

**The Diocesan Council of the
Diocese of Cork, Cloyne and Ross ('the Diocesan Council')**

BULLYING PREVENTION POLICY

1. Purpose of Policy

This policy sets out The Diocesan Council of the Diocese of Cork, Cloyne and Ross (the 'Diocesan Council') commitment to creating and maintaining an environment where all employees are free to work without fear of bullying from any source. The purpose of the policy is to prevent and deter bullying behaviour and where it occurs to have the effective procedures in place to address the matter. Bullying complaints will be dealt with sensitively and informally where possible to ensure a healthy and safe place of work.

2. Scope of Policy

The protection under this Policy extends to:-

- Bullying at work by those in authority in the Church, clergy, subordinates, fellow employees, church volunteers, church members or those who avail of the services of the Church and its administration, as well as church contacts.
- Beyond the place of work to off site and work-related social events.

3. Policy Guidelines

- Bullying creates an unpleasant and ineffective working environment. It can destroy the self-esteem and health of employees. It is in everyone's interests to prevent and combat this behaviour. In addition to it being a Diocesan Council policy, all forms of bullying in the workplace are unlawful.
- The Diocesan Council supports the resolution of complaints, as far as is possible and appropriate, through informal processes. It is expected that informal procedures will normally be pursued before resort to the formal Diocesan Council procedure.
- Any formal complaint of bullying will be promptly and seriously processed. It is recognised that bullying is difficult issues to deal with for all concerned. The Diocesan Council undertakes to pursue formal complaints as sensitively as possible, with due regard to the rights of the Complainant and Respondent.

- The Diocesan Council is committed to identifying and eliminating organisational deficiencies which may contribute to the occurrence of bullying, and undertakes to review and make improvements in the event that any investigation under this procedure identifies organisational factors as contributing to a case of bullying.
- It is considered a breach of policy and a disciplinary offence for any employee to attempt to victimise or otherwise retaliate against an individual because that individual, whether as a witness, party of in any other role, participate in good faith in this procedure.
- Since complaints of bullying will be taken very seriously any attempt to misuse this policy and procedure through the filing of malicious complaints may result in disciplinary action pursuant to the Diocesan Council's disciplinary procedures, and may attract a disciplinary sanction up to and including dismissal.
- All employees have the right to be treated with dignity and respect at work.

4. What is bullying behaviour?

Bullying, whilst not defined in legislation, can have serious effects on the health and welfare of recipients and is therefore regarded as a work risk and is legislated for under the Safety, Health and Welfare at Work Act, 2005. The Health & Safety Authority defines bullying as 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 at the behaviour described in this definition may be an affront to dignity at work, but as a once off incident is not considered bullying. Many conflicts and interpersonal difficulties should be dealt through appropriate industrial relations and complaint channels. Common bullying behaviour includes, but is not limited to:

- Exclusion with negative consequences
- Persistent picking on someone
- Being less favourably treated than colleagues
- Manipulation of someone's reputation
- Manipulating the nature of someone's work or the ability of someone to do their work (e.g. overloading, withholding information, setting meaningless tasks)
- Social exclusion, isolation, individualisation or humiliation

- Constant criticism, preventing someone from speaking, shouting, public reprimands, rages over trivialities or insults
- Unwanted physical contact, physical abuse or threats of abuse to individual or an individual's property
- Undermining an individual's work or self-esteem
- Excessive monitoring of work

This policy will be interpreted with consideration of the fact that behaviour which is acceptable to one individual may be offensive to another.

Bullying by Outsiders

Bullying by persons not directly connected to the Diocesan Council, such as church members, church volunteers, service providers etc is unacceptable and should be promptly reported. Although the Diocesan Council has no power to discipline the offender in such cases, upon receipt of a complaint and after investigation, it will take action in an effort to prevent reoccurrence of such conduct.

What is not Bullying

Bullying at work does not include reasonable and essential discipline arising from the good management of the performance of an employee at work or actions taken which can be justified as regards a safety, health and welfare of the employee. For example, an employee whose performance is continuously signalled at a level below required targets may feel threatened and insecure in their work but this in itself does not indicate bullying.

5. Creating a Positive Environment

- 5.1** All employees of the Diocesan Council share the responsibility for ensuring an environment that is free from any form of bullying. It is not the intention of these guidelines to prevent normal good-humoured banter between colleagues. However, care needs to be taken not to cross the line into unacceptable behaviour, which is offensive, abusive, intimidating, malicious or insulting. In any case, such behaviour should stop immediately when a colleague indicates it is unacceptable to him or her.
- 5.2** Members of the Diocesan Council have a responsibility to support and implement this anti-bullying policy, to provide a reasonable work environment, and to ensure that appropriate codes of behaviour are maintained in the Diocesan Council.

- 5.3 Each individual in the organisation also have a responsibility to help to ensure that unacceptable behaviour does not continue unchecked or unreported. Individual responsibility includes awareness of one's own behaviour and its potential effects on others.

6. Reporting an Incident

- 6.1 All complaints of bullying will be treated seriously and with due regard to the sensitivities of the complainant and to the rights of the person against whom the complaint has been made. Complaints will be dealt with promptly and sympathetically. As far as possible, every effort will be made to handle complaints in confidence. Any person or persons alleged to have bullied will be afforded natural justice and treated with fairness, sensitivity and respecting the need for confidentiality with all parties concerned.

6.2 Implementing the Procedures of the policy

For the purposes of implementing the procedures in this policy the Diocesan Council will appoint and act through a sub-committee ('Employment Committee') of its own members which it shall elect triennially.

6.3 Informal Approach

The objective of this approach is to resolve the difficulties with the minimum of conflict and stress for the individuals involved.

Get support. Talk to someone you trust.

Make it clear to the perpetrator that the behaviour is unwelcome and unacceptable and ask them to stop. If this is not possible or you find it difficult to approach the perpetrator, then you should approach one of the contact persons for help.

Keep a record of incidents as they occur: what happened, dates, times, places, witnesses (if any), your response and the impact on you.

Discuss the matter with one of the Contact Persons. They are appointed to help resolve such cases. They offer confidential, informal service and act with your agreement. They:

- Listen, provide support

- Help you to solve the problem
- Advice about other sources of help
- Inform you about formal complaints procedures and provide personal support during any formal procedures

6.3 Mediation

The Diocesan Council supports the use of mediation as an alternative method of resolving complaints. Mediation is an informal process, through which a Mediator helps the parties in a dispute to talk about issues between them, and if they wish, to reach an agreement which is acceptable to both sides. The process is voluntary and both parties must be willing to take part and agree to the appointment of a Mediator (internal or external). If the parties agree to this approach, the chairperson of the Employment Committee will appoint a neutral and impartial Mediator to facilitate the process.

6.4 Formal Process

For serious complaints or where the problem is not resolved through any of the informal methods, the formal complaints process may be used.

Formal complaints should be lodged with the Chairperson of the Employment Committee within 10 days of the most recent incident of bullying occurring. In exceptional circumstances, the time limit may be waived. The complaint should be clearly formulated in writing, confined to precise details of the allegations.

All formal complaints will be investigated.

The alleged perpetrator should be notified in writing that an allegation of bullying has been made against them. They should be advised that they shall be afforded a fair opportunity to respond to the allegations.

7. Investigation

Generally the investigation will be conducted by persons nominated by the Chairperson of the Employment Committee. Occasionally it may be appropriate for the Chairperson of the Employment Committee to nominate a third party to conduct the investigation.

The investigation will look objectively at all evidence pertinent to the complaint. The investigator(s) should meet with the complainant and the alleged perpetrator and any witness on an individual basis with a view to establish the facts.

Details of the complaint will be made available to the parties in advance of an investigation meeting.

Investigation meetings will be held in confidence and with sensitivity, and all staff will be treated with dignity and respect. Confidentiality is required of all parties involved in the investigation.

A written record of all meetings shall be kept.

Those attending investigation meetings will be told in advance of the meeting of:

- The purpose of the meeting
- The complaint being investigated
- The time and venue
- Their right to representation
- That the investigation may lead to disciplinary action

Both parties have the right to be accompanied by an authorised Staff Representative, or work colleague.

All material relevant to the complaint will be made available to the alleged perpetrator during the course of the investigation.

The alleged perpetrator will get the full details of matters under investigation and the opportunity to respond to them fully.

Further investigation meetings may be scheduled if required as issues arise. Every effort will be made to complete the investigation as quickly as possible, and within an agreed timeframe if possible.

Staffs are obliged to co-operate with investigations held under this procedure.

The outcome of the investigation will be in the form of a written report which will be presented to the complainant and alleged perpetrator.

Both parties should be given an opportunity to comment on the findings before any action is decided upon the Chairperson of the Employment Committee.

If it is found that the complaint is well founded, the Chairperson of the Employment Committee may recommend counselling, monitoring or the convening of a disciplinary hearing. This outcome should be conveyed personally, as well as in writing, to the individual involved.

If a disciplinary hearing is recommended this will be conducted in line with the statutes and /or agreements pertinent to the person involved.

If it is found that the complaint is not upheld, the complainant can be assured that bona fide complaints will not be viewed as malicious. Complaints which are found to be malicious will be dealt with under the disciplinary procedure. This provision should not deter employees from reporting genuine complaints.

If either party is unhappy with the conduct of the investigation or the outcome, they may refer the matter through the appropriate Diocesan Council procedures or the normal Industrial Relations machinery. Referrals should be made in writing within seven days setting out the grounds on which they are not satisfied with the outcome or conduct of the investigation.

List of Contact Persons

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8. The Diocesan Council is responsible for the review and updating of the Policy.