



Dignity and Respect at Work

1. Policy Statement / Purpose

- 1.1. Mary Immaculate College is committed to providing a work environment that is free from all forms of bullying, harassment and sexual harassment, and to ensuring that all staff members are treated with dignity and respect at work and treat others with dignity and respect at work.
- 1.2. Complaints by employees will be treated with fairness and sensitivity and in as confidential a manner as possible. Bullying, harassment and sexual harassment by employees and non-employees will not be tolerated and may lead to disciplinary action up to and including dismissal following due process in the case of employees and exclusion from the College campus or other appropriate measures in the case of non-employees.
- 1.3. All policies, guidelines and protocols of Mary Immaculate College, will reflect the College's commitment to the promotion of equality in accordance with law.

2. Scope

- 2.1. This policy applies to all staff members in the workplace, including those engaged through an agency, and is also applicable to activities or interactions which occur outside the workplace, but which are related to the workplace.
- 2.2. This policy applies to bullying, harassment or sexual harassment of MIC staff members by staff, students and/or other persons who MIC staff may come into contact within the course of their employment.

3. Related Documents

Code	Process Title	Revision
	Employment Equality Acts, 1998 to 2015	
	Employment Equality Act 1998 (Code of Practice) (Harassment) Order 2002 (S.I. No. 78 of 2002)	
	Code of Practice for Employers and Employees on the Prevention and Resolution of Bullying at Work, January 2021	
	Code of Practice on Sexual Harassment and Harassment at Work, March 2022	

4. Responsibilities

- 4.1. An tUachtarán and the Executive Team are responsible for the development of this policy and for oversight of its implementation. Adoption of the policy is the responsibility of An tÚdarás Rialaithe.
- 4.2. The Human Resources Office is responsible for providing appropriate training to support this policy, and for providing advice and guidance to users of this policy.
- 4.3. Heads of Departments and Line Managers are responsible for making themselves aware of the contents of this policy, and for ensuring that they apply the policy and related procedures in a fair and objective manner.

- 4.4. Heads of Departments, Line Managers and other Staff Members who have a supervisory responsibility must:
- a) Promote awareness of this policy and its procedures.
 - b) Provide good example by treating all in the workplace with courtesy and respect.
 - c) Be vigilant for signs of bullying, harassment or sexual harassment at work and take appropriate action where necessary.
 - d) Deal sensitively and fairly with employees involved in a complaint.
 - e) Ensure that an employee making a complaint is not victimised for doing so.
 - f) Monitor and follow up the situation after a complaint is made so that the bullying, harassment or sexual harassment at work does not recur.
 - g) Encourage and facilitate staff to attend training on bullying, harassment and sexual harassment.
- 4.5. All members of staff have a role in promoting a work environment that is free from any form of bullying, harassment or sexual harassment and must:
- a) Contribute to the creation of an environment in which everybody is treated with dignity and respect.
 - b) Read and support this policy and co-operate with its procedures.
 - c) Attend training provided in relation to its policies and procedures.
 - d) Challenge bullying, harassment, sexual harassment and victimisation and report any incidents witnessed.
 - e) Maintain confidentiality and act discreetly and tactfully in the application of this policy.
 - f) be aware of the effects of their own behaviour.
 - g) Support Contact Person (for an allegation of bullying). The Support Contact Person's role is to provide information and offer guidance on the operation of this policy and its procedures on a strictly confidential basis. The Support Contact Person does not have any role in acting on behalf of another employee. Should a staff member initiate a complaint under this policy, the Support Contact Person will not be involved in any investigation that may be conducted. A list of Support Contact Persons is available from the HR Office.
 - h) Competent person (for an allegation of harassment and/or sexual harassment). The Competent Person is available to provide information to anyone on the procedure and on the policy in general. The Competent Person may assist in the resolution of matters informally. A list of Competent Persons is available from the HR Office or from the EDII Office.

5. Definitions of Bullying Harassment and Sexual Harassment

5.1 Workplace Bullying

- 5.1.1. "Workplace Bullying 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 is more than a single occurrence and can include conduct offensive to a reasonable person, for example oral or written slurs, physical contact, gestures, jokes, displaying pictures, flags/emblems, graffiti or other material that state/imply prejudicial attitudes that are offensive to fellow employees.

Examples of bullying behaviour include:

- personal insults and name-calling
- persistent unjustified criticism and sarcasm
- shouting at staff in public and/or private
- sneering
- unfair delegation of duties and responsibilities
- setting impossible deadlines
- unnecessary work interference
- aggression
- not giving credit for work contribution
- continuously refusing reasonable requests without good reasons
- intimidation and threats in general. This list is not exhaustive

Bullying does not include:

- Expressing differences of opinion strongly
- Offering constructive feedback, guidance, or advice about work-related behaviour which is not of itself welcome
- Ordinary performance management
- Reasonable corrective action taken by an employer or supervisor relating to the management and direction of employees (for example managing a worker's performance, taking reasonable disciplinary actions, or assigning work), or
- Workplace conflict where people disagree with or disregard the others' point of view.

This list is not exhaustive.

5.2 Cyberbullying

5.2.1. Any references to bullying throughout this policy shall also include cyberbullying.

Cyberbullying or cyber-harassment is a form of bullying or harassment using electronic means, such as computers, tablets, mobile phones etc. Cyberbullying can occur through SMS, Text, and apps, or online in social media, forums, or gaming where people can view, participate in, or share content. Cyberbullying includes sending, posting, or sharing negative, harmful, false, or mean content about someone else. It can include sharing personal or private information about someone else causing embarrassment or humiliation. Some cyberbullying crosses the line into unlawful or criminal behaviour.

The most common places where cyberbullying occurs are:

- Social media, such as Facebook, Instagram, Snapchat, and Tik Tok
- Text messaging and messaging apps on mobile or tablet devices
- Instant messaging, direct messaging, and online chatting over the internet
- Online forums, chat rooms, and message boards
- Email
- Online gaming communities
- Cyberbullying will be treated with the same seriousness as any other form of bullying and will be dealt with in accordance with this policy.

In order to reduce the risk of cyberbullying staff members should familiarise themselves with MIC's ICT security policies. Staff members should ensure that passwords and pin numbers are always kept private and to log out of all online accounts and devices where devices are unattended.

5.3 Sexual Harassment at Work

5.3.1. Sexual Harassment is defined as any form of unwanted verbal, non-verbal or physical conduct of a sexual nature, which has the purpose or effect of violating a person's dignity and creating an intimidating, hostile, degrading, humiliating or offensive environment for the person. This includes same-sex sexual harassment. The unwanted conduct may include acts, requests, spoken words, gestures or the production, display or circulation of written words, pictures or other material.

The conduct at issue may not be specifically directed at a particular individual but nevertheless has the purpose or effect of violating a person's dignity and creating an intimidating, hostile, degrading, humiliating or offensive environment for the person. A single incident may constitute sexual harassment. It may be targeted at one employee or a group of employees. Sexual harassment may occur outside the work premises, or outside normal working hours provided the perpetrator was acting in the course of employment, for example, at a training course, conference or work-related social event.

Examples of sexual harassment include:

- Physical conduct of a sexual nature including unwanted physical contact such as unnecessary touching, patting, pinching or brushing against another employee's body, assault and coercive sexual intercourse.
- Verbal conduct of a sexual nature such as unwelcome sexual advances, propositions or pressure for sexual activity, continued suggestions for social activity outside the workplace after it has been made clear that such suggestions are unwelcome, unwanted and offensive flirtations, suggestive remarks, innuendos or lewd comments.
- Non-verbal conduct of a sexual nature such as the display of pornographic or sexually suggestive pictures, objects, written materials, e-mails, text messages or faxes. It may also include leering, whistling or making sexually suggestive gestures.

5.4 Harassment

5.4.1. Harassment on the grounds of gender, marital status, family status, sexual orientation, religion, age, disability, race and membership of the Traveller community is defined as any form of unwanted conduct related to any of the protected grounds 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.

A single incident may constitute harassment, and behaviour may constitute harassment of an employee even though it is not directed specifically at that employee.

Unwanted conduct based on the discriminatory ground, even if the person does not have that relevant characteristic, may also be deemed to be harassment e.g. if the individual believes that the employee has the characteristic, but the employee does not. The intention of the individual is irrelevant - it is the effect of the behaviour on the recipient which is relevant. It is for an employee to decide what behaviour is unwelcome irrespective of the attitude of others.

It is up to each employee to decide what types of behaviour are unwelcome, irrespective of the attitude of others, and from whom, if anybody, such behaviour is welcome or unwelcome. The fact that the employee has previously tolerated the behaviour does not stop them from deciding that it has become unwelcome. The intention of the individual is irrelevant rather it is the effect of the behaviour on the recipient which is relevant.

5.5 Victimisation

5.5.1. Victimisation occurs where a person is subjected to adverse treatment because they have made a complaint, have represented or supported a complainant, have been a witness to a complaint, have opposed an act which is unlawful under the Employment Equality Acts or have given notice of their intentions to do any of these things.

6. Complaints – General

- 6.1. Staff members are encouraged to use the informal process described in this policy in the first instance as this may resolve issues without recourse to a formal investigation. However, the College recognises that informal processes may not be appropriate in every circumstance and employees may make a formal complaint without having the exhausted informal processes.
- 6.2. Before deciding what course of action, if any, to take, an employee may wish to discuss the matter on a confidential basis with a Support Contact Person, Competent Person, appropriate manager, or union representative. The employee may also seek advice and support through the Employee Assistance Service (EAS), details of which are available from the HR Office.

- 6.3. Either party to a complaint may access the Colleges EAS and the HR Office will formally inform both parties to a complaint of the availability of EAS to them.
- 6.4. Depending on the circumstances and/or seriousness of the allegations interim arrangements may be put in place pending the outcome of an investigation. This may include an alternative line management structure, change of work location or transfer to another department, modification of duties or a request for one or both parties to remain at home on paid leave. Any such temporary measure does not amount to a penalisation or sanction on any staff member and will be taken only to:
- Prevent repetition of the conduct complained of
 - Prevent interference with evidence
 - Protect persons at risk from conduct
 - Protect the reputation and/or business of MIC

Any decision made in this regard requires the approval of a Vice President or higher authority.

7. Complaints Procedure for an Allegation of Bullying: Initial Informal Procedure

- 7.1. As a first step, where appropriate, staff members should attempt to address an allegation of bullying as informally as possible by means of this initial informal procedure. This approach is particularly suitable for scenarios where it is likely an employee is not even aware that their behaviour is negatively impacting others. It is a collaborative and non-adversarial mechanism that is designed to be flexible in order to allow for complaints to be quickly dealt with so that employees can continue to work together into the future.
- 7.2. A staff member who believes that they are the subject of bullying should ask the person responsible to stop the offensive behaviour but only if they feel comfortable in doing so. This should be done quickly and calmly, focusing on the facts regarding actions and their consequences. If it is more suitable, an employee may put their concerns in writing.
- 7.3. If the staff member finds it difficult to make a direct approach to the person against whom the allegation is being made, or the direct approach has not resolved the issue, then the staff member may request a manager or senior member of staff to approach the person on his/her behalf.
- 7.4. Where an employee perceives that the concerns relate to an immediate manager, the employee may wish to discuss the matter informally with their manager's manager or a person at the next level of management. An employee may wish to avail of the support of the Support Contact Person for confidential support or information.
- 7.5. A brief written record, in line with GDPR, should be kept of the matter and agreed outcomes and dates noted by the relevant person responsible for managing the process.

8. Complaints Procedure for an Allegation of Bullying: Secondary Informal Process

- 8.1. This process may be invoked if the above process is unsuccessful or unsuitable for the seriousness of the issue. This process is more protracted than the initial informal procedure, but it is still informal.
- 8.2. The Vice President in the employees reporting line will nominate a person, who has had appropriate training and experience and who is familiar with the procedures involved to deal with the complaint. This may be a staff member of sufficient seniority. The nominated person will not be a Support Contact Person.
- 8.3. The nominated person will request details of the complaint from the complainant. If verbal, a written note of what is being complained about should be taken by the nominated person and a copy given to the complainant.
- 8.4. The nominated person will then attempt to establish the facts and context of the issue before deciding on the next actions to be taken.
- 8.5. If the complaint concerns alleged bullying as defined and includes concrete examples of inappropriate behaviour, the person complained against should be presented with the complaint and their response established.
- 8.6. Thereafter a method should be agreed to progress the issue to resolution so that both parties can return to a harmonious working environment without bullying being a factor. This may include mediation or a facilitated approach between both parties. An agreement document may be used reflecting agreed actions where both parties have participated in mediation.
- 8.7. If the behaviour complained about does not concern alleged bullying as defined, an alternative approach should be put in place and a rationale recorded. If there are no concrete examples given, it must be deemed that there is no complaint to be answered by the person complained about as they have no recourse to repudiating an accusation that does not give any specifics.
- 8.8. The relevant line managers should be kept informed, as appropriate, about the process in train.
- 8.9. Steps to stop the alleged bullying behaviour, where it has been partly or fully identified, and monitoring of the situation along specified lines should be implemented with both parties. This may involve mediation by an agreed mediator who is practiced in dealing with alleged bullying at work.
- 8.10. Mediation is a voluntary and confidential process usually facilitated by an external mediator. Mediation aims to facilitate a common understanding and agreement on acceptable future behaviour and interaction. Mediation may be initiated with the

agreement of both parties at any point in the informal or formal procedures to try to resolve matters.

- 8.11. Enough time needs to be allowed for the mediation or on-going monitoring process to be successful and behaviour change to be realistically achieved over the longer term. It may be necessary to consider if other working arrangements are required or feasible during this short-term phase. A proposal should be made, considered, and an action and time frame established, signed and dated, preferably by both parties.
- 8.12. The nominated person who was responsible for managing the complaint should keep a nominal record of all stages; the complaint, the first meeting, action agreed and signed records of the final meeting. The purpose of the records, which do not include the detail of discussions, is to provide evidence of the complaint having been met with an organisational response and attempt at resolution. Records should be kept in accordance with relevant Data Protection Legislation (section 2(1) governing Retention), by the Human Resources Office and be available only to that legislation.
- 8.13. Information disclosed in the course of mediation must remain within the mediation process and must not be given by the mediator to anyone or to an investigator if there is a subsequent investigation at formal stage.
- 8.14. Confidentiality is crucial for this stage to be effective and breaches of confidentiality, where exposed, may result in disciplinary actions following due process.

9. Complaints Procedure for an Allegation of Bullying: Formal Procedure

- 9.1. An employee may choose to bypass both the initial and secondary informal procedures. Choosing not to use the informal procedures should not reflect negatively on a complainant in the formal procedure. However, it is good practice that all informal resolution avenues should be contemplated and where appropriate, exhausted before a formal process is invoked. Proceeding to a formal process should not be viewed as automatic and escalating a complaint to a formal process should only be done following a review of all aspects of the circumstances surrounding matters complained of.
- 9.2. The formal process includes a formal complaint and a formal investigation. The purpose of an investigation is to determine the facts and credibility or otherwise of a complaint of alleged bullying. It is a significant step, and all parties should be aware of possible consequences. In particular, an investigation will make it more difficult to restore normal workplace relations and may not have the desired outcome for the parties concerned. The outcome of an investigation may eventually, separately lead to a disciplinary process being instigated in respect of the person complained about, but the investigation itself will be a fact-finding one with the focus on what did or did not occur. Where an investigation is to be carried out the procedure outlined below will be followed.
- 9.3. The complainant should make a formal complaint of bullying in writing, signed and dated, to the Director of Human Resources or in their absence, to a member of the Human

Resources team. Where this is not possible, a written record should be taken of the complaint by a person assigned by the Director of Human Resources and signed by the complainant and dated. The complaint must include precise details of alleged incidents of bullying including their dates and names of witnesses where possible.

- 9.4. A copy of the complaint will be provided to the person complained about along with a copy of the Dignity and Respect at Work Policy.
- 9.5. The HR Office will provide a copy of the complaint to the Vice President in the complainants reporting line. The Vice President will designate a staff member/s or, if necessary or appropriate, an independent third party to investigate the complaint. The investigator/s will have the necessary training and experience to investigate the complaint. Any staff member investigating a complaint will be senior to both parties to the complaint. Where more than one person is conducting the investigation, every effort will be made to ensure the investigation team is gender balanced.
- 9.6. The investigation will be governed by terms of reference determined by the College. The terms of reference will include the following:
 - The investigation will be conducted in accordance with the Dignity at Work Policy. An indicative timescale for its completion.
 - The scope of the investigation setting out the procedure to be adopted for findings of fact related to the complaint and a statement that the investigator/s will consider, based on the facts before them whether the behaviour(s) complained about, on the balance of probabilities, have occurred.
 - The confidentiality of the process will be emphasised to all concerned.
- 9.7. While the Terms of Reference will provide an indicative time frame for completion of the investigation, the investigator/s will be empowered to vary same from time-to-time. However, the investigation will be conducted as promptly as possible.
- 9.8. All parties to the process, along with employees identified as witnesses, are required to cooperate fully with the investigation without undue delay.
- 9.9. The investigation will be conducted, thoroughly, objectively, with sensitivity and with due respect for the rights of both the complainant and the person complained about. Confidentiality will be maintained throughout the investigation to the greatest extent possible consistent with the requirements of a fair investigation.
- 9.10. The investigator/s will meet with the complainant, the person complained about, and any witnesses or relevant persons with a view to establishing facts.
- 9.11. The complainant and the person complained of may be accompanied by a work colleague or a representative of a recognised trade union.

- 9.12. A written record will be kept of all meetings with the complainant, the person complained about and any witnesses. Copies of the record of meetings will be provided to those who meet with the investigator/s and also to the complainant and the person complained about.
- 9.13. The complainant and the person complained about will be provided with an opportunity to respond to or comment on statements recorded during the investigations.
- 9.14. Employees who participate in the investigation process will be required to respect the privacy of the parties involved by refraining from discussing the matter with other work colleagues or persons outside the organisation. Failure to maintain confidentiality may be held to constitute a disciplinary offence following due process.
- 9.15. While the circumstances may be difficult, both the complainant and the person complained about may be expected to continue with their normal duties, and to maintain a professional working relationship during the course of the investigation. Management will have due regard at all times for its obligations to safeguard the health, safety and welfare of employees.
- 9.16. The investigator/s having considered all of the evidence before them will produce a report concluding whether, on the balance of probabilities, the behaviours complained of have occurred or not and if the person complained about has a case to answer or not. Both parties will be given the opportunity to comment on the report before it is finalised.
- 9.17. The final investigation report will be provided to the Vice President who nominated the investigator/s.
- 9.18. Should the Investigator/s decide that the person complained about has a case to answer, the matter may be referred to a Disciplinary Hearing for further consideration. In addition, or alternatively, the Vice President may determine that other actions such as counselling, mediation or training would be appropriate.

10. Complaints Procedure for an Allegation of Harassment and/or Sexual Harassment – Informal Procedure

- 10.1. As a first step, where appropriate, employees should attempt to address an allegation of harassment or sexual harassment by means of this initial informal procedure. An employee may equally seek assistance from a competent person in raising the issue with the respondent
- 10.2. A staff member who believes that they are being harassed or sexually harassed should ask the person responsible to stop the offensive behaviour, but only if they feel comfortable in doing so. It may be possible and sufficient for the employee to explain clearly to the person engaging in the unwanted conduct that the behaviour in question is not welcome.

- 10.3. If the staff member finds it difficult to approach the other staff member directly, then if they wish they can seek support from or for an initial approach to be made by a designated person (an appropriate manager or competent person) or a trade union representative. This response is particularly suitable for scenarios where it is likely the respondent is not even aware of that their behaviour is negatively impacting others. It is an informal mechanism that is designed to be flexible in order to allow for issues to be quickly dealt with and ensure that employees can continue to work together.
- 10.4. An employee may request the initiation of a mediation process or mediation. Mediation is a voluntary and confidential process usually facilitated by an external mediator. Mediation aims to facilitate a common understanding and agreement on acceptable future behaviour and interaction. Mediation may be initiated with the agreement of both parties at any point in the informal or formal procedures to try to resolve matters. Employees may, at any stage, avail of the support of a Competent Person for guidance and support, and to get a copy of the Dignity at Work Policy.

11. Complaints Procedure for an Allegation of Harassment or Sexual Harassment: Formal Procedure

- 11.1. The formal procedure may be invoked where:
- the employee making the complaint wishes it to be treated formally
 - the alleged sexual harassment or harassment is too serious to be treated under the informal procedure
 - informal attempts at resolution have failed, or
 - the sexual harassment or harassment continues after the informal procedure has been followed.
- 11.2. The complainant should make a formal complaint in writing, signed and dated to the Director of Human Resources or in their absence another member of the Human Resources team. The complaint must include precise details of the alleged incident/s of harassment or sexual harassment, including dates and the names of witnesses where possible.
- 11.3. The HR Office will provide a copy of the complaint to the Vice President in the complainants reporting line. The Vice President will designate two staff member/s and/or a person or persons external to the College to investigate the complaint. The investigator/s will have the necessary experience to investigate the complaint. Any staff member investigating a complaint will be senior to both parties to the complaint. The investigation team will, as far as practicable, be gender balanced.
- 11.4. A copy of the complaint will be provided to the person complained about along with a copy of the Dignity and Respect at Work Policy.
- 11.5. The investigation will be governed by terms of reference determined by the College. The terms of reference will include the following:
- The investigation will be conducted in accordance with the Dignity at Work Policy
 - An indicative timescale for its completion

- The scope of the investigation setting out the procedure to be adopted for findings of fact related to the complaint and a statement that the investigator/s will consider, based on the facts before them whether the behaviour(s) complained about, on the balance of probabilities, have occurred
 - The confidentiality of the process will be emphasised to all concerned.
- 11.6. While the Terms of Reference will provide an indicative time frame for completion of the investigation, the investigator/s will be empowered to vary same. However, the investigation will be conducted as promptly as possible.
- 11.7. The investigation will be conducted, thoroughly, objectively, with sensitivity and with due respect for the rights of both the complainant and the person complained of. Confidentiality will be maintained throughout the investigation to the greatest extent possible consistent with the requirements of a fair investigation.
- 11.8. All parties to the process, along with employees identified as witnesses, are required to cooperate fully with the investigation without undue delay.
- 11.9. The investigator/s will meet with the complainant, the person complained about, and any witnesses or relevant persons with a view to establishing facts.
- 11.10. The complainant and the person complained of may be accompanied and/or represented by a work colleague or a representative of a recognised trade union.
- 11.11. A written record will be kept of all meetings with the complainant, the person complained about and any witnesses. Copies of the record of meetings will be provided to those who meet with the investigator/s and also to the complainant and the person complained about.
- 11.12. The complainant and the person complained about will be provided with an opportunity to respond to or comments on statements recorded during the investigations.
- 11.13. Employees who participate in the investigation process will be required to respect the privacy of the parties involved by refraining from discussing the matter with other work colleagues or persons outside the organisation. Failure to maintain confidentiality may be held to constitute a disciplinary offence following due process.
- 11.14. The investigators having considered all of the evidence before them will produce a report concluding whether, on the balance of probabilities, the behaviours complained of have occurred and if the person complained about has a case to answer or not. Both parties will be given the opportunity to comment on the report before it is finalised.
- 11.15. The final investigation report will be provided to the Vice President who nominated the investigator/s.

- 11.16. Should the Investigator/s decide that the person complained about has a case to answer, the matter may be referred to a Disciplinary Hearing for further consideration. In addition, or alternatively, the Vice President may determine that other actions such as counselling, mediation or training would be appropriate.

12. Employee Assistance Service

- 12.1. MIC provides an Employee Assistance Service (EAS) to staff. Staff members are encouraged to access EAS services where they feel they may be of benefit to them. Details of the EAS services are available from the HR Office.

13. Malicious Complaints

- 13.1. A malicious complaint can be described as an allegation being made without foundation and with malicious intent, where a person knowingly or without regard to whether it is true or not, accuses another person of allegedly bullying or harassing them. This could also apply to where one person maliciously complains of someone allegedly bullying or harassing a third party, without fully exploring the veracity of the claim.
- 13.2. Any individual found to have made a malicious complaint, or any individual found to have supported a malicious complaint, may be subject to disciplinary action up to and including dismissal in accordance with the College's disciplinary procedures and following due process.

14. Appeals Procedure

- 14.1. Either party to a complaint may appeal the outcome of an investigation under the Dignity at Work Policy. The appeal must be made in writing to the relevant Vice President within 5 working days the Investigators final report being sent to them, specifying the grounds for appeal. Any appeal will focus on the conduct of the investigation in terms of fair process and adherence to procedures. The appeal is not a rehearing of the original issues.
- 14.2. The Vice President will nominate a person or persons, who may be staff members or external to the College to consider the appeal. Any staff member hearing an appeal will be of sufficient seniority and will not have been involved in the matter at an earlier stage of the process.
- 14.3. The person considering the appeal will issue their decision within 10 working days of receipt of the appeal.
- 14.4. Having exhausted the internal processes, should an employee feel dissatisfied and wish to pursue the matter further then they may do so externally. Claims relating to harassment, sexual harassment and bullying may be referred to the Workplace Relations Commission. Claims must be brought within a six-month time limit of the date of the occurrence or most recent occurrence of the act of discrimination or victimisation. This time limit may be extended to 12 months with reasonable cause. Using a complaints procedure will not affect an employee's right to make a complaint and these time limits will not be paused pending the outcome of the investigation and shall continue to run.

15. Conflicts of Interest

- 15.1. In the event that any member of staff assigned a specific responsibility under this Policy is party to or witness to a complaint, then the function assigned to them by this Policy will be discharged by a staff member at the next most senior level of authority who is not a party to or witness to the complaint. In the event that there is no more senior member of staff in the reporting line who is not a party to or witness to the complaint then the President or, if necessary, the Chairman of An tÚdarás Rialaithe may appoint another member of staff of appropriate seniority or a person external to the College to discharge the function.

16. Review and Revision Schedule

- 16.1. This policy will be reviewed on a three-year basis. The Director of Human Resources will initiate the review.

17. Revision History

Revision	Document History	Reviewed by ET	Approved by UR
0	Initial Release		BR2010#07
1	Amendment	ET2018#09	UR2018#04
2	Amendment	ET2026#06	UR2026#05