

Dignity and Respect Policy and Procedure (ED-Pol-075)

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Related Documents	ED-Pol-065 – Complaints Policy and Procedure for Learners ED-Pol-069 – Complaints Policy and Procedure for Faculty ED-Pol-071 – Appeals Policy

1. Purpose

The purpose of this policy is to ensure compliance with the respective legislation and to outline RCPI's policy and procedure relating to dignity and respect. RCPI is committed to a culture which upholds the dignity and respect and supports learners and faculty to study and teach in an environment which is free from discrimination. This includes any form of bullying, sexual harassment, or other forms of harassment.

This policy is underpinned by equality legislation and complies with the:

- Employment Equality Acts, 1998 to 2015
- Equal Status Acts, 2000 to 2018
- Disability Act, 2005
- Health and Safety Act, 2005
- Health and Safety Authority's Code of Practice on the Prevention of Workplace Bullying
- Equality Authority's Code of Practice on Sexual Harassment and Harassment at Work
- Workplace Relations Commission's Code of Practice on Procedures for Addressing Bullying in the Workplace
- Code of Practice Applying to the Employment of People with Disabilities
- Prohibition to Incitement of Hatred Act, 1989

2. Scope

This Policy applies to all learners and faculty involved in education programmes.

3. Responsibilities

The Director of Academic Affairs is responsible for the implementation of this policy.

4. Definitions

Bullying

Bullying in the workplace has been described in various ways. The Health and Safety Authority's definition is that it is:

"repeated inappropriate behaviour, direct or indirect, whether verbal, physical or otherwise, conducted by one or more persons against another or others, at the place of work and/or in the course of employment, which could reasonably be regarded as undermining the individual's right to dignity at work."

An isolated incident of the behaviour described in this definition may be an affront to dignity at work but as a once off incident is not considered to be bullying.

Bullying can include conduct offensive to a reasonable person, e.g. oral or written slurs, physical contact, gestures, jokes, displaying pictures, flags/emblems, graffiti, or other material which state/imply prejudicial attitudes which are offensive to others.

Harassment

Harassment is any form of unwanted conduct, related to an individual's gender, civil or family status, sexual orientation, religion, age, disability, race or membership of the Traveller Community which has the purpose or effect of violating a person's dignity and creating an intimidating, hostile, degrading, humiliating or offensive environment for the person.

Sexual Harassment

Sexual harassment is any form of unwanted verbal, non-verbal or physical conduct of a sexual nature which has the purpose or effect of violating a person's dignity and creating an intimidating, hostile, degrading, humiliating or offensive environment for that person. Sexual harassment can be a one-off incident.

Electronic bullying/sexual harassment/harassment and the use of Social Media

This is a term used to refer to bullying/harassment/sexual harassment through electronic media and/or in the use of social media.

Victimisation

It is considered a breach of this Policy and a disciplinary matter if there is any attempt to victimise or otherwise retaliate against an individual because that individual, whether as a witness or complainant or in any other role, participates in good faith in procedures for addressing issues of bullying, sexual harassment or harassment.

5. Principles

The key principles of the policy are to:

- Ensure RCPI has proactive measures in place to promote a positive culture of dignity and respect
- Promote understanding of our definitions of bullying, sexual harassment, or other forms of harassment
- Raise awareness of steps which should be taken if learners or faculty believe that they are being bullied or harassed (RCPI staff may refer to Bullying and Harassment Policy).

6. Options for Resolving Complaints

This policy sets out a framework for the resolution of any dignity and respect matters that may arise from time to time and details the sources of help available.

RCPI promotes and encourages the resolution of dignity and respect complaints through informal means in so far as possible.

Informal Process

Inform the person directly that their behaviour is unwelcome. This often resolves the situation as the person may be unaware that their behaviour is causing distress.

Formal Process

If the dignity and respect matter cannot be resolved through an information means, learners or faculty as relevant should follow the Complaints Policy and Procedure for Learners (ED-Pol-065) or Complaints Policy and Procedure for Faculty (ED-Pol-069) as relevant.

There is a statutory time limit of 6 months from the date of the latest alleged incident for the making of a formal complaint. This can be extended up to 12 months where exceptional circumstances prevent the complainant from making the complaint.

7. Sources of Help

Any learner or member of faculty with dignity and respect concerns should read and consider the options available under this policy to resolve them. Programme Coordinators, the Programme Lead, the Director of Academic Affairs, and the Chair of the Academic Board (as relevant) can offer guidance and help on the resolution of dignity and respect issues. Help and support is also available through RCPIs Wellbeing department if required.

8. References

ENQA (2015) Standards and Guidelines for Quality Assurance in the European Higher Education Area (ESG)
https://enqa.eu/wp-content/uploads/2015/11/ESG_2015.pdf

Quality Qualifications Ireland (2016) Core Statutory Quality Assurance Guidelines

<https://www.qqi.ie/Downloads/Core%20Statutory%20Quality%20Assurance%20Guidelines.pdf>

Employment Equality Acts, 1998 to 2015

<http://www.irishstatutebook.ie/eli/1998/act/21/enacted/en/html>

Equal Status Acts, 2000 to 2018

<http://www.irishstatutebook.ie/eli/2000/act/8/enacted/en/html>

Disability Act, 2005

<http://www.irishstatutebook.ie/eli/2005/act/14/enacted/en/html>

Health and Safety Act, 2005

<http://www.irishstatutebook.ie/eli/2005/act/10/enacted/en/print>

Health and Safety Authority's Code of Practice on the Prevention of Workplace Bullying

https://www.hsa.ie/eng/Workplace_Health/Bullying_at_Work/Codes_of_Practice/

Equality Authority's Code of Practice on Sexual Harassment and Harassment at Work

<http://www.irishstatutebook.ie/eli/2012/si/208/made/en/print>

Workplace Relations Commission's Code of Practice on Procedures for Addressing Bullying in the Work Place

https://www.workplacerelations.ie/en/what_you_should_know/codes_practice/cop6/

Code of Practice Applying to the Employment of People with Disabilities

<http://nda.ie/publications/employment/employment-of-people-with-disabilities-in-the-public-service/>

Prohibition to Incitement of Hatred Act, 1989

<http://www.irishstatutebook.ie/eli/1989/act/19/enacted/en/html>