

PROVIDER NAME:	CCT College Dublin (CCT)
POLICY AREA:	Standard 8: Quality Assurance of Teaching Staff & Human Resources

Policy and Procedure Title: Mutual Respect	Policy Number: CCTP807	Version: 2.0
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Policy Statement

CCT is committed to the promotion and management of an environment for work and study which upholds the dignity and respect due to each individual. CCT supports every individual's right to work and /or study in a climate which respects their individuality and diversity and in an environment that is free from threat, harassment, intimidation, or bullying.

Sexual harassment, harassment or bullying in any form is totally unacceptable. CCT will not tolerate any staff member, student of the College, or member of the public being treated with anything less than professional courtesy and respect.

This policy is guided by the general principle that the intention of the perpetrator of harassment or bullying is irrelevant. It is the effect of the behaviour on the subject that is important. Therefore, it is the responsibility of all staff and students to be alert to their obligations under this policy and the possible effect of their behaviour on others and to manage such interactions positively and to the highest professional standards.

A complaint of sexual harassment, harassment or bullying by or against a student or member of staff may, following investigation, lead to disciplinary action. Disciplinary action may include a range of responses, from verbal warnings to dismissal from employment, or being expelled from the College.

The objectives of this policy are to:

1. Promote awareness of the issues arising for staff, students, contractors and clients of CCT by way of direct communication and workshops, and to provide training, where appropriate;
2. Deter unacceptable behaviour and to help create an environment where staff, students, contractors and clients of the CCT can interact together free from sexual harassment, harassment or bullying in any form;
3. Provide an effective procedure for dealing with allegations of sexual harassment, harassment or bullying.

Disciplinary action for allegations of sexual harassment, harassment, and/or bullying, against full or part time staff at CCT, are dealt with through the Disciplinary Procedures documented in the Employee Handbook. Where the allegation stems from a student, the student should follow the complaints procedure in the first instance. Disciplinary action for allegations of sexual harassment, harassment, and/or bullying, against a student are dealt with through the Learner Code of Conduct and Disciplinary Procedures.

Definitions and Principles

CCT is aware that it is not always easy to clearly define what constitutes harassment or bullying. This section defines the terms Sexual Harassment, Harassment and

Bullying. The definitions are drawn from current legislation and codes of practice. The Employment Equality Acts 1998 and 2004 do not prohibit all relations of a sexual or social nature. It is the unwanted nature of the conduct which distinguishes sexual harassment and harassment from friendly behaviour which is welcome and mutual.

Sexual harassment, harassment or bullying is defined by the impact of the behaviour on the recipient and not necessarily by the intention of the perpetrator.

1. Sexual Harassment

The Employment Equality Acts 1998 and 2004 define sexual harassment as:

“any form of unwanted verbal, non-verbal or physical conduct of a sexual nature, being conduct 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 Acts provide a non-exhaustive list of unwanted conduct that may constitute sexual harassment, namely, “acts, requests, spoken words, gestures or the production, display or circulation of written words, pictures or other material”. Sexual harassment can undermine the dignity of the recipient, regardless of gender, and may adversely affect work or study performance. A single incident may constitute sexual harassment. Many forms of behaviour can constitute sexual harassment. The term includes examples like those contained in the following list, although it must be emphasised that the list is illustrative rather than exhaustive.

- **Physical conduct of a sexual nature** – This may include unwanted physical contact, ranging from unnecessary touching, patting or pinching or brushing against another employee’s body, to assault/coercive sexual intercourse.
- **Verbal conduct of a sexual nature** – This includes unwelcome sexual advances, propositions or pressure for sexual activity outside the work place after it has been made clear that suggestions are unwelcome, unwanted or offensive flirtations, suggestive remarks, innuendo or lewd comments, suggestions that sexual favours may further someone’s career / examination results, or that a refusal may damage same
- **Nonverbal conduct of a sexual nature** – This may include the display of pornographic or sexually suggestive pictures, calendars, objects, written materials, emails, text messages or faxes. It may also include leering, whistling, or making sexually suggestive gestures.
- **Sex-based conduct** – This would include conduct that denigrates, ridicules, is intimidatory or physically abusive of an individual because of his or her gender, such as derogatory or degrading abuse or insults which are gender related.

2. Harassment

Harassment is defined in the Employment Equality Acts 1998 and 2004 as:

“any form of unwanted conduct related to any of the discriminatory grounds” namely:

Gender, Marital status, Family status, Sexual orientation, Religion, Age, Disability, Race/colour/nationality/ethnic or national origin, Traveller community membership.

The Acts provide a non-exhaustive list of unwanted conduct that may constitute harassment, namely “acts, requests, spoken words, gestures or the production, display or circulation of written words, pictures or other material”

A single incident may constitute harassment. Many forms of behaviour can constitute harassment. The term includes examples like those below, although it must be emphasised that the list is illustrative rather than exhaustive.

- **Verbal harassment**—spoken words, jokes, comments, ridicule or songs, or jokes about a person’s membership of a protected category, demeaning and derogatory remarks, name calling, unwelcome comments, unwarranted criticism of work/study performance etc. that is related to one or more of the discriminatory grounds;
- **Written harassment** – including faxes, notices, electronic text messages, emails, internet chat rooms etc. that is related to one or more of the discriminatory grounds;
- **Physical harassment** – jostling, shoving or any form of assault that is related to one or more of the discriminatory grounds;
- **Intimidatory harassment** – postures, posturing or threatening poses that is related to one or more of the discriminatory grounds;
- **Visual display** such as posters, emblems or badges that is related to one or more of the discriminatory grounds;
- **Isolation or exclusion** from social activities, or in workplace activities or course of study that is related to one or more of the discriminatory grounds;
- **Pressure to behave** in a manner that the employee thinks is inappropriate, for example, being required to dress in a manner unsuited to a person’s ethnic or religious background, or otherwise that is related to one or more of the discriminatory grounds;
- **Undermining the authority** of a colleague in the workplace that is related to one or more of the discriminatory grounds.

3. Bullying

Bullying is defined as:

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

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

Bullying can include verbal, gesture or physical bullying, exclusion or extortion. Many forms of behaviour can constitute bullying, which can include:

- **Verbal Abuse**—shouting, spoken words, making jokes, undermining a person’s authority through misplaced and unwarranted criticism of an individual and their professional performance, ridiculing the employee or student in front of other employees and/or individuals, setting unrealistic and unattainable targets, spreading malicious rumours about an individual around the organisation, humiliation, sneering or ridicule and falling within the definition above.
- **Nonverbal Abuse**—Looks, gestures, displaying emblems on clothing, exclusion, whistling, isolation at lunch breaks or social events, etc. and falling within the definition above.
- **Written Abuse** – including faxes, notices, electronic text messages, emails, internet chat rooms etc. and falling within the definition above.
- **Physical Abuse**—Hitting, bodily contact that is abusive in nature, shaking fists in a threatening manner, sabotaging a colleagues personal belongings etc. and falling

within the definition above.

Individuals or groups of people can be responsible for or be the victims of bullying. It can occur between a manager/supervisor and subordinate, between subordinate and a supervisor/manager, between staff and students, between students and staff, and within peer groups. Legitimate and reasonable management and supervision of staff and/or students does not constitute bullying. It is important however that those responsible for managing poor performance and conduct do so through the operation of fair procedures, and not through an aggressive management /supervisory or lecturing style.

Policy and Procedure Title: Mutual Respect	Responsibility of	Evidence generated by this procedure to ensure its effectiveness
<p>It is recognised that allegations of sexual harassment, harassment or bullying can influence the victim's confidence and willingness to report such occurrences. In particular, the named point of reporting, as defined in the College Complaints Procedures, may give rise for concern or discomfort for the individual. While CCT encourages reporting through the prescribed procedures relevant to staff or students, the College acknowledges and recognises the right of the complainant to initiate their complaint through the point of contact with whom they feel most comfortable.</p> <p>Upon receipt of a complaint, the College will seek to revert to the applicable procedures, making appropriate exceptions where reasonable and justified.</p> <p>All individuals making an allegation of sexual harassment, harassment, or bullying will be provided with access to supports for the duration of any investigatory or disciplinary proceedings as deemed appropriate.</p> <p>The College reserves the right to suspend any individual accused of sexual harassment, harassment or bullying pending investigations and disciplinary proceedings.</p> <p>Records of allegations, investigations and disciplinary proceedings will be retained in accordance with the applicable policy.</p>	All staff	Records of reporting and referral

Monitoring

Monitor (Job Title)	Frequency	Monitoring Method(s)
Dean of Academic Affairs	Ongoing reviews each semester	<ul style="list-style-type: none"> - Review of all Complaints applications made each academic year - Review of Policy and Procedure Monitoring and Report form, for this policy - Annual review of policy information

POLICY CONTROL SHEET

Policy Title	Mutual Respect
Responsible Officer(s)	Dean of Academic Affairs
Issuance Date	August 2015
Effective Date	August 2015
Last Review Date	March 20178
Supersedes	Version 1.0
Next Review Date	August 2019
Designated Reviewer(s)	Dean of Academic Affairs
Scope	Internal staff (full and part time); Learners; Appeals Board

Revision History

Revision	Approval Date	Revision Description	Originator	Approved By
New Policy	August 2015	New QA system	Senior Management Team	Head of Academics, College Registrar
Version 2.0	March 2018	Removal of duplication of process resulting in overlap with complaints procedures and disciplinary procedures for staff and students. Revised policy directs complainants to applicable	Dean of Academic Affairs	Academic Council

		procedures but acknowledges right of reporting to an alternative party.		
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References upon which the Policy section is based

CCT Policy area	Learning Resources and Student Support
Statutory & System Wide Basis	The Irish Qualifications and Quality Act (Education and Training), 2012; European Standards and Guidelines for QA in the European Higher Education Area, QQI Core Statutory QA Guidelines
Related CCT Policies / Forms	CCTP803 Staff Code of Conduct CCTP903 Learner Code of Conduct and Disciplinary Procedures CCTP903 Complaints Procedures