

Document Reference Number	5.0 Dignity at work (Bullying/Sexual Harrassment/Harassment) (Protection & Rights)		
Document developed by	DCIL CEO & Support and Development Team	Document approved by	DCIL CEO & DCIL Board Members
Approval date	November 2020	Revision date	November 2023
Responsibility for Implementation	DCIL Staff	Responsibility for review and audit	DCIL Support & Development Team

POLICY STATEMENT:

Donegal Centre for Independent Living is committed in ensuring that ALL DCIL Staff understand the Dignity at Work Policy (Bullying/sexual harassment/harassment) of DCIL Service.

PURPOSE:

To ensure that all DCIL staff have a clear understanding of the Dignity at work (Bullying/sexual harassment/harassment) Policy of the DCIL Service.

SCOPE:

This policy refers to all DCIL Staff (Core Staff and Personal Assistants) employed working within the Donegal Centre for Independent Living.

PROCEDURE:

- 5.0.1 DCIL is fully committed to providing a safe working environment for all employees which is free from bullying, sexual harassment and harassment in any form and will not permit or condone any behaviour which impacts on one's right to enjoy respect and dignity at work.
- 5.0.2 All employees, Leaders and Board Members have responsibilities under this policy and will be made aware of them.
- 5.0.3 Employees are required to read this policy and be aware of their responsibilities under it as well as the avenues open to them should they wish to pursue a complaint.
- 5.0.4 The following are definitions of the types of behaviours that are unacceptable under the Dignity at Work Policy. Behaviours can range from extremes such as physical violence, to less obvious forms like ignoring someone on a regular basis.

5.0.5 **Bullying** - 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 or in the course of employment, which could be reasonably be regarded as undermining an individual's right to dignity at work. Some examples of bullying behaviour in the workplace include:

- oral or written slurs.
- physical contact.
- gestures or threats.
- jokes, remarks, gossip, offensive language.
- humiliation in front of others.
- intimidation.
- unreasonable demands.
- non co-operation.
- threats.
- Exclusion and isolation of individuals from events or social activities.

5.0.6 **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 creating an intimidating, hostile, degrading, humiliating or offensive environment for the person. Examples of sexual harassment include sexual gestures; displaying sexually suggestive objects, pictures, calendars; sending suggestive correspondence, unwelcome sexual comments or jokes; unwelcome physical conduct such as pinching or unnecessary touching and failure to respect personal space.

5.0.7 **Harassment** - Harassment on the grounds of marital status, family status, race, age, religious belief, sexual orientation, disability, or membership of the travelling community is defined as any unwanted conduct relating to any of these 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. The unwanted conduct may consist of acts, requests, spoken words, gestures, or the production, display or circulation of written words, pictures or other material.

5.0.8 **Motive** - It is important to understand that with all bullying and harassment behaviour, it is the **impact** of the behaviour on the recipient, not the intention that is relevant. What may be acceptable to one person may not be to another. **It is the duty of every individual to be sensitive about the impact they have on people around them.**

5.0.9 **Complaints Procedure** - If an employee feels that their rights have been violated for any reason under this policy, DCIL is committed to ensuring that complaints can be dealt with effectively and fairly for all parties. Complaints may be raised either informally or formally. All complaints will be treated seriously, dealt with confidentially and as quickly as possible.

5.0.10 **Informal Procedure** - Any employee who feels that they are being harassed or bullied in any form should where possible attempt to resolve the problem

informally. This often produces an effective and speedy resolution to a problem. In the first instance, it is recommended that any employee who feels that they are the subject of inappropriate behaviour should bring it to the attention of the person concerned and let them know that they find it offensive or unacceptable and that they want it to stop. If an employee has difficulty with this approach, they should contact the Management for help and support who may make contact with the alleged perpetrator on their behalf. If an attempt at informal resolution is unsuccessful or if an employee wishes to pursue the formal route initially, they may always do so.

- 5.0.11 **Mediation** - Mediation by an independent party may be another option that is considered in advance of undertaking a full formal investigation or at any point during an investigation, provided both parties agree.
- 5.0.12 **Formal Procedure** - If an employee wishes to raise a formal complaint, they should do so **in writing**. Complaints should normally be issued to the Management. If for any reason this is not appropriate, complaints may be issued to the Chairperson of the Board of Directors.
- 5.0.13 If deemed appropriate, a formal investigation will be carried out. Investigations may be carried out by the CEO, Board Members or other appointed 3rd parties. Investigations will be carried out as quickly as reasonably practicable.
- 5.0.14 The purpose of an investigation is to determine the facts of the allegation. The alleged bully/harasser will be made aware of the complaint and given an opportunity to respond fully. Both parties will be allowed to be represented at any meetings that take place. It is important that as much relevant evidence as possible is available and employees should keep records of incidents that have taken place. Witnesses may be called to give evidence during an investigation.
- 5.0.15 DCIL reserves the right to place one or both of the parties to the complaint on paid leave or to be reassigned to other duties for the duration of the investigation.
- 5.0.16 Records of all meetings and decisions will be maintained.
- 5.0.17 If a complaint is upheld it may result in disciplinary action being taken under the disciplinary policy, up to and including dismissal. Other forms of action may include counselling, demotion or a transfer to other duties of either party.
- 5.0.18 Either party may appeal the decision of an investigation to the Chairperson of the Board subject to who carried out the investigation. If necessary, an appeal may be carried out by an externally appointed third party.
- 5.0.19 Any employee who is found to have deliberately made a malicious or false complaint may be subject to disciplinary action.

LEGISLATION/ REFERENCES/BIBLIOGRAPHY /OTHER RELATED POLICIES:

Centre for Independent Living, Carmichael House, Dublin
Dignity at Work Policy 2009

ROLES AND RESPONSIBILITIES:

It is the responsibility of DCIL staff to comply with the above policy.
It is the responsibility of the DCIL Support & Development Team to ensure the compliance of the above policy.

IMPLEMENTATION PLAN:

It is the responsibility of the DCIL Support & Development Team to roll out and implement the above policy to all DCIL staff.

REVISION AND AUDIT:

This policy will be reviewed in November 2023 by the DCIL Support & Development Team and CEO of DCIL.