Are fully aware of their statutory obligations and ensure compliance with all legislative and policy requirements relating to Dignity in the Workplace and for dealing with conduct and competency issues</p> <p><b>Support the principal and staff</b> in creating and maintaining a climate of security and wellbeing in the school</p> <p><b>Provide training for BoM members</b> in relation to:</p> <ul style="list-style-type: none"> <li>❖ The BoM’s responsibilities as an employer</li> <li>❖ The BoM’s role in ensuring dignity and respect in the school community</li> </ul> <p><b>Ensure that the school has a suitable Dignity at Work Policy</b> which has been agreed by all sections of the school community and is regularly reviewed and consistently implemented and which:</p> <ul style="list-style-type: none"> <li>❖ Protects employees</li> <li>❖ Deals with conduct and competence issues</li> </ul> <p><b>Provide training for staff</b> on workplace expectations and on the procedures to be followed</p> <p><b>Adjudicate on grievance and discipline issues</b> in accordance with the agreed procedures set out above</p> <p><b>Ensure that the school enshrines values of equality, fairness, and justice</b></p>
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<p><b>Senior &amp; Middle Leadership Team</b></p>	<p><b>Establish an orderly, secure, and healthy learning environment</b> and maintain it through effective communication</p> <p><b>Manage the school’s human, physical and financial resources</b> so as to create and maintain a learning organisation</p> <p><b>Manage challenging and complex situations</b> in a manner that demonstrates equality, fairness, and justice</p> <p><b>Develop and implement a system to promote professional responsibility</b> and accountability</p> <p><b>Promote a culture of respect and dignity</b> that accommodates diversity</p>
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	<p><b>Model and promote dignity, respect,</b> and follow agreed procedures</p> <p><b>In relation to the school Dignity at Work Policy:</b> -</p> <ul style="list-style-type: none"> <li>❖ Ensure that the Policy is updated as required and is fit for purpose</li> <li>❖ Communicate the Policy to all school community stakeholders</li> <li>❖ Explain the Policy to all staff and others, as the need arises</li> <li>❖ Abide by the spirit and letter of the Policy in their personal and professional behaviour</li> </ul> <p><b>Set a good example</b> by treating all staff, service providers and any other person with whom they come into contact in the workplace with courtesy and respect</p> <p><b>Be vigilant for signs of bullying and harassment</b> and take any complaint seriously while remaining impartial and non-judgmental</p> <p><b>Respond sensitively</b> to any member of staff who makes a complaint of harassment, sexual harassment, or bullying</p> <p><b>Respond promptly</b> to requests from staff members and seek to resolve the matter informally where appropriate and bring such requests to the notice of the principal or DP, where appropriate and possible</p> <p><b>Ensure that staff members are not victimised</b> for making a bona fide complaint of harassment, sexual harassment, or bullying</p> <p><b>Monitor and follow up</b> the situation after a complaint is made so that the behaviour complained of does not recur</p> <p><b>Keep a record</b> of all complaints and how these were resolved</p>
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<p><b>All Staff members</b></p>	<p><b>Familiarise themselves</b> with the Dignity at Work Policy and support its implementation across the school</p> <p><b>Share responsibility</b> for maintaining a working environment in which the dignity of all individuals is respected</p> <p><b>Comply</b> with this policy</p>
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	<p><b>Be conscious</b> that their behaviour does not cause offence to colleagues, or any person with whom they come into contact during their work</p> <p><b>Discourage bullying and harassment</b> by objecting to inappropriate behaviour</p> <p><b>Report and/or inform</b> the principal or other person in position of responsibility where there are concerns that this policy has been breached or a colleague is being bullied or harassed</p> <p><b>Follow agreed procedures</b> to constructively and effectively resolve issues that relate to Dignity at Work</p>
<p><b>Parents, visitors, and Pupils</b></p>	<p><b>Share responsibility</b> for maintaining a respectful environment in which the dignity of all individuals is respected</p> <p><b>Comply</b> with this policy.</p> <p><b>Be conscious</b> that their behaviour does not cause offence to individuals, staff, or any person with whom they come into contact during the course of their work</p> <p><b>Notify staff about concerns</b> relating to bullying, harassment, and inappropriate behaviour</p> <p><b>Report and/or inform the principal</b> or other person in position of responsibility if there are concerns that this policy has been breached</p> <p><b>Follow agreed procedures</b> to resolve issues constructively and effectively. These include the Parental Complaints Procedure, Dignity at Work procedures, Code of Behaviour</p>
<p><b>Complainant</b></p>	<p><b>Consider approaching the person directly</b> to make them aware that the behaviour in question is unwelcome</p> <p><b>Alternatively consider requesting a person in a position of responsibility</b> to approach the person on their behalf</p> <p><b>Seek advice</b> if unsure of what is happening and how best to stop it</p> <p><b>Be prepared to accept</b> that there may have been a misunderstanding</p>

	<p><b>Be prepared to work towards</b> constructively to resolve any difficulties</p>
<p><b>Person complained of unacceptable behaviour.</b></p>	<p><b>If you are approached</b> about your behaviour towards another staff member, listen, take all complaints seriously and be prepared to work to resolve the issue</p> <p><b>If there was a misunderstanding</b> it must be clarified with the staff member concerned</p> <p><b>Be prepared to work constructively</b> to resolve any difficulties</p> <p><b>Understand that difficulties not resolved</b> under Dignity at Work may be escalated to other equally relevant policies or procedures</p> <p><b>Co-operate</b> with any investigation</p>
<p><b>Third Party</b></p> <p><i>(Union Representative, Staff members, Other)</i></p>	<p><b>Provide a supportive space</b>, while remaining impartial and non-judgemental:</p> <ul style="list-style-type: none"> <li>❖ Provide confidential and active listening</li> <li>❖ Empower the individual</li> <li>❖ Provide information on options available</li> <li>❖ Assist the individual staff member in thinking through options with a view to resolving issues</li> <li>❖ Keep issues confidential to the parties involved</li> </ul>
<p><b>Investigator</b></p>	<p><b>Indicate clearly</b> to the complainant or person being complained, that you are impartial. Your role is to investigate and report on the facts of what is alleged to have happened</p> <p><b>Listen</b> to both sides</p> <p><b>Maintain Confidentiality</b> - Avoid discussing the case with any person, whether within or outside of the workplace, other than those to whom you must speak during the investigation</p> <p><b>Do not indicate your views</b> regarding the credibility or otherwise of the complaint or the evidence given by the complainant, the person against whom the complaint is made or any witnesses</p> <p><b>Do not get drawn into speculation</b> with any party as to the likely outcome of the investigation</p> <p><b>Maintain a record</b> of all interviews or meetings held during the investigation.</p>
<p><b>Union Representative</b></p>	<p><b>Co-operate with efforts to resolve complaints locally</b></p> <p><b>Be present at any interviews</b> if the complainant or person complained so wishes</p>

	<p><b>Co-operate fully</b> with attempts to conduct the investigation fairly and without undue delay</p> <p><b>Ensure total confidentiality</b> relating to all proceedings</p>
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## 5. Conflict Resolution

While the origins of a conflict can be complex it generally presents as two or more people disagreeing over issues of organisational substance, having a personal disagreement and/or experiencing difficulties with each other. The principal, staff, and/or management may spend significant amounts of time dealing with conflict situations, either as a third party in trying to resolve matters or as one of the parties to the conflict.

In so far as the school as a workplace is concerned, it is important to recognise that:

- ❖ over time conflict is inevitable and
- ❖ it is critical to resolve conflict at the earliest opportunity ideally at an 'informal stage'.

In most cases, individuals deploy conflict resolution skills, effectively and constructively. This is done by:

- ❖ active listening
- ❖ identifying the source of conflict
- ❖ addressing the issue early and in a constructive manner
- ❖ putting forward options for resolution which may include clarifying perspectives, reaching compromises
- ❖ acknowledging if errors have been made and likewise accepting that errors may have been made by another party, or that misunderstandings may have occurred
- ❖ being willing to put forward solutions with a view to resolving the issue
- ❖ closing the matter
- ❖ Moving on.

This policy seeks to promote a culture of open communication where conflicts can be aired and resolved respectfully, constructively, speedily and in a reasonable manner without recourse to the more formal procedures. Such a resolution allows staff move on from conflict and repair relations. Where parties are unable to resolve their issues using the Dignity at Work policy, they can be referred to other agreed procedures.

## 6. Section E – Recognised Conflict Resolution Procedures

The following Conflict Resolution Procedures have been arrived at between various parties, including unions and management bodies, over many years. The BOM of Scoil an Spioraid Naoimh has formally adopted these as part of this Dignity at Work Policy. The formal steps of these procedures are to be used in the resolution of all interpersonal disputes following honest and sincere efforts to resolve the issues informally.

## 6.1 Choose the appropriate procedure

Having identified the difficulties and referenced the Dignity at Work Policy with a view to resolving them informally, individuals may decide to work through more formal procedures.

It is important to note that all procedures are designed to resolve issues with the mutual agreement of the parties at an informal stage, or by relying on third party intervention. Before engaging in any formal procedure third parties should establish the steps taken by both sides to resolve issues prior to invoking formal procedures.

## 6.2 Parental Complaints Procedure

This procedure should be followed in the case of a conflict between a parent and teacher. The procedure has 5 stages, the first two of which are informal. It places the emphasis on addressing staff relations difficulties in a consensus and voluntary type approach and it includes a mediation facility. If no resolution is reached after Stage 3, the BoM will investigate the matter and issue a binding judgement.

Stage 1: Parent speaks to teacher / principal - Informal

Stage 2: Chairperson of BOM - Informal

Stage 3: Chairperson of BOM – Formal

Stage 4: BoM decides on the issues or decides to investigate - Formal

Stage 5: BoM issues a binding adjudication - Formal

Click [here](#) to download the Parental Complaints Procedure

## 6.3 INTO Procedure to Address Staff Difficulties

This procedure should be used in the case of a conflict between staff members, including the principal. It is specific to the matter of allegations of bullying, sexual harassment, or other specific discriminatory harassment, that may occur in the workplace or otherwise in the course of employment.

Stage 1: Informally address matters between the parties - Informal

Stage 2: Role of the principal teacher - Informal

Stage 3: External Intervention (Mediator) - Formal

Stage 4: Formally address matters with the BoM (BoM will make a final adjudication, if needed) – Formal

[Click here to download the INTO Procedure to Address Staff Difficulties](#)

At: <https://www.into.ie/help-advice/staff-parent-relations/procedure-to-address-staff-difficulties/>

## 6.4 Grievance Procedure

This procedure is available to teachers/principals who have a grievance against

- ❖ The BOM
- ❖ The Chairperson of the BOM
- ❖ The Principal

Stage 1: The Principal - Informal

Stage 2: The Chairperson - Informal

Stage 3: The BoM - formal

Stage 4: An Independent Tribunal, which can make a final, binding adjudication - Formal

[Click here to download the Grievance Procedure](#)

At: <https://www.into.ie/help-advice/staff-parent-relations/grievance-procedure/>

## 6.5 Bullying / Harassment Procedure

This procedure is available in cases

- ❖ adult bullying
- ❖ sexual harassment
- ❖ harassment on other specified discriminatory grounds which could, in the circumstances, be regarded as offensive, humiliating or intimidating

Stage 1: Decide to Address the Matter (with support from EAS or other source for victimised party)

Stage 2: Informally address the issues with other party - Informal

Stage 3: Principal or Chairperson of BoM - Formal

Stage 4: BoM for investigation and binding adjudication - Formal

[Click here to download the Bullying / Harassment Procedure](#)

At: <https://www.into.ie/help-advice/staff-parent-relations/grievance-procedure/>



## **7. INTO / Management Mediation Procedure**

### **7.1 Introduction**

Positive staff relations are the key to a productive and satisfying working environment. In this regard, both management and INTO emphasise the importance of a work culture which promotes open and constructive dialogue, which facilitates issues being aired in a transparent and fair manner and allows for difficulties to be addressed. Examples of the difficulties arising from time to time in school staffs, include perceived lack of consultation in decision making, DES circulars not being distributed, alleged bullying, inability of staff to collaborate.

Management and the INTO have developed a specific procedure to address staff relations difficulties/conflicts which is contained in the booklet Working Together\*. This procedure includes a mediation facility whereby a trained mediator from the INTO/management panel may work with a staff in order to achieve a framework to address/resolve the issues of difficulty or controversy.

### **7.2 Obtaining Prior Approval**

As the mediation facility is paid for by INTO and management jointly, it should be clearly understood that prior written approval for same must be obtained from INTO Head Office and from the office of the school's patron. It is the responsibility of the INTO District Representative to obtain the approval of INTO Head Office and similarly it is a matter for the BoM, to obtain the approval of the office of the patron. In addition, and as appropriate, the INTO district representative should liaise directly with the local CPSMA Representative/Diocesan Secretary.

### **7.3 Accessing the Service**

The following guidelines apply to accessing the service:

- ❖ Where members of staff wish to address staff relations difficulties which they should, in the first instance, consider the scope of the Working Together booklet and assess if matters can be resolved at school level through the utilisation of any of the recommended good practices/procedures set out therein. This should include consideration of internal staff communication and decision-making systems and opportunities for conflict resolution
- ❖ Staffs should consult their INTO district representative in order to obtain advice and assistance regarding the issues of difficulty and the possibility of resolution of matters at school level

- ❖ Where, notwithstanding the efforts made pursuant to nos. 1 and 2 above, members of staff wish to access the mediation facility, they should appraise their INTO staff representative who should in turn
- ❖ Clarify how many members of staff wish to participate in mediation bearing in mind that the process is voluntary
- ❖ Consult further with the INTO district representative
- ❖ At the appropriate time, advise the chairperson of the board of management and seek the approval of the chair/board for proceeding with mediation
- ❖ The INTO district representative will liaise directly with the chairperson of the board of management and with INTO Head Office. The chairperson of the board of management will in turn liaise with his/her respective Diocesan office in order to seek the approval of the patron for the mediation
- ❖ The INTO officials / management representatives involved will assess the situation and if mediation is approved, the INTO district representative will liaise directly with the staff/staff representative and the chairperson of the board of management in order to agree the name of a suitable mediator

#### 7.4 Preparation for Mediation

The staff representative may arrange for the mediator to be informally appraised of:

- ❖ the key issues of difficulty
- ❖ the parties involved
- ❖ the initiatives taken at school level to address matters
- ❖ a general outline of any progress made (if applicable)
- ❖ an indication of the outstanding issues.

Alternatively, (and where for example the staff representative is a party to the issues of difficulty), the mediator may be informally provided with background information by the INTO district representative, the chairperson of the board of management or a management representative. However, it is important to note that as part of the initial stages of mediation, the mediator shall arrange to directly hear from the members of staff involved

As part of the mediation process, members of staff will be required to confirm that they will constructively participate, will be flexible in order to achieve resolution and will abide by the recommendations of the Mediator.

## 7.5 Mediation Process

The mediator at all times acts in good faith. His/her role is to directly hear the parties, assess the issues and endeavour to reach a resolution/compromise through dialogue with the parties. He/she will normally arrange an initial meeting of the staff concerned in order to outline the process. He/she will then arrange further meetings as appropriate, on an individual or collective basis.

The mediator shall:

- ❖ Review all relevant documentation (if any);
- ❖ Arrange to meet with the parties for the purpose of directly hearing and assessing the issues;
- ❖ Decide on whether it is possible to achieve a framework for resolution in light of the attitudes of the parties; and
- ❖ Where the mediator decides to proceed, he/she shall commence a process of negotiation/meetings with the parties and draft a conclusion when the process is finished which may include a framework for resolution of the difficulties.
- ❖ The conclusion of the mediator shall solely state whether mediation has achieved or failed to achieve a resolution. The conclusion shall be available to the parties together with the framework for resolution if same has been agreed.

As a rule, the mediator shall endeavour to complete the process within twenty school days. In terms of meetings between the mediator and members of staff, it is recommended that these should take place outside of school time. Where this is not possible the mediator should clarify with the chairperson of the board of management whether other in-school arrangements can be made

It is recognised that follow-up meetings by a mediator with staff may be very useful, particularly if a period of months has intervened between the mediation process and the follow-up meeting. The follow-up meeting allows the mediator to engage with staff regarding any progress made on the mediation agreement. However, the number of follow-up meetings should be limited to a maximum of two

Finally, it is essential to understand that the success of any mediation process is dependent on goodwill, flexibility and ongoing effort among staff to reach a settlement and work towards achieving the recommendations set out in the framework for resolution. Other initiatives such as training or counselling may also be appropriate.

## 8. Summary, Review and Ratification

### 8.1 Summary

The BoM recognises that it has a duty of care towards all school staff. Similarly, school staff have a duty of care towards one another. This policy seeks to set out principles, practices, and procedures to support the exercise of that duty in our school.

Together we are committed to building and maintaining a work environment where respectful, open and equal relationships are the norm.

In summary, we are committed to having a good and safe place to work, where every individual's dignity is respected.

### 8.2 Review

The BoM will review this policy periodically, but at least once every two years. The Policy must be reviewed by Staff at the beginning of each school year. School leaders are asked to be particularly vigilant in ensuring that all new or temporary staff are fully appraised of the Policy and of their rights and obligations under it

### 8.3 Ratification

This Policy was reviewed and ratified by the BoM on the following dates: -

Initial Ratification \_\_\_\_\_

Review 1 \_\_\_\_\_

Review 2 \_\_\_\_\_

Review 3 \_\_\_\_\_

Signed: \_\_\_\_\_

Chairperson





### **C. 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.

The Safety Statement - as mandated under the Safety, Health and Welfare at Work Act 2005 – will also include a commitment to a positive work environment, in light of the Employer’s obligations as outlined at Section 8 of that Act, including the duty to manage work activities in such a way as to prevent “*improper conduct or behaviour*” likely to put health and safety at risk.

It is agreed that the adoption of this policy in our school will be accompanied by a number of steps to examine our work environment and, as necessary, to agree changes which reflect a commitment to dignity at work. These steps will be initiated by Management, and be repeated by way of review at appropriate intervals.

The actions to be undertaken may generally be described as Identification, Assessment, Implementing Strategies and Monitoring.

### **D. Adult Bullying as a Problem**

Our school recognises that Adult Bullying and Harassment are problems where they occur in any workplace.

Bullying behaviour generally amounts to psychological abuse which causes serious pain and suffering. Studies have shown that any person may become a target, irrespective of their personality or ability. In addition to its unacceptable effects on persons who are its targets, workplace bullying and harassment is extremely detrimental to organisational effectiveness.

Bullying may include behaviours such as:

- Verbal abuse/insults, undermining remarks
- Excessive monitoring of work
- Withholding work-related information
- Exclusion with negative consequences.

Such behaviours need not and should not be part of a workplace. This policy aims to ensure that a positive environment prevents such behaviours from occurring. Where bullying or harassment does occur or is alleged to have occurred, there are means of tackling it through the agreed procedure.

#### **E. What Happens if there is an Allegation of Bullying or Harassment?**

Without prejudice to an individual's right to take such advice or steps as they themselves may decide, the Board of Management will take seriously any allegations or workplace bullying or harassment.

Supportive and effective procedures, in accordance with nationally-agreed practice, are in the place in this school. These procedures to address and investigate allegations will focus on the earliest possible resolution, will proceed as necessary from informal to formal stages and will have a stress on confidentiality.

#### **F. Summary**

Management has a duty of care towards employees. Similarly, employees have a duty of care towards one another. This policy seeks to set out principles and practices to support the exercise of that duty in our school.

Just as inappropriate and undermining behaviour among work colleagues is taken seriously, so is such behaviour when perpetrated against an employee of this school by any other person.

Together we are committed to building and maintaining a work environment where respectful, open and equal relationships are the norm.

In summary, we are committed to having a good place to work.