

SIRO POLICY STANDARD

EQUAL OPPORTUNITIES AND DIGNITY AT WORK

WORKING IN THE SIRO WAY

Document Control Information

Approvals/Authorisation

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1. Scope

This policy applies to all employees, contractors, customers, suppliers and visitors to the workplace. This policy applies during normal working time in SIRO's premises and also at work related social events, business trips and other work-related activities such as training courses or conferences, whether they take place at SIRO's premises or not, and whether or not they take place during normal working hours.

2. Policy

SIRO is committed to creating an organisation that promotes equality and dignity at work. We are committed to treating all employees, customers and business contacts equally regardless of gender, civil status, family status, sexual orientation, religious belief, age, disability, race and membership of the travelling community.

SIRO believes that embracing equality and diversity in the workplace benefits not just the organisation but also individual employees, departments and our customers/clients. All our employees bring their own background, work style, distinct capabilities, experience and characteristics to their work. We recognise that our talented and diverse workforce reflects the diversity of our customers and markets and we want to utilise the widest range of skills, knowledge and experience in our business while complying with legislation.

As well as treating people with dignity and respect, we strive to create a supportive environment in which all employees can flourish and reach their full potential, regardless of differences, experience or education. Harnessing the wide range of perspectives this diversity brings promotes innovation and helps make us more creative and competitive.

Commitment to equality and diversity

SIRO will formulate and implement policies and practices that value diversity, provide equality of opportunity and ensure that no job applicant, employee, customer or business associate receives less favourable treatment on any of the nine aforementioned grounds. We will also ensure that other policies and practices reflect our commitment to treating

people fairly, promoting an integrated way of working and respecting the dignity of employees at all times.

Managers are expected to promote an integrated workplace and proactively eliminate any potential inequities that may run counter to the SIRO's policy.

Our recruitment policy reflects our belief that diversity in all areas, including cultural, generational, language and national backgrounds, is necessary in helping us succeed in all markets. SIRO will not discriminate against any prospective employee during the recruitment process. Interviews will be carried out objectively and individuals will be judged on merit and their ability to do the job. It is our policy to ensure that as much accommodation as possible is carried out to facilitate the participation of individuals with special needs in the recruitment process and in the workplace.

Performance appraisals and feedback will be carried out in a sensitive, non-discriminatory manner. SIRO will offer the same development and training opportunities to all employees to achieve high standards of performance. We reward excellence and employees will be promoted on the basis of merit.

Respect and dignity at work

SIRO acknowledges the right of all colleagues to a workplace and environment free from any form of harassment or bullying. Every colleague has an obligation to be aware of the effect of their own behaviour on others. Everyone in SIRO has a responsibility to prevent bullying and harassment and to report any instances that they are a party or a witness to. There is a particular responsibility on management to ensure the prevention of incidents of bullying or harassment, and to take action should any incidents be brought to their attention. SIRO reserves the right to use the disciplinary procedure up to and including dismissal where a complaint of bullying or harassment is upheld. In cases where the behaviour is proved to be repeated and consistent, or of a serious nature, it may be considered gross misconduct and will be dealt with under the company disciplinary procedure.

3. Definition of Bullying

Bullying is defined as: "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, it is not considered to be bullying'.

Harassment is closely related to bullying and whilst it is illegal and should not be tolerated in the workplace, it does not fit the above definition. Harassment is governed by equality legislation and is predicated on the person being a member of one of the nine categories specified within the anti-harassment legislation. Bullying is legally distinct from harassment as bullying behaviour is not predicated on membership of any distinct group.

The following are examples of the types of behaviour considered to be bullying and are prohibited by SIRO:

- verbal abuse/insults/derogatory remarks
- physical abuse
- intimidation/undermining behaviour
- repeatedly manipulating a person's job content or objectives
- excessive monitoring of work
- humiliation/public criticism
- isolation/exclusion

The above list is not exhaustive and only serves as a guideline to employees. Each case will be taken in isolation and dealt with in the appropriate manner.

4. What is Not Bullying or Harrassment?

- Instructions and requests made by management in the course of business is not bullying or harassment.
- Managing the performance of an employee and the provision of positive or negative feedback is not bullying or harassment.
- An occasional raised voice or argument is not bullying or harassment.

The following is stated in the Code of Practice from the Health & Safety Authority:

“Bullying at work does not include reasonable and essential discipline arising from the good management of the performance of an employee at work or actions taken which can be justified as regards the safety, health and welfare of the employee. For example, an employee whose performance is continuously signaled at a level below required targets may feel threatened and insecure in their work but this in itself does not indicate bullying.”

In cases such as those listed below (not an exhaustive list), it will be deemed that bullying and harassment has not occurred:

Instructions and requests made by managers in the course of work reviewing and managing the performance of an employee including managing poor performance, behaviour or conduct and giving feedback including positive or negative feedback.

5. Complain procedure

All employees have a right to make a complaint if they feel they have been bullied or harassed and he/she should follow the steps in the procedures outlined below.

6. Guidelines if you are bullied or harrassed

Any colleague, who believes he or she has been harassed, whether on the basis of sex or any other basis in violation of this policy, or believes he or she has witnessed harassment of an employee, customer or client of SIRO, should immediately report the incident to his or her manager or Human Resources. An employee reporting harassment or discrimination will be treated sympathetically and seriously. Any complaint of harassment will be investigated thoroughly and handled in strict confidence.

7. The informal procedure

SIRO, while recognising the effect that bullying/harassment can have on individuals, believes that an informal approach can often resolve matters.

If you believe you are being bullied or harassed, you should explain clearly to the person involved that their behaviour in question is unacceptable. If you find it difficult to approach the individual you should seek advice from your manager, or another manager or HR. HR will discuss the options open to you which may involve a discussion with the individual, which would be confidential and non-confrontational, with a view to resolving the issue in a low-key informal manner.

Informal action which you could take would include:

- Talking to a colleague
- Talking to your manager
- Talking to another manager
- Talking to your next level manager

- Confronting the bully and informing him/her that you find his/her behaviour unacceptable and request that they stop immediately. Seek assistance from a colleague, your manager or another in doing this if necessary. This can be quite successful in resolving the matter by making them aware of the impact of what they are doing. You may also inform the person(s) of the bullying and harassment policy and that you may choose to take formal action if their behaviour does not change.
- Mediation (which can be arranged by the company)

[SIRO HR can also designate a separate person who has had appropriate training and experience and who is familiar with the procedures involved to deal with the complaint on behalf of SIRO. This person will not be the 'contact person' and may be a supervisor/manager or someone in authority within SIRO]¹.

The designated person may use a direct or indirect approach to change behaviour. The designated person should keep a 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 detail of discussions, is to provide evidence of the complaint having been met with an organizational response and attempt at resolution.

The informal process may also involve mediation by an agreed mediator who is experienced in dealing with bullying at work.

To obtain closure after a resolution is found through informal procedures both parties should be given support or periodical reviews, insofar as is reasonable, which, if necessary, could include counselling or other appropriate interventions or support services. Where a complaint has been assessed as vexatious, the matter should be progressed through the disciplinary procedures.

8. Mediation

Mediation is the preferred method for the resolution of complaints of bullying and harassment, which could not be resolved by informal procedures. The objective of mediation is to resolve the matter speedily and confidentially without the recourse to a formal investigation and with the minimum of conflict and stress for the individuals involved.

¹ Consider whether a designated person should be appointed at the informal stage. This would be a separate process to mediation.

Mediation requires the voluntary participation and co-operation of both parties in order to work effectively. An assigned mediator, either an internal or external person, will meet with both parties, usually separately to begin with to discuss the alleged offending behaviour.

The mediator will bring both parties together with the aim of reaching a common understanding and agreement on acceptable future behaviour. A mediated agreement seeks to restore harmonious working relationships and will not result in the issues being dealt with under the disciplinary policy.

This process facilitates the minimum of documentation and records. Any information that emerges during the course of the mediation process remains strictly confidential and cannot be disclosed as part of the formal investigation, should one be pursued if mediation does not lead to an agreed conclusion.

9. The formal procedure

The formal procedure, set out below, may be invoked if the informal procedure has not succeeded or if, for whatever reason, you wish to bypass the informal procedure. Choosing not to use the informal procedure will not reflect negatively on you in the formal procedure.

1. You should make a formal complaint in writing to your manager or to HR. The written complaint should be confined to the precise details of the bullying or harassment incidents.
2. The person complained against will be notified in writing of the complaint and given a copy of it; the person will also be advised that he/she will be afforded an opportunity to respond to the complaint.
3. Both parties to the complaint will be given a copy of the Equal Opportunity and Dignity at Work Policy.
4. An uninvolved and impartial member of management, a member of HR or an external third party (the "Investigator") will be nominated to deal with the complaint with a view to determining an appropriate course of action. The Investigator shall have appropriate training and experience and be familiar with the procedures involved.
5. The scope and timeframe of the investigation will be established. The Investigator will clarify if the complaint falls within the parameters of the definition of bullying at work.

6. Statements from all parties should be recorded in writing as the use of written statements tends to make matters clearer from the outset and maintains clarity throughout the investigation. Copies of the record of their statements should be given to and agreed with those who make statements to the investigator.
7. All parties should continue to work normally, if possible during the investigation. The objective of an investigation is to ascertain whether or not, on the balance of probabilities, the behaviours complained of occurred. Evidence and witness statements are relied on for this purpose.
8. The Investigator should meet with the complainant and the person complained of and any witnesses or relevant persons on an individual confidential basis with a view to establishing the facts. Where necessary, individuals/groups may be asked to work from home/take leave with pay to enable parties to investigate.
9. Whilst it is desirable to maintain utmost confidentiality, once an investigation begins, it may be necessary to interview other parties to form an opinion as to whether an incident or incidents of bullying have occurred. If this is so, the importance of confidentiality must be stressed to them.
10. All the parties involved have the right to representation by an appropriate in-house representative at any interviews held during the investigation. A work colleague may also accompany the complainant and the person complained of, if so desired.
11. Witnesses and other parties may be interviewed, and any statements taken from witnesses/parties will be circulated to the complainant and the alleged perpetrator(s) for their comments in writing before any conclusion is reached in the investigation.
12. The complainant and the person complained of should be given a copy of the report as soon as possible by SIRO and given an opportunity to comment, within a set deadline, before the employer decides on any action to take.
13. SIRO should decide in the light of the investigator's report and the comments made, if any, what action is to be taken arising from the report. SIRO should then in writing inform the complainant and the person complained against of the next steps.
14. The investigation should be conducted thoroughly, objectively, with sensitivity, utmost confidentiality, and with due respect for the rights of both the complainant and the person complained against. The likely time scale for its completion – an indicative time-frame should be outlined and agreed and its rationale explained.
15. If a complaint is upheld the matter is now a disciplinary issue and SIRO will follow the appropriate disciplinary procedures. SIRO will then decide what further action as

regards the complaint is necessary, including specific remedies (e.g. to reduce the effects of the prior exposure for the complainant or to prevent reoccurrence).

16. SIRO will monitor the situation and may take further preventative steps for the future (such as better training or supervision, re-assignment or re-organisation of work). If appropriate, the parties may be referred to counselling.
17. Where a complaint is not upheld, SIRO has a duty to the person complained against. It will be made clear to both parties that the complaint is not upheld, and no wrong doing has been found. Support and affirmation will be offered to the person against whom the complaint was made, and all efforts should be made to ensure that anyone with a prior knowledge of the complaint is made aware of the finding that it is not upheld. Where, on the other hand, a complaint has been found to have been maliciously or vexatiously made, SIRO's disciplinary procedure will apply.

Both parties should be given appropriate support and periodical reviews, insofar as is reasonable, after a resolution is found so as to obtain closure.

10. Appeals

Should either party be unhappy with the outcome of the investigation, they may submit a written appeal to the appropriate company representative within 5 working days. Please note that this appeal will be heard by a relevant person who has not been involved in the investigation previously. The appeal will be heard by another party, of at least the same level of seniority as - but preferably more senior than - the original Investigator, and focus only on the aspect of the case cited by the appellant as being the subject of the appeal. In addition, please note that if appealed, the decision of the appeal is final.