



## Irish Research Council Policy on Bullying, Harassment and Sexual Harassment

### 1. OVERVIEW

- 1.1 The Irish Research Council (IRC) supports a research system in which individuals are enabled to achieve their full potential at all stages of their career. People are at the heart of research, and respect for the dignity of the person is essential to the conduct of research. This policy complements ongoing work by the Department of Further and Higher Education, Research, Innovation and Science, the Higher Education Authority, other national research funders, and the European Commission. The IRC is committed to working with all stakeholders to encourage a positive and respectful research culture free from any form of bullying, harassment or sexual harassment.
- 1.2 This document sets out the Irish Research Council's policy on bullying, harassment or sexual harassment involving a participant in IRC awards. The policy is predicated on the core principle that host research institutions (**HEIs/RPOs**)<sup>1</sup> are responsible for investigating allegations of bullying, harassment, or sexual harassment pertaining to a member of staff or a student in line with institutional policies and procedures. Similarly, where an allegation is upheld, HEIs/RPOs are responsible for implementing the appropriate sanctions or actions to address the wrongdoing.

### 2. SCOPE

- 2.1 This policy covers all IRC awardees. This includes all named recipients of IRC funding, including principal investigators on project awards and all team members and support staff funded through project awards. The policy forms part of the Terms and Conditions under which IRC awards are made.
- 2.2 The policy also covers the named individuals acting in a mentor/supervisor capacity for postgraduate or postdoctoral researchers on individual or project awards funded by the IRC. This includes both academic mentors/supervisors and mentors in enterprise or employment partners. For the purposes of this policy, the term '**supervisors/mentors**' encompasses academic and non-academic roles.
- 2.3 Enterprise Partners co-fund individual postgraduate or postdoctoral awardees hosted by HEIs/RPOs under the Enterprise Partnership Scheme (EPS). Employment partners employ Irish Research Council awardees registered with a host HEI/RPO under the Employment-based Postgraduate programme (EBP). The responsibility of the host HEI/RPO as noted in 1.2 extends to EPS or EBP postgraduate students and EPS postdoctoral researchers.
- 2.4 The individuals identified above are collectively referred to as '**the participants**'.
- 2.5 The IRC will not investigate complaints made by or against participants: this is the responsibility of the participant's host HEI/RPO. Where complaints are brought to the IRC's attention, the individual will be re-directed by the IRC to the relevant contact point in the HEI/RPO and relevant support networks.
- 2.6 This policy does not seek to mandate how HEIs/RPOs should conduct internal processes

---

<sup>1</sup> HEI – Higher Education Institution; RPO – Research Performing Organisation



relating to bullying, harassment, or sexual harassment. Rather, it builds on the efforts made at sectoral level by the [HEA Principles of Good Practice within Irish Higher Education Institutions](#) (in particular, the section on “Dignity and respect”), and the Government’s [Framework for Consent in Higher Education Institutions](#) and future amendments thereof.<sup>2</sup> Issues of bullying, harassment and sexual harassment are intrinsically linked with research integrity: in particular, the “Personal misconduct in a research setting” referenced in the [National Policy Statement on Ensuring Research Integrity in Ireland](#). HEIs/RPOs and other organisations hosting researchers funded by the IRC will also have regard to the [Code of Practice for Employers and Employees on the Prevention and Resolution of Bullying at Work 2020](#) and the [Code of Practice on Sexual Harassment and Harassment at Work 2012](#). Guidance for institutional policies has been provided by both the Technological Higher Education Association ([PROPEL 2021](#)) and the Irish Universities Association ([Guidance for Universities 2020](#)).

### 3. KEY DEFINITIONS

- 3.1 **Bullying** may be defined as repeated inappropriate behaviour, direct or indirect, whether verbal/non-verbal, physical or otherwise, conducted by one or more persons against another or others, which could reasonably be regarded as undermining the individual’s right to dignity and respect. A once-off incident is not considered to be bullying – this is a key distinction between bullying and harassment.

The following is a non-exhaustive list of examples of types of behaviour that may constitute bullying:

- Exclusion with negative consequences.
- Hostility through sustained unfriendly conduct.
- Verbal abuse/insult, including shouting, use of obscene language and spreading malicious rumours.
- Being treated less favourably than colleagues.
- Intrusion – pestering, spying or stalking.
- Menacing behaviour.
- Intimidation.
- Aggression.
- Undermining behaviour.
- Excessive monitoring of work.
- Isolation or exclusion from social activities.
- Withholding work-related information.
- Repeatedly manipulating a person’s job content and targets.
- Applying blame for things beyond the person’s control.
- Constant humiliation, ridicule, belittling efforts.
- Inappropriate overruling of a person’s authority, reducing a job to routine tasks well below the person’s skills and capabilities without prior discussion or explanation.

---

<sup>2</sup> The Framework was launched by the Department of Education and Skills in April 2019. Responsibility now rests with the Department of Further and Higher Education, Research, Innovation and Science.



- Use of social media to undermine or exclude colleagues.

3.2 **Harassment** is defined as any form of unwanted conduct that is related to any of the discriminatory grounds under the Employment Equality Acts 1998 – 2015 and the Equal Status Acts 2000-2018, 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 discriminatory grounds are gender, age, race/colour/nationality/ethnic or national origin, religious belief (or lack thereof), civil status, family status, sexual orientation, disability or membership of the Traveller community.

Harassment may consist of a single incident or repeated inappropriate behaviour. An act of harassment may occur outside the HEI/RPO premises or normal working/research hours: for example, at a training course, a conference or a work-related/academic social event.

Many forms of behaviour, including spoken words, gestures or the display/circulation of words, pictures or other material, may constitute harassment. The following is a non-exhaustive list of examples of types of behaviour that constitute harassment:

- Verbal harassment – jokes, comments, ridicule or songs.
- Written harassment – including text messages, emails or social media posts.
- Physical harassment – jostling, shoving or any form of assault.
- Intimidatory harassment – gestures, posturing or threatening poses.
- Visual displays such as posters, emblems or badges.
- Unreasonably changing a person’s job content or targets.
- 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.
- Harassment through social media.

3.3 **Sexual Harassment** is any form of unwanted verbal, non-verbal or physical conduct of a sexual nature 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. This includes:

- Physical conduct of a sexual nature — this may include unwanted physical contact such as unnecessary touching, patting or pinching or brushing against another employee’s body, assault and coercive sexual intercourse.
- Verbal conduct of a sexual nature — this includes unwelcome sexual advances, propositions or pressure for sexual activity, continued suggestions for social activity outside the workplace after it has been made clear that such suggestions are unwelcome, unwanted or offensive flirtations, suggestive remarks, innuendos or lewd comments.
- Non-verbal conduct of a sexual nature — this may include the display of pornographic or sexually suggestive pictures, objects, written materials, emails, text-messages or faxes. It may also include leering, whistling or making sexually suggestive gestures.
- Gender-based conduct — this includes conduct that denigrates or ridicules or is intimidatory or physically abusive of an employee because of his or her sex such as derogatory or degrading abuse or insults which are gender-related.

Sexual harassment can be committed by a person of any gender, and it can occur between



people of the same or different genders. Its purpose is to demean, diminish and intimidate. Sexual harassment may occur between strangers or acquaintances, including people involved in an intimate or sexual relationship.

The intention of the perpetrator of the sexual harassment or harassment is irrelevant. The fact that the perpetrator may have no intention of sexually harassing or harassing the victim is no defence. The effect of the behaviour on the victim is what is relevant. It is up to the victim to decide what behaviour is unwelcome irrespective of the attitude of others to the matter.

#### **4. RESPONSIBILITIES OF PARTICIPANTS**

- 4.1 All participants have a responsibility to treat everyone they interact with in the course of their research with dignity and respect. Participants are entitled to carry out their research and related work free from any form of bullying, harassment, or sexual harassment.
- 4.2 All participants have a responsibility to inform themselves of relevant policies or codes of conduct of the HEI/RPO where they are employed or registered as a student, and to utilise the procedures within the HEI/RPO in circumstances where they wish to make a complaint. Allegations of bullying, harassment or sexual harassment should not be reported directly to the IRC by participants.
- 4.3 All participants have a responsibility to make themselves aware of the policies and guidance on research integrity of their host HEI/RPO.

#### **5. GENERAL RESPONSIBILITIES OF HEIS/RPOS IN RECEIPT OF IRC FUNDING**

- 5.1 HEIs/RPOs in receipt of funding from the IRC have a responsibility to create an appropriate research culture and to deal promptly with any complaints of bullying, harassment, or sexual harassment in accordance their internal procedures, guided by the relevant national policies. All parties have a right to a good name and therefore the right to confidentiality should be respected, with any limitations in this regard noted.
- 5.2 The need for prompt action by HEIs/RPOs in response to allegations and/or incidents of bullying, harassment, or sexual harassment is particularly important. The investigation process should not compound the negative impact of an incident or cause unnecessary stress for parties to the complaint.
- 5.3 In respect of sexual harassment, the IRC references and aligns to the expectations of the [\*Framework for Consent in Higher Education Institutions\*](#) and any future amendments thereof.<sup>3</sup> Expectation of HEIs/RPOs will align to the points outlined in Section 4: Framework Aims and Outcomes.
- 5.4 If a complaint has been made involving a participant, the HEI/RPO may wish to introduce *Precautionary Measures*. These are actions that may be taken by the institution at any stage with the aim of protecting all parties. These measures are not disciplinary sanctions, and they do not indicate that the institution has made conclusions regarding any alleged breach of discipline or failure to meet the required standard of conduct. Responsibility for consideration or implementation of such actions is with the host HEI/RPO in line with internal institutional processes.

---

<sup>3</sup> It is noted that the remit of the Framework has been expanded to include staff, as well as students.



## **6. RESPONSIBILITIES OF HEIS/RPOS IN RESPONSE TO UPHELD ALLEGATIONS OF BULLYING, HARASSMENT OR SEXUAL HARASSMENT**

- 6.1 HEIs/RPOs are expected to advise the IRC where an allegation of bullying, harassment, and sexual harassment against a participant has been upheld, including where an upheld allegation involves an academic supervisor/mentor of a postgraduate or postdoctoral researcher currently funded by the IRC. (The relevant contact person is identified at the end of this document.)
- 6.2 The treatment of data provided to the IRC under 6.1 above, including storage, access, updating, retention and deletion, will be in accordance with GDPR and data protection legislation.
- 6.3 Reporting of upheld allegations by host HEIs/RPOs to the IRC should only take place following completion of an investigation, including any appeal process, where relevant.
- 6.4 The IRC expects that HEIs/RPOs will swiftly consider the implications of any upheld allegations of bullying, harassment, and sexual harassment against a participant. In the case of upheld allegations against supervisor/mentors, the HEI/RPO is expected to determine the relative risk of said individual/s remaining in a position of supervision/mentorship or part of an active IRC award. Consideration should also be given to the appropriateness of the individual's continued or future involvement in IRC funding applications for the duration of the sanction.
- 6.5 A change in the named supervisor/mentor may be deemed necessary by HEIs/RPOs as an outcome of the risk assessment. For individual postgraduate or postdoctoral awards, the existing IRC process to effect a change – currently available to all such – should be followed, with the exception that documentation should be sent to the senior manager who is identified at the end of this document.
- 6.6 In the case of postgraduate or postdoctoral researchers funded under IRC project awards, where a change of supervisor or mentor is deemed necessary by HEIs/RPOs following risk assessment, this should be implemented at local level. Note that this does not obviate the requirement of HEIs/RPOs under 6.1 above.

## **7. RESPONSIBILITIES OF APPLICANT PARTIES AT THE TIME OF APPLICATION FOR FUNDING**

- 7.1 All applicants to the IRC must self-certify at the time of application that they have not had an allegation of bullying, harassment, and sexual harassment upheld against them for which there is a current disciplinary warning or sanction in place.<sup>4</sup>
- 7.2 For applications for individual early career awards, all supervisors/mentors must self-certify that they have not had an allegation of bullying, harassment and sexual harassment upheld against them for which there is a current disciplinary warning or sanction in place.
- 7.3 Where the self-certification declarations reveal active sanctions, the IRC reserves the right to confirm with the relevant HEIs/RPOs that the review outlined in section 6.4 above was carried out.
- 7.4 The treatment of data provided by an applicant to the IRC, including storage, access, updating, retention and deletion, will be in accordance with GDPR and data protection legislation.

---

<sup>4</sup> This will be rolled out across IRC application processes from 2021.



- 7.5 Where any of the self-certification declarations are found to be false, the IRC reserves the right to take escalating actions regarding the termination of the award (in the case of awardees) or to require the individual's replacement (in the case of academic or other supervisors/mentors). This is in line with the Terms and Conditions signed by all individuals funded under IRC awards.

## **8. FURTHER INFORMATION**

- 8.1 For information about reporting options and supports in relation to bullying, harassment, and sexual harassment, please consult the relevant policies in your HEI/RPO, which should direct you to appropriate points of contact.
- 8.2 For further information about this policy or any of the IRC policies found on our website, please contact [info@research.ie](mailto:info@research.ie).
- 8.3 This policy will be communicated effectively to all those potentially affected by it. It will be reviewed on a regular basis in line with changes in the law and other developments.
- 8.4 Contact within the IRC: Assistant Director, Impact and Partnerships. The post-holder's contact details may be found [here](#).

ENDS

June 2021