

ST KILLIAN'S SCHOOL DIGNITY AT WORK POLICY 2024 - 2025



Policy Statement

This document sets out the Dignity at Work Policy for St Killian's School.

Scope

This policy has been drawn up in consultation with the Board of Management and Staff of St Killian's School and has been approved and adopted by the Board of Management. The policy applies to all staff/parents/pupils within the school.

Relationship to the School's Mission Statement

"If this child doesn't learn the way we teach, can we teach him/her the way he/she learns, and can we extend his learning options?"

Dr. Harry Chasty

School Philosophy

Each child's uniqueness is valued within the school, which fosters a secure, caring and positive environment, to enable each child to develop to their full potential.

Introduction

St. Killian's provides a co-educational, inter-disciplinary educational service to children who are diagnosed with a Specific Learning Difficulty, including Dyslexia, Dyspraxia and Speech and Language Difficulties, ASD and children who have educational difficulties in one or more school based areas.

The school depends on grants provided by the Department of Education and Skills and the school operates within the regulations laid down, from time to time, by the Department.

Within the context and parameters of the Department regulations and programmes, the rights of the patron as set out in the Education Act (1998) and the funding and resources available, the school supports the principles of:

- Equality of access and participation
- Parental choice in relation to enrolment
- Respect for diversity of values, beliefs, traditions, language and ways of life.

The psychological services are provided by National Educational Psychological Services.

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 harassment in the workplace are phenomena which this school will seek to prevent and will not tolerate. 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 Circular 40/97 on *Assaults on Staff in Primary Schools* will be utilised as appropriate.

What is Workplace Bullying and Harassment?

The Board of Management adopts the definition of adult bullying as set out by the Task Force (2001):

"Workplace 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 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

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dignity at work but, as a once off incident, is not considered to be bullying".

Harassment is covered by Employment Equality legislation and is based on a person's standing within one of the nine categories (or grounds) specified in that legislation (gender, marital status, religion, sexual orientation etc.) Harassment is defined in law as "*unwanted conduct*" related to one or more of the discriminatory grounds 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.*"

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.

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.

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

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- 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.

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.

PROCEDURE

Overview

This procedure aims to protect staff from bullying, sexual harassment and harassment regardless of whether it is carried out by a work colleague, individuals, volunteers, member of the public, business contact or any other person with whom one might come into contact during the course of their employment.

All staff, visitors, volunteers and individuals will be treated equally and respected for their individuality and diversity and all have a duty and a responsibility to uphold these standards. Staff have a particular responsibility to promote dignity in the workplace by dealing promptly and sensitively with incidents or complaints of bullying, sexual harassment and harassment.

Any St Killian's staff member who believes that they are being bullied or harassed has the right to raise the matter and St Killian's School will attempt to resolve it as quickly as possible. This can be done informally or formally.

Retaliation or victimisation or any other adverse action against a staff member, resulting from a staff member's lodging of a complaint, participation in the investigation of a complaint, or for representing or providing support to a complainant or alleged harasser, will result in the initiation of the organisation's disciplinary procedure. Similarly, a staff member intending to take action before the Equality Tribunal or any other dispute resolving mechanisms will not be victimised.

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No.	Description	Responsibility
1.1	<p style="text-align: center;">Procedures for dealing with Harassment/Bullying</p> <p>There is both an informal and formal procedure to deal with an issue of bullying/harassment in work.</p> <p>Informal Procedure</p> <p>The objective of the informal procedure is to allow scope for resolving the issue with the minimum of distress for the complainant. It is often preferable for all concerned that complaints of bullying or harassment are dealt with informally where possible.</p>	Staff Member
1.2	<p>Staff members who feel that they are being harassed/bullied should consider if the conduct in question constitutes harassment/bullying (please refer to <i>Definitions</i> for more information).</p>	Staff Member
1.3	<p>It may then be possible to raise the issue informally with the person, who they feel is creating the problem, pointing out that their conduct is unwelcome, offensive or inappropriate and should ask the person responsible to stop the offensive behaviour.</p> <p>Please refer to: <i>What steps can I take if I am told that I am considered to be behaving in a way that constitutes harassment or bullying?</i></p>	Staff Member
1.4	<p>Alternatively, if the staff member is unable to take the direct approach then they may wish to avail of mediation. Mediation is a process entered into jointly by both parties, with an independent mediator. Where both parties are agreeable to mediation, an independent mediator will be appointed by the School. The mediator will seek to find a solution that would be satisfactory to both parties. If this stage fails, or if either party refuses to participate in a mediation process, then the complaint may progress to the formal procedure.</p>	Staff Member
1.5	<p>If the staff member finds it difficult to approach the alleged perpetrator directly then they may wish to seek support and advice from the Principal, Deputy Principal, or a work colleague.</p>	Staff Member
1.6	<p>A complainant may decide for whatever reason to bypass the informal procedure. Choosing not to use the informal procedure will not reflect negatively on a complainant in the formal procedure. It is recognised that it may not always be practical to use the informal procedure particularly where the harassment/bullying is of a serious nature. In such instances the staff member can opt to use the formal procedure.</p>	Staff Member

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	Formal Procedure – Investigation	
2.1	<p>If the informal procedure is not possible or appropriate the staff member should preferably outline the nature of the complaint in writing to either the Principal or Deputy Principal. If this is not appropriate, the staff member may opt to write to the Board of Management.</p> <p>The complaint will be examined with a view to determining an appropriate course of action to be taken that could include an informal solution for example through mediation or the initiation of an investigation.</p> <p>Both parties will be reminded that they can access the Employee Assistance Program, where available, for information, support or advice.</p>	Staff Member
2.2	<p>Where an investigation is considered the appropriate course of action, an investigatory team will be appointed in order to thoroughly investigate the complaint. The investigation will be undertaken as sensitively and quickly as possible whilst ensuring that the principles of natural justice are applied at all times.</p>	Investigator (s)
2.3	<p>Where an investigation is considered the appropriate course of action, St Killian's School will investigate the circumstances of the complaint with a view to determining the facts and any evidence available.</p>	Investigator (s)
2.4	<p>In the interest of natural justice, the individual(s) against whom the allegation of bullying or harassment has been made will be notified in writing of the nature of the complaint, given a copy of the allegation, informed of his/her right to be accompanied throughout the process by a trade union representative (if a member of a recognised trade union), work colleague (if appropriate) or another person of their choice (for example, a family member), and will be given every opportunity to rebut the detailed allegation(s) made.</p>	Investigator (s)
2.5	<p>Investigations will be carried out having due regard to the staff members' right to information of complaints against them, representation and the facility to make statements, submissions or comments on any allegations before any decision is made.</p>	Investigator (s)

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2.6	As part of the formal investigation process all parties involved in the complaint shall be interviewed, where deemed appropriate, which includes the complainant, the individual(s) against whom the allegation of bullying or harassment has been made, and any relevant witnesses. A written statement will be taken as a record of the interview. No recording devices will be used for this purpose. The record of the meetings will be produced and provided to those interviewed, who will be given the opportunity to consider the content and to provide their signature to indicate agreement to the information provided at the meeting. Any statements taken as part of the investigation process will be circulated to the person making the complaint and the individual(s) against whom the allegation of bullying or harassment has been made along with the report of the investigatory officers once the investigation process has been complete.	Investigator (s)
2.7	When the investigatory process has been completed a decision on the course of action will be taken, depending on the strength of evidence and the probability of the complaint. The person making the complaint and the individual(s) against whom the allegation of bullying or harassment has been made will be informed as to the outcome of the investigation. Where appropriate, the terms of the Disciplinary Procedure will apply.	Investigator (s)
2.8	Either party can appeal the decision of the formal investigation in writing within 5 working days.	Staff Member
2.9	In the absence of any corroborative evidence for either party, the case will rest on the balance of probabilities, which, in turn, depends on the credibility, which can be ascribed to each party's evidence.	Investigator (s)
2.10	St Killian's School recognises that it is possible for false complaints concerning bullying/harassment at work to be made or to be maliciously motivated for other reasons. If St Killian's School becomes aware that a complaint is false or malicious in nature, the appropriate disciplinary procedures, up to and including dismissal will be imposed.	Investigator (s)

Guidelines for Dealing with Difficulties

What steps should I take if I feel that I am experiencing interpersonal difficulties with a colleague or believe I am being bullied, harassed or sexually harassed?

While in no way diminishing the issue, or the possible effects on individuals, an informal approach to resolving interpersonal difficulties is often the most effective route. As a general rule, an attempt should be made to address the situation as informally as possible by means of the following procedure.

If possible, take some affirmative action at the earliest stage possible. Before doing so you should talk to someone you feel comfortable with (a colleague, friend, in confidence. This will permit the opportunity to share the problem you are experiencing and to classify the behaviour i.e. it may not qualify as

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bullying, harassment or sexual harassment. Read this guideline thoroughly making sure that you understand fully the definitions, procedures and possible outcomes.

In approaching the person who is behaving in a manner you deem to be offensive we recommend the following:

1. Where possible, make it clear that their behaviour is offensive, unwanted and unacceptable. Be as specific and clear as possible about the behaviour that you find unacceptable.
2. Explain that you want the conduct to stop immediately.
3. Explain that you will make a formal complaint in accordance with this policy and procedure document if the conduct continues.
4. Keep a record of this verbal and/or written request and the person(s) verbal and/or written response. Log all incidents recording dates, times and full details of the incidents, including your own responses. Ascertain if there were witnesses. If possible avoid being alone with the person(s).
5. In circumstances where you may find it difficult to approach the person(s) you should seek help and advice on a confidential basis, or local union representative if appropriate.

What should I do if I feel that this approach is inappropriate or if the behaviour persists?

You should discuss the matter with one of the following people; a union representative (if appropriate), or some other. This will permit discussion of the matter with another person, in confidence, to establish the most appropriate way of dealing with your concerns. While in no way diminishing the issue, or the possible effects on you, this approach is intended to help resolve issues at the earliest possible stage without recourse to formal processes.

What steps can I take if I am told that I am considered to be behaving in a way that constitutes sexual harassment, harassment or bullying?

If a colleague speaks to you and tells you that they consider that you are behaving offensively towards them, consider the behaviour in question and see if you can modify it. While you may not agree that your behaviour constitutes bullying, harassment or sexual harassment, or you may feel that you have been unfairly accused, you should consider the issue seriously. Do try to respond in a calm and rational manner. Your immediate response may be to get angry, deny or reject the complaint but you should try not to respond in this way. We recommend you respond in the following way

1. Listen to what is being said. Think of the effects of the behaviour referred to from your colleague's perspective and be prepared to respect their request to change how to act towards them.
2. Remember, that while your intentions may be legitimate it is the other person's perception of your actions and words that you have to consider.
3. Keep a record of their verbal request and your verbal response. Log any efforts or attempts on your part to resolve the issue informally.
4. An informal approach of this nature provides an opportunity to resolve complaints at an early stage. If you decide to ignore this request - and not agree to change or modify the behaviour that your colleague has complained of - a formal complaint may follow and appropriate formal action initiated.
5. If you feel that you would benefit from advice in responding to an informal request you may seek
6. help and advice, on a confidential basis, or local union representative, if appropriate. Nothing you say in this context may be used against you at a later stage.

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In summary, by dealing with the issue at the earliest possible stage you are more likely to achieve a resolution of the problem that is acceptable to you. This can also avoid having the matter escalate to a point where parties become entrenched and positions harden thereby making the resolution of the issue more difficult

Mediation

Where difficulties arise, at any stage during either informal or formal processes both parties may be invited to participate in mediation. This may be internal or involve an external mediator.

Mediation is a voluntary process where the parties to a dispute - with the assistance of the impartial mediator - freely negotiate their own agreement with a problem solving focus. Mediation will only take place where both parties are agreeable. The objective of mediation is to bring the parties together to resolve the conflict that has emerged with the needs and interests of the respective parties being pivotal. Mediation generally operates according to the following principles:

- The mediator will meet with both parties separately to begin with, in order to establish a set of principles/guidelines for the mediation to begin. A direct meeting between the parties will only take place with the agreement of both parties.
- Everything discussed in the mediation or in relation to the process will be confidential and privileged between the parties and the Mediator works to promote the maximum joint benefit of the parties.
- Either party or indeed the mediator has the right to withdraw from the mediation at any stage after the first session.
- The parties take responsibility for deciding upon the content of their agreements. The Mediator does not make decisions. The parties may take their own advice during the mediation concerning the consequences of different proposals.
- The mediator is responsible for bringing together the various verbal agreements made in a Memorandum of Agreement. The agreement is the property of the parties and will be signed off by the parties on conclusion of the mediation.
- Mediation provides a speedy, confidential opportunity for the complainant and the respondent to discuss the alleged inappropriate behaviour(s) and reach an agreement to behave in an acceptable way in the future. Where mediation results in an agreement it can provide a relatively quick and lasting solution.

Statistics show that three quarters of cases before mediation result in agreement, however, should mediation break down or fail to achieve its goal the matter may be dealt with through a formal inquiry/review. Even if fault is admitted during mediation, this information will remain confidential between the parties to the mediation. A mediated agreement will not result in the issues being dealt with under St Killian's

School's disciplinary procedure and any agreement reached is confidential to the parties. St Killian's School and any representatives involved will simply be advised by the mediator that an agreement has been reached between the parties. A mediated solution will be monitored with both parties after an agreed period to ensure that the agreement reached is mutually acceptable and is working successfully.

In summary, staff are encouraged to give serious consideration to using mediation to resolve any difficulty they may have as an alternative to seeking a formal inquiry/review.

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Formal Procedure

If you wish to deal with the matter in a more formal manner you should make a complaint in writing. The complaint should be brief but must contain precise details of actual incidents of the behaviour complained of, the name/s of the person(s) against whom the complaint is being made, the time(s) and date(s) of the incidents and most importantly the names of any witnesses to these incidents. If your complaint is against more than one person a separate written complaint must be made for each person.

The complaint should state whether you consider that the behaviour complained of constitutes bullying, harassment or sexual harassment, or otherwise as appropriate. Use the definitions contained in this document as guidance. A complaint should normally be made as soon as possible or at least within 6 months of the alleged incident(s) or within 6 months of the most recent incident of such alleged behaviour.

Your complaint will be preliminarily examined and screened by a member of St Killian's School's management team who will determine an appropriate course of action. An appropriate course of action at this stage for example could be exploring a mediated solution or proposing that the issue be resolved informally with appropriate support. Should either of these approaches be deemed inappropriate or inconclusive a formal fact-based inquiry/review into the complaint will take place with a view to determining the facts and the credibility, or otherwise of the complaint(s).

It should be remembered that the person(s) complained against will be notified that a complaint has been made and will be **given a copy of your statement** and advised that they shall be afforded an opportunity to respond in full. The complaint, their response, and any witness statements will be confidential to the individuals directly involved, their representatives, and the investigator(s). In the interests of confidentiality the contents of such documents must not be disclosed by you to other parties.

Formal Inquiry/Review

All complaints of bullying, harassment or sexual harassment (as defined in this policy) are treated seriously. Often it is necessary to carry out a formal inquiry/review into complaints made by staff against staff and St Killian's School will organise this where all other avenues to resolve the difficulties have been unsuccessful.

In doing so, due regard and consideration will be given to the rights and sensitivities of the complainant and the person(s) complained against. All complaints will be dealt with promptly and sympathetically and support will be offered to both the complainant and the person(s) complained against for the duration of the inquiry/review. Typically, this will be done through an Employee Assistance Programme (EAP).

Where deemed appropriate an objective, fact-based inquiry/review will be conducted as quickly as possible by a suitable trained person or persons appointed. These person(s) may be internal or external, if this is deemed appropriate. The appointment of an external investigator shall normally be the subject of agreement between the parties and objections against a particular appointment must be made in writing and should be of a reasonable nature. In the unlikely event of the parties being unable to agree on an investigator St Killian's School will seek a nomination by an independent third party (e.g. the Labour Relations Commission). The following principles will be followed in any inquiry/review:

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1. It will be conducted thoroughly, objectively, with sensitivity and confidentiality with due respect for the rights of both the complainant and the alleged wrongdoer(s). Every effort will be made to carry out and complete the inquiry/review as quickly as possible, preferably within an agreed timeframe. St Killian's School will endeavour to expedite matters subject to a maximum of 28 days lead time at each stage following the initial notification of the complaint(s)
2. If the complainant and the respondent(s) work closely together a decision will be made as to whether this should continue while the inquiry/review is underway. It may be decided to place one or both parties off duty with pay pending the outcome of the inquiry/review. A decision on this will be made in consultation with both parties but also taking into account the likely time-frame for the completion of the inquiry/review and the requirement to continue service delivery while the inquiry/review is underway.
3. It will be governed by terms of reference, which will be set by the investigator(s) who will seek to agree with the parties. The investigator(s) will retain the priority right to set the terms in the absence of agreement.
4. The investigator(s) will meet with the complainant and the respondent(s) and any witnesses/relevant persons on an individual basis with a view to establishing the facts. As the inquiry/review is not a court process, representatives will not have the right to cross-examine witnesses.
5. Statements will be taken from any witnesses interviewed and these will be copied to the complainant and the respondent(s) for comment.
6. Both the complainant and the respondent(s) may be accompanied by another person if desired e.g. A colleague or trade union representative. In the event any party to the inquiry/review decides to avail of legal representation it is not St Killian's School policy to reimburse legal costs. All parties to the inquiry/review will be advised of this at the time.
7. Upon completion of the inquiry/review, the investigator(s) will submit a written report containing the findings of their inquiry/review.
8. The complainant and the respondent(s) will be given an opportunity to comment on the findings before any action is decided upon.
9. The complainant and the respondent(s) will be informed in writing of the findings of the inquiry/review team. A copy will also be retained on the complainant(s) and the respondent(s) personnel file.
10. If the finding of the inquiry/review is that all or any of the complaints are well founded and the complaint is upheld, the respondent(s) will be formally interviewed under the disciplinary procedures. Any disciplinary action that arises appropriate to the finding(s) will be confirmed to the individual within 7 days. For less serious behaviours this action may include verbal or written warnings, counselling and/or monitoring. In more serious cases the respondent(s) will be charged with serious or gross misconduct which may ultimately lead to dismissal. If either party is unhappy with the outcome of the inquiry/review, the issue may be appealed through the normal industrial relations mechanisms.

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11. Where a complaint is not substantiated no negative inference will be made against the complainant provided the complaint was made in good faith. If however it is found that the complaint was vexatious, malicious or motivated by some other agenda the matter will be treated as gross misconduct and dealt with in accordance with the disciplinary procedure – see point 10 above.
12. All staff should note that failure or refusal to co-operate in a formal inquiry/review by the principals or witnesses or deliberate attempts to withhold information from, or mislead an inquiry/review will be treated as a serious breach of discipline and dealt with in accordance with the disciplinary procedure – see point 10 above.

Confidentiality

The principles of natural justice require that a person accused of sexual harassment, harassment or bullying be given sufficient details of the complaints and the name of the person(s) making the complaints, so they can adequately defend themselves. Notwithstanding this legal requirement all individuals involved in the mediation or inquiry/review of a complaint they will be expected to maintain confidentiality on the subject.

All complaints will be handled in confidence to the fullest extent possible consistent with the requirements of a fair investigation. However, it is not possible to promise anonymity to persons who report bullying, harassment or sexual harassment, or who participate in an inquiry/review.

What are the Principles Governing the Investigation Process?

- The investigation will be conducted thoroughly and objectively and with due respect for the rights of both the complainant and the alleged perpetrator.
- Both parties will be required to co-operate fully with the investigation.
- Confidentiality will be maintained throughout the investigation to the greatest extent consistent with the requirements of a fair investigation. It is not possible however to guarantee the anonymity of the complainant or any other person who participates in the investigation.
- Notwithstanding the difficult circumstances, both the complainant and the alleged perpetrator may be expected to continue with their normal duties and maintain a professional working relationship during the course of the investigation.
- The investigator may interview anyone who they feel can assist with the investigation. Staff are expected to co-operate fully with the investigation and will be fully supported throughout the process.
- Staff members who participate in the investigation process will be required to respect the privacy of the parties involved by refraining from discussing the matter with other work colleagues or persons outside the organisation.
- A written record will be kept of all meetings and treated in the strictest confidence. • It will be considered a disciplinary offence to intimidate or exert pressure on any person who may be required to attend as a witness.

How Would the Investigation be conducted?

- ❖ The investigation will be conducted by a designated person(s) who is not connected to the complaint in any way.
- ❖ The investigation will be governed by clear terms of reference based on the written complaint and any other matters relevant to the complaint. The terms of reference shall specify the following:
 - The investigation will be conducted in accordance with the Dignity in the Workplace Policy.

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- The timescale within which the investigation will be completed will be specified.
- The investigator(s) may set time limits for completion of various stages of the procedure to ensure the overall timescale is adhered to Scope of the investigation i.e. the investigator(s) will determine whether or not the behaviour complained of falls within the definition of bullying/harassment, whether the complaint has been upheld and recommend an appropriate course of action in the circumstances.

Both parties will be given copies of all relevant documentation prior to and during the investigation process i.e. Complaint, Written response from the alleged perpetrator, Witness statements (if any). Both the complainant and the alleged perpetrator may provide details of witnesses or any other person whom they feel could assist in the investigation.

The investigator(s) will conduct separate interviews with the complainant and the alleged perpetrator with a view to establishing the facts surrounding the allegations.

Both the complainant and the alleged perpetrator may be accompanied by a staff representative or work colleague if so desired. The investigator(s) will form preliminary conclusions based on the evidence gathered in the course of the investigation and invite any person adversely affected by these conclusions to provide additional information or challenge any aspect of the evidence. On completion of the investigation, the investigator(s) will submit a written report of its findings and recommendations to Board of Management.

Both parties will be given a copy of the investigation report and an opportunity to comment before any action is decided upon by management.

What Happens After the Investigation?

If the complaint is upheld, the matter may be further progressed through the disciplinary procedure or other appropriate action may be taken, such as counselling or mediation.

The complainant and the alleged perpetrator will be informed in writing of management's decision. Where a complaint is not sustained, no action will be made against the complainant provided that the complaint was made in good faith.

In the interests of all staff members any malicious or vexatious complaints will be treated very seriously and may lead to disciplinary action against the complainant.

Victimisation or retaliation against a complainant, witness or any other party will constitute a serious disciplinary offence.

Non-Employees

Where complaints against non-employees are the subject of a formal investigation the alleged perpetrator will be expected to co-operate fully with the process and will be afforded fair procedures and an opportunity to respond fully to the complaint. Where the complaint is upheld, appropriate sanctions will apply which may include:

Exclusion of the individuals from the premises

Suspension or termination of service or other contract.

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Related Documents/Policies

Health & Safety Authority's Code of Practice for Employers and Employees on the Prevention and Resolution of Bullying at Work (2007)

Equality Authority's Code of Practice, given legal effect in the Statutory Instrument entitled Employment Equality Act 1998 (Code of Practice) (Harassment) Order 2002 (S.I. No. 78 of 2002). Section 24.3 Education Act 1998-Deals with suspension/dismissal of teachers-Procedures agreed in 2009-Circular 0060/2009

Grievance and Disciplinary Procedures for SNAs 0072/2011

Additional Resources/Information

Definitions / Acronyms

NEPS	National Educational Psychological Services
BOM	Board Of Management
DES	Department of Education and Skills

Policy Approval

This policy has been reviewed and accepted by the school Board of Management

Chairperson of BOM -Margaret O Keffe May 2024

Policy Review

It is acknowledged and accepted by all parties that this policy may be revised/modified annually or more frequently as required in light of on-going evaluation of statutory requirements or situations that arise during the school year.

Next Policy Review – Summer Term 2026

(Drafting Notes – Remove these lines when policy is complete)

(This section is used as required, delete if not required)

Appendix A

Appendix B