



Bullying & Harassment Policy

The Royal Irish Academy is committed to providing all of its employees with an environment free from bullying/harassment.

All employees will be expected to comply with this policy and management will take appropriate measures to ensure that bullying/harassment does not occur. Appropriate disciplinary action, including dismissal for serious offences, will be taken against any employee who violates this policy.

The policy applies to employees both in the workplace and at work-associated events such as meetings, conferences and work-related social events, whether on the premises or off site.

The policy applies to bullying/harassment not only by fellow employees but also by Members of the Academy, Committee Members and other individuals with whom an employee may reasonably expect to come into contact within the course of their employment. Although the Academy has no power to discipline the offender in such cases, upon receipt of a complaint and after investigation it will take action in an effort to prevent recurrence of such conduct.

DEFINITIONS

Bullying : 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, unacceptable though it might be, 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.

The bullying can include conduct offensive to a reasonable person, e.g. oral or written slurs, physical contact, gestures, jokes, or displaying pictures, flags/emblems, graffiti or other material which state/imply prejudicial attitudes which are offensive to fellow employees.

Other examples of bullying behaviour include:

- Personal insults and name-calling
- Persistent unjustified criticism and sarcasm
- Public or private humiliation
- Shouting at staff in public and/or private
- Sneering
- Instantaneous rage, often over trivial issues
- Unfair delegation of duties and responsibilities
- Setting impossible deadlines
- Unnecessary work interference
- Making it difficult for staff to have access to necessary information
- Aggression
- Not giving credit for work contribution
- Continuously refusing reasonable requests without good reasons
- Intimidation and threats in general.

Harassment is defined as any act or conduct which is unwanted and unwelcome and which could reasonably be regarded as offensive, humiliating or intimidating on any of the following nine discriminatory grounds: gender, marital status, family status, sexual orientation, religion, age, disability, race, or membership of the traveller community.

The following are common but not exclusive examples of harassment:

- Treating people less favourably or subjecting them to ridicule on any of the nine discriminatory grounds
- Demeaning and derogatory remarks, name-calling
- Isolation, non-cooperation or exclusion within the workplace
- Unwelcome comments on appearance
- Unwarranted criticism of work performance
- Undermining the authority of a colleague in the workplace
- Production, display or circulation of offensive material

Sexual harassment is defined as unwanted and unwelcome conduct which could reasonably be regarded as sexually — or otherwise on the gender ground — offensive, humiliating or intimidating. Sexual harassment undermines the dignity of the recipient, and adversely affects work performance. Examples of sexual harassment include:

- Sexually suggestive jokes or comments
- Innuendo or jokes about a person's sexual orientation
- Questions or insults about one's private life
- Unwelcome sexual attention
- Display of offensive material
- Leering, offensive gestures or whistling
- Threats of, or actual, physical assault
- Groping, patting or unnecessary touching
- Suggestions that sexual favours may further someone's career, or that refusal may damage it.
- Sending suggestive and pornographic correspondence including e-mails, faxes or text messages.

Racial harassment : Harassment on the grounds of race/ethnic origin is defined as unwanted or unwelcome conduct, based on a person's race, which is offensive to the recipient and which might threaten a person's security or create a stressful, hostile or intimidating work environment. Examples of racial harassment may include:

- Verbal harassment: Offensive jokes or remarks about a person's race or ethnic origin (including membership of the traveller community), ridicule, or assumptions based on racial stereotypes;
- Visual harassment: Production, display, or circulation of materials offensive to particular racial or ethnic groups, such as cartoons or racial propaganda
- Physical harassment: Physical assault, threats of physical assault.

COMPLAINTS PROCEDURE

There is both an informal and a formal procedure to deal with the issue of bullying/harassment at work. Any investigation should be completed as quickly as possible.

Informal Procedure

It is often preferable for all concerned that complaints of bullying or harassment be dealt with informally whenever possible. This is likely to produce solutions which are speedy and effective, and which minimise embarrassment and the risk of breaching confidentiality.

Thus in the first instance a person who believes that they are the subject of bullying/harassment should ask the person responsible to stop the offensive behaviour. If a person finds it difficult to approach the alleged perpetrator directly then that person should seek help and advice on a confidential basis from a designated contact person. A contact person could include a work colleague, a supervisor/manager, or a shop steward/trade union official.

Having consulted with the contact person, the complainant may request the assistance of the contact person in raising the issue with the alleged perpetrator(s). In this situation the approach of the contact person should be by way of a confidential, non-confrontational discussion with a view to resolving the issue in an informal, low-key manner.

A complainant may decide, for whatever reason, to bypass the informal procedure. Choosing not to use the informal procedure should 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 bullying or harassment is serious or where the people involved are at different levels in the organisation. In such instances the employee should use the formal mechanism set out below.

Formal Procedure

Where an employee wishes to make a formal complaint, the employee should contact their supervisor/manager as soon as possible.

If this is inappropriate, then the employee should contact the HR Officer.

The person making the complaint will be required to put their allegation in writing.

In the interests of natural justice the alleged bully or harasser will be notified in writing of the nature of the complaint, given a copy of the allegation, informed of his or her right to representation, and given every opportunity to rebut the detailed allegations made.

The complaint should be subject to an initial examination by a designated member of management who can be considered impartial, with a view to determining an appropriate course of action. An appropriate course of action at this stage, for example, could be exploring a mediated solution or a view that the issue can be resolved informally. Should either of these approaches be deemed inappropriate or inconclusive, a formal investigation of the complaint will take place with a view to determining the facts and the credibility or otherwise of the allegation(s). Where appropriate an independent third party will conduct the investigation. Whilst it is desirable to maintain utmost confidentiality, once an investigation of an issue begins it may be necessary to interview other staff. If this is so, the importance of confidentiality will be stressed to them. Any statements taken from witnesses will be circulated to the person making the complaint and the alleged harasser for their comments before any conclusion is reached in the investigation.

When the investigation has been completed both parties will be informed as to whether or not the complaint has been upheld.

Both parties will be given the opportunity to comment on the findings of the investigation before any action is decided upon by management. Both parties will be given a copy, in writing, of the conclusions reached as a result of the investigation.

All complaints received will be treated seriously and confidentially, and dealt with as soon as is practicable.

Strict confidentiality and proper discretion will be maintained as far as is possible in any necessary consultation, to safeguard both parties from innuendo and harmful gossip.

A record of all relevant discussions which take place during the course of the investigation will be maintained by management.

Action Post Investigation

Where a complaint is upheld a disciplinary hearing will take place. The disciplinary action to be taken will be in line with the Academy's disciplinary policy. Should a case of bullying/harassment be proven then the organisation will take appropriate disciplinary action. This may include transfer or other appropriate action up to and including dismissal. Records of any warnings for bullying/harassment will remain in the employee's file and will be used if any further offences of the same or a similar nature occur in the future.

Regular checks will be made to ensure that the bullying/harassment has stopped and that there is no victimisation. Retaliation of any kind against an employee for complaining or taking part in an investigation concerning bullying or harassment at work is a serious disciplinary offence.

Malicious Complaints

If a complaint is found to be malicious, then the appropriate disciplinary action up to and including dismissal will be imposed.

Right of Appeal

If either party is unhappy with the conduct of the investigation or the outcome, they may refer the matter through the appropriate Academy procedures or the normal Industrial Relations machinery. Referrals should be made in writing within seven days setting out the grounds of non-satisfaction with the outcome or conduct of the investigation.

Further Information

All questions relating to the execution or interpretation of this policy should be referred to the HR Officer.