



**Stiúirthóra Náisiúnta  
Acmhainní Daonna**

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Neasa Hourigan T.D.

9<sup>th</sup> August, 2023

**PQ 35903/23** To ask the Minister for Health further to Parliamentary Question No. 664 of 20 June 2023, his plans to address the fact that 33% of HSE employees responding to the most recent 'Your Opinion Counts' staff survey report that they have experienced bullying or harassment by a senior colleague when basic data is not maintained by the organisation regarding number of grievance and dignity at work cases submitted by employees or wait-times for hearings; how HSE employees facing the daunting prospect of such grievance and dignity at work cases can be protected (details supplied); and if he will make a statement on the matter. -Neasa Hourigan

**Details supplied:** if, as suggested in the response to the question, "the complaints are made to appropriate service managers and the management of these is the responsibility of line managers. The cases may never come to the attention of employee relations officers", given that the service managers themselves may be the subject of the complaints. PREVIOUS PQ 29367/23

Dear Deputy,

I refer to your recent Parliamentary Question which was sent to the HSE for response.

The revised Dignity at Work Policy for the Public Health Service which issued in August 2022 applies across the HSE and other public health service hospitals and agencies <https://www.hse.ie/eng/staff/resources/hr-circulars/hr-circular-028-2022-revised-dignity-at-work-policy-for-the-public-health-service.html>. The Policy which was agreed nationally with the health service trade unions aims to protect employees from bullying, harassment and sexual harassment by other employees and other persons with whom they may come into contact with during the course of their work (e.g. patients, visitors, contractors etc.).

In addition to being revised to take account of new and updated codes of practice on bullying and harassment/sexual harassment at work from the Health and Safety Authority/Workplace Relations Commission, and the Irish Human Rights and Equality Commission, the revision of the Policy was also driven and informed by the findings of HSE staff surveys on incidences of bullying and harassment in the workplace, and resulting reports and recommendations. Areas for improvement identified from the surveys included: *"The aim must continue to be to eradicate all forms of discrimination, bullying and verbal or physical assault for all staff"*; and *"Ensure all staff received both briefings and training on the Dignity at Work policy"*.

Key provisions in the revised Policy include:

- Emphasis on the Policy's role in managing statutory health and safety responsibilities related to the hazards of bullying, harassment and sexual harassment.
- A strong preventative focus which emphasises the duties of health sector organisations and all employees and managers to create and maintain a culture in which everyone is treated with dignity, courtesy and respect and diversity is valued. Under the Policy, all employees and managers have a duty to treat others with dignity and respect, and be aware of how their behaviour may affect colleagues.
- A revised complaints management procedure which introduces a new secondary stage in the informal procedure, as well as maintaining the formal procedure of investigation.
- Emphasis on the importance of early intervention when complaints arise and ensuring that all reasonable efforts are made to deal with complaints promptly, at local level, using an informal approach. The policy stipulates that all complaints will be taken seriously and followed through to resolution.
- In recognition of the distressing effects of bullying/harassment, there is an emphasis on informing employees of the health and wellbeing supports available within their organisation and how these can be accessed.



- Focus on complaint monitoring in compliance with the codes of practice to enable the recording of incidents of bullying and harassment and to enable corrective action/continuous improvement to be achieved.

Under the Policy, employees who feel they are being subjected to inappropriate behaviour which may be bullying, harassment or sexual harassment can talk in confidence to a *Support Contact Person* who will explain the Policy to them and help the employee to decide what action to take. The employee can also access such supports from their line manager/another manager, HR, Occupational Health or their trade union.

As part of the first stage of the informal procedure, the employee or someone on their behalf if they prefer should approach the person engaging in the unwelcome behaviour and let them know the behaviour is causing offense and should stop. Where a line manager is asked to assist by the employee, the manager should respond promptly and sensitively and may meet individually or jointly with the parties in efforts to resolve the complaint informally. The Policy recognises that sometimes people are unaware that their behaviour is having a negative effect and making them aware can bring an end to the offensive behaviour.

If the issue remains unresolved, management will seek the complaint in writing from the employee and Preliminary Screening, a desk based review will be undertaken by Human Resources to assess if the complaint meets the definitions of bullying, harassment and sexual harassment under the Policy. If it does not, the employee's complaint will be addressed proactively through another procedure such as the Grievance Procedure. If HR assesses the complaint as meeting the definitions under the Policy, the employee's complaint will be addressed through the new second stage of the informal procedure. During this stage, a trained and competent *Nominated Person* in the organisation is assigned to manage the complaint and will meet flexibly and responsively with both parties over one or more meetings in efforts to resolve the complaint and restore positive working relations.

If the complaint remains unresolved following the two stages of the informal procedures, the employee's complaint of bullying, harassment or sexual harassment may proceed into the formal procedure and an investigation will take place, which aims to uphold the rights of all parties. Where complaints are upheld, appropriate action will be taken which may include disciplinary action or other appropriate sanctions depending on whether the alleged perpetrator is an employee or non-employee.

In some circumstances, depending on the nature of the complaint and the alleged behaviour (e.g. serious complaint of harassment/sexual harassment), management may determine that the informal procedures are bypassed and the complaint is processed through the formal procedure. The Policy emphasises that each complaint is assessed on a case by case basis to determine the most appropriate approach.

A range of actions have been identified to support effective implementation of the revised Policy with responsibilities at organisational and employee/manager level. Such actions include resourcing of key Policy roles such as Support Contact Persons and Nominated Persons, communication and raising awareness of the Policy to employees and non employees, various training programmes and monitoring of the Policy.

Numerous measures have been taken and are ongoing to ensure employees and managers are fully aware of, and trained on the revised Policy and their identified responsibilities in both preventing inappropriate behaviours and responding appropriately when they occur. These includes the revision of the e-learning training programme which became mandatory for all staff with the issue of the revised Policy; new bespoke training programmes for employees assigned to the roles of Support Contact Persons and Nominated Persons; webinars for HR staff; train the trainer programmes for HR staff to deliver briefing sessions locally to employees and managers, as well as specific training for line managers through the People Management Legal Framework training programme. The website content which has been developed on the revised Policy also acts as a useful resource for employees and managers. <https://www.hse.ie/eng/staff/resources/hrppg/dignity-at-work-policy-for-the-health-services-summary.pdf>

Since July 2022 the following has taken place with regard to promoting Dignity at Work.

#### **Dignity at Work e-Learning Programme**

The Dignity at Work e-Learning programme was updated in line with the revised Dignity at Work Policy which was launched on 29<sup>th</sup> August 2022. This programme is now mandatory for completion by all HSE and Section 38 staff.



### **Support Contact Person and Nominated Person Training Programmes**

Support Contact Person and Nominated Person training programmes are being run on an ongoing basis. The aim of both programmes is to provide HSE and Section 38 staff with the knowledge and skills to support them in their roles as Support Contact Person and Nominated Person in line with the Dignity at Work Policy. The training programmes provide a structured approach for participants to have conversations with staff in carrying out these roles. In addition, the National Mediation Service provides an overview on mediation, outlining what mediation is and the benefits and that mediation is freely available across the HSE.

### **Briefings to HR Managers**

Briefing sessions have been provided on Dignity at Work Training.

### **Train the Dignity at Work Trainer Programme**

Delivery of the Train the Dignity at Work Trainer programme is ongoing. This is for HR/Employee Relations Practitioners who provide briefing sessions to their staff and managers to promote Dignity at Work. The overall aim of this programme is to enable the participants to provide briefing sessions to managers and staff on the Dignity at Work Policy using adult learning principles.

### **Webinar on the Dignity at Work Policy**

In April 2023 there was a live webinar for HR and Employee Relations practitioners in HSE and Section 38 organisations. The purpose of this webinar was to provide participants with an overview of the revised Dignity at Work Policy, the complaint management procedures, the various roles under the Policy and to enhance HR and Employee Relations staff's knowledge of mediation, workplace health and wellbeing supports, and supports such as the National Coaching Service and team development. This webinar was recorded and can be accessed through HSeLanD, our e-Learning Platform HSeLanD which had 2.4M programme completions and 4.8M log-ons in 2022.

### **CPD Workshops for Trained Support Contact Person and Nominated Person**

Follow up facilitating workshops for staff members who have been trained as Support Contact Persons and Nominated Persons are delivered. The aim of the Nominated Person CPD Workshop is to provide Nominated Persons with further knowledge and experience to address and manage the complaints assigned to them in their role. The aim of the Support Contact Person CPD Workshop is to provide Support Contact Persons with further knowledge and experience to continue to give a supportive, confidential, non-judgmental and non-directional listening service.

### **First Time Managers and People Management The Legal Framework Live Virtual Training Programmes**

The programme content for the First Time Manager and People Management The Legal Framework training programmes has been updated to reflect the revised Dignity at Work Policy and to further promote Dignity at Work.

### **Learning Podcasts**

The Learning Talks Podcast aims to explore topical issues from areas such as Management, Leadership, HR and People Management. It is a micro learning resource for HSE staff. A learning Podcast is entitled "From Conflict to Resolution – A Leader's Toolkit and can be accessed by HSE staff via HSeLanD. The Director of the Mediation Foundation of Ireland, who has worked extensively in the area of conflict resolution joins this episode of the Podcast and shares a range of tips and strategies to get from conflict to resolution.

### **Empathy Survey**

An empathy survey was developed in conjunction with DCU's Anti Bullying Centre.

The survey was for HSE staff only. The main aims of this anonymous online survey were to:

- Assess empathy in a sample of healthcare workers in Ireland.
- Raise survey respondents' awareness of the importance of empathy for building positive work relationships.
- Increase respondent's self-awareness of their own empathy levels.

HSE staff received their empathy score immediately upon completion of the empathy survey. In addition, they also received an individualised empathy report which provided them with information on the meaning of their scores and how they could further develop their levels of empathy. Participants who completed the survey were able to download a booklet which provided an overview of empathy, including its definition, characteristics and distinct components. The booklet contained information regarding the benefits of empathy for individuals and organisations. Suggestions on how to further develop empathy were also included. The purpose of this was to raise participants' awareness of the importance of building effective work relationships and also to increase their self-awareness regarding their own empathy levels.



**Managing Conflict Programme**

A new programme on Managing Conflict has been developed. The aim of the programme is to enable staff who have people management responsibilities to build the necessary skills and knowledge to manage conflict effectively. This programme provides participants with an understanding of what conflict is and how conflict can arise. It enables line managers to promote healthy working relationships within their teams and foster a positive environment within the workplace.

I trust this clarifies and is of some assistance.

Yours sincerely,

A handwritten signature in cursive script that reads "Marie O'Sullivan".

**Marie O'Sullivan**  
**National HR**