



Our University is committed to providing an environment in which all members of the community should be able to thrive and to be respected and valued for their unique perspectives and contributions so that they can achieve their fullest potential. We are committed to the promotion of a culture which upholds the dignity and respect of the individual and which supports the individual's right to study and/or work in an environment which is free from discrimination. This includes any form of bullying, sexual harassment or other forms of harassment. Complaints whether informal or formal, will be treated seriously, objectively and with due regard for the rights and sensitivities of the person making the complaint and the person against whom the complaint is being made. As far as reasonably possible, complaints will be handled in strict confidence.

## Informal Procedure Options

If you feel you have been bullied, sexually harassed or harassed, please consider the following options

### Seek advice

#### STUDENTS

- \* Head of School / Programme Co-ordinator
- \* Student Adviser or Chaplain
- \* Student Union Welfare Officer
- \* Student Counsellors, Student Health Centre
- \* Trained Dignity & Respect Contact Person

#### EMPLOYEES

- \* Line Manager/Head of School/Unit
- \* Trained Dignity and Respect Contact Person
- \* HR Partner
- \* Colleagues
- \* Employee Assistance Programme

The objective of dealing with issues informally is to try and resolve them swiftly and effectively with the minimum amount of distress to all parties. The range of roles outlined above can help resolve issues in a proactive manner and provide options and potential pathways for resolution of issues in a positive, solution focussed manner.

**Approach the Person causing offence** – If possible you are encouraged to let the person causing offence know of the impact of their behaviour and that their behaviour is unwelcome. You can talk through what you might say/write with one of the above contacts. This will not be appropriate in alleged offences of a sexual nature.

**Contact the Equality, Diversity & Inclusion Manager – Mediation.** Mediation is a voluntary, confidential process that allows two or more parties to resolve their conflict in a mutually agreeable way with the help of a neutral third party and aims to resolve disputes at the earliest possible opportunity. If this is an appropriate route for your situation both parties will be asked to attend separate briefings that explain how mediation works.

If these actions do not succeed in resolving the situation, or would not be appropriate given the nature of the complaint, you should proceed to a formal complaint

## Making a Formal Complaint

- 1. Submit a complaint.** Complaints will be acknowledged in **5 working days**. The complaint will be checked by a panel to make sure it falls within the scope of the Dignity and Respect Policy and procedure. Both the complainant and the respondent will be normally notified of the appropriate next steps within **7 working days** of the panel receiving the complaint form.
- 2. Where the complaint is within the scope of Dignity & Respect Policy:**
  - The person against whom the complaint is made (the respondent) will be notified of the complaint
  - An investigator will be appointed and terms of reference will be sent to the parties
  - The investigator will objectively review evidence (including meeting both parties and any relevant witnesses) and produce a report
- 3. Outcome of the investigation:**
  - Where a complaint is upheld, in whole or in part, by the investigator, a report will be sent to the Director of HR / Registrar as appropriate to be dealt with under the relevant discipline procedure
  - Where a complaint is not upheld, the Investigator will inform the complainant and respondent in writing
  - Where the Investigator is of the view that a complaint is malicious, a report will be sent to the Director of HR / Registrar as appropriate and the matter will be dealt with under the relevant discipline procedure

## Review

If the complainant or respondent are dissatisfied with the outcome and one of the following applies, a review can be requested

- If there has been material procedural regularity
- If the outcome is unreasonable given the facts of the case
- If there is material new information

Requests for a review should be submitted in writing to the Registrar / Director of HR (as appropriate), within **10 working days**. Decisions will be communicated normally within **15 working days**

**Important Information:** This flowchart is a guide. Please read the Dignity and Respect policy and complaint procedure in full.

- Where complaints involves both a student and a member of staff the Registrar and the Director of HR will handle the complaint in consultation with each other
- Complaints should be made within 12 months of an incident occurring.
- If a criminal offence is being alleged (including but not limited to assault), you should seek advice from your Student Adviser (students) or your HR Partner (employees) and/or approach the Gardaí directly.