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Acmhainní Daonna

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- Each Hospital Group CEO**
- Each Hospital Group Director of HR**
- Each Chief Officer CHOs**
- Each Head of HR CHOs**
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- Each HR Manager Section 38 Agencies**
- Each Employee Relations Manager**
- Each Group Director of Nursing & Midwifery**
- Each Group Director of Midwifery**
- Each Clinical Director**
- Director National Ambulance Service**

From: Anne Marie Hoey, National Director of Human Resources

Date: 29th August 2022

Subject: HR Circular 028/2022 - Revised Dignity at Work Policy for the Public Health Service

Dear Colleagues

Please find attached the revised Dignity at Work Policy for the Public Health Service which will come into effect from 29 August 2022.

As you will be aware, the Dignity at Work Policy applies across the HSE and Section 38 organisations and aims to protect public health service 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.

The revised Policy is an essential tool in creating and maintaining an environment in which every employee's dignity is upheld, and diversity, irrespective of any personal characteristic, is valued. It is based on the following codes of practice:

- *The Code of Practice for Employers and Employees on the Prevention and Resolution of Bullying at Work* (December 2020) - jointly developed by the Health and Safety Authority (HSA) and the Workplace Relations Commission (WRC)

- *The Code of Practice on Sexual Harassment and Harassment at Work* (March 2022) - Irish Human Rights and Equality Commission (IHREC)

The changes to the Policy have also been informed by the findings of staff surveys on bullying and harassment in the workplace, and resulting reports and recommendations.

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.
- Further guidance on what constitutes bullying, harassment and sexual harassment.
- A new section on preventative measures designed to avoid incidents or complaints arising.
- Introduction of a new secondary informal procedure stage as part of the complaints management procedure, after the initial informal stage and preliminary screening, and before the formal procedure of investigation. Under this stage, an employee assigned to act as a "Nominated Person" will have responsibility for managing the complaint on behalf of the employer. The Nominated Person will engage with the parties to a complaint to try and resolve issues informally and restore positive working relations.
- Continued emphasis on the importance of early intervention when incidents or complaints arise and ensuring that all reasonable efforts are made by health service managers to deal with complaints promptly, at local level, using an informal approach. The Support Contact Person, whose role is to provide information and support at any early stage to any employee, remains a key element in the revised Policy. Mediation as a voluntary process for parties is strongly encouraged and can take place at any stage.
- Appendix 1 of the Policy sets out a summary of the complaint management procedures that apply under the revised Policy.
- Emphasis on informing employees of the health and wellbeing supports that are available within their organisation and how these can be accessed.
- Focus on anonymised complaint monitoring by employers. In compliance with the HSA/WRC Code of Practice, such monitoring will enable employers to record incidents of bullying and harassment and take corrective action or achieve continuous improvement in the Policy. A Sample Complaint Monitoring Form Template is included at Appendix 4.

As the revised Policy takes effect, a range of actions are essential to support effective implementation. These include:

- **Resourcing of Support Contact Person and Nominated Person:** Senior managers should ensure that there are sufficient numbers of suitable staff to discharge these key roles in the Policy. Training programmes for these roles are currently being delivered by HSE National HR, Capability and Culture. Employees and managers who are seeking to contact a Support Contact Person or a Nominated Person should contact their local HR department who will hold details of local personnel. Heads of HR should ensure that local HR/Employee Relations offices have up to date lists of the contact details of employees who are fulfilling the roles of Support Contact Persons and Nominated Persons within the organisation/ relevant HSE region as appropriate. Heads of HR should also ensure that up to date details of HSE Support Contact Persons in their area of responsibility are emailed to the HR Helpdesk (ask.hr@hse.ie) who can also provide this information to HSE employees when contacted. Details of Support Contact Persons should also be communicated locally through notice boards or other means.
- **Raising awareness of the Policy:** Managers at all levels have a key role in the communications rollout through providing a copy of the Policy to staff and ensuring that they understand its contents (see signature sheet at Appendix 5 of the Policy). The revised Policy should be discussed at team meetings and included as a key topic in other HR processes such as induction, probation management and performance management so that all employees and managers understand their roles and responsibilities under the Policy.
- **Communication to Non Employees:** The Policy aims to protect employees from bullying, harassment and sexual harassment by other persons with whom they come into contact during the course of their work (non employees). This includes members of the public, service users, contractors and other workers. Managers should ensure that copies of the Policy are readily available and it is communicated in an appropriate manner. Reference to the Policy should be addressed through contracts/service level agreements with non employees/contractors where applicable.
- **Training:** The completion of the elearning module on Dignity at Work is now mandatory for all employees in the HSE and Section 38 organisations and is accessed through HSeLanD. National training programmes such as People Management the Legal Framework and First Time Managers have been updated to reflect the revised Policy. In addition, local HR should arrange local briefing sessions to promote the Policy to employees and managers.
- **Monitoring:** As outlined in the Policy, senior managers should identify and communicate a monitoring system to enable monitoring of the Policy and incidents of bullying, harassment or sexual harassment. A monitoring system is outlined in the Policy and a Sample Complaint Monitoring Form Template is included at Appendix 4. This provides for anonymised collation of information on complaint management procedures and their effectiveness under the

Policy. Such monitoring will enable employers to take corrective action or achieve continuous improvement in the operation of the Policy at local level.

It is everyone's responsibility to support the creation of a positive culture where all staff are treated with courtesy and respect. Please ensure that this Circular and Policy is brought to the attention of all employees and managers in your area of responsibility and that they are aware of their roles and responsibilities under the Policy.

Queries

Queries from individual employees or managers regarding the Policy should be referred to local HR Departments/Employee Relations Departments. Please note that the National HR Helpdesk is also available to take queries from employees Tel: 1800 444 925 Email: Ask.HR@hse.ie

Queries from HR Departments on the contents of this Circular and the Policy may be referred to National Employee Relations, HR Directorate, 63-64 Adelaide Road, Dublin 2 Tel: 01 6626966, Email: info.t@hse.ie

Yours sincerely



Anne Marie Hoey
National Director of Human Resources