



FAIR PLAY *for* ALL

Belvedere College S. J. Policy
On
The prevention of Harassment, Bullying¹,
Sexual Harassment and Racial Harassment

Belvedere College SJ

¹ Incorporating Anti-bullying Procedures for Primary and Post-Primary Schools, DES 2013

FAIR PLAY *for ALL*
POLICY DOCUMENT

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Mission Statement (Extract)

The mission of the Belvedere Community – Jesuits, Staff, Parents, present students and past pupils – is to ensure that graduates of the College by their relationship with Jesus Christ and through living Gospel values shall be persons for others in leadership and example in the pursuit of a just world.

1. ‘Fair Play *for All*’ – How this policy relates to the Belvedere Ethos

Our Mission Statement sets as an ideal “*the pursuit of a just world*”. The ‘Fair Play *for All*’ policy looks at how we encourage fair treatment in work, study or co-curricular activities. It also looks at how we tackle difficulties in relationships.

- a. As a Jesuit College we aim to give witness to a faith that promotes justice. A good starting point is to have justice in our relationships with each other. We can make this ideal a reality each day by treating everyone fairly.
- b. As a Jesuit College our school life also encourages the growth of mutual respect in our relationships with others. This means respecting differences in others, including the vulnerability of other people.

To do this Belvedere College actively encourages:

- Responsible behaviour towards oneself and towards others.
- Celebration of the unique and individual way each person contributes to school life.
- Through discussion and ownership of this policy, increased awareness and understanding of justice issues. This can help prevent incidents from happening.
- This policy was drawn up by the Board of Management in consultation with the Staff, Parents and Students. The policy is strengthened by this partnership approach.
- In this policy the College seeks to uphold equality and anti-discrimination protection afforded under national legislation to all members of the Belvedere Community.

2. Our Aims in having the ‘Fair Play *for All*’ Policy

There may be occasions when inappropriate behaviour occurs and causes distress. The Policy helps the College take prompt and consistent action to resolve the issue in a positive way.

- The policy gives examples of the sort of behaviour that is unacceptable;
- It alerts people to the negative effects of behaviour such as bullying or harassment;
- It ensures compliance with the anti-bullying procedures for primary and post-primary schools (DES, Sept 2013);
- It sets out the support and help available to anyone subjected to inappropriate behaviour;
- It is a means to ensure that inappropriate behaviour stops;
- It helps ensure that both the target and the perpetrator are cared for;
- It outlines clearly **what action can be taken** and the **procedures** to handle complaints.

3. What behaviour is not permitted by the 'Fair Play *for All*' Policy?

- In the policy we talk of 'Inappropriate behaviour'. That includes bullying or harassment of any kind – whether verbal, physical, emotional, racial or sexual harassment, or the threat of such abuse; none of the above will be tolerated.
- It is the *impact* of the inappropriate behaviour, rather than the *intent* that defines it.
- Please see Appendix 1 for definitions of these types of behaviour. Appendix 2 gives examples. (The definitions give descriptions of the most prevalent forms of inappropriate behaviour. The examples listed are not intended to limit the policy in any way.)
- The Policy can help deliver a safe and healthy environment for all staff, pupils and the College community. Behaviour that undermines the right to dignity and respect or that undermines the wellbeing, health and safety of the College Community is prohibited by the College's Code of Behaviour and Discipline and Staff Regulations.

4. How each person can play their part:

Out of mutual respect for ourselves and for others, we make justice a reality by:

- Being aware of the impact of our conduct on others;
 - Being on the look out for each other, being vigilant, individually and collectively – this is the best method of prevention;
 - Accepting that we all have a duty and a responsibility to uphold this Policy.
 - **Taking prompt action** – there is no place for bystanders – you are expected to:
 - Come to the assistance of others in a responsible way by standing up for them **or**
 - Report incidents that cause concern to a contact person. This can be done by in confidence. The contact person will then take action:
- Deputy Head Safeguarding Officer
 - Year Heads
 - Form Tutors
 - Classroom teachers
 - Prefects and class captains
(training needed on disclosure)

5. Who is protected by the policy?

All members of the Belvedere Community are offered protection by this policy.

Inappropriate behaviour can occur at any time and at any level within a school, as between;

student /student, student /staff member (teaching or non-teaching), staff member / student, staff /staff or in the parent / teacher, teacher /parent relationship.

6. Where does the Policy apply?

“Fair Play for All” applies to pupils and staff in their relationships with others:

- At Belvedere College, or anywhere staff or students are representing the College.
- At events such as social functions, sporting events, training seminars, field trips or school trips where Belvedere is represented.
- In writing, on the phone, by e-mail, text message, on the internet or any other form of communications technology in any College related activity.

Inappropriate behaviour targeted at College personnel by persons not employed by the College is also unacceptable (e.g. visitors, work persons on site etc.) It should be reported immediately to the Headmaster or a member of staff. The College will take prompt action to prevent any recurrence.

7. SOURCES OF HELP within the College – Who can you confide in?

Contact persons have been assigned to assist as follows:

Students: Contact your **Form Tutor**, Year Head, Assistant Deputy or Deputy Headmaster, Chaplain, Pastoral Care Team, School Captain or Senior Prefects – or any staff member that **you** feel you can confide in. (A witness can contact any of the above with the assurance of all possible confidentiality.)

Staff: Contact designated Support Colleagues, Staff representative, Assistant Deputy or Deputy Headmaster or Headmaster.

Parents: If your son is the target of bullying/ harassment, encourage him to contact the **Form Tutor** immediately, or else make contact yourself as a matter of urgency. (Other contacts - Year Head, Assistant Deputy or Deputy Headmaster, Headmaster.) Parents should also contact the Form Tutor regarding incidents of bullying behaviour which might have come to their attention through their children or through other parents/guardians.

Non-Teaching Staff: Contact the manager of your department or the Administrator. You are encouraged to report any incidents witnessed by you to the Headmaster / Deputy Headmaster.

- Action will then be taken by the contact person in accordance with this policy document and the College Code of Behaviour and Discipline.

Note: Responsibility for the implementation of this policy is vested in the Headmaster

8. Examples of inappropriate/bullying/harassing behaviour:

- You should feel that you and your property are safe within in the College community.
- Likewise you have the right to expect freedom from any repeated negative behaviour that hurts, threatens, isolates, excludes or embarrasses. Examples are given in Appendix 2 that apply to the entire College Community.

9. Statement of Integrity in Relationships – between adults and children or students:

- Adults interacting with pupils students in Belvedere College and in co-curricular activities are in a position of trust and influence.
- They should always ensure that they treat pupils with integrity and respect and that the self-esteem of the children or students is enhanced.

- All adult action in the College and co-curricular activities should be guided by what is best for the young person and carried out in the context of respectful and open relationships.
- Verbal, physical, emotional or sexual abuse of any kind or threat of such abuse is totally unacceptable within Belvedere College as in society in general. Examples of these forms of inappropriate behaviour are given in Appendix 2. (For the mutual protection of the pupil and adult community of the school our **Policy for the Protection and Welfare of Children** sets out the detail of this policy.)

10. The negative impact of inappropriate behaviour:

Research shows that negative behaviour can impact an individual's physical, emotional or behavioural wellbeing, especially if sustained over time. It can also have a negative and demoralising effect on a class or staff group within the school. Severe distress can also be caused to the close family, friends or work colleagues of anyone witnessing this behaviour.

- Fellow pupils, teachers, parents or colleagues should be alert to changes in behaviour patterns.
- Parents especially should trust their instincts, investigate and confide in a member of staff – **if the behavioural changes observed cause concern**

Some of the physical, behavioural or emotional symptoms can include:

- Visible signs of increased anxiety and stress
- Anxiety about going to school / work or increased absenteeism
- Reduced ability to concentrate - poor or deteriorating school work or work
- Lack of motivation or energy
- Loss of confidence or self esteem
- Changes in eating pattern - lack of appetite or comfort eating
- Changes in sleeping pattern - problems with sleeping: nightmares, sweats
- 'Personal symptoms of stress' such as skin or respiratory conditions becoming worse
- Physical symptoms – headaches, vomiting, crying, stomach & bowel disorders
- Unexplained injury to person, damaged or missing property
- Changes of mood and behaviour
- Aggressive behaviour
- Increased likelihood of alcohol, drug or substance abuse
- Panic attacks
- Nervous breakdown, reactive depressive illness and even suicide.

(N.B. Symptoms might be caused by another health problem – that may require medical evaluation. Seek advice at the earliest opportunity if concerned. Note: the list is non exclusive.)

11. Pro-Active support and development for the Fair Play for All policy

- Belvedere College seeks at all times to inform the College Community of the Jesuit ethos which promotes mutual respect, positive co-operation and natural justice.

- Our system of prefects, form tutors and the Pastoral Care programme assist with personal growth and the development of positive interpersonal relationships for students.
- The “Fair Play *for All*” policy forms an important part of the practical application of justice in College life. Pro-active strategies include:
 - Training for the pupils, teachers, staff and management involved in the implementation of the “Fair Play *for All*” policy
 - Collegiate forms of workplace organisation, inclusive of all staff
 - Inclusion of policy in induction and in-service programmes for staff
 - Inclusion on the agenda for staff meetings
 - Inclusion by Form Tutors in their discussions with classes
 - Inclusion by the Pastoral Care Team in their instruction programmes
 - Inclusion by the CSPE programme- in particular the elements of Social Legislation that relate to this policy
 - Inclusion by the School Council in its annual agenda
 - Inclusion of the Parents in the annual programme
 - Publication of the outcome of the review on the College’s website and sharing and discussion of the evaluation report with the Parent’s Association;
 - Provision of a report each term to the Board of Management by the Headmaster, including incidences of reported bullying and the outcome
 - Annual review of the effectiveness of the policy through the use of questionnaires and seeking feedback from pupils, parents and staff;

This will be carried out through the following:

- Consultation with the Parents Association and seeking their views annually;
- Seeking the views of all parents in relation to the effectiveness of the College’s anti-bullying policy in the ‘parent questionnaire’ circulated to all parents annually;
- Incorporating views of students and requesting feedback at the anti-bullying workshops for 1st-4th years;
- Requesting the views of students in relation to the anti-bullying policy through the annual survey of student welfare by year heads;
- Ensuring that student satisfaction with the College’s approach to dealing with bullying is included in term reviews by form tutors with students;

12. Summary of “Fair Play for All” Process

The 7 Stages listed below summarise the “Fair Play for All” process:

1. OFFENCE – SEE PARAGRAPHS 12 TO 16

- If the behaviour of another person / group is having a negative effect on you on an ongoing basis, **you are entitled to ask them to stop.**
- If a class mate / colleague is suffering from the negative behaviour of another / others, you should bring it to the attention of a contact person. They can intervene to stop the offending behaviour.

2. REPORT – If you need help, look for assistance – PARAGRAPH 7 FOR SOURCES OF HELP

- Anyone who reports incidents of inappropriate behaviour is acting responsibly.
- To look for help is the correct thing to do. You are not to blame for the situation. The sooner you take action, the easier it will be to tackle the issue.
- You will be offered help, advice and support.
- Clear information is needed, so have all the details ready
- It has been found that in most schools and work places the greatest majority of cases are resolved effectively in an informal way. This approach is highly recommended.

3. INTERVENTION — SEE PARAGRAPH 18

- The school will investigate the issue fairly, as set out and with all possible confidentiality. It will do so in a manner that affords all concerned full rights in accordance with natural justice

4. ACKNOWLEDGE – SEE PARAGRAPH 19

- If offensive behaviour occurred, it will have to be acknowledged - responsibility for one’s actions is a key area of developmental learning in our school.

5. APOLOGY – SEE PARAGRAPH 19

- Through effective mediation we would hope to bring both parties to a situation where, if warranted, a genuine and sincere apology would be given and accepted.
- This would include an assurance that the offence would not occur again

6. RESOLUTION – SEE PARAGRAPHS 19, 20 & 21

- Depending on the circumstances there may be disciplinary issues arising, also, behaviour would be monitored and appropriate support provided to either parties.

7. Complaints–

- In the event that a parent or pupil is not satisfied that the ‘Fair play for all’ policy has been implemented in accordance with the anti-bullying procedures for primary and post primary schools, 2013, a complaint may be made to the Headmaster;
- If the complainant is not satisfied with the response received and their complaint remains unresolved to their satisfaction, this can be appealed to the Board of Management
- Should a parent or pupil remain dissatisfied the outcome of the complaint to the Board of Management, a complaint may be made to the Ombudsman for Children’s Office

13. Points to consider when taking ACTION

- *Inappropriate behaviour can be conducted maliciously and with deliberate intent.*
- *However, the person whose behaviour is the subject of the complaint may be unaware of the difficulties that they are causing.*
- *Bringing the matter to their attention may be all that is required.*
- *With assistance, we believe a positive approach can be taken to finding a solution.*

14. TAKE ACTION – Act immediately! Gather the facts, Decide who to contact!

- Consider the behaviour that you find offensive – **are you clear that there is an issue?**
- **Examine the facts, including specific details, if it helps, jot down notes for yourself:**
 - **What happened** – incident(s)
 - **Where**
 - **Who was involved** - Who else was present at the time?
 - **When** – Dates, times, perhaps how often?
 - **Why** – Can you establish why it happened?
- A bully / harasser often will rely on their target's fear of making things worse by telling.
- You may not be the only one being affected by the person(s) negative behaviour. You have the College's support. Any attempt at retaliation would be treated very seriously.
- **The Contact persons for each group are listed in Paragraph 7**

15. Step 1 – (The informal approach)

We recommend that you confide in a Contact Person and that you ask their advice. They will take action as follows:

- They will listen to establish the facts.
- They will want the details of what happened, the sequence of incidents.
- They can discuss your concerns and offer reassurance and advice.
- The Contact Person will make an intervention on your behalf.

The College procedure outlined in Paragraph 17 will then be followed.

It is expected that once you have referred to a Contact Person this would happen within **five working days**.

- If the matter is not resolved by the above, The Deputy Headmaster or the Administrator (for non-teaching staff) will be asked for their assistance.
- Some complaints would need to be referred to the Headmaster, Deputy Headmaster or Administrator (for non-teaching staff) from the start – *still* within the informal process.
- (Note: If either of the persons mentioned above are involved in the complaint, you will be referred to another senior person in the College.)

OR

16. Step 2 – (The Informal Approach)

Some people wish to speak directly to the person causing them the offence. If this is the case, then we recommend that first you talk to a Contact Person to get their view.

(This approach might be more suited to an older student or to an adult member of the community.):

- Start by sharing the facts and your concerns with a Contact Person you can trust.
- With their advice, then directly approach the person causing offence.
- Plan when, where and how you will talk to the person.
- Make it clear to the person causing offence that such behaviour towards you (or others) is unwelcome or offensive or interfering with your school-work or your work performance.
- Act as confidently as you can
- Explain clearly the adverse effect that their behaviour and actions are having on your work or study and ask them to stop.

- Let them know that the situation must be resolved as it cannot continue.
- Having made your point, finish the conversation and withdraw, do not get drawn into a debate.
- Record the time, date and details of the discussion for future reference, in case the matter is not resolved by talking to them directly. Advise your Contact Person of the outcome.
- **If this approach fails, the Contact person can take action on your behalf, as in Step 1 above.**
- **In the case of a teacher/student complaint, it should be reported to the student's Form Tutor.**
- **Or, as above, The Deputy Headmaster or the Administrator (for non-teaching staff) can be asked for their assistance to resolve the matter, if the initial approach does not work.**

OR

17. Step 3 - Formal Complaint –(details in Appendix 3)

- A Formal Complaint must be made in writing to the Headmaster - you can look for assistance from the Contact Persons mentioned above to take this action.
- The details of a Formal Complaint are set out in Appendix 3.
- This option can be taken if previous informal intervention has been ineffective or for very serious complaints, in the first instance.

18. Overview of the Action that the College will take to Investigate

Investigations will be handled promptly with sensitivity, discretion and with all possible, confidentiality². Respect and due regard to the rights of both parties will be shown both to the person making the complaint and to the subject of the complaint:

- To allow for privacy, investigations will be held away from the classroom or workplace.
- The facts will be established calmly and objectively.
- Key facts needed – **who, what, where, when** and **why** an incident(s) may have occurred; **were there** any witnesses?
- Both persons involved will be spoken to separately, so as to hear both sides of the story.
- If a number of people ('a gang') were involved in the incident, each person will be seen individually and then will be met with as a group.
- Any attempt at intimidation of those involved will be viewed seriously by the College.
- Acting in the best interests of all, the College will seek an early resolution of the problem.
- Consultation with the parents / guardians will generally occur early in the process, so that they can support their child, whatever their involvement.
- The co-operation of parents / guardians is crucial. Parental support for this policy is greatly valued by the College.
- The staff member handling the enquiry will record and note the incidents.
- They may ask those involved to write a report of the incident(s) under investigation.

² In accordance with *Children First: National Guidance for the Protection and Welfare of Children*, 2011, and the College's Child Protection Policy

- If formal process is requested, at the start of the investigation both parties (including parent/guardians) will be advised that this is the case.
- If it is concluded that inappropriate behaviour has occurred, the person causing the offence will be asked to take responsibility for the offence and made aware that they are in breach of the College Code of Behaviour and Discipline.
- Any action being taken will be explained, and the reasons for it, including sanctions, if breaches of the College's Code of Behaviour and Discipline have occurred.
- In all cases the outcome of an investigation will be notified to the parents / guardians.
- Follow up action will be taken, as outlined below.

The school will generally investigate complaints as above. It must be borne in mind that the individual making the complaint decides whether to make an informal or formal complaint. (The process will vary, accordingly.) The procedure for handling a formal complaint is set out in Appendix 3.

19. Action after Investigation

If it is found that the behaviour of the person who is the subject of the complaint had been misinterpreted, or that they were genuinely unaware of the impact of their actions, further action may not be necessary. The investigation would have clarified the situation to the satisfaction of all parties.

Through effective mediation we would hope to bring both parties to a situation where:

- If inappropriate behaviour occurred, it would be acknowledged.
- If warranted, a genuine and sincere apology would be given and accepted.
- A firm assurance would be given that the offence / offending behaviour would not occur again.

However, the ongoing relationship between the individuals involved in the reported incident(s) will be monitored by their Form Tutors over a number of months to ensure that the situation has been effectively resolved and would not recur.

Responsibility for a bullying episode would not focus solely on the person whose behaviour is the subject of the complaint, and their target only. Other issues – and the broader picture may need to be examined by the Form Tutor.

20. Treatment of the person against whom a complaint has been made

- They will be expected to take responsibility for their actions.
- It will be made plain to them that this behaviour is unacceptable.
- Realistic, firm and consistent guidelines will be given to achieve behaviour control.
- They may be requested to attend counselling to prevent further incidents of harassment from occurring. (The College recognises that there may be cases of established negative behaviour patterns where professional treatments may be required, beyond the scope of school based intervention methods.)
- Following investigation, the issue of sanctions will be judged in accordance with the circumstances, and according to the College Code of Behaviour and Discipline and the Staff Regulations.

- Breach of the ‘Fair Play for All’ policy may be grounds for disciplinary action ranging from a verbal warning up to and including expulsion / dismissal for serious offences.

In the case of a teacher’s complaint against a student, if after informal intervention the matter is unresolved, the student(s) may be removed from the class or co-curricular activities of the complainant for the duration of the investigation, if deemed appropriate.

In cases of serious complaints against members of staff or employees of the College it may be necessary to suspend the alleged harasser/bully with pay to facilitate the investigation.

Where the transfer of one of the parties involved is deemed to be appropriate, the person who has been harassed/ bullied will not be transferred unless they so request.

21. Protection and support for the complainant

Those subjected to inappropriate behaviour require the support of their classmates and colleagues – and the following will be made clear to them:

- That help is available
- Action will be taken promptly
- “Telling” is a courageous and most important first step, those who bully or harass do not like others to know what is going on.
- Bullying/harassment could happen to anyone –and nobody should have to put up with it
- It will be made very clear that what happened is not their fault
- It does not have to be faced alone

- **Support** - The target of inappropriate behaviour may also need support and encouragement to participate in activities to raise/restore their self-esteem and to further develop friendship and social skills.

- **Retaliation** – All reasonable steps will be taken to protect someone who files a complaint or assists in an investigation from intimidation. Retaliating against someone who complains about inappropriate behaviour, i.e. harassment is a serious offence and will be subject to disciplinary action.

22. Malicious complaints

Sometimes complaints concerning inappropriate behaviour bullying or harassment may themselves be false and/or maliciously motivated for other reasons. There is protection available for people making genuine complaints in good faith. It is a statutory offence to make a malicious report. Should the College become aware that a complaint is false or malicious in nature it will regard the matter very seriously. This will probably result in disciplinary action being taken.

23. The following complaints may not be considered

- Anonymous complaints
- Frivolous and vexatious complaints which do not impinge on the student at school or the work or a staff member

- Complaints which are the subject of legal proceedings
- Matters or events not school related

24. How the Policy will be made available

- Abridged version of “Fair Play *for All*” is circulated in the annual ‘Belvedere College Journal’. It will be circulated as part of the School Plan, with the Policy Documents and on the College Website.
- New members of staff, new pupils and their families will be given a copy of the policy document.

25. Responsibility for this Policy Document

Particular responsibility lies with the Headmaster and the Board of Management to ensure that this policy is implemented fully.

- Accordingly the Board of Management, in discussion with the Headmaster and following extensive consultation with students, parents and staff has prepared this document in order to do all it can to ensure a safe environment in the school.
- The policy was ratified by the Board of Management, and is effective and operational.
- The Board of Management undertakes to implement the “Fair Play *for All*” Policy and Procedures on Dignity and Respect at Belvedere College.
- The necessary training and resources will be made available to support the policy.
- Records of complaints and when, why and how they occurred may be kept and consulted in order to identify any problem areas or trends. This record will be made in accordance with the template for recording bullying behaviour ³
- The policy itself will be monitored and reviewed annually through the use of questionnaires and seeking direct feedback from parents, pupils and staff to examine its effectiveness, to take account of changing circumstances and the experience of the College.
- The outcome of the review will be made available on the College’s website and shared with the Parent’s Association
- The Policy will be made widely available in the College and is held as part of the School Plan.(See attached Appendices)

³ Anti-Bullying Procedures for Primary and Post-Primary Schools, DES 2013

Appendix 1 – Definitions**BULLYING we define as:**

“Bullying is negative behaviour, which can be direct or indirect, verbal, non-verbal or physical, initiated by one or more persons against another or others in a systematic and on-going manner. Isolated incidents of aggressive behaviour can also be described as bullying if they are unjustified and serve to intimidate on an on-going basis”

Examples of bullying behaviour are given in Appendix 2.

HARASSMENT we define as:

Any act or conduct including spoken words, gestures, or the production, display or circulation of written words, pictures or other material if the action or conduct is unwelcome to the recipient and could reasonably be regarded, in relation to the relevant characteristics of the person subjected to the treatment, as offensive, humiliating or intimidating.

(As above, examples of behaviour that would include Harassment are given in Appendix 2)

RACIAL HARASSMENT we define as:

Harassment on the grounds of race/ethnic origin is defined as unwanted or unwelcome conduct based on a person’s race which is offensive to the recipient and which might threaten a person’s security or create a stressful, hostile or intimidating work, study or play environment. (See Appendix 2)

SEXUAL HARASSMENT we define as:

Sexual harassment means unwanted conduct of a sexual nature or other conduct based on a person’s sex, which affects the dignity of men and women at work. The **Equality Act 2004** defines sexual harassment as any form of 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. The unwanted conduct may consist of acts, requests, spoken words, gestures or the production, display or circulation of written words, pictures or other material. Examples of Sexual Harassment are given in Appendix 2

(See paragraph 9 of Policy for statement on the integrity of relationships in the College.)

This Code of Practice is designed to deal with cases of sexual harassment as set out above. It is not designed to deal with those cases coming under the category of physical sexual assault which would, if proven, amount to criminal wrongdoing.

Appendix 2: Examples of the types of inappropriate behaviour that are not permitted by the above definitions⁴:

Examples of inappropriate / bullying / harassing behaviour:

- **You should not encounter unwanted physical aggression:** Including pushing, shoving, punching, kicking, tripping, restraining people, “mess fights” that injure or severe assault.
- **You should be free from intimidation - (verbal, physical or psychological):** Aggressive body language, tone of voice or a “look” conveying domination or dislike, or threatening gestures.
- **You should not be subjected to unwanted slugging and/or name calling:**
What might start as friendly “slagging”, if persistent and unwanted, could change from friendly banter to bullying. Personal, targeted remarks, directed at someone that hurt, insult or humiliate are not permitted e.g.:
 - Insulting or derogatory remarks or gestures
 - Persistent name-calling
 - Malicious rumours
 - Unwelcome comments on physical appearance, (disability, accent, lisp, stammer, colour of hair, size, physical or personal characteristics or mannerisms)
 - Comments on perceived ability or performance level in class (whether high or low)
 - Inferences regarding age, gender, race, ethnic origin, religion, marital status, financial status, family status or membership of the Traveller Community

Homophobic Bullying

You should not be subjected to inferences or unwanted comments regarding perceived or actual sexual orientation.

Examples of inappropriate / bullying / harassing behaviour (continued):

- **You are entitled to be included in the community:** Non co-operation with or the deliberate isolation, exclusion or ignoring of an individual by some or all of a group is not acceptable.
- **You should be free from negative comments on grounds of disability:** Jokes about a person,
- Imitation of their gait or physical appearance, unwanted contact or removal of essential aids.
- **Your property should be safe:** To interfere with another’s personal property is forbidden e.g. to damage, deface, steal or hide clothing, books, mobile phone, contents of schoolbag or locker.
- **You should enjoy positive communication using technology:** The telephone, internet, email or mobile phone all provide a means of intimidation and harassment to someone so inclined. (*please also refer to the College’s IT Acceptable use Policy*)

⁴ Anti-Bullying Procedures for Primary and Post Primary Schools, 2013, pp8-10

- **You should be free from extortion:** Demands for money accompanied by threats – (lunch money or bus fares). Threats can force the target into stealing, with the ultimate purpose of incriminating the target person.

Many of the examples of bullying listed above can arise in any relationship within the College. In addition, the following examples of negative / bullying behaviour can occur within / between groups, e.g.

Student / Teacher

- Consciously or repeatedly undermining the authority of a teacher in the conduct of his/her duties
- Deliberately uncooperative behaviour that undermines the progress of tuition

Teacher/Student

- Using sarcasm or other insulting or demeaning remarks when addressing pupils/staff
- Humiliating students or colleagues who are either weak or gifted or who are vulnerable in any way
- Engaging in inappropriate threatening or degrading physical contact or exercise

Note: In the course of a Teacher's duties they may have to repeatedly correct or reprimand a student who repeatedly does not complete homework or behave correctly. If conducted in accordance with standards set by the school, in no way can this be regarded as inappropriate behaviour on the part of the Teacher.

Staff/Staff

- Deliberately withholding information that a person needs to perform effectively
- Taking credit for another's work and not attributing it to them
- Persistent attacks on personal or professional performance or unwarranted criticism of work performance without reason or legitimate authority
- Unreasonable scrutiny or unreasonable demands –changing work requirements without notice
- Undermining a person's authority, work or achievements
- Deliberately blocking another staff member's development
- Stalking or pestering another

Parents and Staff

Note: In the case of a complaint regarding a staff member, this should normally in the first instance be raised with the staff member in question and if necessary, with the Headmaster.

- An abusive phone call received by a staff member - (this would be reported to the Headmaster.)
- Unscheduled meetings between staff and parents can be terminated and reconvened in the presence of a third party, if either side so request it.

Examples of Harassment on the grounds of race may include:

- Verbal harassment: offensive jokes or remarks about a person's race or ethnic origin (including membership of the travelling community), ridicule or assumptions based on racial stereotypes,

- Visual harassment: production, display or circulation of materials offensive to particular racial or ethnic groups, such as cartoons or racial propaganda material etc
- Physical harassment: physical assault, threats of physical assault.

Examples of some of the most common forms of sexual harassment are:

- Verbal conduct: Unwelcome comments and remarks of a sexual or discriminatory nature, unwelcome comments about personal appearance, sexually suggestive jokes or comments, innuendo or jokes about a person's perceived sexual orientation, questions or insults about one's private life.
- Unwelcome pressure for social contact.
- Visual harassment: Display of offensive material in the classroom/ workplace or by means of technology
- Physical conduct: Unwanted physical or verbal advances, unwelcome sexual attention, unnecessary physical contact that is offensive, leering, offensive gestures or whistling. Invasion of personal space. Threats of or actual assault.

Examples of some of the most common forms of sexual harassment (continued):

Note: The College recognises that occasionally materials may be presented or discussed which may be found to be embarrassing or upsetting to others. A balance must be struck between preserving freedoms of expression and intellectual enquiry ensuring that those freedoms are not abused so as to leave any member of Staff or Student body sexually harassed.

With regard to the examples given above, where an individual indicated to another individual that his/her behaviour is unacceptable or offensive, the behaviour should not be repeated.

The following 5 questions are regarded as being useful for the individual to ask about their behaviour to determine if their conduct could be perceived as Sexual Harassment:

1. Would you say or do this in front of your partner or parents?
2. Would you say or do this in front of a colleague of the same sex?
3. Would you like your behaviour reported in a local radio station or paper?
4. Would you like this behaviour to be recorded on a permanent file?
5. Does this need to be said or done at all?

It is important to note that Sexual Harassment knows no bounds. It is a common misconception that the sole victims of sexual harassment are women and the main perpetrators are men. This is true in the majority of cases, however, the examples of sexual harassment given above can also take place between persons as follows:

1. Heterosexual persons against lesbian or gay persons
2. Female against female
3. Male against male
4. Superior against subordinate
5. Subordinate against superior
6. Subordinate against subordinate.

APPENDIX 3 - Formal Complaint Procedures

PROCEDURES FOR HANDLING A FORMAL COMPLAINT.

A formal complaint can arise in the following circumstances:

- If the complaint has not been successfully resolved informally **or**
- If the informal procedure is not possible **or**
- The gravity of the complaint is such that a formal investigation is required from the start,

The following course of action is available:

Step 1- Making the complaint in writing

- A designated Contact Person should be approached and the nature of the complaint outlined.
- The complaint needs to be made in writing to the Headmaster.
- The Contact Person can assist in the writing of the formal complaint, which should set out:
 - What Happened?
 - Who was involved?
 - When the incident(s) occurred?
 - Where the incident(s) occurred?
 - Were there any witnesses to the events?

The person making the complaint shall sign the account.

Step 2 – The College responds

- The Headmaster will appoint an Investigating Officer to handle the complaint.
- They will acknowledge and note the complaint.
- If the Headmaster is a party to the complaint, it should be addressed to the Chairman of the Board of Management, who will appoint an Investigating Officer.

Step 3 – The person complained of is advised

- The person complained of will be told of the complaint; they will be given a copy of the written complaint and afforded the opportunity to respond in writing.
- A written record of their reply will also be kept.

Step 4 – The investigation under way

- The Investigating Officer will arrange meeting(s) with the parties to the complaint either separately or jointly with a view to resolving the complaint. These meeting should ideally take place within **10 working days** after the written complaint has been received, to establish:

Interview with Complainant

- What happened?
- Who was involved
- When the incident(s) occurred
- Where the incident(s) occurred
- Were there witnesses to the event
- Possible solutions to the problem

Interview with alleged harasser

- given a copy of the complaint
- given the opportunity to reply in writing
- given an opportunity to be heard
- given an unbiased hearing
- fully informed of the decision as a result of the investigation

- Each party will have the right to be accompanied by another person of his/her choice at all interviews/meetings. In the case of a student this will normally be parent(s) or guardian(s).
- In the case of staff, the discretion to afford representation by the relevant union to either party rests with the relevant union.
- A record will be kept of these meetings.

Step 5 – Clarification achieves resolution

- **If the matter is resolved to the satisfaction of all parties concerned, the Investigating Officer will confirm this in writing to all parties to the complaint and indicate that the matter is concluded.**

Step 6 – Notification of outcome

- Otherwise, the outcome of the investigation will be given in writing to the parties concerned within **6 working days** from the conclusion of meetings.
- This will indicate whether the complaint was upheld, unfounded or unfounded and malicious.
- In cases where the complaint was made against more than one person a separate report will be issued in respect of each person accused.
- Notification will include reference to the rights of appeal available.
- A summary report will be made by the Investigating Officer within the 6 day period to the Chairperson of the Board of Management, for the attention of the Board of Management. This may include a recommendation that disciplinary sanctions be considered.

Step 7 – Accurate records to be kept

- Details should be recorded in the incident file for the Form, in the case of a student.
- A report made to the Fair Play *for All* co-ordinator, who will carry out a further investigation when necessary.

Step 8 -Right of Appeal

Either party will have the right to appeal the outcome.

- There is a “Complaints Consideration Committee” which would be appointed and convene for the purpose of considering an appeal.
- In the case of a staff member initiating an appeal, the Complaints Consideration Committee will consist of three persons, a management nominee, a union nominee and an independent Chairperson appointed by the Board of Management.
- In the case of a student initiating an appeal, the Complaints Consideration Committee will consist of three persons, a College Management nominee, a Parent nominated by the College and an independent Chairperson appointed by the Board of Management.
- At least one of the nominees shall be of the same sex as the complainant if so requested.

Step 9 –The Committee’s preparation before handling the appeal

- The committee must convene within **10 days** of receipt of report.

- Within **3** working days the Committee must be furnished with a copy of investigator's report and accompanying documentation and issue an invitation to both parties to address the Committee.
- **7** working days should elapse before meetings are held with the parties.
- A person from an agreed panel of experts can assist the committee, at its discretion.

Step10 –The Action of the Committee

- Both sides can be accompanied by a person(s) of their choice when presenting their case, as above, for staff – the matter of representation rests with the appropriate trade union.
- All meeting to take place within **30** working days of receipt of Investigating Officers report.
- When the committee has completed its deliberations the written findings will be given to both parties and to the Chairperson of the Board of Management within **5** working days.
- Parties must be advised that an appeal is possible to Chairperson of the Board of Management
- Where there is no appeal, the subject of the complaint will be advised of any disciplinary sanctions that will be imposed. The Chairperson of the Board of Management can review the sanctions recommended and increase them if he/she so wishes.

Step 11 – Appeal to Chairperson of the Board of management

- The Board of management will afford both parties an opportunity to present their case, (accompanied or represented as they so wish)
- The Chairperson of the Board of Management will consider the case presented by both parties, together with the report and recommendations of the Committee and will make a decision.
- The implementation of the decision will complete the formal process and will be communicated to all parties concerned.
- Any proposed disciplinary sanctions will be processed in accordance with existing Codes of Behaviour and Discipline, existing teacher trade union/school management association agreements, staff regulations and relevant legislation.
- At all stages of the complaints procedure a clear record should be kept of the investigation, including all communications, the steps taken and the decisions arrived at. If a complaint is unfounded, a record to that effect will conclude the file of the complainant and all other files. However, the Personnel file of the subject of the complaint should have all records of the unfounded complaint removed and a record of the removal noted on the investigation file.

Step 12 – Complaint to the Ombudsman for Children (Parents or Pupils)

In the event that there continues to be dissatisfaction in relation to the manner on which the College has handled an allegation of bullying (in accordance with the anti-bullying procedures for primary and post-primary schools (DES, Sept 2013)), a complaint to the Ombudsman for Children may be made in relation to non-compliance with the Anti-Bullying Procedures for Primary and Post-Primary Schools which in Belvedere College is implemented through the 'Fair Play for All' policy.

Fair Play for All -Diagram to illustrate the Procedures for dealing with complaints within the College

