



St. Multose National School

Sexual Harassment Policy

Date ratified by Board of Management: 18/10/11

Date reviewed: 16/06/15

Date of next review:

Introductory Statement

This policy was formulated by the staff of St. Multose N.S. in February 2011 and sanctioned by the Board of Management.

Rationale

The Employment Equality Act (1998) explicitly provides that sexual harassment is unlawful and constitutes discrimination. St. Multose N.S. asserts that each staff member has the right to be accepted and treated equally, regardless of their gender. Sexual harassment is unacceptable and unwelcome in St. Multose School.

Relationship to the characteristic spirit of the school

Our school cherishes all staff members equally and endeavours to provide a happy, equal workplace to all.

Aims

- To ensure that all staff members are treated equally.
- To put in place procedures to address sexual harassment in a fair and effective manner.
- To ensure that the party who considers he/she is being harassed will have his/her complaint acknowledged and investigated in an effective and sensitive manner.

Guidelines:

Approaches to procedures

Where it is found that harassment has occurred, the emphasis, is:

- To ensure that the offending behaviour immediately ceases.
- To help the offending person acknowledge that his/her behaviour is unacceptable.
- To address the matter constructively thereby avoiding any recurrence.
- It may be appropriate for the victim or the offender to attend counselling or obtain such other help as may be required.

Procedures

Stage 1: Decide to Address the Matter

- The party (party A) who considers that he/she is being sexually harassed should decide to address the matter. Party A may initially decide to seek INTO, IMPACT or other assistance, including Employee Assistance Scheme or other counselling in order to consider the most appropriate application of the procedures in the circumstances.
- Party A should keep a record of the pattern or instances where he/she considers the harassment has occurred. The record should include details such as dates, times, persons present and details of what was said or occurred.

Stage 2: Informally Address the Problem

Party A should request a meeting with 2nd party (B) in order to discuss matters. The following should apply:

- The meeting may be facilitated by a third party, generally a senior member of staff.
- Party A should clearly outline his/her difficulties and should clearly object to the bullying/harassment and request that it stop.
- It is important that Party A bear in mind that the other member of staff may not be aware that his/her behaviour is causing difficulty.
- Both parties should seek to resolve their differences and establish a pattern of interaction exclusive of any forms of bullying/harassment.
- Party B may respond to party A at that meeting or, if requested, should be given an opportunity to consider his/her response, in which case the meeting may be adjourned. Party B should respond in a constructive manner.
- The resolution, as appropriate, may include any of the following, e.g. a commitment to cease the particular behaviour, modify the behaviour and plan to eliminate situations where the parties would be in conflict or monitoring. Alternatively, it may emerge, as a result of the discussions between the parties, that there may have been a degree of misunderstanding in relation to certain behaviours and the resolution may make provision for compromise or appropriate explanation or acknowledgement.
- If there is no satisfactory indication of resolution between parties, Party A should refer the complaint to the Principal or Chairperson of the Board of Management.

Stage 3: The Principal and the Chairperson of the Board of Management

- Party A should state his/her complaint in writing
- The Principal and Chairperson should investigate the matter thoroughly i.e. obtain background details, consider the pattern of behaviour and the timescale, hear the parties and seek to resolve the matter, and in a fair and impartial manner with sensitivity, make decisions which they consider necessary to resolve matters, the outcome of the discussions should be noted by the parties.
- Where resolution has not been possible and where there is a likelihood of the offending behaviour continuing the principal and chairperson should refer the matter to the Board of Management.

Stage 4: The Board of Management

The referral should be in writing and dated, and should include a copy of the written complaint. The Board of Management should consider the issues and investigate the matter.

- The Board may enquire into the background of the difficulties, obtaining details on the sequence of initiatives taken at previous stages.
- The Board may meet the parties individually or collectively and may also request written submissions from both parties.

- The Board may request the Principal Teacher to furnish a written report.
- The Board may afford the parties an opportunity to present their case orally at a board meeting in each other's presence.
- The Board may designate the Chairperson to meet with the parties again, separately or jointly, if further clarification is required.
- The Board shall act in a fair and impartial manner.
- Having considered all matters, the Board of Management should reach a view on the matter not later than 20 school days after receipt of the written request/referral.
- Where the Board finds that bullying/harassment has not occurred, both parties should be informed accordingly. No action should be taken against the complainant provided the allegation was made in good faith. If the complaint was brought maliciously, it should be treated as misconduct and appropriate action taken.
- Where the Board of Management finds that bullying/harassment has occurred, the Board should deal with the matter appropriately and effectively. This may include:
 - The issuing of a clear warning that bullying/harassment is not acceptable in the school workplace.
 - A demand that all forms of bullying/harassment cease and that acceptable patterns of interaction be established between the parties.
 - An instruction to the offending party that he/she apologises, expresses regret or gives an assurance that the bullying/harassment behaviour will cease.
 - Seeking a commitment to attend counselling or the welfare services.
 - More serious disciplinary sanctions as may be commensurate and appropriate, such as
 - ❖ Oral warning
 - ❖ Written reprimand
 - ❖ Written warning
 - ❖ Final written warning
 - ❖ Suspension
 - ❖ Dismissal
- The Board of Management should monitor the situation and should keep matters under review.

Success Criteria

The policy will be deemed successful if incidences of sexual harassment never occur or, if they do, are dealt with effectively.

Roles and Responsibilities

The Principal and Chairperson of the Board of Management will seek formally to deal with any situation that arises. If necessary the Board of Management will have a role to play if sanctions are required. The INTO and Director of Equality Investigations or the Labour Court may be involved.

Timeframe for Implementation

This policy will be implemented from September 2011

Timeframe for Review

This policy will be reviewed every four years. The policy was reviewed in June 2015.

Responsibility for Review

The principal is responsible for the review of this policy.

Ratification and Communication

The Board of Management ratified this policy on 18/10/2011. It has been circulated to all members of staff.