

# IADT Dignity and Respect Policy and Procedures for Bullying and Harassment

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# 1. Purpose of this Policy

## 1.1 Introduction

The aim of this Dignity and Respect Policy is to provide guidance on what constitutes bullying and harassment and to clarify what action the Institute will take when responding to breaches of this policy. It also sets out the procedures for addressing issues that may arise of a bullying or harassing nature.

This policy defines each of the terms “*Bullying*” and “*Harassment*”. It provides general information and guidance to members of the Institute (defined as staff & students of IADT) and sets out the procedures for processing of reports where unacceptable behaviour is alleged to have occurred.

The Institute in framing and implementing this policy has regard for legislation, codes of practice and best practice guidance documents on bullying and harassment as published from time to time by the Workplace Relations Commission (WRC), the Health and Safety Authority (HSA), the Equality Authority (EA) and the Irish Human Rights and Equality Commission (IHREC).

A separate policy and procedure document covering issues relating to sexual misconduct can be found here.

## 1.2 Statement of Policy

The Institute of Art, Design and Technology (“IADT” or, the “Institute”) is committed to the promotion and management of an environment for work and study which upholds the Dignity and Respect due to each individual. The Institute supports every individual’s right to work and study in a climate which respects their individuality and diversity and, which is free from threat, harassment, intimidation, and victimisation or bullying.

Bullying or harassment in any form is totally unacceptable. The Institute will not tolerate any member of the IADT community, regardless of their position, being treated with anything less than professional courtesy, dignity, and respect. Neither will IADT tolerate any member of the Institute, regardless of their position, treating a colleague, student or anyone coming into contact with the Institute, with anything less than professional courtesy, dignity, and respect.

This policy is guided by the general principle that the intention of the perpetrator of bullying or harassment is irrelevant. It is the effect of the behaviour on the individual(s) on the receiving end of the behaviour that is important. It is the responsibility of all staff and students to be alert to their obligations under this policy and the possible effect of their behaviour on others and to manage such interactions positively and to the highest professional standards.

A report of bullying and or harassment by or against a member of staff may, following investigation, lead to disciplinary action. Disciplinary action may include a range of responses, from verbal warnings up to and including dismissal from employment.

In the case of a student this may result in a range of responses from a verbal warning to exclusion from IADT. The scope of disciplinary action is set out clearly in the Institute’s Disciplinary Procedures. The reports procedure applies in relation to actions by or reports from a third party (service provider, contractor and visitor to the Institute) is set out in a separate but complementary policy statement.

### 1.3 Objectives of this Policy

The objectives of this policy are to:

- Promote awareness of the issues arising for staff, students, contractors and clients of the Institute by way of direct communication and workshops, and to provide training, where appropriate;
- Deter, prevent, and eliminate unacceptable behaviours;
- Create an environment where staff, students, contractors and clients of the Institute can interact together free from bullying and or harassment in any form;
- Provide a clear and accessible mechanism for addressing and resolving allegations of bullying and or harassment.

## 2. Scope of this Policy

### 2.1 Who does this Policy Apply to

This policy applies to all members of our community, those supplying services to our community, or availing of services from our community. For further details on the roles and responsibilities of all IADT stakeholders in relation to dignity and respect, please see Appendix 8.1. This policy applies to reports from community members as set out below:

- Reports against staff members
- Reports against staff members from students
- Reports against other service users from staff and/or students
- Reports between students
- Reports against students from staff members
- Reports against staff and/or students from service providers
- Reports against service providers from staff and/or students

### 2.2 Where and In What Circumstances Does the Policy Apply

This policy applies to all staff and students of IADT in all locations as follows:

- IADT campus, Kill Avenue, Dun Laoghaire, Co. Dublin
- Carnegie Library, Dun Laoghaire, Co. Dublin
- Any other place where staff or students may be representing the Institute.
- Any place where staff and/or students are participating in their capacity as Institute member's e.g. social functions, conferences, sporting events, field trips, or work assignments which are related to the Institute, to one's work, or study.

This policy also applies to all staff and students of IADT in situations as follows:

- All situations where there is communication in person, in writing, on the telephone, by e-mail through social media and/or the internet
- In any Institute-related activity or situation.

In addition, circumstances can occur where personal actions or communications from or between members of the IADT community outside the Institute may fall for consideration under this policy.

**It is the policy of IADT to protect freedom of expression and intellectual enquiry for all members of the Institute and to ensure that such freedoms are exercised in such a way as not to interfere with the rights of others, or breach this policy or the laws of the State.**

### 2.3 To What Behaviour Does It Apply

The policy applies to all forms of interaction and communication between people, directly or indirectly, including the spoken word, digital communications, photographs, images, written, and other non-verbal communication, including via sign language, through gestures and in posters.

It is acknowledged that new forms of digital technologies may open up new forms of digital harassment. This Policy therefore includes any form of physical, verbal, digital or otherwise enacted harassment and abuse which infringes on an individual's right to privacy, safety, dignity and respect.

## 3. Definitions within this Policy

The following section outlines definitions of terms and behaviours which are drawn from legislation and relevant codes of practice. This section is intended to provide a frame for acceptable behaviour in the workplace.

Behaviours of bullying and harassment are similar in that they all are hurtful or harmful behaviours but there are important differences in their definitions which is why we outline them independently in this document. In all cases they are defined by the impact of the behaviour on the recipient and not necessarily by the intention of the perpetrator. It is the unwanted nature of the conduct, which distinguishes harassment from friendly behaviour, which is welcome and mutual.

### 3.1 Behaviours & Definitions

#### Bullying

Bullying is defined as:

***Repeated inappropriate behaviour, direct or indirect, whether verbal, physical or otherwise, conducted by one or more persons against other(s), at the place of work or study and/or in the course of employment or studies, which could reasonably be regarded as undermining the individual's right to dignity at work or study.***

An isolated and/or once off incident of the behaviour described in this definition may be an affront to dignity at work, but as a once-off incident is not considered to be bullying. In the case of an isolated incident please refer to section 5.2 on Harassment.

Bullying can include verbal bullying, physical bullying, as well as the use of gestures, exclusion, or extortion.

Many forms of behaviour can constitute bullying. The term includes:

- **Verbal Abuse** – shouting, spoken words, making jokes, undermining a person's authority through misplaced and unwarranted criticism of an individual and their professional performance, ridiculing the employee or student in front of other

employees and/or individuals, setting unrealistic and unattainable targets, spreading malicious rumours about an individual around the organisation, humiliation, sneering or ridicule and falling within the definition above.

- **Nonverbal Abuse** – Looks, gestures, displaying emblems on clothing, exclusion, whistling, isolation at lunch breaks or social events, etc. and falling within the definition above.
- **Written Abuse** – including faxes, notices, electronic text messages, social media posts, emails, internet chat including IM interactions etc. and falling within the definition above.
- **Physical Abuse** – Hitting, bodily contact that is abusive in nature, shaking fists in a threatening manner, sabotaging a colleague's personal belongings etc. and falling within the definition above.

Individuals or groups of people can be responsible for, or be the victims of bullying. It can occur between a manager/supervisor and subordinate, between subordinate and a supervisor/manager, between staff and students, between students and staff, and within peer groups.

**Legitimate and reasonable management and supervision of staff does not constitute bullying. It is important however that those responsible for managing poor performance and conduct do so in a fair, respectful and constructive manner.**

**In the case of students, Lecturers can provide critical assessment of work and robust debate without this constituting bullying. However, a constructive and supportive environment for learning must be maintained and students should be assured that the learning environment is a safe and supportive space.**

## Victimisation

Victimisation is defined as:

***unfair treatment against a Reporting Party in response to a report (both proven and accused), or in response to a belief that someone will make, or has made a report.***

Someone who makes a report or who supports someone else's report of bullying or harassment cannot be treated unfairly or less favourably based on this report or support. This extends to witnesses who may be required to contribute to any formal procedures.

## Harassment

Harassment is defined in the Employment Equality Acts 1998 and 2015 as:

***“any form of unwanted conduct related to any of the discriminatory grounds”***

namely:

- **Age:** a person's age, this does not apply to a person aged under 16. Children are separately covered by Child Protection legislation and the Institute's Child Protection Policy;

- **Civil status:** a person's civil status be it single, married, separated, divorced, widowed, civil partnered and formerly civil partnered;
- **Disability:** includes people with physical, intellectual, learning, cognitive or emotional disabilities and a range of medical conditions;
- **Family status:** being pregnant or a parent of a person under 18 years or the resident primary carer or parent of a person with a disability or as otherwise defined;
- **Gender (including gender identity):** a person's gender identity including male, female, and other gender identities;
- **Membership of the Traveller community:** The Travelling community is an ethnic group in its own right;
- **Race:** includes race, skin colour, nationality or ethnic origin or phenotype;
- **Religion:** a person's religious belief, background, outlook or none;
- **Sexual orientation:** a person's sexual orientation including gay, lesbian, bisexual and heterosexual or any other sexual orientation a person experiences which is lawful.

**It is noted that the equality grounds are under review and the above grounds will be updated to reflect any changes made in legislation. Any changes to the legislation on equality grounds will be automatically included in this policy without the need to update the policy.**

The Acts provide a non-exhaustive list of unwanted conduct that may constitute harassment, namely

***“acts, requests, spoken words, gestures, or the production, display or circulation of written words, pictures or other material”***

A single incident may constitute harassment. Many forms of behaviour can constitute harassment examples like those below. It must be emphasised that the list is illustrative rather than exhaustive.

These behaviours are considered harassment if they are related to one or more of the discriminatory grounds.

- Verbal harassment – spoken words, jokes, comments, ridicule or songs, or jokes about a person's membership of a protected category, demeaning and derogatory remarks, name calling, unwelcome comments, unwarranted criticism of work/study performance etc.
- Written harassment – including emails, faxes, notices, social media posts, electronic text messages, internet chat and IM interactions etc.
- Physical harassment – jostling, shoving or any form of assault;
- Intimidatory harassment – postures, posturing or threatening poses;
- Visual display - such as posters, emblems or badges;
- Isolation or exclusion from social activities, or in workplace activities or course of study;
- 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;



- Undermining the authority of a colleague in the workplace;

### Gender-based Harassment

Gender-based harassment is aggression, intimidation, or hostile conduct based on sex-stereotyping, sexual orientation or gender identity, but not involving conduct of a sexual nature. For example, persistent disparagement of a person based on a perceived lack of stereotypical masculinity or femininity or exclusion from an activity based on sexual orientation or gender identity also may violate this Policy.

## 4. Statutory Rights

The key aim of this policy is to ensure that any reports of bullying and harassment, should they occur, can be resolved within the Institute. Nothing in the informal or formal procedure set out in this policy can overrule an individual's statutory rights.

Staff members who wish to seek legal redress or advice can contact:

- the Health and Safety Authority (HSA)
- Irish Human Rights and Equality Commission (IHREC)
- Workplace Relations Commission (WRC)
- Garda Síochána (assault or sexual violence cases)

Where an individual decides to seek legal redress in advance of the output from any IADT investigation, the IADT process may be suspended. Where an internal process is suspended, interim accommodations may be requested by either the Reporting Party or Responding Party.

## 5. Monitoring and Reporting

### 5.1 Monitoring

Specific responsibility attaches to the Executive, Heads of Faculty, Central Service Managers, Senior Academic Staff, Supervisory Staff and Staff Representatives to set and maintain standards of behaviour and implement the provisions of this Policy, so as to underpin a positive work and study environment in the Institute.

The Human Resource Manager will have particular responsibility for monitoring the implementation of this Policy and ensuring that it is effective for all staff reports.

The Registrar will have particular responsibility for monitoring the implementation of this policy and ensuring that it is effective for all student reports.

### 5.2 Review

The Institute is committed to reviewing this Policy and procedure on a regular basis in line with changes in the law, best practice, relevant case law and other developments. It is the policy of the Institute to observe the above provisions; however, it reserves the right to depart from same where appropriate.

This policy works in tandem with IADT's policy on Equality, Diversity & Inclusion. Where breaches are identified under the EDI Policy, reports may fall to be investigated under the

Dignity and Respect Policy. For all reports or equality issues, the Equality, Diversity and Inclusion Manager can be contacted for further clarification at [equality@iadt.ie](mailto:equality@iadt.ie).

Grievances and/or Whistle Blowing matters will be addressed through applicable policies and resolved as identified through the appropriate channels. These policies can be found directly on the Institute website.

The Institute recognises our responsibilities under the Public Sector Duty as a Higher Education Provider to champion the principles of Equality and Human Rights.

## 6. Statistical Reporting on Informal Procedures

The HR Manager/Registrar will be requesting metrics from Dignity and Respect Ambassadors. After receiving an informal report, DRAs will be asked to submit a Post Informal Report Form. This form will not contain any identifying information on the Reporting Party or Responding Party and will remain confidential. Dignity and Respect Ambassadors will be surveyed on an ongoing basis to help the Institute to understand the volume, nature, and outcome of informal reports, and to monitor the need to implement Training and Development interventions. These metrics may be used by the Institute to adhere to reporting requirements under the Higher Education Authority; all data will be aggregated prior to being provided to the HEA. All data gathering, storage, and sharing will be done in full compliance with Data Protection legislation. An example of the Post Informal Report Form can be found in Appendix 8.9.

## 7. Raising a Report

The aim of these procedures is to provide suitable mechanism to address reports of bullying and harassment. The steps below set out the stages of the procedures that will be followed. There is more detail on each stage in the Appendices section at the end of this document. It is open to staff and students to review these stages themselves or to seek additional support from the Dignity and Respect Officer and/or appointed Dignity and Respect Ambassadors (DRAs). The DRAs will assist them in determining the most appropriate procedure based on the outcomes the Reporting Party wants. There are two procedural routes available:

- The Informal Procedure (as set out at Section 7.1 ), or
- The Formal Procedure (as set out at Section 7.4).

The procedures below focus on proactive resolutions through a restorative justice lens and do not seek to replicate the criminal justice system.

### 7.1. Informal Procedures

It is good practice that all informal resolution avenues should be considered by the Reporting Party in the first instance and exhausted before a formal process is instigated. As set out in the HSA/WRC code of practice issued in 2021, and the IHREC code of practice issued in 2023, a prompt and informal problem-solving approach offers the best potential for addressing allegations of bullying and or harassment effectively.

With respect to reports involving staff, it is at the sole discretion of the HR Manager to determine whether any stage of the process needs to be managed by an impartial and competent third party. A third party in this context refers to an investigator from outside of the Institute. In such cases the HR Manager will engage the third party. These responsibilities fall to the Registrar where reports involve students.

### 7.2 Objective of Informal Process

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. Proceeding to a formal process should not be viewed as automatic as set out in the HSA/WRC and IHREC codes referenced above. It is important that individuals are aware of the emphasis placed on informal options as a means of resolution. Further advice can be provided by the Dignity and Respect Ambassadors, or Dignity and Respect Officer. It is recognised that there may be instances where informal options may not be appropriate or sufficient.

IADT has a range of informal procedures dependent on the severity and/or nature of the report and the preferences of the Reporting Party.

### 7.3 Steps in Informal Process

<b>Consider Informal Resolution</b>	It is good practice that all informal resolution avenues should be considered in the first instance and exhausted before a formal process is instigated. A prompt and informal problem-solving approach offers the best potential for addressing allegations of bullying and or harassment effectively.
<b>Informal Conversation</b>	Where you consider that it is appropriate, you can have an informal conversation with the other party to make them aware that their behaviour is unwelcome. It is often the case that the other party does not realise that their behaviour is negatively affecting someone else. See Appendix 8.2 for guidance on how best to approach this.
<b>Facilitated Informal Conversation</b>	Where you consider that it is appropriate, you can have a facilitated informal conversation with the other party to make them aware that their behaviour is unwelcome. This conversation will be facilitated by the HR Manager, the Registrar, the Dignity and Respect Officer or another trained facilitator, chosen at the advice of the HR Manager/ Registrar. The facilitator will remain a neutral and non-judgemental party. The aim of this route is to facilitate the parties in coming together to identify if there can be a shared understanding of a resolution to the issues.
<b>Mediation</b>	Mediation is a voluntary, confidential process that allows you to resolve an issue with another individual. The aim of mediation is to resolve disputes at the earliest possible opportunity and to encourage all involved to resolve their differences without having to go through a formal reports process. The mediation option is available to both employees and students and will be managed by HR and/or Registry as appropriate. Trained mediators may be appointed either internally or externally as appropriate. For more information on mediation, see Appendix 8.4.
<b>Proceed to Formal Route</b>	If such interventions are not suitable or are unsuccessful, proceeding to a formal route may be appropriate.
<b>Support via Speak Out</b>	Should the reporting party need signposting to relevant supports at any stage of these processes, an anonymous report can be made via Speak Out. Following an anonymous report, Speak Out provides a list of support services which are relevant to the incident reported. <a href="#">You can visit Speak Out here.</a>

## 7.4 Formal Procedures

Reports of bullying and/or harassment will be treated seriously, objectively and with due regard for the rights and sensitivities of the person raising the issue, (the Reporting Party) and the person against whom the issue is being raised, (the Responding Party).

## 7.5 Commencing a Formal Reports Procedure

Prior to commencing a formal report, staff and students are asked to consider the following;

- have they considered informal procedures in the first instance?
- have they engaged with the informal procedures?
- have the informal procedures been in any way successful?

It is recommended that a formal reports procedure is commenced where an informal reports procedure has not adequately resolved the issue, or the issue is of such a serious nature that the informal procedures would be inappropriate.

## 7.6 Steps in Formal Procedure

<p><b>Submit Report</b></p>	<p>You should submit a formal written statement as to the nature of the harassment or bullying report, the names of witnesses (if any) and the redress sought, as close to the events complained of as possible and preferably within three weeks and normally not later than six weeks of the occurrence of events, or most recent occurrence.</p> <p>See the organisation chart in Appendix 8.10 which identifies different options for reporting routes for both students and staff.</p>
<p><b>Preliminary Screening Process</b></p>	<p>Where appropriate, the HR Manager and/or Registrar will initiate the Preliminary Screening Process prior to progressing the report. <b>This will only occur where it is not clear if the alleged behaviour falls under the scope of the definition of bullying or harassment, as defined above.</b> This will be dependent upon: the scope and severity of the report made; or where the Reporting Party appeals the process; or where the investigation has not been carried out fully.</p>
<p><b>Progressing Report</b></p>	<p>Where it is determined that the report is in scope, the HR Manager and/or Registrar will use the notes for discussion from the Screening Panel to inform their response. This response will acknowledge receipt of report and set out the appropriate course of action. In most cases this will be carried out within ten working days of receipt of the report.</p>
<p><b>Mediation</b></p>	<p>Mediation is a voluntary, confidential process that allows you to resolve an issue with another individual. If a mediation process is put in place, no further steps will be taken to formally investigate matter, pending the outcome of the</p>

	mediation process. For more information on mediation, see Appendix 8.4.
<b>Training and Development</b>	It is open to the HR Manager/Registrar, and where appropriate, the EDI Manager and/or the Dignity and Respect Officer to advise the use of training and development to respond to a report(s) of bullying and/or harassment matters that become apparent, particularly where reports indicate consistent microaggressions. This may result in training delivered to individuals and/or departments.
<b>Formal Investigation</b>	The formal investigation is generally carried out by two trained senior members of staff of different genders. However, services of an independent investigator may be engaged. Investigations will be handled with fairness, sensitivity and with due respect for the rights of both the Reporting Party and the Responding Party. The investigation will be completed as soon as possible, but generally not later than 30 working days after the receipt of the written report from the Reporting Party, unless there are exceptional circumstances, (e.g. absence of a key witness or participant on leave) which prevent the Investigator from concluding the matter. For more information on what to expect at each stage of the formal investigation, see Appendix 8.8.
<b>Support via Speak Out</b>	Should the Reporting Party need signposting to relevant supports at any stage of formal or informal processes, an anonymous report can be made via Speak Out. Following an anonymous report, Speak Out provides a list of support services which are relevant to the incident reported. <a href="#">You can visit Speak Out here.</a>

## 8. Appendices

### 8.1 Roles and Responsibilities

All staff and students have responsibility for building and maintaining a work and study environment that is free of bullying and or harassment. These responsibilities include:

- Consciously, through their own behaviour, attitude and example, creating a climate which is respectful, friendly and supportive of those seeking to discharge their duties and obligations in an environment which respects the unique contribution that each individual can make to the Institute and the wider community;
- Discharging a leadership role within the Institute in support of this policy statement by taking immediate and positive action, and, where safe to do so, not accepting any aggressive or unacceptable behaviour, either directed to themselves or others within the Institute;
- Cooperating as necessary and in full with an investigation or formal process whether as a Reporting Party, an accused person, or as a witness.

#### *IADT Community*

As individual members of the Institute Community, we all have a responsibility to:

- Treat all members of the Institute's Community with whom we interact with Dignity and Respect and be aware of the impact of your actions at all times.
- Be familiar with the principles of this policy and positively contribute to a culture of Dignity and Respect by engaging with any training and/or awareness raising and initiatives.
- Report unacceptable behaviour of bullying and or harassment to Heads of Faculty/Directorate/Heads of Department, Dignity and Respect Officer or appointed Dignity and Respect Ambassadors (see Organisation Chart in Appendix 8.10).
- Encourage any individual that confides in you that where they have experienced bullying and or harassment to seek support and guidance from the sources available.
- Engage in respectful conduct or behaviour that will not endanger your own safety, health and welfare or work or that of any other person including obligations under the Safety, Health and Welfare at Work Act, 2005

#### *Dignity and Respect Officer*

The Dignity and Respect Officer (DRO) jointly operates within the Equality, Diversity and Inclusion unit and the Human Resources Department, with specific oversight for the Dignity and Respect Policy. The DRO will;

- Organise all training and development of the Dignity & Respect Ambassadors (DRAs);
- Monitor and manage changes in policy and procedures relating to the Dignity and Respect Policy;
- Develop an effective and transparent monitoring and analysis process of dignity and respect related data;
- Report this data to relevant internal and external bodies on a defined periodic basis in order to demonstrate accountability;



- Act as the point of contact for all DRAs where they have queries on their roles or on how to support a colleague/peer in distress;
- Adhere to sectoral best practice guidelines and make recommendations to the Advisory Board in line with best practice;
- Support DRAs and managers in signposting colleagues/peers to relevant supports;
- Promote this policy and its related procedures across the Institute in accessible ways.

### *Dignity and Respect Ambassadors*

The Institute will appoint and train several volunteers from all areas of the Institute, through an Expression of Interest (EoI), on the launch of this policy. Wherever possible, the Institute will aim to appoint a wide representation of DRAs, considering professional grade, race and ethnicity and orientation.

Dignity and Respect Ambassadors (DRAs) may offer support to an employee or student who feels that they are being subjected to bullying and or harassment. A DRA will also offer support to an employee or student against whom a report of bullying and or harassment has been made. A DRA may not, however, offer support to multiple parties simultaneously.

If a Dignity and Respect Ambassador is contacted by multiple parties, they should support the first person who requests support and refer the subsequent person(s) to another Dignity and Respect Ambassador.

The role of a DRA is:

- To provide support to employees who are concerned at the behaviour of colleagues; managers, work associates, suppliers or students towards them;
- To outline the support services available to the person;
- To help their colleague talk through the situation and identify behaviours which are creating difficulties for them;
- To assist the person to gain clarity around the changes in behaviour they are seeking;
- To outline the options available to them in handling this situation under the Dignity and Respect Policy;
- To help the person to think through the options by examining the benefits and consequences of specific action or inaction;
- Empower the employee to decide for themselves the next step they wish to take;
- To adhere to the guidance offered by the Dignity and Respect Officer, in line with sectoral best practice guidelines;
- To consult with the Dignity and Respect Officer where necessary to gain clarity, advice, guidance or support in matters related to operations of the Dignity & Respect Policy.

**The role of the Dignity and Respect Ambassador does not extend to intervening or approaching any individual on behalf of a staff member or student they are supporting. The role of the Dignity and Respect Ambassador does not extend to advocating for the Reporting Party or Responding Party during any procedures.**

### *Head of Faculty/Directorate/Head of Department*

Managers have important roles to play in creating a culture of Dignity and Respect in their School/Unit and supporting employees who are experiencing issues of Dignity and Respect, with support from HR. There may be instances where an individual may feel that there is a conflict of interest in approaching their line managers where the issue is with the line manager or if both individuals involved report to the same manager. In this instance, individuals can approach the next management level up or contact the Dignity and Respect Ambassador as well as seek support from the other sources of support available. The role of the Head of Faculty/Directorate/Head of Department is to:

- At all times, treat all members of the Institute community with Dignity and Respect.
- Proactively promote ongoing awareness in relation to Dignity and Respect in their area including keeping Dignity and Respect as a regular agenda item at School/Unit meetings.
- Work with those involved in a bullying and harassment issue in a proactive manner to provide options and potential pathways for resolution of issues in a positive, solution-focused manner. Seek advice from HR and the Dignity and Respect Ambassador as well as engaging with other people managers to seek support and advice (anonymously) in relation to addressing issues of Dignity and Respect in their areas.
- Undertake appropriate training and be able to explain the policy and the supports to employees in their area.
- Encourage employees to come forward to report issues and to encourage them to seek support and guidance from the Dignity and Respect Ambassador and other supports that can assist in the resolution of issues.
- Monitor and follow up on the situation to ensure that unwelcome behaviour does not occur or recur.
- Be vigilant for signs of bullying and or harassment through observation and by getting feedback and to take appropriate action before a matter escalates.
- Where unwelcome behaviour has occurred, and is admitted, be clear that it is not acceptable and to take disciplinary action if appropriate.
- Work with HR to take precautionary measures as deemed reasonable by the Institute.

**The role of the Manager/Head of Faculty/Head of Department does not extend to intervening or approaching any individual on behalf of a staff member or student they are supporting. The role of the Manager/Head of Faculty/Head of Department does not extend to advocating for the Reporting Party or Responding Party during any procedures set out in this document.**

### *Preliminary Screening Panel*

The Screening Panel consists of four people in total: three primary senior nominees who will generally be from Human Resources (HR), Equality, Diversity and Inclusion (EDI) Office, the Office of the Registrar and an appointed independent party, if deemed necessary.

The role of the Screening Panel is to:

- To make an evidentiary based decision as to whether the alleged behaviour, which is the subject of the report, falls within the definition of bullying, harassment, and/or sexual misconduct as outlined in the Dignity and Respect and Sexual Misconduct policies.
- To make recommendations in relation to the consideration of informal options where appropriate as per the Dignity and Respect and Sexual Misconduct policies.

#### *HR/Registrar*

It is a matter for the HR/Registrar to ensure that all records pertaining to any investigation are maintained and securely stored in the normal way. At all points the point of contact for investigations will always be the HR Manager and/or Registrar as appropriate and it is their responsibility to advise and guide managers through the policy and procedures.

- Provide advice to Heads of School/Department and line managers on addressing Dignity and Respect related matters including how they can best support those experiencing issues of a Dignity and Respect nature.
- Provide advice on managing informal/formal procedures.
- Signpost employees and students to specialist supports and advisors such as the Dignity and Respect Ambassador, Employee Assistance Programme, Student Counselling Service etc.
- Provide management support to external investigators in the formal Dignity and Respect Reports process.
- Maintain communications with the reporting person/Reporting Party and person being reported /Responding Party and keep them informed of the progress of the formal investigation.
- Manage disciplinary proceedings.
- Where there is evidence of abuse of this policy e.g. malicious and/or vexatious reporting (or other), this will be taken in to consideration and investigated as appropriate.

#### *Executive Management Team*

The Executive Management Team are the senior leadership team of the Institute led by the President. They have overall formal responsibility for the operation of this policy. They have the responsibility to:

- Visibly lead and champion a positive culture of Dignity and Respect free from bullying and or harassment and where trust and transparency around Dignity and Respect is paramount. This will include ensuring that all senior leaders are appropriately trained.
- Ensure that adequate resources are allocated to support a positive culture of Dignity and Respect including training and awareness raising campaigns.
- Proactively encourage individuals to seek support and guidance if experiencing issues of a bullying and harassment nature.
- Review Dignity and Respect reports and recommendations submitted on an annual basis and take the necessary action.
- Ensure that aggregate data is publicly available to enhance transparency around the process.

- Engage with the Governing Authority and external bodies such as the HEA in relation to progress on the implementation of the Dignity and Respect framework as appropriate.

### *Governing Authority*

- Support the pursuit of the development and implementation of leading policies/procedures that clearly represent the values of IADT.
- Amplify the value and importance of Dignity and Respect in the Institute and supporting strategy of the Governing Authority.
- Oversee Dignity and Respect Policy and receive an annual report on the implementation of the policy and supporting framework and monitor emerging trends.
- Engage in relevant training in relation to Dignity and Respect and broader equality, diversity and inclusion.
- Approve policy.

## 8.2 Approaching Informal Conversations

Where you consider that you have been subjected to bullying and or harassment, you can make the person you consider to be causing the alleged offence aware that their behaviour is unwelcome and request that it stops or changes by communicating this directly to them.

It is often the case that the person causing the alleged offence does not realise that their behaviour is negatively affecting someone else. With this understanding, having an informal conversation with this person can often resolve a situation without a requirement for escalation. Whilst this is not a defence, the unwelcome behaviour may cease if they are made aware of it.

Prior to any meeting involving direct communication to resolve an issue of bullying and or harassment it may be helpful to write down your concerns, identifying the behaviours or actions that are causing an issue for you. Making a note of what you expected to happen and what you have experienced can help in preparing to address the matter with person involved.

The following can be used as a guide to try and resolve the matter informally using this approach. You can seek further guidance from the supports that are available to you as outlined above.

- Resolving matters informally can be more successful when having a face-to-face conversation with someone rather than sending an email or text message as sometimes the tone can get lost in the message. However, it may be the case that making contact in writing is the best approach for you.
- Ask to meet with the person causing the alleged offence in a safe location where you can speak confidentially.
- Use the opportunity to explain the issue from your perspective and to let the other person know how you have been impacted.
- Avoid labelling the behaviour as bullying or harassment and instead focus on how that behaviour made you feel. e.g. embarrassed, uncomfortable, undermined.
- Ask for the behaviour to change or to stop.

- Give the other person an opportunity to respond and express their viewpoints.
- Ideally agreement is reached on a change of behaviour, or a cessation of a particular behaviour or common ground is reached for future changes.

### 8.3 Approaching Facilitated Informal Conversations

Where you are unable to contact or approach the person by yourself, you may choose to have someone accompany you as a source of support. Examples of people you can have in attendance with you are a HR Manager, the Registrar, a colleague, trade union representative, student or member of the Students Union, or a Dignity and Respect Ambassador.

Where you cannot engage with the person directly, it may be appropriate for your line manager and/or the HR Manager and/or Registrar to engage in the first instance. It is important to note that your line manager and/or the HR Manager and/or Registrar should not take sides or contribute personal opinions at any stage of this process.

Where the Responding Party is the direct line manager of the Reporting Party, it is advised that they seek support from a Dignity and Respect Ambassador whose role will be to engage with the HR Manager and/or Registrar to assign a relevant manager from the Institute to assist with this issue. Where the Responding Party is the HR Manager or Registrar, it would be appropriate in this instance to seek guidance from the EDI Manager.

### 8.4 Mediation

Mediation is a voluntary, confidential process that allows you to resolve an issue with another individual, including bullying and harassment, in a mutually agreeable way with the help of a neutral third party, a mediator. The aim of mediation is to resolve disputes at the earliest possible opportunity and to encourage all involved to resolve their differences without having to go through a formal reports process. Mediation can also be used following an informal or formal intervention to help restore the relationship between both parties. The mediation option is available to both employees and students and will be managed by HR and/or Registry as appropriate. Trained mediators may be appointed either internally or externally as appropriate.

It is important to note that attending mediation does not preclude any other form of dispute resolution, such as a formal investigation. The Dignity and Respect Officer can offer information and guidance in this regard.

With mediation there are no disciplinary outcomes. In the event of the mediation being successful, the parties involved will be provided with a confidential mediation agreement, noting future agreed actions by the mediator directly. HR and/or Registry will be informed as to whether the mediation was successful or not, typically they do not receive any more information than that.

The trained mediator may manage the report by:

- Establishing the facts and context
- Establishing the desired outcomes

- Establishing a satisfactory outcome for all parties

Authoring an informal statement which would be agreed by all parties

### 8.5 Who to Submit a Formal Report to

You should submit a formal written statement as to the nature of the harassment or bullying report, the names of witnesses (if any) and the redress sought, as close to the events complained of as possible and preferably within three weeks and normally not later than six weeks of the occurrence of events, or most recent occurrence to the following:

- If a member of staff, to your Head of Academic Department or Central Service Manager. All managers are trained appropriately and are expected to be available to staff to support any member of staff;
- If a student, to your Tutor or, if preferred, to your Head of Academic Department or to any other Head of Academic Department;
- Your chosen contact person can help you to clarify and submit your report, however you have the right to initiate a formal report without reference to a contact person;
- If your Head of Academic Department or Central Service Manager or Tutor is the person complained of, you should lodge the written report with the member of the Executive to whom the Head of Academic Department/Central Service Manager/Tutor reports;
- All reports received will be treated seriously and sensitively with fairness by the Institute and in as confidential a manner as possible;
- A formal written report in relation to a member of the Executive Team should be addressed to the President.
- A formal written report in relation to the President should be addressed to the Chairperson of the Governing Body.

Once a report has been submitted to the appropriate contact as outlined above, the report will be managed by the HR Manager and/or Registrar as appropriate. They are also known as the commissioner of the investigation.

All reports will be dealt with fairly and following principles of natural justice; recognising that the Responding Party is innocent until otherwise established; that all parties have access to information, the right to be accompanied, and the right to appeal. Conclusions are reached, based on the facts established and considering the balance of probabilities and the credibility of the parties involved.

### 8.6 Preliminary Screening Process

Where appropriate, the HR Manager and/or Registrar will initiate the Preliminary Screening Process prior to progressing the report. This will only occur where it is not clear if the alleged behaviour falls under the scope of the definition of bullying or harassment, as defined above. This will be dependent upon; the scope and severity of the report made; where the Reporting Party appeals the process, or where an investigation has not been carried out fully.

- The Screening Panel will be informed that a formal report has been made.

- The Screening Panel will be provided with;
  - An anonymised version of the written report
  - The Dignity and Respect Policy
  - The Notes for Discussion form to be completed during the screening process
- The Screening Panel will review the report and will advise the HR Manager/Registrar as appropriate as to whether the behaviours set out in the written report fall within the scope of behaviours set out in the Dignity and Respect Policy and are within the required timeframes.

## 8.7 Progressing the Formal Report

Where it is determined that the report is in scope, the HR Manager and/or Registrar will use the notes for discussion from the Screening Panel to inform their response. This response will acknowledge receipt of report and set out the appropriate course of action. In most cases, the response will be sent within ten working days of receipt of the report. Where an extension is required due to the complexity of the case the Reporting Party will be advised of the extension.

- Acknowledge receipt of the report and inform Reporting Party that it is within scope of the policy
- Inform the Responding Party that a report has been made against them which falls within the scope of the Dignity and Respect Policy – Bullying and Harassment. The Responding Party will be provided with a copy of the written report
- Advise the Reporting Party and Responding Party of the resolution procedure(s) available to them. This can include a combination of both formal and informal procedures
- Where it has been decided that appointing an external investigator is appropriate, a list of potential external investigators will be drafted by the HR Manager/Registrar and will be passed on to the Reporting Party and Responding Party. Both parties will be asked if there are any existing conflicts of interest with the suggested external investigators. An appropriate decision on who will be appointed to lead the investigation will be thereafter be made.
- Advise on the support services available both internally and externally
- Where a report has also been made to an external third party, any resolution procedures will be paused, and advice will be sought prior to further progression
- Consideration will also be given as to whether member(s) of staff and/or student(s) as appropriate should be placed on garden



leave/suspension/transfer of duties or responsibilities from all or part of their duties/programme pending the completion of the investigation.

- It should be noted that any decision to place a staff member on garden leave/suspension /transfer of duties or responsibilities will not be considered to imply any wrongdoing on the part of any staff member.

## 8.8 Stages of Formal Investigation

1. The investigation will normally be carried out by two trained senior members of staff (who will not be of the same gender; both members should be more senior than any staff member directly involved as a Reporting Party or Responding Party in the process) appointed by the Institute and will be conducted thoroughly, objectively and with due respect for the rights of the parties involved. The Institute may invite appropriate external persons to constitute or join the investigating team.
2. Where an investigation is to take place into a report against a member of the Executive, the Institute will appoint a suitable external person or persons to investigate the report.
3. Where an investigation is to take place into a report against the President, the Chairperson of the Governing Body, while respecting the rights of both parties, will make the necessary arrangements for the investigation of such a report by either a Sub-Committee of the Governing Body, or an outside person or persons nominated by the Governing Body.
4. Every effort will be made to maintain strict confidentiality and proper discretion in the processing and investigation of the allegation. Where it is necessary to interview third parties, the importance of confidentiality will be emphasised.
5. Both the Reporting Party and the Responding Party will be advised that there should be no communication between them in relation to the report, or with any witnesses involved in the investigation.
6. Arrangements may be put in place which may minimise or avoid contact between the Reporting Party and the Responding Party.
7. The investigation team will meet separately with the Reporting Party and the Responding Party.
8. Minutes of any meetings held with the Reporting Party and the Responding Party will be shared with them for review and comment after the meeting is held.
9. The finalised notes from the meetings with the Reporting Party and Responding Party will be shared with each party for review and response during the investigation process.
10. The Reporting Party and the Responding Party will be advised of their right to be accompanied at all interviews (if they so desire) by a person who will normally be internal to the Institute, to include a recognised Trade Union or Students Union Representative, or trusted work colleague. Accompaniment from an external person including legal representation may only be permitted with the approval of the HR Manager and/or Registrar as appropriate. Notification of the name and status of the



accompanying person must be provided to the HR Manager and/or Registrar in advance.

11. All reasonable steps will be taken to protect individuals who;
  - make a report
  - act as a witness
  - assist with an investigation;from intimidation, victimisation or discrimination resulting from their involvement with an investigation. Any such resultant intimidation, victimisation or discrimination is itself a breach of the Institute's Dignity and Respect Policy and is a serious disciplinary offence.
12. Where specific individuals, including witnesses to particular events, are named in the original written report or the Responding Party's written response, they may also be interviewed. Other relevant persons identified during the investigation who the Investigators believe may be able to assist the investigation, particularly when there is a conflict of evidence, may also be interviewed. There is no requirement for witnesses to be accompanied at interviews as they are not accountable during this process. Witnesses cannot be compelled to give statements; they attend on a voluntary basis.
13. Any witness statements taken from individuals will be circulated to both the Reporting Party and the Responding Party for comment and feedback to the Investigators within five working days of the receipt of the copy statement, and before any conclusion is reached by the Investigators.
14. The Institute will endeavour to complete an investigation within 30 working days of receipt of the written report from the Reporting Party. However, circumstances may arise which delay this process including, but not limited to, the appointment of external investigators; scheduling conflicts with external investigators; absence of a key witness or participant on leave.
15. At all stages of the investigation a clear record of the process will be maintained. At the completion of the investigation a report will be prepared, which will include the terms of reference, the specific nature and details of the report, the response of the Responding Party, the results of the investigation and the conclusion.
16. The report will be issued to the commissioner of the investigation (i.e. HR Manager/Registrar).
17. The Reporting Party and the Responding Party will each receive a full copy of the investigation report from the commissioner of the investigation and will have the opportunity to comment on the outcome of the investigation before any further actions are taken.
18. Depending upon the outcome of the report, commencement of disciplinary procedures may arise in line with the Institute's policies and procedures.
19. Where a report is not upheld, no action will be taken against the Reporting Party provided the report was made in good faith.
20. If the investigation shows that a false report has been made which is vexatious or malicious or otherwise not made in good faith, then such action will be treated as

serious misconduct and the Institute reserves the right to take appropriate disciplinary action against the Reporting Party(s) in such circumstances.

21. No employee/student with a genuine report needs fear that their report will prejudice their future prospects, or ongoing studies with the Institute.
22. After the investigation is complete and the outcome has been considered by both parties, both will have the right to appeal to the President, or other person nominated by the Institute if appropriate, within five working days of the outcome of the investigation having been notified to them.
23. Note, internal investigations procedures will be suspended upon the commencement of any external investigation procedures e.g. Gardaí investigation.



## 8.10 Post Informal Report Form

- Was the informal report from a student or staff member?
  - Student
  - Staff Member
- Was the informal report about a student or staff member?
  - Student
  - Staff Member
  - Other
- Which of the following did the report relate to?
  - Bullying and Harassment
  - Discrimination
  - Sexual Misconduct
- If known, what was the gender identity of the Reporting Party?
  - Male
  - Female
  - Non-binary or other
  - I don't know
- If known, what was the race or ethnicity of the Reporting Party?
  - White Irish
  - White Irish Traveller
  - Roma
  - Any other White Background
  - Black or Black Irish – African
  - Black or Black Irish – any other Black background
  - Asian or Asian Irish – Chinese
  - Asian or Asian Irish – Indian/Pakistani/Bangladeshi
  - Asian or Asian Irish – Any other Asian background
  - Arab
  - I don't know
  
- Did you signpost to support services?
  - Yes
  - No
- Did you signpost to Dignity and Respect policy/procedure?
  - Yes
  - No
- Does the individual wish to make a formal report?
  - Yes
  - No
  - Undecided
- Would you like to receive any further training on how to respond to similar disclosures?
  - Yes
  - No



## 8.12 Support Services (Internal - Students)

<b>Student Counselling</b>	Email: <a href="mailto:studentcounselling@iadt.ie">studentcounselling@iadt.ie</a>
<b>Student Health Centre</b>	Email: <a href="mailto:studenthealth@iadt.ie">studenthealth@iadt.ie</a>
<b>Students' Union*</b>	Email: <a href="mailto:president@iadtsu.com">president@iadtsu.com</a> <a href="mailto:welfare@iadtsu.com">welfare@iadtsu.com</a>
<b>Equality, Diversity &amp; Inclusion Unit</b>	Email: <a href="mailto:equality@iadt.ie">equality@iadt.ie</a>

\*The Students' Union can offer support is signposting capacity only.

## 8.13 Support Services (Internal – Staff)

### *Human Resources and Equality, Diversity & Inclusion*

Should the need arise, you can contact the HR Manager to request information on additional supports or special leave types. You can also contact the EDI Manager seeking information on support services at the contact details below.

<b>Human Resource Manager</b>	Email: <a href="mailto:niamh.clifford@iadt.ie">niamh.clifford@iadt.ie</a>
<b>Equality, Diversity &amp; Inclusion</b>	Email: <a href="mailto:claire.mcging@iadt.ie">claire.mcging@iadt.ie</a> Email: <a href="mailto:equality@iadt.ie">equality@iadt.ie</a>

### *Employee Assistance Programme*

All IADT staff members can access free mental health support and advice through the Employee Assistance Programme. This service is free and confidential. This means that no other person in IADT will know if you access these supports. The services offered include free counselling with trained professionals.

You can contact the Employee Assistance Programme by calling 1800 995 955.

You can also email the service at this email address: [eap@vhics.ie](mailto:eap@vhics.ie).

To access the brochure containing information on all the services available to you, you can click on the link below.

**Link:** [10716 Vhi EAP Gen Brochure 955EAP1.indd \(iadt.ie\)](#)

## 8.14 Support Services (External)

<b>Mental Health Supports</b>	
<b>Samaritans</b>	<b>Ph:</b> 116 123 <b>Email:</b> <a href="mailto:jo@samaritans.org">jo@samaritans.org</a>
<b>Pieta House</b>	<b>Freephone:</b> 1 800 247 247
<b>Aware</b>	<b>Web:</b> <a href="https://www.aware.ie/">https://www.aware.ie/</a>
<b>Sexual Assault &amp; Harassment Supports</b>	
<b>Dublin Rape Crisis Centre</b>	<b>Freephone:</b> 1 800 77 8888
<b>Sexual Assault Treatment Units</b>	<b>Web:</b> <a href="https://www.hse.ie/satu">https://www.hse.ie/satu</a>
<b>Domestic Abuse Supports</b>	
<b>Women's Aid</b>	<b>Ph:</b> 1800 341 900 <b>Email:</b> <a href="mailto:helpline@womensaid.ie">helpline@womensaid.ie</a> <b>Web:</b> <a href="http://www.womensaid.ie">www.womensaid.ie</a>
<b>Men's Aid</b>	<b>Ph:</b> <a href="tel:01-5543811">01-5543811</a> <b>Email:</b> <a href="mailto:hello@mensaid.ie">hello@mensaid.ie</a> <b>Web:</b> <a href="http://www.mensaid.ie">www.mensaid.ie</a>
<b>Migrant &amp; Asylum Seeker Supports</b>	
<b>Cairde</b>	<b>Ph:</b> 01 8552111 <b>Email:</b> <a href="mailto:info@cairde.ie">info@cairde.ie</a> <b>Web:</b> <a href="http://www.cairde.ie">www.cairde.ie</a>
<b>Is Rainbow Muid – We Are Rainbow Support Group (for LGBTI+ Migrants)</b>	<b>Email:</b> <a href="mailto:lgbtasylumsupport@lgbt.ie">lgbtasylumsupport@lgbt.ie</a> <b>Web:</b> <a href="#">"Is Rainbow Muid, We Are Rainbow" Support Group - LGBT Ireland</a>
<b>LGBTQ+ Supports</b>	
<b>Gay Men's Health Service</b>	<b>Ph:</b> 1850 24 1850 <b>Email:</b> <a href="mailto:hselive@hse.ie">hselive@hse.ie</a> <b>Web:</b> <a href="http://hse.ie/eng/services/list/5/sexhealth/gmhs">hse.ie/eng/services/list/5/sexhealth/gmhs</a>

<b>National LGBT Helpline</b>	<b>Ph:</b> 1890 929 539 <b>Email:</b> <a href="mailto:info@lgbt.ie">info@lgbt.ie</a> <b>Web:</b> <a href="http://www.lgbt.ie">www.lgbt.ie</a>
<b>Irish Trans Student Alliance (ITSA)</b>	<b>Email:</b> <a href="mailto:committee@transstudentsalliance.ie">committee@transstudentsalliance.ie</a> <b>Web:</b> <a href="http://www.transstudentsalliance.ie">www.transstudentsalliance.ie</a>
<b>Transgender Equality Network Ireland (TENI)</b>	<b>Ph:</b> 01 873 3575 <b>Email:</b> <a href="mailto:office@teni.ie">office@teni.ie</a> <b>Web:</b> <a href="http://www.teni.ie">www.teni.ie</a>
<b>Supports for Members of the Travelling Community</b>	
<b>Traveller Counselling &amp; Psychotherapy Service</b>	<b>Ph:</b> 086 308 1476 <b>Email:</b> <a href="mailto:info@travellercounselling.ie">info@travellercounselling.ie</a> <b>Web:</b> <a href="http://www.travellercounselling.ie">www.travellercounselling.ie</a>
<b>The National Traveller Mental Health Service</b>	<b>Ph:</b> 01 8721094 <b>Email:</b> <a href="mailto:info@exchangehouse.ie">info@exchangehouse.ie</a>
<b>Disability Supports</b>	
<b>Invisible Disability Ireland</b>	<b>Web:</b> <a href="https://www.invisibledisabilityireland.com">https://www.invisibledisabilityireland.com</a>