
Dignity at Work Policy

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7.1 Dignity at Work Policy (Harassment, Sexual Harassment and Bullying)

Purpose of the Policy

torc.CFRC is committed to providing all its employees with their due dignity in a work environment that is free from harassment, bullying and sexual harassment. This policy defines the behaviour that constitutes harassment, bullying and sexual harassment and identifies the procedures that are in place to deal with it. Allegations of harassment, sexual harassment or bullying are treated very seriously by torc.CFRC and prompt action will be taken to investigate any complaint. Where there is a breach of policy, disciplinary action will be taken as appropriate and may include summary dismissal.

Scope of the Policy

This policy is applicable to all employees (temporary and permanent) both in the workplace and at associated events e.g. meetings and conferences – whether on or off site. It also applies to contractors and people using the Family Resource Centre.

Harassment

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

- Non verbal - Looks, gestures, isolation, exclusion
- Verbal – jokes, comments, shouting, emails, notices, letters, text messages, unfair and excessive criticism
- Physical – abusive behaviour, the production, display or circulation of written words, picture, or other material.

The above examples are not exhaustive and only serve as a guideline to employees. Each case will be taken in isolation and dealt with in an appropriate manner.

Third Party Harassment

If an employee suffers harassment from a volunteer, somebody using the Family Resource Centre or an external contractor, torc.CFRC will take appropriate action to ensure that the harassment does not continue. torc.CFRC is obliged to inform the alleged harasser that this conduct is not acceptable.

Sexual Harassment

Sexual harassment is defined as any form of verbal, nonverbal or physical conduct of a sexual nature with the purpose or effect of violating a person's dignity and creating an intimidating, hostile degrading, humiliating, or offensive environment for the person. Sexual harassment can take the following forms:

- Nonverbal – this may include the display of pornographic or sexually suggestive pictures, object, written materials, emails, text messages and faxes. It may also include leering or making sexually suggestive gestures
- Verbal – this includes sexual advances, propositions or pressure for sexual activity, continued suggestions for social activity outside the workplace after it has been made clear that such suggestions are unwelcome, unwanted, or offensive flirtations, suggestive remarks, innuendos, or lewd comments
- Physical – this may include unwanted physical contact such as touching, patting, pinching, or brushing against another employee's body, assault, and coercive sexual intercourse.

The above examples are not exhaustive and only serve as a guideline to employees. Each case will be taken in isolation and dealt with in an appropriate manner.

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 of the behaviour described in this definition may be an affront to dignity but, as a once off incident, is not considered to be bullying. Examples of bullying include:

- Unwanted physical contact ranging from touching to assault
- Verbal abuse or threats
- Unfair or excessive criticism
- Unnecessary work interference
- Private or public humiliation
- Posters, graffiti, obscene gestures, displaying of emblems

- Isolation and exclusion
- Repeated impossible deadlines or unattainable targets
- Spreading false truths
- Not giving credit for work
- Making it difficult for employees to have access to necessary information
- Vandalism of personal property
- Intimidation and threats.

The above examples are not exhaustive and only serve as a guideline to employees. Each case will be taken in isolation and dealt with in an appropriate manner.

Victimisation

Victimisation is where an individual is given less favourable treatment than others in the same circumstances because s/he has made an allegations or complaints. There are wide ranging forms of victimisation including making life difficult for a person, general unpleasantness and blocking opportunities for promotion.

Complaints Procedure

All employees have a right to make a complaint if they feel that they have been harassed or bullied. There is a two-tiered approach – informal and formal procedures - which the employee should follow.

Informal Procedure

It is often preferable for all concerned that allegations of bullying and harassment are dealt with informally if possible. The informal procedure is likely to produce solutions which are speedy and effective and minimise embarrassment and the risk of breaching confidentiality. The employee may be unaware that his/her actions are inappropriate, or these actions may have been interpreted.

- If possible, the recipient of the harassment or bullying should approach the alleged perpetrator, explain clearly that the behaviour is unacceptable and highlight the organisations Dignity at Work Policy
- If necessary, the individual may approach their line manager or a member of the Voluntary Board of Directors for support in approaching the alleged perpetrator or for advice if they are unsure whether the behaviour constitutes a form of bullying or harassment.

torc.CFRC recognises that it is not always possible to use the informal procedure particularly

where the bullying / harassment is of a serious nature or where the individuals involved are at different levels in the organisation.

Formal Procedure

- The complaint should be made in writing naming the alleged perpetrator, detailing the incidents, and identifying any witnesses. The complaint should be submitted to the line manager or a member of Staff Liaison if the line manager has been named in the complaint
- The alleged perpetrator will be notified in writing of the details of the allegation and advised that they will be afforded the right to reply
- Staff Liaison will interview the complainant to explore the possibility of resolving the issue through mediation and resolving the issue informally
- If mediation is inappropriate a formal investigation will be conducted to determine the facts. The investigation will be conducted by designated members of Staff Liaison or the Voluntary Board of Directors who can be considered to be impartial
- The investigation will be conducted quickly, thoroughly, and objectively. All involved in the investigation must respect the need for confidentiality and discretion
- Interviews will be held with the complainant, the alleged perpetrator and any witnesses or relevant persons. At the interviews both parties – complainant and alleged perpetrator – have the right to representation
- When the investigation has been completed both parties will be informed in writing as to whether 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.

Outcome

- If a case of bullying or harassment has been proven the appropriate disciplinary action will be taken in line with torc.CFRC disciplinary procedure up to and including termination of employment, depending on the seriousness of the violation
- Records of any warnings for bullying or harassment will remain on an employee's file and will be used if any further allegations of a similar nature occur in the future
- If a complainant is dissatisfied with the outcome of the investigation, they may appeal the decision within five working days in writing to the Chairperson. The chairperson will consider the appeal and the decision will be issued in writing within five working

- Retaliation of any kind against an employee for complaining or taking part in an investigation concerning bullying or harassment will be dealt with under the disciplinary procedure.

If an individual believes that they are the victim of bullying or harassment they should take into account, the following points:

- The individual should remain as calm as possible
- They should record the incidents including dates, times, what was said or done during the alleged incidents and if there were any witnesses
- Write down how the incident of bullying or harassment made them feel at the time
- Try and confront the bully / harasser and inform him / her that you find their behaviour unacceptable and ask them to stop
- Talk to a colleague, line manager or a member of Staff Liaison about the incidents
- Keep copies of any materials you may receive from the perpetrator(s), as this may be needed at a later date
- Read the Dignity at Work Policy
- Don't feel that you have encouraged this behaviour or that it is your fault.

Revision No.	Approval Date	Document Reference and Changes Made	Name