Anti-Bullying Policy

Catholic University School

Policy Date: October 1st 2026

JMB, ASTI, TUI and FÓRSA are committed to working together to maintain a workplace environment that encourages and supports the right to dignity and respect in the workplace. This Anti-Bullying Policy (hereafter the "Policy") has been agreed between the aforementioned parties and is the agreed Policy for use in Voluntary Secondary Schools.

1. Policy Statement

Catholic University School is committed to providing a safe working environment where employees are treated with dignity and respect in an environment which is free from all forms of bullying.

This Policy has a strong preventative focus, emphasising the duties of all employees to create and maintain a working environment in which everyone is treated with dignity, courtesy and respect and where diversity is valued. Where complaints of bullying occur, the Policy aims to ensure that all parties will be treated with fairness, sensitivity, respect and confidentiality, and with due regard to the rights of all parties.

The Policy recognises the importance of early intervention in managing complaints of bullying. A key objective is to ensure that all reasonable efforts are made to deal with complaints at local level, informally where appropriate. The Policy promotes mediation as an essential tool in resolving complaints. Mediation is a voluntary process that can be entered into at any stage of the complaints management process and will be actively encouraged from the earliest stage possible where appropriate.

The Policy provides a framework in which complaints of bullying will be taken seriously and will be followed through to resolution. Employees who make complaints and who support such employees will not be victimised. Where it is established that a person accused of bullying has a case to answer, appropriate action will be taken which may include disciplinary action or other appropriate sanctions.

Vexatious or malicious complaints may lead to disciplinary action or other appropriate sanctions.

2. Background and Context

It is widely recognised that bullying can have a devastating effect on those subjected to such behaviours. Workplace bullying can undermine staff morale and result in absenteeism, stress-related illness, employee turnover and litigation.

The Safety, Health and Welfare at Work Act 2005 obliges an employer to provide, as far as is reasonably practicable, a safe working environment which is free from bullying. Schools are reminded of their obligation to prepare a Safety Statement under section 20 of the 2005 Act based on an identification of the hazards to safety, health and welfare at the place of work, an assessment of the risks involved and setting down the preventive measures necessary to protect safety, health and welfare.

(d) Complaints which are the subject of legal proceedings;

(e) Complaints subject to criminal investigation by An Garda Siochana;

(f) Complaints which fall outside the definition of bullying which may be addressed through other agreed procedures, for example, the Harassment and Sexual Harassment Policy or the appropriate grievance procedure;

(g) Complaints of bullying, made by a student(s) against employees. Such complaints may be dealt with under the appropriate disciplinary procedures and/or child protection procedures;

(h) Complaints by parents. These will be dealt with through other relevant procedures;

(i) Anonymous complaints.

4. Definitions

4.1 What is 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 be reasonably 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 at work, but, as a once off incident, is not considered to be bullying.**"[1]

"**Workplace Bullying** should meet the criteria of an on-going series of accumulation of seriously negative targeted behaviours against a person or persons to undermine their esteem and standing in a harmful, sustained way. Bullying behaviour is offensive, on-going, targeted and outside any reasonable norm. A pattern and trend are involved so that a reasonable person would regard such behaviour as clearly wrong, undermining and humiliating. It involves repeated incidents or a pattern of behaviour that is usually intended to intimidate, offend, degrade, or humiliate a particular person or group of people - but the intention is not important in the identification process."[2]

It is recognised that bullying at work can involve employees in many different work situations and at all levels across the organisation.

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

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[1] As defined, with emphasis, in SI No 674 of 2020, Industrial Relations Act 1990 (Code of Practice for Employers and Employees on the Prevention and Resolution of Bullying at Work) Order 2020

[2] SI No 674 of 2020, Industrial Relations Act 1990 (Code of Practice for Employers and Employees on the Prevention and Resolution of Bullying at Work) Order 2020, p.11

Apart from once-off behaviours, other on-going behaviours which may upset or unsettle a person may not come within the bullying definition either. Behaviour considered bullying by one person may be considered routine interaction by another, so the "reasonableness" of behaviours over time must be considered. Disrespectful behaviour, while not ideal, is not of itself bullying. Conflicts and disagreements do not, of themselves, make for a bullying pattern either. There are various workplace behavioural issues and relationship breakdowns which may be troubling, upsetting and unsettling but are not of an adequate level of destructiveness to meet the criteria required for a bullying complaint.

Objective criticism and corrections that are intended to provide constructive feedback to an employee are not usually considered bullying but rather are intended to assist the employee with their work.

Bullying does not include:

- An isolated incident of inappropriate behaviour, which may be an affront to a person's dignity at work, but as a once-off incident, is not considered to be bullying;
- Expressing differences of opinion strongly;
- Offering constructive feedback, guidance, or advice about work-related behaviour which is not of itself welcome;
- Ordinary performance management, including fair and constructive criticism and/or feedback in relation to an employee's performance, conduct or attendance;
- Reasonable corrective action taken by an employer or supervisor relating to the management and direction of employees (for example managing an employee's performance, taking reasonable disciplinary actions, or assigning work);
- Workplace conflict where people disagree with, or disregard the other's point of view;
- Complaints relating to reasonable instructions issued by management, including the assignment of normal duties, or relating to terms and conditions of employment.

This list is not exhaustive.

4.3 What is Harassment?

Harassment that is based on any of the following grounds of gender, civil status, family status, sexual orientation, religious belief, age, disability, race, or membership of the traveller community (the "prohibited grounds") is a form of discrimination in relation to conditions of employment.

Harassment is defined in section 14A(7) of the Employment Equality Acts 1998-2015 ("EEA") as any unwanted conduct related to any of the prohibited grounds that has the purpose or effect of violating a person's dignity at work and creating an intimidating, hostile, degrading, humiliating or offensive environment for the person.

The conduct at issue may not be specifically directed at a particular employee but may nevertheless have the purpose or effect of violating a person's dignity and creating an intimidating, hostile, degrading, humiliating or offensive environment for that person. It is the effect of the behaviour on the recipient, rather than the intention of the alleged harasser, which is relevant.

- Physical conduct of a sexual nature - This may include unwanted physical contact such as unnecessary touching, patting, or pinching or brushing against another employee's body, assault, and coercive sexual intercourse;
- Verbal conduct of a sexual nature - This includes unwelcome sexual advances, propositions or pressure for sexual contact, continued suggestions for social contact outside the workplace after it has been made clear that such suggestions are unwelcome, unwanted or offensive, suggestive remarks, innuendo or lewd comments, graffiti, written materials, emails, text messages or social media posts;
- Non-verbal conduct of a sexual nature - This may include the display of pornographic or sexually suggestive pictures or objects. It may also include stalking, indecent exposure, leering, whistling, or making sexually suggestive gestures; and
- Gender-based conduct - This includes conduct that denigrates or is abusive of an employee for reasons related to their sex such as derogatory or degrading abuse or insults which are gender-based. This might include conduct that insults or degrades an employee because they are pregnant or because they are transgender.

The examples stated in this Policy are not an exhaustive list.

Please refer to the school's Harassment and Sexual Harassment Policy for information on how to address a complaint of sexual harassment.

5. Roles and Responsibilities under the Policy

5.1 Complainant

Where an employee raises a complaint under the complaints procedure outlined below, they will be referred to as "the Complainant".

5.2 Respondent

Where an employee raises a complaint under the complaints procedure outlined below, the individual regarding whom the allegation is made against will be referred to as "the Respondent".

5.3 Management

The most effective way of eliminating bullying is by fostering and supporting an environment which is positive and inclusive. School management has a key role in creating and maintaining a positive workplace culture which is free from any form of bullying, where complaints are addressed expeditiously with a minimum of distress to all parties involved. In particular, management should:

- Ensure the implementation and regular review of this Policy and procedures;
- Provide information in relation to prevention, Policy, and procedures to employees on induction and promote awareness of this Policy on a regular basis;
- Set a good example by treating everyone in the workplace with courtesy and respect;
- Provide training on this Policy;
- Be vigilant for signs of bullying at work and take action before a problem escalates;

5.6 Nominated Person

A Nominated Person manages the complaint on behalf of the School under the secondary informal procedure. The Nominated Person will normally be at Deputy Principal level.

6. Complaints Procedure

6.1 Overview

This Policy emphasises the importance of early intervention and, where appropriate, use of an informal approach, offering as it does the best possible potential for a good outcome, particularly with regard to restoring workplace relationships. It is recognised that an informal approach may allow for unwanted behaviour to be addressed without the need for a Complainant to have recourse to any other action.

The procedure for managing complaints consists of an informal process with two stages and a formal investigation. Each complaint will be assessed on its own merits in order to identify the most appropriate means of dealing with the matter, including whether stages of the procedure should be bypassed. In certain circumstances, a serious complaint or allegation of bullying may be referred by management for formal investigation at the outset.

While every effort should be made to resolve the complaint by using and exhausting informal procedures, such efforts may not succeed, and it may be determined that the matter should proceed to investigation. Where this occurs, the investigation process is designed to deal with complaints promptly, with minimum distress for the parties involved, using fair procedures which uphold the rights of all parties.

The Code provides that organisations should monitor complaints and how they are resolved in order to evaluate, improve and update the policy and procedures at regular intervals. Appropriate records will be kept while observing data protection/GDPR requirements.

6.2 Mediation

Mediation can be a very effective means of trying to resolve complaints. It is a proven method that is used in many settings effectively where the parties approach it with an open mind and a willingness to engage. In order to make an informed decision on whether to engage and for information on how mediation operates, please refer to the WRC Mediation Brochure at Appendix 1. Parties will be encouraged to consider mediation from early on in the complaint management process, where appropriate.

The objective of mediation is to resolve the matter speedily and confidentially with the minimum of conflict and stress to the individuals involved. Mediation requires the voluntary participation and co-operation of both parties in order to work effectively. Although it is recognised that mediation is more likely to have a better outcome when the parties engage at an early stage, the parties can choose to engage in mediation at any stage of the process, including during or after formal investigation.

(f) Alternatively, the Deputy Principal may encourage the parties to avail of mediation in order to try to resolve the matter, highlighting its effectiveness at resolving complaints at an early stage.

6.4 Secondary Informal Procedure – Stage 2

This more protracted, yet still informal procedure, may be used if the Initial Informal Procedure is unsuccessful or unsuitable due to the seriousness of the issue. In this procedure, a person will be assigned to handle the complaint on behalf of the organisation - the "Nominated Person." The Nominated Person should not be the Contact Person. The Nominated Person should gather the facts, before establishing the context and the next course of action in dealing with the matter under the informal procedure. The Informal Procedure Stage 2 should be conducted as expeditiously as possible.

(a) The Complainant and Respondent should be advised that a Nominated Person has been assigned to deal with the complaint and that the Nominated Person will contact both employees directly.

(b) A complaint may be verbal or in writing. Where the Complainant submits their complaint in writing the Nominated Person should meet with them to gather further details in relation to the written complaint. Where an employee does not submit their complaint in writing, the Nominated Person should meet with the Complainant, gather the facts and make a written note of the complaint. It is not the role of the Nominated to interview witnesses or gather evidence, aside from the Complainant's and, where appropriate, Respondent's accounts. The Complainant should be provided with copy of the finalised complaint.

(c) If the complaint concerns alleged bullying as defined, and includes concrete examples, the Respondent should be presented with the complaint and their response established. The Respondent will be provided with a copy of the complaint and asked for their response to the complaint. The response may be provided verbally or in writing.

(d) If the behaviour complained of does not concern alleged bullying, an alternative approach should be put in place and a rationale recorded. It should be noted that if no concrete examples of inappropriate behaviour are given by the Complainant, it must be deemed that there is no complaint to be answered by the Respondent. For example, this could include directing the Complainant to an alternative procedure such as the Grievance Procedure.

(e) The Nominated Person will adopt a flexible and responsive approach in an effort to resolve the complaint and restore positive working relations. The Nominated Person may meet with the parties separately as well as jointly on a number of occasions.

(f) The Nominated Person may recommend mediation and seek the agreement of the parties to engage in same. Alternatively, the Nominated Person may assist the parties in identifying a method to be agreed between the parties to progress the issue to resolution so that both parties can return to a harmonious working environment without bullying being a factor.

The Complainant and the Respondent should be advised in writing of the aims and objectives of the formal process, the procedures and approximate expected timeframes involved, and the possible outcomes. Both parties should be assured of support throughout the process, including the availability of the Employee Assistance Service and their right to be accompanied at all meetings.

An initial meeting should be organised by the Principal with the Complainant and Respondent separately. If both parties agree to engage in mediation or to attempt resolution at the earlier informal stage of the Policy, the formal investigation can be put on hold, pending the outcome of same.

7.2 The Investigation

Where there is no option but to proceed to a formal investigation, the Board of Management will appoint an independent third party to conduct the investigation. The criteria for appointment of an investigator are as follows:

- **Training and experience** – the investigator should be trained and/or experienced in conducting investigations;
- **Independence** – the investigator should be independent and have no conflict of interest in conducting the investigation;
- **Impartiality** – the investigator should be impartial and there should be no apprehension of bias on the part of the investigator towards any party involved in the investigation.

Once the Board of Management has engaged an investigator, the parties will be notified and provided with a statement outlining who the investigator is and how they meet the criteria.

Either party may raise an objection in relation to the appointment of the proposed investigator on the grounds that the Investigator does not meet one or more of the above criteria.

It is presumed that the appointment of the proposed investigator is agreed unless an objection is raised by the Complainant or Respondent by writing to the Chairperson within **7 calendar days** of the date of notification of the proposed investigator.

An objection should normally be made on the grounds that the proposed investigator does not meet one or more of the criteria for appointment set out above. The party objecting must specify which of the criteria it is alleged is not met by the proposed investigator and provide information to support their objection.

The objection will be assessed by the Chairperson who will issue a decision on the objection within **7 calendar days**. If an objection is upheld by the Chairperson on one or more grounds, another investigator will be appointed.

Where the objection is not upheld, the Chairperson will set out the reasons for their decision. In this case, the investigation will proceed under the proposed investigator and a record of the objection and the decision will be kept on file. The appointment of the investigator can be raised in the course of the appeal procedure following the conclusion of the investigation.

balance of probability, the investigator may recommend whether the matter should be dealt with in accordance with the appropriate disciplinary procedure.

Both the Complainant and the Respondent will be given a copy of the draft investigation report and will be afforded the opportunity to propose specific amendments to the report, on matters of fact, in writing within **[5]** working days.

On completion of the investigation, the investigator will submit a final investigation report to the Complainant, the Respondent, and the Chairperson of the Board of Management. All parties are reminded of their duty of confidentiality in relation to the investigation and the investigation report. Any disclosure to third parties may be dealt with in accordance with the appropriate disciplinary procedure.

The investigator will take all appropriate steps necessary to ensure compliance with data protection legislation and GDPR. During the investigation, the investigator will keep all records relating to the investigation in a secure and appropriate manner. On conclusion of the investigation, the investigator will transfer to the Chairperson all records relating to the investigation in a secure and appropriate manner.

The parties may agree to enter mediation at any stage of the investigation process.

8. Outcome of the Investigation

Depending on the outcome of the investigation, appropriate action will be taken, which may include invoking the disciplinary procedure or offering mediation or counselling. Information on any action taken, including whether a disciplinary process is invoked in respect of the employee against whom the complaint is made, will be confidential, and not shared with the Complainant.

Where it is established that the Respondent has no case to answer, no action will be taken against the Complainant provided that the complaint was made in good faith. In the interests of all employees, 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 may amount to serious misconduct, which may be dealt with in accordance with the appropriate disciplinary procedure.

Any individual found to have made a false allegation of bullying or any individual who supports a false claim, for example a witness who participated in the investigation, may be subject to disciplinary action up to and including dismissal.

Regardless of the outcome of the investigation, it is recognised that investigations can result in divisive relationships. Consideration may be given as to how best to support the working relationship between the parties going forward. Parties to a complaint will be encouraged to avail of support from the Employment Assistance Service.

Appendix 1

Workplace Mediation

A User's Guide

WRC

An Coimisiún um Chaidreamh san Áit Oibre
Workplace Relations Commission

mediation@workplacerelations.ie

Workplace Mediation with the WRC

The WRC provides a comprehensive range of industrial relations and workplace relations services including advice, conflict resolution (conciliation, facilitation and mediation) and conflict prevention. We have many years experience of involvement in the resolution of workplace conflicts involving small and large groups of employees in various enterprises/services. The provision of a Workplace Mediation Service is designed to provide an effective, tailored response to the issues arising in Irish workplaces today.

The Workplace Mediation Service is delivered by skilled officers of the Commission's Conciliation and Advisory Services who have undertaken specific studies/training in Workplace Mediation.

What happens if a dispute remains unresolved following Mediation?

The mediation services of the WRC is focused on assisting parties to deal effectively with issues that arise in the workplace. Participation in mediation does not oblige any party to commit to any further procedure in the event that the problem remains following mediation.

The mediator will, in the event of a problem remaining unresolved following mediation, assist the parties in agreeing a joint way forward in relation to the issues.

How do I apply for Mediation?

All applications for mediation should ideally be made on a joint basis. The process will work best when both parties have a desire to resolve an issue and have jointly agreed that mediation is the best means to secure that resolution.

Notwithstanding this, the Commission will attempt to secure agreement to participate in mediation where only one party has sought the intervention. The process is however voluntary and the Commission is not in a position to compel attendance.

All applications for mediation should be addressed to:

Workplace Mediation Service
Workplace Relations Commission
Lansdowne House, Lansdowne Road
Ballsbridge, Dublin 4, Ireland

Email: mediation@workplacerelations.ie

All applications for mediation should state clearly the name and contact details including email and telephone numbers of all parties, the number of parties involved and the nature of the issue involved.

Please also note that complaints that relate to **Harassment, Sexual Harassment or Grievances** are not dealt with under the Anti-Bullying Policy but have their own respective policies.

Examples of bullying behaviour include (not an exhaustive list):

- Exclusion with negative consequences
- Verbal abuse/insults;
- Being treated less favourably than colleagues in similar roles;
- Belittling a person's opinion;
- Disseminating malicious rumours, gossip or innuendo;
- Socially excluding or isolating a person within the work sphere;
- Intrusion – pestering, spying or stalking;
- Intimidation/aggressive interactions;
- Excessive monitoring of work;
- Withholding information necessary for proper performance of a person's job;
- Repeatedly manipulating a person's jobs content and targets;
- Blaming a person for things beyond their control;
- Use of aggressive an obscene language;
- Other menacing behaviour.

Please outline below who your complaint of bullying is against.

Insert the name(s) of the person(s) you wish to make a complaint against here:

Insert details of your complaint here:

Name: _____

Signed: _____

Dated: _____