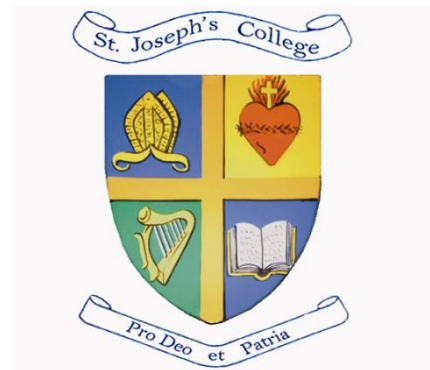


St Joseph's Patrician College, Galway. 'THE BISH'



Code of Practice on the Right to Disconnect

| Revision Number | Date: | Sent to BOM |
|-----------------|---------------------------|---------------------------|
| 1 | June 8 th 2023 | June 8 th 2023 |
| 2 | | |
| 3 | | |

Review Date: As Required, (Before June 2026)

This policy is in keeping with the Child Protection Procedures as adopted by the Board of Management. Teachers are reminded that they are mandated persons and must be familiar with their obligations with reference to the child first: National Guidance for Protection and Welfare of Children 2017 and the Children First Act 2015

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| | List of Common Acronyms used in document |
|-------------|--|
| SLT | Senior leadership Team |
| SHWWA, 2005 | Safety, Health and Welfare at Work Act, 2005 |
| Compass | Schools Data Management system. |
| BOM | Board of Management |
| OWTA | Organisation of Working Time Act 1997 |
| Outlook 365 | Email app provided to staff as part of Microsoft 365 |
| WRC | workplace Relations Commission. |

1. Code of Practice on the right to Disconnect:

Codes of Practice are written guidelines, agreed in a consultative process, setting out guidance and best practice for The Board of Management and the School Staff with respect to compliance with employment legislation.

2. Scope of Code of Practice:

This Code of Practice was developed following the Board of Management's identified need for clear direction in relation The Right to Disconnect by the following staff categories. Those categories include:

- Teachers.
- Special Needs Assistants.
- Secretaries.
- Caretakers.
- Cleaners.
- SLT Members.

While this Code of Practice only covers school staff, communications to and from parents / students should follow the principles outlined below. Students and parents should be aware of the normal working hours from 8.00am to 5.00pm in our school.

3. The Right to disconnect:

The health and wellbeing of our Staff is of the utmost importance to the Board and we encourage and support our Staff to prioritise their own wellbeing. Disconnecting from work is vital for your wellbeing, and to help you achieve a healthy and sustainable work-life balance. The Board recognises that every member is entitled to switch off outside of their normal working hours and enjoy their free time away from work without being disturbed, unless there is an emergency or agreement to do so.

To encourage and support our Staff in balancing their working and personal lives whether they work traditional hours in the workplace, work

remotely or flexibly we have adopted a 'Right to Disconnect' School Code of Practice, which includes best practice guidance around wellbeing, working hours, the use of technology and more.

4. Purpose of the Code of Practice

The purpose of this Code is to provide practical guidance and best practice to the board, members of the school Staff and their representatives in relation to the Right to Disconnect. Specifically, the Code is designed to:

- Complement and support The Board and the Staff's rights and obligations under the Organisation of Working Time Act, 1997 (OWTA 1997), the Safety, Health and Welfare at Work Act, 2005 (SHWWA 2005), the Employment (Miscellaneous Provisions) Act 2018 and the Terms of Employment (Information) Act 1994 – 2014.
- Assist the board and School community in navigating an increasingly digital and changed working landscape which often involves remote and flexible working.
- Aid those members of the Staff who feel obligated to routinely work longer hours than those agreed in their terms and conditions of employment.
- Assist the Board in developing and implementing procedures and policies to facilitate the Right to Disconnect.
- Provide guidance for the resolution of workplace issues arising from the Right to Disconnect both informally and formally, as appropriate.

5. What is the Right to Disconnect?

The Right to Disconnect refers to a member of the Staff's right to be able to disengage from work and refrain from engaging in work-related electronic communications, such as emails, telephone calls or other messages, outside normal working hours.

In brief, the Right to Disconnect has three main elements:

- i. The right of a Member of the school Staff to not routinely perform work outside normal working hours.
- ii. The right to not be penalised for refusing to attend to work matters outside of normal working hours.

- iii. The duty to respect another person's right to disconnect (e.g., by not routinely emailing or calling outside normal working hours).

6.1 Communications

- Email via the @bish.ie email address or via Bish MsTeams will be the default communication method. Where possible, e-mails should be checked or sent only during normal working hours from 8.00am to 5.00pm in our school.
- The sender should give due consideration to the timing of their communication and potential for disturbance, and the recipient should understand that they will not be expected to respond until their working time recommences.
- Staff should not feel that they must respond to social communications from colleagues outside of their working hours. The Board of Management does not deem social media applications such as Instagram, Facebook, Twitter, TikTok as acceptable means of communication in our workplace.
- Management will respect the Right to Disconnect of their Staff members and should demonstrate clear commitment to the Policy through leadership and being active role models in this respect.
- Where Management or other Staff send communications outside agreed working hours, unless School and operational needs dictate that an immediate response is required, a statement will be attached to an out of hours email tempering the expectation of an immediate response.
- Staff may consider adding the following text to their emails:
"Please note, my working hours may be different to yours and I do not expect you to read / act on this unless you are 'at work'."
- When operational needs require an immediate response, the sender should also endeavour to indicate the level of urgency in their communication.
- We do understand that there will be occasions where staff may be in a position to communicate outside office hours. In this case staff should utilise the "schedule send" feature of office outlook 365 to schedule an email at a future time that falls within acceptable working hours. (8am-5pm). Training on this feature and other features that allow used to manage notifications will be provided at the start of each academic year.

- Staff will be mindful of colleagues, students & other stakeholders right to disconnect (e.g. not routinely emailing/communicating outside normal working hours).
 - Staff should become familiar with use of the “out of office” message to indicate when unavailable during normal working hours and also be respectful for any out of office notifications they receive.

As the designated contact person, the Principal should speak to a Staff member if they notice that they are sending emails at odd hours or logging in excessively – this may be a sign that they are finding it difficult to manage their workload or ‘switch-off’.

6.2 Emergency communications:

The Code of Practice allows for occasional legitimate situations when it is necessary to contact staff outside of normal working hours, including but in no way limited to ascertaining availability for substitution, to fill in at short notice for a sick colleague, where unforeseeable circumstances may arise, where an emergency may arise, and/or where exigent reasons require contact out of normal working hours. In most cases this type of communication will be directly to the people involved and not a “whole” staff communication

The Code of Practice stresses that emergency communications should only be sent during emergency circumstances – such communications should be the exception, not the norm. Emergency communications such as this will be sent as a text message via the Compass app.

6.3 Wellbeing:

- Staff working in School or from Home are encouraged to schedule post-work leisure activity, in order to create some separation from the end of their workday and the beginning of their personal time.
- Staff, including those engaging in flexible working arrangements or remote working are reminded to switch off from work, to monitor their working hours and to take breaks in accordance with the Organisation of Working Time Act 1997 (OWTA 1997), away from work devices.

- Staff must take reasonable care of their health and safety in accordance with section 13 of the Safety, Health and Welfare at Work Act 2005 (SHWWA 2005).
- In the event that further supports are required for staff the Board of management will investigate appropriate interventions as required.

7. Meetings

We respect people's time by only inviting them to meetings where they play an active role and have something to contribute. Staff should be mindful of and manage how much virtual communication they have each day. Scheduling of meetings should take account of normal working hours of Staff and the requirement for breaks etc (e.g. lunch). If meetings are required to take place in person and at lunch time the school will provide lunch for staff attending, and a portion of time at the meeting will be set aside to allow staff to eat.

8. Raising Concerns:

The Board, Management and Staff should manage the right to disconnect in a manner that is respectful of the other's rights and expectations and in the context of the relevant legislation and good workplace relations generally.

They should also be conscious of the fact that due to the School's operational needs and depending on a number of factors, including the role of the Staff and Management, nature of the school, that circumstances may occasionally arise that necessitate that communications are sent and received outside of Staff's normal working hours. When occasional contact outside normal working hours becomes the norm, this needs to be addressed. In this regard, situations may arise where a Staff member may feel that their Right to Disconnect is not being respected or that their workload is such that they are not able to disconnect at the end of their normal working day.

Examples of such situations might include:

- Being contacted regularly outside of normal work hours.
- Being expected to regularly work through lunch or other breaks.
- Being penalised for not being available out of normal working hours or favourable treatment for Staff who stay connected out of hours.


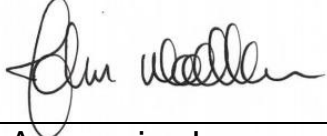
Most Staff who find themselves in this situation will want this level of intrusion to stop. Best practice suggests that Staff should attempt to resolve the problem with the person(s) informally in the first instance. In circumstances where a member of staff feels that it would be too difficult to do this on their own, an alternative approach would be to seek support from, or for an initial approach to be made by their Principal, a trusted colleague or designated person or trade union representative. The Principal will act as the designated member of the management team to be the point of contact to assist in directing resources to resolve any matters raised under the Policy.

If an informal process has not been successful in resolving the issue, then the formal grievance procedure may be utilised. There is a collective agreement in place and the parties should abide by those terms as it relates to raising grievances.

Notwithstanding that a specific contravention of the OWTA 1997 may be referred to the WRC at any point, if the matter is addressed through the grievance procedure in the context of the Right to Disconnect and still remains unresolved on completion, the employee may refer it to the WRC under the appropriate legislation and citing the Code on the right to disconnect.

9. Review and Ratification:

As with the majority of school policies this Right to Disconnect Code of Practice will be reviewed on a three-yearly cycle. However, the Board of Management will review the policy on a shorter interval in the event of significant legislative changes or significant incidents that warrant an immediate policy review.

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| The Board of Management ratified this Code on the: | DATE: June 8th 2023 |
| | Signed: |
| Chairperson Kieran Kavanagh |  |
| John Madden Secretary of the BOM |  |
| Date of next review: Before June 2026 | As required |