

Na Píobairí Uilleann

**Anti-Bullying and Anti-Harassment at Work
Policy**



Anti-bullying and Anti-harassment at Work Policy

1.0 Policy Statement

Na Píobairí Uilleann (NPU) is committed to preventing, addressing, and eliminating bullying, harassment, and sexual harassment in the workplace. It recognises that every colleague has the right to a work environment that is safe and free from these types of behaviours. This Policy sets out how this commitment will be implemented and monitored.

2.0 Policy Scope

The policy applies to all business activities of NPU.

This policy applies to all job applicants, people completing work-experience, volunteers, trainees, apprentices, interns, employees (full-time, part-time, and temporary), agency staff, contractors, Executives, Directors, and Trustees / Board Members.

3.0 Policy Development

This policy was written in consultation with the D&I Committee and the wider workforce. The HR / People team review this policy annually with the D&I Committee and when there are changes to relevant legislation.

4.0 Policy Responsibility

The Board has overall responsibility for this policy, and for reviewing the effectiveness of actions taken in response to any concerns raised under this policy.

5.0 Zero Tolerance Approach to Bullying, Harassment and Sexual Harassment

NPU does not tolerate bullying, harassment or sexual harassment. Any acts of bullying, harassment or sexual harassment will be addressed through the company disciplinary policy and procedure.

6.0 Legislation and Codes of Practice

Employers are obliged to prevent harassment in the workplace under the Employment Equality Acts 1998-2015. These Acts protect employees against harassment relating to the nine grounds of discrimination, which are:

1. **Gender:** this means man, woman, or transgender
2. **Civil status:** includes single, married, separated, divorced, widowed people, civil partners, and former civil partners

3. **Family status:** this refers to the parent of a person under 18 years or the resident primary carer or parent of a person with a disability
4. **Sexual orientation:** includes gay, lesbian, bisexual, and heterosexual
5. **Religion:** means religious belief, background, outlook, or none
6. **Age:** this does not apply to a person aged under 16
7. **Disability:** includes people with physical, intellectual, learning, cognitive or emotional disabilities and a range of medical conditions
8. **Race:** includes race, skin colour, nationality, or ethnic origin
9. Membership of the **Traveller community**.

Bullying at work, when it is related to one of the discriminatory grounds, is covered by the Employment Equality Acts 1998-2015.

Harassment and bullying at work which is not linked to a discriminatory ground is a health and safety issue rather than an equality issue. Under the Safety Health and Welfare at Work Act 2005 (as amended), employers have a duty to ensure the health and safety of their employees in the workplace. Under section 8 of the Act employers are required to "prevent any improper conduct or behaviour likely to put the safety, health and welfare of employees at risk".

The Code of Practice for Employers and Employees on the Prevention and Resolution of Bullying at Work is effective since 23 December 2020. This code replaced the Health and Safety Authority (HAS) 'Code of Practice for Employers and Employees on the Prevention and Resolution of Bullying at Work' and the LRC (now Workplace Relations Commission) 'Code of Practice Detailing Procedures for Addressing Bullying in the Workplace'. The Code sets out the responsibilities and the roles of the HAS and the Workplace Relations Commission (WRC). It gives guidance for employees, employers, and trade unions on dealing with informal and formal bullying complaints in the workplace.

The Code of Practice on Sexual Harassment and Harassment 2012 seeks to promote the development and implementation of policies and procedures which establish working environments free of sexual harassment and harassment and in which the dignity of everyone is respected.

7.0 Bullying – Definition and Examples

Definition of Bullying at Work

The Health and Safety Authority's definition for bullying at work 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 is not considered to be bullying.

Bullying can happen at all levels within an organisation and can be conducted by customers, clients, and business contacts.

Bullying can take place at work, on a training course, on a work trip, at a work social event, or any other occasion connected with your job.

7.1 Types of bullying at work

Bullying can be direct or indirect, and can include verbal, physical or cyberbullying. Cyberbullying is bullying that happens online. It can include offensive and abusive messages. It also includes hacking into accounts or spreading rumours online.

7.2 Examples of behaviour that may constitute bullying if it happens repeatedly

- Withholding information needed for the person to do their job properly
- Excessive monitoring of work in comparison to other colleagues
- Unreasonable assignments to duties which are obviously unfavourable to one individual
- Repeatedly manipulating a person's job contents and targets
- Repeated requests with impossible deadline or impossible tasks
- Being treated less favourably than colleagues in similar roles
- Blaming a person for things beyond their control
- Manipulation of an individual's reputation
- Targeting someone for special negative treatment
- Social exclusion and isolation
- Purposely undermining someone
- Intrusion by pestering, spying, and stalking
- Verbal abuse, insults, belittling remarks, and public humiliation
- Mocking a person's opinion
- Spreading malicious rumours, gossip, or innuendo
- Intimidation and aggressive interactions
- Use of aggressive or obscene language
- Jokes that are obviously offensive to one individual by spoken word or email

*Please note that an isolated incident of any the above behaviour is not considered to be bullying.

8.0 Harassment – Definition and Examples

8.1 Definition of harassment

The Employment Equality Acts 1998-2015 define harassment as any form of unwanted conduct which is related to any of the nine grounds of discrimination 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.

8.2 Examples of behaviour that may constitute harassment are:

- Physical harassment, such as shoving or any other assault
- Verbal harassment, such as making jokes or derogatory (offensive) comments
- Written harassment, such as graffiti, text messages, emails, or social media posts
- Visual displays such as posters, emblems, or badges
- Intimidating behaviour, such as gestures or threatening poses
- Excessive monitoring of work
- Unreasonably changing your job content or target.
- Isolation or exclusion from social activities

9.0 Sexual Harassment – Definitions and Examples

9.1 Definition of 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.

Sexual harassment may be targeted at one employee or a group of employees, and it may consist of a single incident or repeated inappropriate behaviour.

Sexual harassment can happen at any level within an organisation and can be conducted by customers, clients, and business contacts.

Sexual harassment can take place at work, on a training course, on a work trip, at a work social event, or any other occasion connected with your job.

9.2 Examples of behaviour that may constitute sexual harassment

- Physical conduct of a sexual nature, including unnecessary touching, brushing against another employee's body, assault, or coercive sexual intercourse
- Verbal conduct of a sexual nature, including 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; suggestive remarks, innuendo or lewd comments
- Written conduct of a sexual nature, including emails, text messages or social media posts
- Other conduct of a sexual nature, for example, whistling, leering, and display of sexually suggestive pictures
- Gender-based conduct, including derogatory or degrading insults which are gender based (for example, insulting an employee because they are pregnant or transgender)

10.0 Employer's responsibilities

NPU will ensure the health and safety of its employees as set out in the Safety, Health, and Welfare at Work Act 2005 (as amended). Every effort will be made to prevent any improper conduct or behaviour likely to put the safety, health or welfare of employees at risk. [Organisation Name] will take action to prevent bullying and harassment in the workplace. Dignity and Respect at Work Training will be provided for all employees during onboarding and annually thereafter.

NPU will record and monitor complaints relating to inappropriate behaviour, bullying, harassment, and sexual harassment against the nine grounds of discrimination to identify and address any unfavourable trends. Where a bullying culture has been identified, (for instance, through a number of complaints being received) the organisation will take steps to prevent incidents of bullying or harassment reoccurring. Steps will include awareness raising and training as well as acting quickly to resolve issues early.

11.0 Leadership and Management responsibilities and accountability

Leaders and managers will be alert to the possibility of bullying and harassment behaviours and will be familiar with the policies and procedures for dealing with allegations / complaints of bullying and harassment. Any complaints will be dealt with immediately.

Leaders (including the Board), managers and supervisors will promote dignity and respect in the workplace for all. We expect and trust leaders and managers to be role models of exemplary behaviour.

[The Board / Trustees / CEO / Managing Director] is accountable for any incidents of bullying and harassment in the workplace.

12.0 Employee's responsibilities

We value and appreciate excellent conduct from our employees. We trust that you will:

- treat people with dignity and respect
- be considerate of the physical health and safety, and mental health and well-being of people you come into contact with, in the course of your work.
- not engage in improper behaviour which would endanger the health, safety and welfare of yourself, other employees, clients, partners, contractors, or anyone else that you come into contact with, in relation to your work.
- co-operate with [Organisation Name] when an allegation of bullying, harassment or sexual harassment at work is being investigated
- attend Dignity and Respect at Work Training
- follow this policy and the reporting procedure