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## Policy on Dignity at Work / Studies

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### Policy

Saint Patrick's College Maynooth, including the National Seminary and the Pontifical University (hereafter "the College") recognises the entitlement of all the members of the College community to work and study in an environment free from inappropriate behaviour. Any member of the College community is prohibited from behaving in a manner which is inappropriate to any other member of the College community.

### Scope

The Policy extends to the entire staff, students, visitors, contractors, sub-contractors and others associated with the College (referred to in this Policy as "members of the College community").

Nothing herein shall constitute as "inappropriate behaviour" the legitimate exercise of responsibility by the President and / or the Seminary Council and / or the Trustees of the College in the upholding of the Seminary Rule, this Policy and adherence to the College Statutes.

### Additional Requirements of the National Seminary

All members of the community must comply with those requirements set out in the Policy. The conduct and behaviour required of seminarians in addition to this Policy is set out in the Seminary Rule.

### Principles

The objectives of this Policy are to:

1. Define "inappropriate behaviour";
2. Promote awareness of the issue amongst members of the College community;
3. Provide an effective procedure for dealing with allegations of inappropriate behaviour;
4. Explain the possible outcomes if inappropriate behaviour is established.

### Definitions

"Inappropriate behaviour" may be intentional or unintentional. However, it must be noted that where an allegation of inappropriate behaviour is made, the intention of the alleged bullying or harassment is irrelevant. It is the effect of the behaviour upon the individual which is important. "Inappropriate behaviour" includes but is not limited to, Sexual Harassment, Harassment and Bullying which are defined as follows:-

#### A. Sexual Harassment

The definition of sexual harassment includes any:-

- a. act of physical intimacy;
- b. request for sexual favours;
- c. other act or conduct including spoken words, gestures, or the production, display or circulation of written words, pictures or other material that is unwelcome and could reasonably be regarded as sexually offensive, humiliating or intimidating.

#### B. Harassment

The definition of harassment is similar to that of sexual harassment but without the sexual element.

Harassment is 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 characteristic” of the recipient, as offensive, humiliating, or intimidating.

“Relevant characteristics” (as defined by the Employment Equality Acts, 1998 and 2004 and the Equal Status Acts 2000 and 2004) are:

gender; marital status; family status; sexual orientation; religious belief (or none); age; disability; race, colour, nationality or ethnic or national origin; or membership of the Traveller community.

### **C. Bullying**

Repeated inappropriate behaviour, direct and indirect, whether verbal, physical or otherwise, conducted by one or more persons against another or others which could reasonably be regarded as undermining the individual’s right to dignity in their place of work or study.

An isolated incident of the behaviour described in this definition may be an affront to dignity in their place of work or study, of itself is grounds for disciplinary action but, as a once off incident, it is not considered to be bullying.

### **Effects of Harassment / Bullying**

Harassment and bullying have serious ramifications for both the victim and the College. They can seriously affect the health and well-being of the individual. They can undermine the self-confidence of students or staff by communicated to them that they are not taken seriously or accorded the personal respect to which they are entitled. They also impact on the broader College community and may have serious negative implications.

### **Protection against victimisation**

Where in good faith a member of the College Community reports an incident of alleged inappropriate behaviour or assists in any way in an investigation into same, the College will provide such member with all reasonable protection against victimisation.

Any member of the College community, who victimises another member who has reported an incident of alleged inappropriate behaviour or assisted in any way in an investigation into same, may be subject to disciplinary action by the College.

### **Malicious complaints**

Any member of the College community, who maliciously makes a false complaint of inappropriate behaviour, may be subject to disciplinary action by the College.

### **Complaints Procedure**

1. Persons who make complaints regarding inappropriate behaviour are encouraged to raise their concerns at the earliest opportunity.
2. A Designated Person is to be appointed by the Trustees to hear concerns of students in relation to the inappropriate behaviour of any member of the College community towards another member of the College Community. This person has the assistance of two further persons with appropriate training and competence and together they are referred to as “the Panel”. The name, address and telephone number of the Designated Person shall be given to all students who are to be informed of the role of this person.
3. Where there is a complaint the Designated Person and another member of the Panel shall meet the complainant and listen to their complaint. The Designated Person will where possible avail of the services of the full Panel to evaluate the concerns.
4. Where the conduct complained of is violent or criminal in nature, the Gardai should be contacted without delay by the designated person. The complainant should be encouraged and supported to make a complaint to the Gardai.
5. Where the conduct complained of so warrants, the Panel may recommend that the Designated Person deal with it in an informal manner.
6. If the Panel is of the opinion that a prima facie case of inappropriate behaviour has been established and that it is not suitable for informal resolution, the Designated Person will refer the matter to the President for further action. The President shall communicate the concern to the member of the College community involved. The

President will advise the Chairman of the Trustees of the concern and together they will judge how best to proceed.

7. Where the complaint is in relation to the President or a personal guest of the President, the Designated Person shall communicate the result of their inquiries to the Chairman of the Trustees. The Chairman shall tell the President of the complaint and inform him of the procedures which it is envisaged will be followed in its regard.

8. Confidentiality will be maintained throughout any investigation to the extent that it is consistent with the requirements of a fair investigation. All individuals involved in the procedure referred to are expected to maintain the utmost confidentiality on the subject. However, appropriate persons will be obliged to disclose the details of any complaint to such persons and to such extent as is necessary to investigate the complaint.

9. Care shall be taken at all times to follow fair procedures and not to impugn unjustly the good name of any person.

**Outcome**

1. Any member of the College community who is found to have engaged in inappropriate behaviour may be subject to disciplinary action and / or other sanctions, which in the case of employees may include dismissal for serious offences. Penalties and procedures are in accordance with the normal disciplinary procedure and / or employee's contract of employment and / or the students' Code of Discipline.

2. Persons found to have engaged in inappropriate behaviour who are neither staff nor students of the College may be excluded from the campus.

**\*Designated Person: ..... Telephone.....**

\* Current Designated Person's name and telephone number is available from the Pontifical University Office: 01-708-3600.