



RCN No:20113285

**Dunderrow National School**

**Roll No: 169400**

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Principal: Mary Cottrell

Deputy Principal: Helen O'Callaghan

## Anti-bullying Policy

1. Dunderrow NS has a central role in the children's social moral development just as it does in their academic development. The school works towards standards of behaviour based on the basic principles of honesty, respect, consideration and responsibility. The individuality of each child is accommodated, while at the same time acknowledging the right of every child to education in a disruption free environment.  
In accordance with the requirements of the Education (Welfare) Act 2000 and the code of behaviour guidelines issued by the National Education and Welfare Board (NEWB), the Board of Management of Dunderrow National School has adopted the following anti-bullying policy and procedures within the framework of the school's overall Code of Behaviour. This policy fully complies with the requirements of the *Anti-Bullying Procedures for Primary and Post-Primary Schools* that were published in September 2013 (Dept of Education) and The Childrens First National Guidance for the Protection of Well Being of Children and the Childrens First Act 2015.
2. The Board of Management recognises the very serious nature of bullying and the negative impact that it can have on the lives of pupils and is therefore fully committed to the following key principles of best practice in preventing and tackling bullying behaviour:
  - A positive school culture and climate which-
    - is welcoming of difference and diversity and is based on inclusivity;
    - encourages pupils to disclose and discuss incidents of bullying behaviour in a non-threatening environment; and
    - promotes respectful relationships across the school community;
  - Effective leadership;
  - A school-wide approach;
  - A shared understanding of what bullying is and its impact;
  - Implementation of education and prevention strategies (including awareness raising measures) that-
    - build empathy, respect and resilience in pupils; and
    - explicitly address the issues of cyber-bullying and identity-based bullying including in particular, homophobic and transphobic bullying.

- Effective supervision and monitoring of pupils;
  - Supports for staff;
  - Consistent recording, investigation and follow up of bullying behaviour (including use of established intervention strategies); and
  - On-going evaluation of the effectiveness of the anti-bullying policy
3. In accordance with the *Anti-Bullying Procedures for Primary and Post-Primary Schools* bullying is defined as:

'unwanted negative behaviour, verbal, psychological or physical conducted, by an individual or group against another person (or persons) and which is repeated over time'.

The following types of bullying behaviour are included in the definition of bullying:

- deliberate exclusion, malicious gossip and other forms of relational bullying,
- cyber-bullying and
- identity-based bullying, such as homophobic bullying, racist bullying, bullying based on a person's membership of the Traveller community and bullying of those with disabilities or special educational needs.

In the context of this policy, placing a once-off school related offensive or hurtful public message, image or statement on a social network site or other public forum where that message, image or statement can be viewed and/or repeated by other people will be regarded as bullying behaviour.

Isolated or once-off incidents of intentional negative behaviour, including a once-off offensive or hurtful text message or other private messaging, do not fall within the definition of bullying and will be dealt with in accordance with the school's code of behaviour.

Additional information on different types of bullying is set out in Section 2 of the *Anti-Bullying Procedures for Primary and Post-Primary Schools* – **Appendix 1**

Behavioural and Physical Indicators of Bullying, and other issues, may include any of the following;

- A change in behaviour, such as suffering a lack of concentration and/or becoming withdrawn, excessively clingy, depressed, fearful, emotionally up and down
- Afraid and anxious when going to or coming from school
- Happy at the weekend but not during the week. A drop in performance in school.
- Physical signs: stomach aches, headaches, sleep difficulties, bedwetting, bruising
- Bingeing on food
- Unexplained bruises
- School performance steadily getting worse
- Being generally nervous, tense, unhappy
- Not explaining suspicious incidents
- Signs of being isolated from others of the same age



- Signs of regular interference with personal property, books, etc.
- Frequently asking for (or perhaps stealing) money.

*Although these can also indicate a variety of problems other than bullying, it is important that they are not ignored.*

4. The relevant teacher(s) for investigating and dealing with allegations of bullying is (are) as follows:

The Class Teacher(s) initially

The Principal thereafter if necessary

(see Section 6.8 of the *Anti-Bullying Procedures for Primary and Post-Primary Schools*):

5. The following education and prevention strategies, at the appropriate and relevant level for each class, will be used by the school to promote a positive whole school culture and positive classroom culture:

*Appendix 2(a)* - Practical tips for building a positive school culture and climate

*Appendix 2 (b)* - Practical tips for building a positive classroom

6. The school has developed procedures for investigation, follow-up and recording of child centred bullying behaviour and the established intervention strategies used in dealing with cases of bullying behaviour. The Board of Management is mindful of ;

*The primary aim in investigating and dealing with bullying is to identify, verify and resolve any issues, and to restore as far as is practicable, the relationships of the parties involved (rather than to apportion blame). With this in mind the schools procedures are as follows: - see*

*Appendix 3(a)*

See (*Appendix 4*) for Adult Bullying/Harassment procedures for investigations where adults are involved

### **Recording:**

Noting and reporting of bullying behaviour will be documented. All records will be maintained in accordance with relevant data protection legislation. The schools procedures for noting and reporting bullying behaviour will adhere to the following;

- (i) While all reports, including anonymous reports of bullying will be investigated and dealt with by the relevant teacher(s), the relevant teacher(s) will use /their professional judgement in relation to the records to be kept of these reports, the actions taken and any discussions with those involved regarding same.
- (ii) If it is established by the relevant teacher(s) that bullying has occurred, the relevant teacher(s) will keep appropriate written records which will assist their efforts to resolve the issues and restore, as far as is practicable, the relationships of the parties involved.
- (iii) The relevant teacher(s) must record the bullying behaviour in the standardised recording template at *Appendix 5* (and a copy must be provided to the Principal or Deputy Principal as applicable) in the circumstances:
  - where he/she considers that bullying behaviour has not been adequately and appropriately addressed within 20 school days after he/she has determined that bullying behaviour occurs; and
  - where the school has decided as part of its anti-bullying policy that bullying behaviour must be recorded and reported immediately to the Principal or Deputy Principal as applicable.
- (iv) All completed recorded templates to be filed in 'incidents' file in principals office.
- (v) The Principal "DLP" will report all bullying incidents to the Board of Management and a record of such reports will be acknowledged on its Oversight Report.

(vi) Where a “Risk of Harm” is perceived from a bullying situation advice maybe sought from Tusla or a mandatory report forwarded to Tusla.

7. The school’s programme of support for working with pupils affected by bullying involves a whole school approach. Given the complexity of bullying behaviour, no one intervention/support programme works in all situations. Therefore appropriate approaches and intervention strategies may be used including suggesting that parents seek referrals so that appropriate outside agencies in order to receive further support for the pupils and their families if needed.

8. Supervision and Monitoring of Pupils: The Board of Management confirms that appropriate supervision and monitoring policies and practices are in place to both prevent and address bullying behaviour and to facilitate early intervention where possible.

9. Prevention of Harassment: The Board of Management confirms that the school will, in accordance with its obligations under equality legislation, take all such steps that are reasonably practicable to prevent the sexual harassment of pupils or staff or the harassment of pupils or staff on any of the nine grounds specified i.e. gender including transgender, civil status, family status, sexual orientation, religion, age, disability, race and membership of an ethnic community.

10. This policy is available to school personnel, published on the school website and is otherwise readily accessible to parents and pupils on request and provided to the Parents’ Association. A copy of this policy will be made available to the Department and the patron if requested.

11. At each Board of Management meeting an Oversight Report will be completed setting out:

- The overall number of bullying cases reported (by means of the bullying recording template in *Appendix 5* to the Principal or Deputy Principal since the previous report to the Board and
- Confirmation that all of these cases have been, or are being, dealt with in accordance with the school’s anti-bullying policy and these procedures.
- Whether advice has been sought or a mandatory report submitted to Tusla

12. This policy and its implementation will be reviewed by the Board of Management once in every school year (*Appendix 6*). Written notification that the review has been completed will be made available to school personnel, published on the school website and is otherwise readily accessible to parents and pupils on request and provided to the Parents’ Association. A record of the review and its outcome will be made available, if requested, to the patron and the Department.

Signed: \_\_\_\_\_  
Eamon Judge  
(Chairperson of Board of Management)

Signed: \_\_\_\_\_  
Mary Cottrell  
(Principal)

Date: \_\_\_\_\_

Date: \_\_\_\_\_



## APPENDIX 1: Types of bullying

The following are some of the types of bullying behaviour that can occur:

**Physical aggression:** This behaviour includes pushing, shoving, punching, kicking, poking and tripping people. It may also take the form of severe physical assault. While pupils often engage in 'mess fights', they can sometimes be used as a disguise for physical harassment or inflicting pain.

**Intimidation:** Some bullying behaviour takes the form of intimidation. It may be based on the use of very aggressive body language with the voice being used as a weapon. Particularly upsetting can be a facial expression which conveys aggression and/or dislike.

**Isolation/exclusion and other relational bullying:** This occurs where a certain person is deliberately isolated, excluded or ignored by some or all of the class group. This practice is usually initiated by the person engaged in bullying behaviour and can be difficult to detect. It may be accompanied by writing insulting remarks about the pupil in public places, by passing around notes about or drawings of the pupil or by whispering insults about them loud enough to be heard. Relational bullying occurs when a person's attempts to socialise and form relationships with peers are repeatedly rejected or undermined. One of the most common forms includes control: 'Do this or I won't be your friend anymore'(implied or stated), a group ganging up against one person (girl or boy), non-verbal gesturing, malicious gossip, spreading rumours about a person or giving them the 'silent treatment'.

**Cyber-bullying:** This type of bullying is increasingly common and is continuously evolving. It is bullying carried out through the use of information and communication technologies such as text, social network sites, email, instant messaging (IM), apps, gaming sites, chat rooms and other online technologies. Being the target of inappropriate or hurtful messages is the most common form of online bullying. As cyber-bullying uses technology to perpetrate bullying behaviour and does not require face-to-face contact, cyber-bullying can occur at any time (day or night). Many forms of bullying can be facilitated through cyber-bullying. For example, a target may be sent homophobic text messages or pictures may be posted with negative comments about a person's sexuality, appearance etc.

**Name calling:** Persistent name-calling directed at the same individual(s) that hurts, insults or humiliates should be regarded as a form of bullying behaviour. Often name calling of this type refers to physical appearance, e.g. size or clothes worn. Accent or distinctive voice characteristics may attract negative attention. Academic ability can also provoke name calling. This tends to operate at two extremes. There are those who are singled out for attention because they are perceived to be weak academically. At the other extreme there are those who, because they are perceived as high achievers are also targeted.

**Damage to property:** Personal property can be the focus of attention for bullying behaviour. This may result in damage to clothing, mobile phone or other devices, school books and other learning material or interference with a pupil's locker or bicycle. The contents of school bags and pencil cases may be scattered on the floor. Items of personal property may be defaced, broken, stolen or hidden.

**Extortion:** Demands for money may be made, often accompanied by threats (sometimes carried out in the event of the targeted pupil not delivering on the demand). A pupil may also be forced into theft of property for delivery to another who is engaged in bullying behaviour.

*Bullying can occur amongst children but it should also be noted that it can take the form of;*

*Teacher V Child*

*Parent V Teacher*

*Parent/Visitor V Child*

*Principal V Parents/Child*

*Intra-Staff Bullying*

*Principal V Teacher*

## Appendix 2(a) Practical tips for building a positive school culture and climate

The following are some practical tips for immediate actions that can be taken to help build a positive school culture and climate and to help prevent and tackle bullying behaviour.

- Model respectful behaviour to all members of the school community at all times.
- Explicitly teach pupils what respectful language and respectful behaviour looks like, acts like, sounds like and feels like in class and around the school.
- Display key respect messages in classrooms, in assembly areas and around the school.
- Involve pupils in the development of these messages.
- Catch them being good - notice and acknowledge desired respectful behaviour by providing positive attention.
- Consistently tackle the use of discriminatory and derogatory language in the school – this includes homophobic and racist language and language that is belittling of pupils with a disability or SEN.
- Give constructive feedback to pupils when respectful behaviour and respectful language are absent.
- Have a system of encouragement and rewards to promote desired behaviour and compliance with the school rules and routines.
- Explicitly teach pupils/parents/class teachers about the appropriate and inappropriate use of social media/cyber bullying. Outside agencies may be used to speak to children/parents on this topic.
- Positively encourage pupils to comply with the school rules on mobile phone and internet use.
- Follow up and follow through with pupils who ignore the rules.
- Actively involve parents and/or the Parents' Association in awareness raising campaigns around social media.
- Actively promote the right of every member of the school community to be safe and secure in school.
- Highlight and explicitly teach school rules in pupil friendly language in the classroom and in common areas.
- All staff can actively watch out for signs of bullying behaviour.
- Ensure there is adequate playground/school yard/outdoor supervision.
- School staff can get pupils to help them to identify bullying "hot spots" and "hot times" for bullying in the school.
- Hot spots tend to be in the playground/school yard/outdoor areas, changing rooms, corridors and other areas of unstructured supervision.
- Hot times again tend to be times where there is less structured supervision such as when pupils are in the playground/school yard or moving classrooms.
- Circle time and class discussion time on rights of the individual/fairness etc.
- Monitor new pupils as to how they are settling in.



## *Appendix 2 (b) - Practical tips for building a positive classroom*

- Prevention and awareness raising measures across all aspects of bullying behaviour
- Developing a set of class rules which will be adopted and signed by the pupils in any particular class
- Adoption of strategies to engage pupils in addressing problems when they arise. In particular, such strategies aim to build empathy, respect and resilience in pupils
- Provision for pupils with opportunities to develop a positive sense of self-worth
- Prevention and awareness raising measures focusing on cyber-bullying by educating pupils on appropriate online behaviour, how to stay safe while online
- Teachers influencing attitudes to bullying behaviour in a positive manner
- Delivery of curriculum components and programmes which are particularly relevant to the prevention of bullying and the promotion of respect for diversity and inclusiveness.
  - The SPHE curriculum makes specific provision for exploring bullying as well as the inter-related areas of belonging and integrating, communication, conflict, friendship, personal safety and relationships.
  - The Stay Safe & RSE programmes, the H.S.E – “Zippy’s Friends” and the DES Anti Bullying Campaign tools for teachers at primary level are personal safety skills programmes which seek to enhance children’s self-protection skills including their ability to recognise and cope with bullying.
  - Other social, health and media education programmes to further help to address the problem of bullying behaviour.
- The interventions could be extended into many other areas such as art drama religious education and physical education. Co-operation and group enterprise promotion via team sports and school activities that promote positive interaction and dialogue.
- Sporting activities in particular can provide excellent opportunities for channelling and learning how to control aggression. GAA, soccer, tag rugby and hockey are offered to some classes through the P.E programme either by teachers or outside agencies.

### Appendix 3(a)

*The primary aim in investigating and dealing with bullying is to identify, verify and resolve any issues, and to restore as far as is practicable, the relationships of the parties involved (rather than to apportion blame). With this in mind the school's procedures are as follows: -*

- (i) In investigating and dealing with bullying, the teacher(s) will exercise their professional judgement, referencing the definition above, to determine whether bullying has occurred, what type if it has and how best the situation might be resolved. They may refer to the principal even at this initial stage if the situation warrants.
- (ii) All reports, including anonymous reports of bullying will first be investigated and dealt with by the relevant teacher(s). In that way, pupils will gain confidence in 'telling'. This is of vital importance to addressing bullying as it will be made clear to all pupils that when they report incidents of bullying, they are not considered to be telling tales but are behaving responsibly.
- (iii) Non-teaching staff such as secretary, special needs assistants (SNAs), school bus driver and cleaners are encouraged to report any incidents of bullying behaviour witnessed by them, or mentioned to them, to a member of teaching staff/principal.
- (iv) Parents and pupils are required to co-operate with any investigation and assist the school in resolving any issues and restoring as far as is practicable, the relationships of the parties involved as quickly as possible
- (v) It is important that all involved (including each set of pupils and parents) understand the above approach from the outset.
- (vi) Teachers will adopt a calm, unemotional problem-solving approach when dealing with incidents of alleged bullying behaviour reported by pupils, staff or parents.
- (vii) Initial investigations of bullying will be done in class where possible, but some incidents might be best investigated outside the classroom situation to ensure the privacy of all involved
- (ix) Interviews will be conducted with sensitivity and with due regard to the rights of all pupils concerned. Pupils who are not directly involved can also provide very useful information in this way
- (x) When analysing incidents of bullying behaviour, the relevant teacher(s) will seek answers to questions of what, where, when, who and why. This will be done in a calm manner, setting an example in dealing effectively with a conflict in a collaborative manner
- (xi) If a group is involved, each member will be interviewed individually at first. Thereafter, all those involved will be met as a group. At the group meeting, each member will be asked for his/her account of what happened to ensure that everyone in the group is clear about each other's statements.
- (xii) Each member of a group will be supported through the possible pressures that they may face them from the other members of the group after interview by the teacher.
- (xii) Where the relevant teacher(s)/principal have determined that a pupil has been engaged in bullying behaviour, it will be made clear to him/her how he/she is in breach of the school's anti-bullying policy and efforts will be made to get him/her to see the situation from the perspective of the pupil(s) being bullied
- (xiii) It may also be appropriate or helpful to ask those involved to write down their account of the incident(s).
- (xiv) In cases where it has been determined by the relevant teacher(s) that bullying behaviour has occurred, the parents of the parties involved will be contacted at an early stage to inform them of the matter and explain the actions being taken. The school will provide parents an opportunity to discuss ways in which they can reinforce or support the actions being taken by the school and the supports for their pupils.



- (xv) In any situation where disciplinary sanctions are required, this is a private matter between the pupil being disciplined, his/her parents and the school.
- (xvi) Follow-up meetings with the relevant parties involved **may** be arranged separately with a view to possibly bringing them together at a later date if the pupil who had been bullied is ready and agreeable.
- (xvii) An additional follow up meeting with parents of the children involved **may** take place after an appropriate time to ensure that the matter has been resolved satisfactorily.
- (xvix) Where a parent is not satisfied that the school has dealt with a bullying case in accordance with these procedures the parents will be referred, as appropriate, to the Board of Management (*Appendix 3b*).
- (xx) In the event that the parent has exhausted the school's complaints procedures and is still not satisfied the parents have a right to make a complaint to the Ombudsman for Children.

### **Appendix 3(b)**

1. It is open to any of the parties or the principal teacher (or chairperson of the Board of Management, as the case may be) to refer the matter to the Board of Management for investigation. The referral should be in writing and dated, and should include a copy of the written complaint.
2. The Board of Management should consider the issues and investigate the matter:
  - The Board may enquire into the background of the difficulties, including obtaining details on the sequence of initiatives taken at previous stages;
  - The Board or Chairperson of the Board may meet children/parents/teachers individually or collectively and may also request written submissions from the parties, having regard also to the principles of due process
  - The Board may request the principal teacher to furnish a written submission;
  - The Board may afford the parties an opportunity to present their case orally at a Board meeting in each other's presence;
  - Following oral presentations, the Board of Management may designate the chairperson to meet with the parties again, separately or jointly, if further clarification is required or to work towards resolution;
  - The Board of Management may convene a number of meetings in order to achieve resolution;
  - The Board of Management shall act in a fair and impartial manner in order to achieve resolution and shall deal with the matter sensitively, having regard to the nature of the problem.
3. Having considered all matters, the Board of Management should reach a view on the matter not later than twenty school days after receipt of the written request/referral.
4. Where the Board of Management finds that bullying/harassment has not occurred, both parties should be informed accordingly. No action shall be taken against the complainant provided the allegation was made in good faith. If the complainant was brought maliciously, it should be treated as misconduct and appropriate action taken.
5. 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 and that it will not be tolerated;
  - 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 apologise/express regret or give an assurance that the bullying/harassment behaviour will cease;
  - Seeking a commitment to attend counselling or the welfare service, where warranted;

- More serious disciplinary sanctions as many be commensurate and appropriate, such as

- Oral warning
- Written reprimand
- Written warning
- Final written warning
- Suspension
- Dismissal

6. As part of any resolution, the Board of Management should monitor the situation, and should put systems in place to ensure that it is kept informed that resolutions are being implemented. The Board of Management should keep matters under review.



## **Appendix 4 – Procedures to Address Adult Bullying/Harassment**

### **1. Procedures to Address Adult Bullying/Harassment**

The procedures set out below may be initiated in relation to any of the following circumstances, which may occur in the workplace or otherwise in the course of employment:

- adult bullying;
- sexual harassment;
- harassment on other specified discriminatory grounds, which could in the circumstances be regarded as offensive, humiliating or intimidating.

Each board of management/school now adopt a policy and procedure on bullying, sexual harassment or other harassment on specified discriminatory grounds, which would include a clear statement that any such behaviour is not acceptable within the school. In this regard, it should be noted that the procedures below provide that a complaint of sexual harassment or bullying may result, following an investigation, in disciplinary action. Where a complaint of sexual harassment or bullying is not upheld, no action shall 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 the disciplinary procedure invoked.

The procedures outlined below are specifically designed to address adult bullying, sexual harassment or harassment on other specified discriminatory grounds, in an industrial relations/domestic framework.

#### **1.1 Adult Bullying**

Workplace bullying is repeated inappropriate behaviour, direct or indirect, whether verbal or 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 at work but as a once off incident is not considered to be bullying.

(As defined in the Report of the Task Force on the Prevention of Workplace Bullying – published by the Stationery Office, March 2001)

The Board of Management and staff of Dunderrow National School commit themselves to working together to maintain a workplace environment that encourages and supports dignity at work. Bullying in any form will not be tolerated and appropriate steps will be taken should a bullying problem occur.

Adult Bullying can take many different forms which usually include:

- intimidation or harassment;
- aggression;
- verbal abuse;
- humiliation;
- undermining;
- dominance or abuse of power;
- different or unfavourable treatment;
- exclusion or isolation.

Key features of Adult Bullying are that the behaviour is generally:

- persistent and/or systematic;
- unwanted;
- subtle;
- non-physical.

However, for the purposes of the procedures outlined in this document, CPSMA and INTO have adopted the definition of bullying set out by the Health and Safety Authority which is:

Bullying in the workplace is repeated aggression, verbal, psychological or physical, conducted by an individual or group against another person or persons. Bullying is where aggression or cruelty, viciousness, intimidation or a need to humiliate, dominate the relationships. Isolated incidents of aggressive behaviour, while to be condemned, should not be described as bullying. In the workplace environment there can be conflicts and interpersonal difficulties. Many of these are legitimate industrial relations difficulties that should be dealt with through the appropriate industrial relations channels. Only aggressive behaviour which is systematic and ongoing should be regarded as bullying.

Accordingly, it is the view of INTO and CPSMA that the exercise of legitimate management function, in a reasonable and fair manner, does not constitute bullying.

### **1.2 Sexual Harassment or Other Harassment On Specified Discriminatory Grounds**

The Employment Equality Act (1998) explicitly provides that sexual harassment and other harassment on legally defined discriminatory grounds is unlawful and constitutes discrimination, contrary to the Employment Act 1998. The Act (1998) defines harassment as any act or conduct which is unwelcome and offensive, humiliating or intimidating to the employee concerned, on a discriminatory ground, including spoken words, gestures, or the production, display or circulation of written material or pictures.

Employers may also be liable under the 1998 legislation, in respect of harassment occurring in the course of employment, whether or not it occurs with the employers' knowledge or approval. However, the legislation also provides that it shall be a defence for an employer to show that reasonably practicable steps were taken to prevent the harassment.

It is important to distinguish harassment, including sexual harassment, from normal social interaction at work involving mutually acceptable behaviour.

#### ***(a) Sexual Harassment***

It is unlawful to treat a person less favourably than another person on ground of sex in matters relating to employment, whether in the workplace or otherwise in the course of employment. Sexual harassment creates an unpleasant and intimidating work environment, threatens job security and undermines equality in the workplace. It is a form of discrimination and every effort should be made to eliminate it.

The Employment Equality Act (1998) defines Sexual Harassment as any unwelcome act, request or conduct, which could reasonably be regarded as sexually or otherwise on the ground of gender, to be offensive, humiliating or intimidating to the employee in question, such as:

- any act of physical intimacy; or
- any request for sexual favours; or
- any other conduct, such as spoken words, gestures or the production, display or circulation of written words, pictures or other materials.

Discrimination may also arise if a person is treated differently in the course of his/her employment by virtue of his/her acceptance or rejection of the Sexual Harassment.

In September 1994, the Department of Justice, Equality and Law Reform published a Code of Practice on measures to protect the dignity of women and men at work. The Code of Practice was issued in accordance with the European Commission's Code of Practice, which defined Sexual Harassment as 'unwanted conduct of a sexual nature or other conduct based on sex affecting the dignity of women and men at work'.



### ***(b) Other Harassment on Specified Discriminatory Grounds***

The Employment Equality Act (1998) states that other harassment, whether in the workplace or otherwise in the course of employment, may constitute discrimination, contrary to the legislation, in circumstances where:

- the harassment arises from an employee's marital status, family status, sexual orientation, religious beliefs, age, disability, race or membership of the traveller community; and
- the harassment is unwelcome and could reasonably be regarded as offensive, humiliating or intimidating to the employee concerned.

Harassment may constitute any act or conduct, such as spoken words, gestures, or the production, display or circulation of written works, pictures or other material.

Discrimination may also arise if a person is treated differently in the course of his/her employment by virtue of his/her acceptance or rejection of the harassment.

## **1.3 Bullying, Harassment/Procedures**

### **Preamble:**

The procedures outlined below are designed to address adult bullying, sexual harassment, or other harassment arising in the workplace or otherwise in the course of employment, in a fair and effective manner. In implementing the procedures, it is recommended that emphasis should be placed on assuring the party who considers that he/she is being bullied/harassed that his/her complaint will be acknowledged, that the matter will be investigated effectively and sensitively, and in accordance with due process.

Equally, where it is found that bullying or harassment has occurred, the emphasis, firstly, is to ensure that the offending behaviour immediately ceases and secondly, is to help the offending party acknowledge that his/her behaviour is unacceptable and that steps must be taken to address the matter constructively, thereby avoiding any recurrence. It is important to ensure that resolution is achieved at the earliest opportunity. Furthermore, it may be appropriate for the victim or the offender to attend counselling or obtain such other help as may be required.

### **Stage 1: Decide to Address the Matter**

- a) The party (party A) who considers that he/she is being bullied, sexually harassed, or harassed on other discriminatory grounds, should decide to address the matter. However, in light of the potential effects of bullying or harassment on an individual, including the loss of confidence, extreme upset, anxiety or fear, party A may initially decide to seek INTO or other assistance, including Employee Assistance Scheme or other counselling, in order to consider the most appropriate application of the procedures in the circumstances.
- b) Party A should keep a record of the pattern of behaviour, or instances where he/she considers that bullying/harassment has occurred. The record should contain details such as dates, times, persons present, details of what was said or what occurred. (Further details on the keeping of records are outlined in Section B (b), Positive Staff Relations.)

### **Stage 2: Informally Address the Problem**

- c) The party who considers that he/she is being bullied, sexually harassed, or harassed on other discriminatory grounds (party A), should request a meeting with the other party (B) in order to discuss matters. The following should apply:
  - where necessary, the meeting may be facilitated by a third party, generally a teaching colleague.

- 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, 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.
- d) If there is no satisfactory indication of resolution between the parties, party A should refer the complaint to Stage 3, i.e. formal procedures.

### ***Stage 3: Principal Teacher or Chairperson of the Board of Management***

Stage 3 provides a mechanism for the principal teacher to intervene and resolve the matter. However, if the principal teacher is one of the parties, the chairperson of the board of management should then be involved, in an individual capacity, in order to achieve resolution. In circumstances where the chairperson may also be involved at Stage 2, another member of the Board may be designated to intervene.

- e) Party A should advise party B that he/she is proceeding with Stage 3.
- f) Party A should state his/her complaint in writing and request the principal teacher (or chairperson of the board of management, as the case may be) to investigate the matter.
- g) The principal teacher (or chairperson of the board of management, as the case may be) should:
  - obtain background details including details of what occurred at the previous stage;
  - consider the pattern of behaviour and the timescale;
  - hear the parties and seek to resolve the matter;
  - act in a fair and impartial manner and deal with the matter sensitively, having regard to the nature of the problem and the principles of due process;
  - exercise judgement and make decisions which he/she considers necessary to resolve matters;
  - the outcome of the discussions should be noted by the parties;
  - the matter should be dealt with confidentially.
- h) Where resolution has not been possible and, particularly, where there is a likelihood of the offending behaviour continuing, either party or the principal teacher (or chairperson of the board of management as the case may be) should refer the matter to the board of management in accordance with Stage 4 below.

### ***Stage 4: Board of Management***

- i) It is open to any of the parties or the principal teacher (or chairperson of the board of management, as the case may be) to refer the matter to the board of management for investigation. The referral should be in writing and dated, and should include a copy of the written complaint.



- j) The board of management should consider the issues and investigate the matter:
- the Board may enquire into the background of the difficulties, including obtaining details on the sequence of initiatives taken at previous stages;
  - the Board or the Chairperson of the Board may meet teachers individually or collectively and may also request written submissions from the parties, having regard also to the principles of due process (cf. Section B(b), Positive Staff Relations);
  - the Board may request the principal teacher to furnish a written submission;
  - the Board may afford the parties an opportunity to present their case orally at a Board meeting in each other's presence;
  - following oral presentations, the board of management may designate the chairperson to meet with the parties again, separately or jointly, if further clarification is required or to work towards resolution;
  - the board of management may convene a number of meetings in order to achieve resolution;
  - the board of management shall act in a fair and impartial manner in order to achieve resolution and shall deal with the matter sensitively, having regard to the nature of the problem.
- k) Having considered all matters, the board of management should reach a view on the matter not later than twenty school days after receipt of the written request/referral.
- l) Where the board of management finds that bullying/harassment has not occurred, both parties should be informed accordingly. No action shall 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.
- m) 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 and that it will not be tolerated;
  - 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 apologise/express regret or give an assurance that the bullying/harassment behaviour will cease;
  - seeking a commitment to attend counselling or the welfare service;
  - more serious disciplinary sanctions as may be commensurate and appropriate, such as:
- ❖ oral warning
  - ❖ written reprimand
  - ❖ written warning
  - ❖ final written warning
  - ❖ suspension
  - ❖ dismissal
- n) As part of any resolution, the board of management should monitor the situation, and should put systems in place to ensure that it is kept informed that resolutions are being implemented. The board of management should keep matters under review.

## Appendix 5 Template for recording incident of bullying behaviour

### 1. Name of pupil being bullied and class group

Name \_\_\_\_\_ Class \_\_\_\_\_

### 2. Name(s) and class(es) of pupil(s) engaged in bullying behaviour


### 3. Source of bullying concern/report (tick relevant box(es))\*

Pupil concerned	<input type="checkbox"/>
Other Pupil	<input type="checkbox"/>
Parent	<input type="checkbox"/>
Teacher	<input type="checkbox"/>
Other	<input type="checkbox"/>

### 4. Location of incidents (tick relevant box(es))\*

Playground	<input type="checkbox"/>
Classroom	<input type="checkbox"/>
Corridor	<input type="checkbox"/>
Toilets	<input type="checkbox"/>
School Bus	<input type="checkbox"/>
Other	<input type="checkbox"/>

### 5. Name of person(s) who reported the bullying concern

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### 6. Type of Bullying Behaviour (tick relevant box(es)) \*

Physical Aggression	<input type="checkbox"/>	Cyber-bullying	<input type="checkbox"/>
Damage to Property	<input type="checkbox"/>	Intimidation	<input type="checkbox"/>
Isolation/Exclusion	<input type="checkbox"/>	Malicious Gossip	<input type="checkbox"/>
Name Calling	<input type="checkbox"/>	Other (specify)	<input type="checkbox"/>

### 7. Where behaviour is regarded as identity-based bullying, indicate the relevant category:

Homophobic	Disability/SEN related	Racist	Membership of Traveller community	Other (specify)
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

### 8. Brief Description of bullying behaviour and its impact

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### 9. Details of actions taken

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Signed \_\_\_\_\_ (Relevant Teacher) Date \_\_\_\_\_

Date submitted to Principal/Deputy Principal \_\_\_\_\_

**\* Note:** The categories listed in the tables 3, 4 & 6 are suggested and may be amended to suit the circumstances.



## Appendix 6- Checklist for annual review of the anti-bullying policy and its implementation

The Board of Management will undertake an annual review of the school's anti-bullying policy and its implementation. The following checklist will be used for this purpose. The checklist is an aid to conducting this review and is not intended as an exhaustive list. In order to complete the checklist, an examination and review involving both quantitative and qualitative analysis, as appropriate across the various elements of the implementation of the school's anti-bullying policy is required.

	Yes /No
Has the Board formally adopted an anti-bullying policy that fully complies with the requirements of the <i>Anti-Bullying Procedures for Primary and Post-Primary Schools</i> ?	✓
Has the Board published the policy on the school website and provided a copy to the parents' association?	✓
Has the Board ensured that the policy has been made available to school staff (including new staff)?	✓
Is the Board satisfied that school staff are sufficiently familiar with the policy and procedures to enable them to effectively and consistently apply the policy and procedures in their day to day work?	✓
Has the Board ensured that the policy has been adequately communicated to all pupils?	✓
Has the policy documented the prevention and education strategies that the school applies?	✓
Have all of the prevention and education strategies been implemented?	Ongoing
Has the effectiveness of the prevention and education strategies that have been implemented been examined?	✓
Is the Board satisfied that all teachers are recording and dealing with incidents in accordance with the policy?	✓
Has the Board received and minuted the periodic summary reports of the Principal?	✓
Has the Board discussed how well the school is handling all reports of bullying including those addressed at an early stage and not therefore included in the Principal's periodic report to the Board?	✓
Has the Board received any complaints from parents regarding the school's handling of bullying incidents?	✓
Have any parents withdrawn their child from the school citing dissatisfaction with the school's handling of a bullying situation?	No
Have any Ombudsman for Children investigations into the school's handling of a bullying case been initiated or completed?	No.
Has the data available from cases reported to the Principal (by the bullying recording template) been analysed to identify any issues, trends or patterns in bullying behaviour?	N/A
Has the Board identified any aspects of the school's policy and/or its implementation that require further improvement? <i>Whole school review - child safeguarding</i>	Yes.
Has the Board put in place an action plan to address any areas for improvement? <i>Regular review.</i>	

Signed

Chairperson, Board of Management

Date 24th April 2018.

Signed

Principal

Date

26th April 2018.

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