

North Tipperary Disability Support Service Employee Handbook



Welcome to North Tipperary Disability Support Service Limited

Welcome to North Tipperary Disability Support Service Limited. This handbook sets out to explain a number of important policies and procedures relating to your employment. The handbook is a useful resource for all new Employees and should continue to be a reference point for information on your terms and conditions of employment into the future.

This handbook is in place to act as a reference for Employees to address any queries they may have in relation to their terms and conditions of employment. These may range from entitlements in respect of maternity leave, through to the procedure to be followed where an Employee has a grievance which they wish to bring to the attention of the Organisation. Management would like to draw particular attention to the following policies and procedures:

- Equal Opportunities;
- Dignity at Work - Anti-Bullying;
- Dignity at Work – Anti-Harassment and Sexual Harassment;
- Disciplinary Procedure;
- Grievance Procedure;
- Annual Leave and Public Holidays.

While this handbook is a useful resource, it is important that each Employee reads the document in conjunction with their individual statement of terms and conditions of employment.

It is acknowledged that the handbook cannot answer all questions that may arise during employment; therefore Employees are still encouraged to speak to their Supervisor/ Manager where they are unable to find the relevant information in this handbook. Any changes to the content of this document will be communicated to the Employees affected as soon as reasonably practicable.

From time to time it may be necessary to make amendments to the policies and procedures outlined in this handbook. These changes may be necessary as a result of legislative changes or changes of practices in the Organisation. Employees will be notified of any such changes where appropriate.

Thank you for taking the time to read this handbook.
I look forward to working with you in the future.

Yours sincerely,

Edel Carey

Chairperson
North Tipperary Disability Support Service

Employee Acknowledgement

Once you are satisfied that you have read and understood the contents of the North Tipperary Disability Support Service Limited Employee Handbook, please sign and date below and return this page to your Manager.

If you have any queries in relation to the content of this handbook, please bring these to the attention of your Manager in order that these queries may be addressed.

I wish to confirm that I have read and understood the content of this handbook, and agree to adhere to the policies and procedures as outlined in the document. Any queries which I had in relation to any section of the handbook have been addressed with my Manager, and answered to my satisfaction.

I agree to be bound by the requirements set out in this handbook, and any future amendments which may be issued and notified to me during my employment.

Employee Name _____

Date _____

Table of Contents

Section A Equal Opportunities and Dignity at Work

A1 | Equal Opportunities

A2 | Dignity at Work – Anti-Harassment and Sexual Harassment

A3 | Dignity at Work – Anti-Bullying

Section B Employee Leave

B1 | Annual Leave and Public Holidays

B2 | Sick Leave and Fitness to Work

B3 | Maternity Leave

B4 | Adoptive Leave

B5 | Parental Leave

B6 | Force Majeure Leave

B7 | Carer's Leave

B8 | Jury Service Leave

Section C Discipline and Grievance Procedures

C1 | Disciplinary Procedure

C2 | Grievance Procedure

Section D People Policies

D1 | Diversity Management

D2 | Recruitment and Selection

D3 | Training and Development

D4 | Timekeeping

D5 | Working Time, Rest Periods and Work Breaks

D6 | Double Employment

D7 | Probation

D8 | Part-Time Working

D9 | Housekeeping/Clean Workspace & Personal Property

D10 | Employee Data and Employee Files

D11 | Workplace Smoking

D12 | Termination of Employment

Section E Information Technology, Internet and E-Mail

E1 | Information Technology, Internet and E-Mail

Section F Health and Safety

F1 | General Health and Safety Responsibilities

Section G Organisation Policies

G1 | Paternity Days

G2 | Bereavement/ Compassionate Days

G3 | Expenses

G4 | Right of Search

G5 | Personal Calls & Personal Mobile Phones

G6 | Open Door

G7 | Data Protection

G8 | Time Off for Medical Appointments

G9 | Privacy & Confidentiality

G10 | Alcohol & Drug Free Workplace

G11 | Violence at Work

G12 | Use/ Possession of Organisational Property

G13 | Protected Disclosure

G14 | Exit Interview

G15 | Child Protection

G16 | General Organisation Guidelines

G17 | Unpaid Leave

Section A: Equal Opportunities and Dignity at Work

A.1 Equal Opportunities..... 1

A.2 Dignity at Work - Anti-Harassment and Sexual Harassment 4

A.3 Dignity at Work - Anti-Bullying 9

A.1 Equal Opportunities

Purpose

The purpose of this policy is to demonstrate North Tipperary Disability Support Service's commitment to equality of opportunity in line with the requirements of the Employment Equality Acts, 1998-2012. The policy also supports the rights of persons availing of goods or services under the Equal Status Acts, 2000-2011. Our aim is to promote equality of opportunity and fair treatment for all Employees, job applicants, customers and people with whom our Employees come into contact with in the course of their day-to-day work.

Scope

This policy applies to all Employees and applicants for employment.

Policy

We promote a work environment free from unlawful discrimination. The Employment Equality Acts and the Equal Status Acts set out nine protected grounds in relation to which no discrimination should occur. These grounds are ***gender, civil status, family status, sexual orientation, age, disability, race, religion and membership of the Traveller community.***

North Tipperary Disability Support Service is committed to equality of opportunity, and operates non-discriminatory practices in relation to access to employment, conditions of employment, access to training and experience, promotion or re-grading of posts, and classification of posts. Employment decisions will not be made with reference to these grounds unless these are legitimate criteria given the particular situation, as permitted by legislation.

Direct discrimination occurs where a person is treated less favourably than another person is, has been or would be treated in a comparable situation due to one of the nine grounds specified in this policy. Indirect discrimination is taken to occur where an apparently neutral provision, requirement, policy or rule puts a person with one characteristic at a particular disadvantage compared with others without that characteristic.

Procedure

Access to Employment:

- All recruitment and selection competitions will be open to all suitably qualified applicants.
- Recruitment decisions will be made against specified criteria as required for the particular vacancy.
- North Tipperary Disability Support Service will seek to ensure that the recruitment process is free from any direct or indirect discrimination on any of the nine grounds.
- Every applicant, external or internal, will be assessed against fair and consistent criteria relating to the job.
- Where an applicant indicates that they have special needs, to facilitate their participation in the recruitment and selection process, reasonable accommodation will be provided, subject to this not imposing a disproportionate burden.

Access to Training and Experience:

- Training will be provided on the basis of individual needs and the requirements of the post held by the Employee.
- Selection for training will not be based on any of the nine grounds.
- Where an individual's disability impedes their ability to fully participate and engage in training activities, reasonable accommodation will be provided subject to this not imposing a disproportionate burden.

- Although every effort will be made to arrange training to facilitate attendance by part-time Employees, there is an expectation that part-time Employees will make themselves available, from time to time, to attend training outside their normal hours of work.

Conditions of Employment:

- Terms and conditions of employment will be applied fairly to all Employees, with no reference to any of the grounds in the Employment Equality Acts.
- North Tipperary Disability Support Service seeks to provide equal pay for like work.
- North Tipperary Disability Support Service endeavours to provide a work environment free from bullying, harassment or sexual harassment.

Promotion and Re-grading:

- There will be equality of opportunity at all stages of the promotions and/or re-grading process.
- Selection for promotion will be based on defined criteria related to the requirements of the post, and no reference will be made to the nine grounds in the selection process.

Classification of Posts:

- Gender neutral job titles will be used and no reference will be made to any of the other eight grounds in classifying positions.

Reasonable Accommodation:

- Reasonable accommodation shall be provided in order to facilitate a person with a disability to apply for positions with the Organisation, to attend for interview, to engage in employment and to participate in training activities as applicable.
- This commitment is subject to such reasonable accommodation not presenting a disproportionate burden on North Tipperary Disability Support Service, unless otherwise deemed appropriate.

Equal Status:

- No person will be discriminated against or treated adversely while availing of goods or services provided by this Organisation, except where this is legally permitted and undertaken with a legitimate aim. No person availing of goods or services should be subject to harassment or sexual harassment while availing of these.
- Any complaints in this respect should be brought to the attention of your Manager.

Any Employee who feels that there has been a breach of this policy or procedure may raise the matter through North Tipperary Disability Support Service's grievance procedure. No Employee will be subject to adverse treatment as a consequence of raising a complaint in relation to this policy. The Organisation will monitor the workplace for incidents of victimisation following a complaint. North Tipperary Disability Support Service will take appropriate disciplinary action towards an Employee who fails to follow this Equal Opportunities Policy.

A.2 Dignity at Work – Anti-Harassment and Sexual Harassment

Purpose

This policy is designed to assist North Tipperary Disability Support Service in providing a work environment free from workplace harassment and/or sexual harassment. The complaints procedure is in place to ensure that any Employee who feels that they have been subject to inappropriate behaviour, as defined in this policy, may raise the matter and have it resolved in an appropriate manner. This procedure is supported by the disciplinary procedure, which may be utilised where an Employee is found guilty of engaging in behaviour constituting harassment and/or sexual harassment.

This policy sets out to ensure compliance with the relevant sections of the Employment Equality Acts, 1998-2011, which provide that every individual has a right to a work environment free from harassment or sexual harassment. This policy also complies with the requirements set out in the Code of Practice on Sexual Harassment and Harassment at work.

Scope

This policy is in place to protect all Employees from acts of harassment and/or sexual harassment perpetrated by other Employees, members of Management, or any other person with whom the Employee comes into contact within the course of employment with whom North Tipperary Disability Support Service has a business relationship e.g. a supplier or contractor. This policy applies where the unacceptable behaviour occurs in the workplace, or any other place attended in the course of employment e.g. an off-site training event.

Policy

North Tipperary Disability Support Service is committed to providing a work environment free from harassment or sexual harassment. All Employees are protected by this policy and are urged to raise any concerns in relation to harassment or sexual harassment through the complaints procedures outlined in this policy. If you are a witness to harassing behaviour, you should make the recipient of the behaviour aware of this policy and urge them to raise the matter through the complaints procedures. You are also expected to bring the matter to the attention of Management.

What is Harassment?

Harassment is defined as any form of unwanted conduct relating to any of the discriminatory grounds of gender, civil status, family status, sexual orientation, religion, age, disability, race and/or membership of the Traveller community, 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..

A single incident may constitute harassment.

The unwanted conduct may consist of acts, requests, spoken words, gestures or the production, display, circulation of written words, pictures or other material.

The following list contains examples of harassing behaviour, however this is provided for illustrative purposes only and is not an exhaustive list of behaviours. All situations will be considered on their own merits:

- Verbal harassment – jokes, comments, ridicule or songs
- Written harassment – including faxes, text messages, emails or notices
- Physical harassment – jostling, shoving or any form of assault
- Intimidatory harassment – gestures, posturing or threatening poses
- Visual displays such as posters, emblems or badges
- Excessive monitoring of work

- Isolation or exclusion from social activities
- 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

What is Sexual Harassment?

Sexual Harassment is defined as 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.

A single incident may constitute sexual harassment.

The unwanted conduct may consist of acts, requests, spoken words, gestures, or the production, display or circulation of written words, pictures or other material.

The following list contains examples of sexually harassing behaviours, however this is provided for illustrative purposes only and is not an exhaustive list of behaviours. All situations will be considered on their own merits:

- 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 work place 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.

An essential characteristic of the type of behaviour which constitutes sexual harassment is that it is unwanted by the recipient. This distinguishes it from behaviour which is welcome or reciprocated.

Sexual harassment is unacceptable whether from superiors, peers, juniors, non-Employees or by persons of the same sex. It is important that all Employees understand that North Tipperary Disability Support Service is obliged to investigate all complaints of sexual harassment whether or not it was the intention of the alleged harasser to engage in such behaviour.

Procedure

There are both informal and formal procedures to deal with the issues of harassment and/or sexual harassment at work. Although North Tipperary Disability Support Service would prefer that issues are addressed through the informal procedure in the first instance, it is acknowledged that this is not always suitable, therefore there is no requirement to exhaust the informal procedure before progressing an issue through the formal process.

Informal Procedure

It is often preferable for all concerned that complaints under this policy are dealt with and resolved informally between the parties whenever possible. This is likely to produce solutions which are speedy, effective and minimise embarrassment and the risk of breaching confidentiality, while also protecting the working relationship.

The objective of the informal approach is to stop the harassment or sexual harassment with the minimum conflict and stress for the individuals concerned.

In many cases, the Employee whose behaviour is causing offence may be unaware that his or her actions are inappropriate, or it may be that his or her words or actions have been misinterpreted. In such cases, every attempt should be made to clear up any misunderstanding quickly, on an informal basis.

The informal process provides options for resolving disputes including mediation, where appropriate.

The informal procedure consists of a low key and non-confrontational approach by the recipient of the behaviour to the party causing offence to advise him/her of the impact of their behaviour and to ask them to cease behaving in this manner.

The approach should be made in private, and should be non-confrontational. Advice in relation to this procedure should be sought from any Manager in North Tipperary Disability Support Service.

Formal Procedure

It is acknowledged that it may not always be practical to use the informal procedure to resolve an issue. An Employee may not feel comfortable to approach the other party, or the Employee may feel that the issue is too serious to be addressed through the informal procedure. In such circumstances, or where the informal process has failed to resolve an issue, the formal procedure set out in this policy should be followed.

In order to make a formal complaint an initial approach may be made to any Manager regarding the issue. Although the initial complaint may be provided verbally, it is a requirement that the complaint is lodged in writing to ensure that a fair process may be followed. Where assistance is required to put the complaint in writing, the Employee should consult their Manager to arrange this.

The complaint should state:

- The name of the alleged perpetrator;
- The nature of alleged harassment i.e. the behaviours/conduct constituting harassment/sexual harassment;
- Dates/times and locations of where and when the alleged harassment / sexual harassment occurred;
- Names of witnesses to any alleged incidents;
- Details of any action already taken to stop the harassment / sexual harassment.
- Consent to your identity and the facts of the allegation being disclosed to the alleged perpetrator. This is required in order to allow the Organisation to investigate and to take action in appropriate circumstances.

If the behaviour complained of does not concern harassment or sexual harassment as defined, an alternative approach may be put in place and a rationale recorded. If there are no concrete examples given, it will be deemed that there is no complaint to be answered by the alleged perpetrator as they have no recourse to repudiating an accusation that doesn't give any specifics.

Where an alternative approach is not deemed appropriate, the alleged perpetrator(s) will be notified in writing that a complaint has been made against him/her, and provided with a copy of this complaint. The person investigating the complaint will indicate a timeframe for the resolution of the complaint, however such timeframes may be extended where necessary. He/she shall be afforded a fair opportunity to respond to the allegation(s), normally five working days.

Prior to commencing an investigation, the complaint and the response may be subject to an initial examination by a designated impartial member of Management or other appropriate person, with a view to determining an appropriate course of action. An appropriate course of action at this stage could, for example, include exploring a mediated solution or a view that the issue can be resolved in accordance with the Informal Procedure. Should either of these approaches be deemed inappropriate or inconclusive, a formal investigation of the complaint will be undertaken with a view to determining the facts of the case. In all cases there will be no inference of guilt against the alleged perpetrator, and they will be afforded a fair opportunity to respond to the allegation. The principles of natural justice will be adhered to throughout the investigation process.

All Employees involved in an investigation must respect the need for confidentiality; a failure to do so may represent a serious disciplinary offence. Confidentiality is assured in so far as it is reasonably practicable. Both parties may be suspended with pay, without any negative inference, pending the outcome of an investigation, where deemed appropriate by Management. However, where this is not possible, the parties to the complaint will be expected to maintain a positive working relationship.

Investigation Procedure

The investigation will be conducted in accordance with North Tipperary Disability Support Service's Anti-Harassment & Sexual Harassment Policy and will be governed by terms of reference which will detail the likely time scale for its completion (an indicative timeframe will be outlined) and the scope of the investigation, indicating that the investigator(s) will consider whether the complaint falls within the definition of harassment or sexual harassment and whether the complaint has been upheld.

The investigation will be conducted by either an independent member of Management or external assistance may be necessary to deal with complaints in some circumstances so as to ensure impartiality, objectivity and fairness. The investigation will be conducted thoroughly, objectively and with sensitivity. Utmost confidentiality will be protected in so far as it is reasonably practicable. Due respect will be had for the rights of the complainant, the alleged perpetrator(s) and any witnesses involved in the process.

The investigator(s) will meet with the complainant in the first instance to learn more regarding the complaint and to put the alleged perpetrator's responses to the complainant. Next, the alleged perpetrator will be invited to a meeting to explore their responses to the complaint and to put any relevant evidence to them. Evidence will be provided in advance of the meetings in order to allow the Employee to prepare their response to that evidence.

As many interviews as are necessary will be conducted until the investigator(s) is/are satisfied that all evidence has been collected and all parties have had a fair opportunity to state their case. Witnesses may also be interviewed with a view to establishing the facts surrounding the allegation(s). Statements from the complainant, the alleged perpetrator and any witnesses will be recorded in writing.

All parties required to attend investigation meetings are entitled to be accompanied by a representative, whose role is to provide moral support, oversee the process and ensure that the Employee is afforded a fair opportunity to respond and provide evidence at any investigation meetings.

Every effort will be made to carry out and complete the investigation as quickly as possible and preferably within an agreed timeframe. On completion of the investigation, the investigator(s) will submit a written report to a member of Management, containing the findings of the investigation.

Both parties will be given the opportunity to comment on the findings before any action is decided upon by Management.

The complainant and the alleged perpetrator(s) will be informed in writing of the findings of the investigation, i.e. whether the complaint is upheld, not upheld, or whether the complaint is deemed to be malicious or vexatious.

Investigation Outcomes

Where a complaint is upheld, both parties will be informed of this outcome, and the relevant level of Management will also be advised. Management will take appropriate action based on the outcome of the investigation. This may include formal disciplinary action in line with the Organisation's disciplinary procedure, or training, or another appropriate intervention deemed necessary to prevent a recurrence of the behaviour.

North Tipperary Disability Support Service will also consider providing further supervision, reassignment or re-organisation of work. Prior to any disciplinary action being taken, a fair disciplinary hearing will be held in line with the Organisation's disciplinary procedure. It is important that Employees are aware that certain acts of harassment or sexual harassment may be deemed gross misconduct by the Organisation and may result in summary dismissal.

Where an investigation is inconclusive and the complaint is not upheld, there will be no negative inference against any party to the complaint. All parties to the complaint will be expected to continue working as normal, and to conduct themselves in an appropriate manner at work.

Where it is found that the complaint was malicious or vexatious, then a disciplinary hearing will be held with the complainant to explore this further. In this situation only may a disciplinary sanction be imposed on the complainant. Lodging a malicious or vexatious complaint is a serious disciplinary offence, and, depending on the seriousness of the issue, may be deemed gross misconduct by North Tipperary Disability Support Service and may result in summary dismissal.

In all cases, whether the complaint is upheld or otherwise, the workplace will be monitored to ensure that the parties to the complaint conduct themselves in an appropriate manner and do not engage in any improper conduct. Appropriate support will be made available to both parties. North Tipperary Disability Support Service will take such action as is required to eliminate the risk of that behaviour recurring or continuing and will keep records of interventions used for this purpose.

Appeal

Either party may appeal the decision, outlining in writing to Management the reason for the appeal. Such appeals will be heard by a Manager not previously involved in the investigation and independent advice and support will be sought if required.

Victimisation

No person engaging in the procedures outlined here will be subject to unfavourable treatment for their role in the process, whether they are making a complaint in good faith, supporting a complainant, giving evidence in the proceedings or giving notice of intention to do any of the foregoing, except where they are found guilty of an offence under the policy.

Third Party Harassment/Sexual Harassment

The procedures outlined in this policy should be employed to deal with harassment or sexual harassment by a third party. Sanctions which may be imposed on a third party may include exclusion from the premises, termination of a contract, or other measures to prevent the recurrence of the inappropriate behaviour.

Responsibilities

Management will endeavour to ensure that this policy is communicated to all Employees and will ensure that the policy is maintained and updated in line with legislative changes and any amendments to the relevant Code of Practice. Where required, measures will be taken to ensure the accessibility of policies and procedures for all Employees. Management has a particular responsibility to prevent workplace harassment and is expected to lead by example, promote awareness of this policy, be vigilant for signs of harassment, tackle problems before they escalate, deal sensitively with Employees involved in a harassment complaint and monitor the situation in the workplace so that harassment or sexual harassment does not occur or reoccur.

Employees are expected to conduct themselves so as to respect the rights of others to dignity in the workplace, to comply with this policy and to raise issues of concern through the procedures outlined in the policy.

A.3 Dignity at Work – Anti-Bullying

Purpose

This policy is designed to assist North Tipperary Disability Support Service in providing a work environment free from workplace bullying. The complaints procedure is in place to ensure that any Employee who feels that they have been subject to inappropriate behaviour, as defined in this policy, may raise the matter and have it resolved in an appropriate manner. This procedure is supported by the disciplinary procedure, which may be utilised where an Employee is found guilty of engaging in behaviour constituting bullying.

This policy sets out to ensure that North Tipperary Disability Support Service fulfils its legal responsibilities under the Safety, Health and Welfare at Work Act, 2005, with regard to workplace bullying. This policy also complies with the requirements set out in the Codes of Practice relating to workplace bullying.

Scope

This policy is in place to protect all Employees from acts of bullying perpetrated by other Employees, members of Management, or any other person with whom the Employee comes into contact in the course of employment e.g. a supplier or contractor. This policy applies where the unacceptable behaviour occurs in the workplace, or any other place attended in the course of employment e.g. an off-site training event.

Policy

North Tipperary Disability Support Service is committed to providing a work environment free from bullying and ensuring that all Employees are treated with dignity and respect. All Employees are protected by this policy and are urged to raise any concerns in relation to workplace bullying through the complaints procedures outlined in this policy. If you are a witness to bullying behaviour, you should make the recipient of the behaviour aware of this policy and urge them to raise the matter through the complaints procedures. You are also expected to bring the matter to the attention of Management. All Employees have a responsibility in creating and contributing to the maintenance of a work environment free from bullying or conduct likely to contribute to bullying. Employees will not be victimised for involvement in complaints.

What is Workplace Bullying?

Workplace Bullying is defined as repeated inappropriate behaviour, direct or indirect, whether verbal, physical or otherwise, conducted by one or more persons against another or others, at the place of work and / or in the course of employment, which could reasonably be regarded as undermining the individual's right to dignity at work.

An isolated 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.

The following list contains examples of bullying behaviours, however this is provided for illustrative purposes only and is not an exhaustive list. All situations will be considered on their own merits:

- Exclusion with negative consequences;
- Verbal abuse/insults
- Menacing behaviour
- Taking credit for other peoples' ideas;
- Public humiliation;
- Constantly undervaluing effort;
- Persistent or unfounded criticism;
- Shouting or other intimidatory behaviour;

- Sneering, ridicule, innuendo;
- Withholding work related information

What is Not Bullying?

It is important to note that reasonable and essential discipline arising from the good management of an Employee's performance, conduct or attendance is not considered to be bullying. Actions taken which may be justified on health and safety grounds will also not be considered to be bullying.

Procedure

There are both informal and formal procedures to deal with the issue of bullying at work. Although North Tipperary Disability Support Service would prefer that issues are addressed through the informal procedure in the first instance, it is acknowledged that this is not always suitable, therefore there is no requirement to exhaust the informal procedure before progressing an issue through the formal process.

Informal Procedure

It is often preferable for all concerned that complaints under this policy are dealt with and resolved informally between the parties whenever possible. This is likely to produce solutions which are speedy, effective and minimise embarrassment and the risk of breaching confidentiality, while also protecting the working relationship. The objective of the informal approach is to stop the bullying with the minimum conflict and stress for the individuals concerned.

In many cases, the Employee whose behaviour is causing offence may be unaware that his or her actions are inappropriate, or it may be that his or her words or actions have been misinterpreted. In such cases, every attempt should be made to clear up any misunderstanding quickly, on an informal basis.

The informal process provides options for resolving disputes including mediation, where appropriate.

The informal procedure consists of a low key and non-confrontational approach by the recipient of the behaviour to the party causing offence to advise him/her of the impact of their behaviour and to ask them to cease behaving in this manner. The approach should be made in private, and should be non-confrontational. Advice in relation to this procedure should be sought from any Manager in the Organisation.

Formal Procedure

It is acknowledged that it may not always be practical to use the informal procedure to resolve an issue. An Employee may not feel comfortable approaching the other party, or the Employee may feel that the issue is too serious to be addressed through the informal procedure. In such circumstances, or where the informal process has failed to resolve an issue, the formal procedure set out in this policy should be followed.

In order to make a formal complaint an initial approach may be made to any Manager regarding the issue. Although the initial complaint may be provided verbally, it is a requirement that the complaint is lodged in writing to ensure that a fair process may be followed. Where assistance is required to put the complaint in writing, the Employee should consult their Manager to arrange this. The complaint should state:

- The name of the person(s) complained of (alleged bully);
- The nature of alleged bullying i.e. the behaviours/conduct constituting bullying;
- Dates/times and locations of where and when the alleged bullying occurred;
- Names of witnesses to any alleged incidents;
- Details of any action already taken to stop the bullying.

- Consent to your identity and the facts of the allegation being disclosed to the alleged bully. This is required in order to allow the Organisation to take action in appropriate circumstances.

If the behaviour complained of does not concern bullying as defined, an alternative approach may be put in place and a rationale recorded. If there are no concrete examples given, it will be deemed that there is no complaint to be answered by the person(s) complained of as they have no recourse to repudiating an accusation that doesn't give any specifics.

Where an alternative approach is not deemed appropriate, the person (s) complained of will be notified in writing that a complaint has been made against him/her, and provided a copy of this complaint. The person investigating the complaint will indicate a timeframe for the resolution of the complaint, however such timeframes may be extended where necessary. He/she shall be afforded a fair opportunity to respond to the allegation(s), normally five working days.

Prior to commencing an investigation, the complaint and the response may be subject to an initial examination by a designated impartial member of Management or other appropriate person, with a view to determining an appropriate course of action. An appropriate course of action at this stage could, for example, include exploring a mediated solution or a view that the issue can be resolved in accordance with the Informal Procedure. Should either of these approaches be deemed inappropriate or inconclusive, a formal investigation of the complaint will be undertaken with a view to determining the facts of the case. In all cases there will be no inference of guilt against the person(s) complained of, and they will be afforded a fair opportunity to respond to the allegation(s). The principles of natural justice will be adhered to throughout the investigation process.

All Employees involved in an investigation must respect the need for confidentiality – failure to do so may represent a serious disciplinary offence. Confidentiality is assured in so far as it is reasonably practicable. Both parties may be suspended with pay, without any negative inference, pending the outcome of an investigation, where deemed appropriate by Management. However, where this is not possible, the parties to the complaint will be expected to maintain a positive working relationship.

Investigation Procedure

The investigation will be conducted in accordance with North Tipperary Disability Support Service's Anti-Bullying Policy and will be governed by terms of reference which will detail the likely time scale for its completion (an indicative timeframe will be outlined) and the scope of the investigation, indicating that the investigator(s) will consider whether the complaint falls within the definition of bullying at work and whether the complaint has been upheld.

The investigation will be conducted by an independent member of Management or external assistance may be necessary to deal with complaints in some circumstances so as to ensure impartiality, objectivity and fairness.

The investigation will be conducted thoroughly, objectively and with sensitivity. Utmost confidentiality will be protected in so far as it is reasonably practicable. Due respect will be had for the rights of the complainant, the person(s) complained of and any witnesses involved in the process.

The investigator(s) will meet with the complainant in the first instance to learn more regarding the complaint and to put the responses of the person(s) complained of to the complainant. Next, the person(s) complained of will be invited to a meeting to explore their responses to the complaint and to put any relevant evidence to them. Evidence will be provided in advance of the meetings in order to allow the Employee to prepare their responses to that evidence. As many interviews as are necessary will be conducted until the investigator(s) is/are satisfied that all evidence has been collected and all parties have had a fair opportunity to state their case. Witnesses may also be

interviewed with a view to establishing the facts surrounding the allegation(s). Statements from the complainant, the person(s) complained of and any witnesses will be recorded in writing.

All parties required to attend investigation meetings are entitled to be accompanied by a representative, whose role is to provide moral support, oversee the process and ensure that the interviewee is afforded a fair opportunity to respond and provide evidence at any investigation meetings.

Every effort will be made to carry out and complete the investigation as quickly as possible and preferably within an agreed timeframe. On completion of the investigation, the investigator(s) will submit a written report to a member of Management, containing the findings of the investigation. Both parties will be given the opportunity to comment on the findings before any action is decided upon by Management.

The complainant and the person(s) complained of will be informed in writing of the findings of the investigation, i.e. whether the complaint is upheld, not upheld, or whether the complaint is deemed to be malicious or vexatious.

Investigation Outcomes

Where a complaint is upheld, both parties will be informed of this outcome, and the relevant level of Management will also be advised. Management will take appropriate action based on the outcome of the investigation. This may include formal disciplinary action in line with the Organisation's disciplinary procedure, or training, or another appropriate intervention deemed necessary to prevent a recurrence of the behaviour. North Tipperary Disability Support Service will also consider providing further supervision, re-assignment or re-organisation of work. Prior to any disciplinary action being taken, a fair disciplinary hearing will be held in line with the Organisation's disciplinary procedure. It is important that Employees are aware that certain acts of bullying may be deemed gross misconduct by the Organisation and may result in summary dismissal.

Where an investigation is inconclusive, and therefore not upheld, there will be no negative inference against any party to the complaint. All parties to the complaint will be expected to continue working as normal, and to conduct themselves in an appropriate manner at work.

Where it is found that the complaint was malicious or vexatious, then a disciplinary hearing will be held with the complainant to explore this further. In this situation only may a disciplinary sanction be imposed on the complainant. Lodging a malicious or vexatious complaint is a serious disciplinary offence, and, depending on the seriousness of the issue, may be deemed gross misconduct by North Tipperary Disability Support Service and may result in summary dismissal.

In all cases, whether the complaint is upheld or otherwise, the workplace will be monitored to ensure that the parties to the complaint conduct themselves in an appropriate manner and do not engage in any improper conduct. Appropriate support will be made available to both parties. The Organisation will take such action as is required to eliminate the risk of that behaviour recurring or continuing and will keep records of interventions used for this purpose.

Appeal

Either party may appeal the decision, outlining in writing to Management the reason for the appeal. Such appeals will be heard by a Manager not previously involved in the investigation and independent advice and support will be sought if required.

Victimisation

No person engaging in the procedures outlined here will be subject to unfavourable treatment for their role in the process, whether they are making a complaint in good faith, supporting a complainant, giving evidence in the proceedings or giving notice of intention to do any of the foregoing, whether they are making a complaint in good faith, supporting a complainant, giving evidence in proceedings or giving notice of intention to do any of the foregoing, except where they are found guilty of an offence under this policy.

Third Party Bullying

The procedures outlined in this policy should be employed to deal with bullying by a third party. Sanctions which may be imposed on a third party may include exclusion from the premises, termination of a contract, or other measures to prevent the recurrence of the inappropriate behaviour.

Responsibilities

Management will endeavour to ensure that this policy is communicated to all Employees and will ensure that the policy is maintained and updated in line with legislative changes and any amendments to the relevant Codes of Practice. Management will act appropriately and in line with this policy in order to eliminate workplace bullying.

Management has a particular responsibility to prevent workplace bullying and is expected to lead by example, promote awareness of this policy, be vigilant for signs of bullying, tackle problems before they escalate, deal sensitively with Employees involved in a bullying complaint and monitor the situation in the workplace so that bullying does not occur or reoccur.

Employees are expected to comply with this policy and to raise issues of concern through the procedures outlined in the policy.

Section B: Employee Leave

<u>B.1 Annual Leave and Public Holidays</u>	1
<u>B.2 Sick Leave and Fitness to Work</u>	3
<u>B.3 Maternity Leave</u>	5
<u>B.4 Adoptive Leave</u>	7
<u>B.5 Parental Leave</u>	9
<u>B.6 Force Majeure Leave</u>	11
<u>B.7 Carer’s Leave</u>	13
<u>B.8 Jury Service Leave</u>	15

B.1 Annual Leave and Public Holidays

Purpose

This policy deals with annual leave and public holidays. Annual leave is leave provided for rest and recreation and to facilitate Employees to reconcile their work and family responsibilities. This policy demonstrates compliance with the Organisation of Working Time Act, 1997 in relation to annual leave and public holidays. It also sets out Employee rights and obligations in relation to these forms of leave.

Scope

This policy applies to all Employees.

Policy

Annual Leave

The Organisation of Working Time Act, 1997 sets out minimum entitlements to Annual Leave and public holidays for all Employees. Please refer to your Statement of Terms and Conditions of Employment in relation to annual leave entitlement. Part time Employees and Employees commencing Employment during the leave year will have their Annual Leave entitlement calculated on a pro rata basis.

The Annual Leave year runs from 1st January to 31st December.

Employees may apply to take their annual leave in any pattern which they feel is appropriate to their own personal needs, however the approval of leave lies at the discretion of Management. Applications for leave of 2 weeks or more at any one time will be considered in light of business requirements, and may be approved or otherwise at the discretion of Management. Annual leave may not be approved in cases where cover cannot be provided for the Client.

Pay for annual leave will be provided at the Employees normal daily rate. Payment in lieu of statutory annual leave is not permitted other than on termination of employment. Where, on termination of employment, an Employee has availed of more annual leave than has been accrued in the leave year, a deduction may be made from the Employees final pay.

All applications for annual leave must be made in writing. Annual leave is granted subject to Management approval in advance of the leave being taken. Employees must request Annual Leave at least 3 in advance from their Manager using the agreed procedure for requesting leave. Exceptions may be granted where Annual Leave is being requested at short notice for specific reasons.

Public Holidays

Employees will be entitled to benefit for the following public holidays:

- January 1st
- March 17th
- Easter Monday
- First Monday of May
- First Monday of June
- First Monday of August
- Last Monday of October
- December 25th
- December 26th

In respect of each public holiday, an Employee is entitled to either:

- a) A paid day off on the holiday; or
- b) A paid day off within a month; or
- c) An extra day's annual leave; or
- d) An extra day's pay as the Employer may decide.

If the public holiday falls on a day on which the Employee normally works, the Employee is entitled to 1 of the benefits outlined above in respect of the day.

There is no qualification requirement in respect of public holidays for Employees working fulltime.

If the public holiday falls on a day on which the Employee does not normally work, the Employee is entitled to one fifth of his/her normal weekly wage as a benefit in respect of the day.

Where the public holiday falls on a normal working day for a part-time Employee, the benefit will be one of those outlined above for full-time Employees, calculated on the basis of the normal hours last worked by the part-time Employee.

In order for a Part time Employee to qualify for a benefit in respect of a public holiday they must have worked at least 40 hours during the five weeks ending on the day before the public holiday.

The benefit to be provided will depend whether an Employee is required to work on a particular public holiday or not. An Employee may seek clarification as regards the benefit applicable on a particular holiday by speaking to their Manager in advance of the public holiday.

Leave Carry Over

Employees are requested in-so-far as is possible, to take their Annual Leave entitlement in the year to which it relates. Where this is not possible, a request may be made to the Line Manager to carry forward a maximum of 2 days. These must be taken within the first month of the following leave year.

Pay in Lieu of Leave

Employees will not be paid in lieu of untaken statutory leave.

B.2 Sick Leave and Fitness to Work

Purpose

The purpose of this policy is to ensure that all Employees are aware of their rights and obligations in relation to absence from work due to sickness.

Scope

This policy applies to all Employees.

Policy

North Tipperary Disability Support Service has an expectation of regular attendance at work by all Employees. However, it is acknowledged that Employees may, from time to time, be absent from work due to illness. It is the policy of North Tipperary Disability Support Service to treat all such absences in a fair and consistent manner, while weighing up the impact of such absences on the ability of North Tipperary Disability Support Service to function effectively.

North Tipperary Disability Support Service expects acceptable levels of attendance from Employees in fulfilling their statement of terms and conditions of employment. To this end, Management retain the right at any time during employment to refer an Employee to a suitable medical practitioner nominated solely and exclusively by North Tipperary Disability Support Service and to seek a full medical report in order to make reasonable decisions in relation to the Employee's capacity to fulfil their terms and conditions of employment. Circumstances which are likely to give rise to such a report being sought are where absence is excessive or there are patterns of absence leading to a suspicion of abuse of sick leave or where it is felt that Employee's health is having a negative impact on work performance. North Tipperary Disability Support Service is committed to encouraging Employees to return to work following periods of absence. However, persistent and/or excessive absenteeism may result in disciplinary action or frustration of the Employee's contract of employment.

North Tipperary Disability Support Service is committed to protecting the rights of any Employee who has a disability, and where a disability is affecting an individual's ability to perform in their role, reasonable accommodation may be provided. All cases of disability will be dealt with in a fair and consistent manner.

Procedure

Any Employee who is unable to attend work through illness must notify North Tipperary Disability Support Service within one hour of their normal start time on the first day of absence.

The Employee is required to contact their Manager directly by phone. Where their Manager is unavailable a message may only be left with another Manager, and not a colleague of the Employee at the same level. It is the responsibility of the Employee to notify the Organisation of their absence personally. A text message, email or voicemail is not acceptable. Notification from a friend, other family member etc. will only be accepted in exceptional circumstances.

When notifying North Tipperary Disability Support Service of the absence it is important to provide details of the expected duration of absence. Where an absence extends beyond this expected return to work date, there is a requirement that the Employee will again notify North Tipperary Disability Support Service of their ongoing absence in advance of their normal start time. Medical certificates must be provided as per company policy. Records will be retained of Employee sick leave and where this is deemed excessive, or where patterns of leave are identified, the Employee will be notified of the Organisation's concerns and the steps that will be taken. Such matters may be dealt with through the disciplinary procedure where appropriate.

An Employee absent on longer term sick leave is still expected to adhere to the short term sick leave reporting procedures during their initial period of absence including the requirement to submit a medical certificate in respect of such absences as per the Organisation's policy. In the case of longer term absence, medical certificates must be forwarded to your Manager at the beginning of each week. Where absence is expected to be of a duration exceeding one month, an Employee may make an arrangement to forward certificates less frequently than this, e.g. monthly. However, such an arrangement may only be initiated subject to prior approval by Management. Where approval is not expressly provided, a failure to provide weekly certificates in respect of absence on sick leave may constitute a serious disciplinary offence.

Attendance Management

All Employees are expected to attend work each day as agreed in their statement of terms and conditions of employment. A failure to comply with this requirement may lead to a frustration of the contract, or the need to initiate the disciplinary procedure. Where exceptional circumstances exist, such as an Employee developing a disability, North Tipperary Disability Support Service may attempt to facilitate that Employee through the provision of reasonable accommodation. Following each period of absence an Employee is required to meet with their Manager to explain the reason for their absence, and to outline whether they have now returned to full health. An Employee should bring any difficulty at work impacting on attendance to the attention of their Manager, in order that appropriate steps may be taken to resolve the issue. The meeting will also be used as a catch-up to update the Employee on developments at work during their absence.

Illness Benefit & Medical Certification

There will be no payment for Sick Leave during an Employee's probationary period or extended probationary period. In cases of uncertified absence, Employees will be paid for up to a maximum of 3 days in a rolling 12 month period. For certified absences North Tipperary Disability Support Service will pay an Employee for up to a maximum of 7 certified sick days in a rolling 12 month period, and no payment thereafter. requires the Employee to provide documentary evidence from a registered medical practitioner to certify the illness. In order to be provided with this benefit an Employee must adhere to the notification requirements set out in the Organisation's sick leave procedures. This certificate should indicate the nature of the condition and also the expected return to work date. The certificate must be forwarded to the Employee's Manager on or before the 4th day of absence. Where absence continues medical certificates must be submitted on a weekly basis thereafter.

The benefits outlined here apply to full-time Employees. Part-time Employees will receive a pro-rata benefit based on normal working hours. Where an Employee does not work the same hours every week, payment will be based on the average hours worked over the 13 weeks prior to the first date of absence. Where an Employee is in receipt of payment for longer term sick leave, Employees are required to apply for illness benefit from the Department of Social Protection by completing form MC1 (available from the Department).

Abuse of Sick Leave

Payment in respect of Sick Leave is provided as a discretionary benefit of Employment. Where there is a failure to adhere to Sick Leave reporting procedures, or there is an abuse of Sick Leave, payment may be suspended or withdrawn entirely.

B.3 Maternity Leave

Purpose

The purpose of this policy is to demonstrate North Tipperary Disability Support Service's compliance with the Maternity Protection Acts, 1994 and 2004, and associated regulations as issued, whilst also protecting the rights of Employees under this legislation.

Scope

This policy applies to all Employees, and provides protection and leave entitlements for expectant mothers. The policy also outlines the entitlement of an expectant father to paid time off to attend ante-natal classes.

Policy

Maternity Leave

All female Employees are entitled to avail of up to 26 weeks basic maternity leave. Leave must commence at least 2 weeks before the end of the expected week of confinement and at least 4 weeks leave must be taken following the birth of the child.

Additional Maternity Leave

An additional period of up to 16 weeks leave may be taken at the discretion of the Employee immediately following the initial maternity leave period.

Maternity Leave Applications and Notification of Pregnancy/Breastfeeding

A pregnant Employee should advise the Organisation of her pregnancy as soon as possible in order that measures may be taken to protect her health and safety at work and that of her developing child. In addition, mothers who are breastfeeding for up to 6 months following the birth of their child should also notify the Organisation.

A minimum of 4 weeks' notice is required from an Employee intending to avail of maternity leave and/or additional maternity leave prior to the leave commencing. A medical certificate confirming the pregnancy and the expected date of confinement must be provided at this time. Notification of leave must be made on the appropriate form which may be obtained from the Employee's Manager.

Ante-Natal and Post-Natal Care Appointments

A pregnant Employee is entitled to paid time off to attend ante-natal medical care appointments, and for post-natal medical appointments for up to 14 weeks after the birth of her child. The entitlement to paid time off for post-natal care is extended to 26 weeks where the Employee is breastfeeding. At least 2 weeks written notification must be provided to the Organisation, except in the case of the first appointment. Where possible, appointments should be scheduled at the beginning or at the end of the working day. If the appointment finishes during the working day, the Employee is expected to return to work.

Time Off for Ante-Natal Classes

Female Employees are entitled to paid time off to attend 1 complete set of ante-natal classes (other than the last 3 classes in a set). An expectant father is entitled to paid time off to attend the last 2 ante-natal classes in a set. This is a once off entitlement in respect of one pregnancy only. However where an Employee is unable to attend a class through no fault of their own, they may be permitted to attend that class on a subsequent birth. At least 2 weeks' notice of the intention to avail of this leave must be provided before the class and appropriate documentation submitted.

Return to Work

Employees are required to provide at least 4 weeks written notice of their intention to return to work following leave. This notice should confirm the intended return to work date. Where possible Employees will return to the position held immediately prior to the commencement of leave (provided this was their normal position), however where this is not feasible, he/she may return to work to suitable alternative employment that is no less favourable in terms and conditions.

Breastfeeding on Return to Work

Should an Employee be breastfeeding on return to work, and their child is under 6 months old, North Tipperary Disability Support Service will facilitate a temporary reduction of working hours, without loss of pay, for the purposes of breastfeeding. The Employee must provide notification of her intention to avail of this entitlement at least 4 weeks before her proposed return to work date.

Annual Leave and Public Holidays

Annual leave and public holiday benefits will continue to accrue during the period of maternity leave and additional maternity leave.

Maternity Benefit

No payment is made in respect of absence by an Employee during her maternity leave. However, an Employee may be entitled to claim maternity benefit from the Department of Social Protection, subject to qualification criteria.

In order to claim this benefit, an Employee is required to submit a claim form (MB10) at least 6 weeks prior to commencement of maternity leave. This form is available from the Department of Social Protection. North Tipperary Disability Support Service will complete Part 4 of the form confirming Employment and PRSI details on request.

North Tipperary Disability Support Service makes no payment in respect of additional Maternity Leave.

B.4 Adoptive Leave

Purpose

The purpose of this policy is to demonstrate North Tipperary Disability Support Service's compliance with the Adoptive Leave Acts, 1995 and 2005, and associated regulations as issued, whilst also protecting the rights of Employees under this legislation.

Scope

This policy applies to all Employees, and provides protection and leave entitlements for both adoptive mothers and fathers in the circumstances outlined.

Policy

Adoptive Leave

In line with current legislation, all employed adopting females or sole male adopters are entitled to avail of up to 24 weeks adoptive leave. Leave commences on the actual date of placement.

Additional Adoptive Leave

An additional period of up to 16 weeks leave may be taken at the discretion of the Employee immediately following the initial adoptive leave period.

Adoptive Leave Applications Procedure

A minimum of 4 weeks' notice is required from an Employee intending to avail of adoptive leave and/or additional adoptive leave prior to the expected date of placement. In the case of an Irish adoption a certificate of placement should be forwarded within 4 weeks of the date of placement. In the case of a foreign adoption, a declaration of eligibility and suitability must be produced as soon as reasonably practicable, with a certificate of placement to be forwarded as soon as it is received by the Employee.

Notification of leave must be made on the appropriate form which may be obtained from the Employee's Manager.

Leave to Attend Classes and Meetings in Advance of the Adoption

Any Employee involved in the adoption process is permitted to avail of paid time off to attend pre-adoption classes and meetings which they are obliged to attend, provided the meetings are held within the state. 2 weeks written notice of the first request must be provided. Evidence of the requirement to attend the class or meeting may be sought by the Organisation.

Leave in Advance of Foreign Adoptions

In the case of a foreign adoption, an adopting mother or sole male adopter may avail of some of their additional leave before the placement of the child for the purposes of familiarisation with the child in advance of the adoption. 4 weeks written notice of this intention must be provided, and a declaration of suitability and eligibility must also be supplied. This entitlement is in addition to the time permitted to attend classes and meetings in the state.

Return to Work

Employees are required to provide at least 4 weeks written notice of their intention to return to work following leave. This notice should confirm the intended return to work date. Where possible the Employee will return to the position held immediately prior to the commencement of leave (provided this was their normal position), however where this is not feasible, the Employee may return to work to suitable alternative employment that is no less favourable in terms and conditions.

Annual Leave and Public Holidays

Annual leave and public holiday benefits will continue to accrue for the period of adoptive leave and additional adoptive leave.

Adoptive Benefit

No payment is made in respect of absence by an Employee during their adoptive leave. However, an Employee may be entitled to claim adoptive benefit from the Department of Social Protection, subject to qualification criteria.

In order to claim this benefit, an Employee is required to submit a claim form (AB1) prior to commencement of adoptive leave. This form is available from the Department of Social Protection. North Tipperary Disability Support Service will complete Part 4 of the form confirming Employment and PRSI details on request.

North Tipperary Disability Support Service makes no payment in respect of additional Adoptive Leave.

B.5 Parental Leave

Purpose

The purpose of this policy is to provide unpaid leave to qualifying parents in order to facilitate them to care for their child. This policy demonstrates North Tipperary Disability Support Service's compliance with the Parental Leave Acts 1998 and 2006 and subsequent amendments. This policy is designed to protect the rights of Employees under this legislation.

Scope

This policy applies to all Employees who are natural or adoptive parents or acting in *loco parentis* to a child under the relevant age.

Policy

All qualifying Employees who are natural or adoptive parents of, or who are persons acting in *loco parentis* to, a child under the relevant age have an entitlement to avail of up to 18 working weeks parental leave in respect of that child over a defined period of time.

Parental leave is unpaid leave. However, Employees should note that where a block of leave is taken with the result that no PRSI contributions will be made by the Organisation or Employee in that week, then the Department of Social Protection may make PRSI contributions on the Employee's behalf. This is subject to the Employee notifying the Department of Social Protection of the fact that they are on leave.

Who is a qualifying Employee?

In order to qualify for parental leave an Employee must meet the following criteria:

- he/she must have completed 12 months' service with the Organisation to qualify for 14 working weeks leave, or
- where the child is about to go over the relevant age, and the Employee has completed more than 3 months service but less than 12, he/she will be entitled to avail of 1 working week of leave per completed month of service.

What age must the child be in order to be deemed under the relevant age?

The relevant age of the child in respect of whom leave may be taken may vary depending on certain factors. Parental leave is allowed in respect of a child;

- aged under 8 years of age, or
- within two years of an adoption order where the child is adopted between the ages of 6 and 8 years, or
- aged under 16 years in the case of a child with a disability/ long term illness.

Applications Procedure

Applications for parental leave must be made in writing at least 6 weeks prior to the intended commencement of leave. A response to this application will be issued by North Tipperary Disability Support Service 4 weeks before the intended commencement of leave indicating whether the leave can be approved, or whether it is necessary to postpone the leave. Postponement of leave will not exceed 6 months except where this is permitted by legislation and necessary for operational reasons.

In all cases discussion will be held to establish a suitable new timing for the leave. Where the leave is approved, a confirmation document will be produced for signature and filing.

If both parents are Employees of North Tipperary Disability Support Service, Employees may request that a portion of the leave (not more than 14 weeks) be transferred to the other parent, approval of such a transfer of leave will be at the discretion of the Organisation.

Patterns of Leave Permitted

Leave may be availed of as a continuous period of 6 weeks or greater at any one time. Periods of leave of a lesser duration are entirely at the discretion of Management, and it may not be possible to permit these. Consult your Manager for further information.

Sickness During Parental Leave

Should an Employee fall ill during parental leave, and as a result is unable to care for their child, they may suspend their parental leave and the time may be treated as certified sick leave. This is subject to the Employee complying with normal sick leave reporting procedures and submission of a doctors certificate confirming the illness irrespective of the number of days of sickness. This certificate should confirm that the Employee is incapable of caring for the child in respect of whom leave is being taken.

Abuse of Leave

An Employee must use parental leave for the purpose of caring for the child in respect of whom it is taken. Employees may not work in alternative employment while on this leave. Abuse of parental leave may be treated as a serious disciplinary matter.

Annual Leave and Public Holidays

Annual leave entitlements continue to accrue and public holiday benefits will continue to be provided during the period of an Employee's parental leave.

Returning to Work

Employees are entitled to return to work to the same job and under the same terms and conditions of employment following parental leave. Where this is not reasonably practicable, the Organisation will provide suitable alternative employment that is no less favourable in terms and conditions.

Employees may request a change in working hours / patterns, or both, to apply for a set period of time following their return from Parental leave. Such requests must be submitted not later than 6 weeks prior to the proposed commencement of this set period. North Tipperary Disability Support Service will consider all requests having regard for the Organisational needs, and the Employee's needs at the time and will respond within 4 weeks of receiving the request.

B.6 Force Majeure Leave

Purpose

Force majeure leave is leave provided for Employees to deal with emergency situations arising from the illness or injury of a person named in this policy. The purpose of this policy is to demonstrate compliance with the provisions of the Parental Leave Acts 1998 and 2006 in relation to force majeure leave, and to protect Employee rights in this regard.

Scope

This policy applies to all Employees of North Tipperary Disability Support Service.

Policy

It is the policy of North Tipperary Disability Support Service to provide short-term paid leave for Employees where, due to the illness or injury of one of the following persons, the presence of the Employee at the location of that person is indispensable.

Force majeure leave is permitted in respect of the illness or injury of one the following persons:

- a child or adoptive child of the Employee;
- a spouse or partner of the Employee;
- a person to whom the Employee is acting in loco parentis;
- a brother or sister of the Employee;
- a parent or grandparent of the Employee;
- a person with whom the Employee is in a relationship of domestic dependency, including, but not limited to, same sex partners.

Entitlement to force majeure leave is limited to circumstances:

- where the immediate presence of the Employee is indispensable,
- where the Employee is present at the place where the ill or injured person is situated.

Force Majeure entitlement is a maximum of 3 days paid leave in a 12 month period, or a maximum of 5 days in a 36 month period.

An Employee who is on force majeure leave for part of a working day shall be deemed to have taken 1 force majeure day.

Procedure

Where possible, an Employee should contact their Manager, or another Manager where their own Manager is not available, to notify North Tipperary Disability Support Service of their absence as soon as possible. In all cases, the Employee will be required to complete a formal force majeure leave notification form detailing the duration of, and the reasons for, the leave on their return to work. This form may be obtained from the Employee's Manager.

North Tipperary Disability Support Service will inform Employees if their application for Force Majeure Leave has been successful and will hold records of all Force Majeure Leave taken by Employees.

B.7 Carer's Leave

Purpose

This policy is designed to demonstrate North Tipperary Disability Support Service's compliance with the Carer's Leave Act, 2001 and 2006 and associated regulations.

Scope

This policy applies to all Employees with at least 12 months service.

Policy

It is the policy of North Tipperary Disability Support Service to permit Employees to avail of unpaid leave from employment to fulfil their caring responsibilities where appropriate as determined in conjunction with the Department of Social Protection. Carer's leave of at least 13 weeks and up to 104 weeks may be applied for. This may be extended to 208 weeks in respect of two persons in need of care in certain circumstances.

To be eligible for leave the Employee must have completed 1 year of service and be approved by the Department of Social Protection to provide full-time care to the relevant person. The Department of Social Protection also determine whether the person is deemed a relevant person.

Carer's leave may be taken as a continuous block of leave, or broken into shorter periods of leave. Where the leave is broken down, the Employee may not commence a subsequent period of leave until 6 weeks have elapsed since the termination of the previous period of leave.

Applications Procedure

An Employee is required to give 6 weeks notice of their intention to avail of carer's leave. This application should set out the manner in which it is proposed to take the leave and confirm that an application has been made to the Department of Social Protection for approval to be deemed a carer for the relevant person.

A response will be issued in respect of the application at least 2 weeks prior to the proposed commencement of the leave. Where the leave is approved a confirmation document will be produced for signature by the Employee and this will be retained by the Organisation.

Notification of leave must be made on the appropriate form which may be obtained from the Employee's Manager.

Termination of Carer's Leave

Carer's leave shall terminate on the pre-agreed date in the confirmation document, or in the following circumstances, whichever is the sooner:

- on an alternative date agreed between the Employee and Management,
- where the person in respect of whom carer's leave is taken ceases to qualify as a relevant person, or the Employee ceases to qualify as a carer,
- where a deciding officer from the Department of Social Protection determines that it should end,
- where the relevant person dies during a period of carer's leave. In such circumstances the Employee should return to work on a date within 6 weeks of the date of death, or as agreed in the initial confirmation document, whichever is the sooner.

Employment Rights

An Employee availing of carer's leave will be regarded as still being in employment, and none of their rights relating to employment shall be affected, with the exception of remuneration, annual leave (after 13 weeks), public holidays (after 13 weeks), superannuation benefits or any obligation to pay contributions in, or in respect of, the employment. Such absence will be reckonable for redundancy purposes. Existing PRSI rights will be protected by the award of credited contributions during the period of carer's leave by arrangement with the Department of Social Protection.

Return to Work

An Employee on carer's leave must provide at least 4 weeks written notice of their intention to return to work. This notice should confirm the intended return to work date. Where possible the Employee will return to the position held immediately prior to the commencement of leave (provided this was their normal position), however where this is not feasible, they may return to work to suitable alternative employment that is no less favourable in terms and conditions.

B.8 Jury Service Leave

Purpose

The purpose of this policy is to demonstrate North Tipperary Disability Support Service's commitment to permit Employees to fulfil their civic duty to attend as a jury member where summonsed by the court in line with the relevant provisions of the Jury's Act, 1976.

Scope

This policy applies to all Employees summonsed to attend court for jury service.

Policy

North Tipperary Disability Support Service is committed to providing paid leave for any Employee required to attend court for jury service. Jury service leave is provided for the period that an Employee is required to attend court for possible selection as a juror, and for the duration of the case on which they will sit if they are selected to sit on a jury.

Procedure

In order to avail of this leave, an Employee must present the summons for jury service to their Manager as soon as they receive this notification. Their Manager will then approve the leave. In exceptional circumstances the Organisation may seek to have an Employee excused from jury service, however this will only occur where business requirements are such that it is not feasible to permit the Employee to avail of the leave.

Where leave is granted, an Employee will generally be required to attend the court for a period of each day for selection as a juror, usually for a few hours in the morning each day. Where the Employee is not selected as a juror, he/she must return to work for the remainder of the day. A certificate of attendance will be produced by the clerk of the court on request, and this should be presented to the Employee's Manager on return to work each day for record keeping purposes.

Where an Employee is called for jury service, he/she should also obtain daily certificates of attendance from the Clerk of the Court confirming attendance at court. Again, where an Employee is excused from the court for part of the day he/she is expected to return to work, where appropriate.

Employment rights, including remuneration, are protected during this leave.

Section C: Discipline and Grievance Procedures

C.1 Disciplinary Procedure 1

C.2 Grievance Procedure 6

C.1 Disciplinary Procedure

Purpose

The purpose of this policy and procedure is to ensure that North Tipperary Disability Support Service operates a fair disciplinary process which has regard to the rights of Employees under both the Code of Practice on Disciplinary and Grievance Procedures and the Unfair Dismissals Acts. The policy is to be applied in order to assist and encourage Employees to achieve and maintain acceptable standards of conduct, attendance and performance where shortcomings are identified. The policy and procedure aim, where appropriate, to be corrective rather than punitive.

Scope

This policy applies to all Employees.

Policy

The primary objective of this procedure is to ensure that Employees are made aware of any shortcomings in their performance/conduct/attendance and provided with an opportunity to resolve this situation. To this end, issues will generally be addressed through the informal procedure whereby the Manager will raise the issue with the Employee and agree a corrective action plan in order to resolve the situation without recourse to the formal procedure. However, where this fails to resolve a situation, or the informal process is deemed inappropriate in the given circumstances, then the formal process may be initiated.

During the formal stages of the procedure, Employees have the right to be accompanied by a representative at a meeting. The role of this representative is to provide support, to ensure that the procedures followed are fair, and, if appropriate, to help the Employee present their case. However, it should be noted that the contractual relationship exists between the Employee and the Employer. Therefore, questioning will be directed to the Employee, and where possible the Employee must speak on their own behalf. The stage at which any Employee enters the disciplinary procedure depends upon the severity of the issue being dealt with. At all formal stages of the procedure the Employee is entitled to be made aware of the case against him/her, and to be provided with any evidence to be used against him/her. The Employee will be afforded an opportunity to respond to any allegations and evidence, and Management will give due consideration to all responses received. Representation is permitted at all formal stages of the procedure. The Employee is also permitted to appeal the findings of any formal disciplinary investigation or any sanction imposed under the procedure.

Misconduct

The following behaviours may be considered to be misconduct and may result in disciplinary action being initiated under the disciplinary procedure. Note that these examples are provided for illustrative purposes only, and this list is not exhaustive. All cases are considered on their own merits:

- Minor breach of a workplace policy or procedure;
- Poor timekeeping;
- Abuse of sick leave policy;
- Insubordination;
- A refusal to carry out a reasonable request;
- Minor breaches of health and safety regulations;
- Bullying, harassment, sexual harassment, victimisation, or any act of discrimination;
- Downloading, display or distribution of pornography or other inappropriate material;
- Bringing the Organisation into disrepute;
- Misuse of Organisation property.

Gross Misconduct

The following behaviours may be considered to be gross misconduct and may result in summary dismissal, depending on the circumstances of the case. Note that these examples are provided for illustrative purposes only, and this list is not exhaustive. All cases are considered on their own merits:

- Serious harassment, sexual harassment, bullying, victimisation or other act of discrimination;
- Serious abuse of sick leave;
- Theft or other fraudulent behaviour;
- Serious breaches of health and safety rules or endangerment of another person in the workplace;
- Serious breaches of confidentiality;
- Being under the influence of an intoxicant at work or in the course of employment;
- Possession, sale or distribution of a controlled substance in the workplace
- Violent or threatening behaviour;
- Refusal to participate in a workplace investigation or other action;
- Serious failure to adhere to an agreed workplace procedure or other agreed terms of employment.

Informal Procedure

In general, where there is an allegation of poor performance, attendance or conduct, the direct Manager of the Employee concerned will address the issue informally with him/her. This may be done by way of an informal counselling meeting, or through the normal performance management process. The objective of the informal discussion is to correct the issue of concern in a frank and constructive manner. The informal discussion will:

- focus on helping the Employee to understand how their performance/conduct/attendance has fallen short of the acceptable level; and
- suggest possible solutions and timeframes for improvement.

After the discussion, brief notes will be taken and held by the Manager who led the informal discussion. Provided the Employee achieves and sustains the necessary level of improvement, no further action will be taken. If the necessary improvements have not been made within the agreed timeframe the formal disciplinary procedure will commence.

Formal Procedure

In all cases where an Employee's standards of performance, attendance and/or conduct fall below those expected by North Tipperary Disability Support Service, the formal disciplinary procedure may be initiated. In all cases in which the Formal Procedure is initiated, a hearing will be held with the Employee to put the allegation to him/her, and to hear his/her responses to the issue. It may be necessary to formally investigate the facts surrounding a case and this may occur prior to the hearing, but in the majority of cases a hearing will suffice to ensure that the Employee is afforded a fair opportunity to respond. Where there is a dispute of the facts of a case, and an investigation is necessary, the investigation procedure will be explained to the Employee by Management.

Disciplinary Hearing Process

Prior to any formal disciplinary sanction being decided upon and imposed a fair disciplinary hearing will be held with the Employee. The purpose of this meeting is to put the complaint to the Employee and to hear the reasons behind the issue from the Employee's perspective. An Employee will always be treated in a fair manner at a disciplinary hearing.

The following principles will apply to a disciplinary hearing:

- Advance notification of the requirement to attend a disciplinary hearing will be provided together with the fact that the outcome of the meeting may be disciplinary action.
- Throughout the hearing, the Employee will be permitted to have a representative present.
- The Employee will be notified of the complaint in advance of the meeting in order to have an opportunity to prepare his/her responses.
- The Employee will be afforded an opportunity to respond to any allegations/evidence at the meeting, and to present any other relevant factors including any mitigating circumstances.
- Further meetings may be held with the Employee as necessary.
- Conclusions will only be formed following a fair hearing where the Employee is allowed to respond to complaints and these responses are considered in the given circumstances.
- An Employee may be suspended on full pay at any stage during the disciplinary process, even before any allegation is presented to the Employee. This is done with no inference of guilt or otherwise against the Employee. Suspension will be for a reasonable period only and will often depend on the duration of the disciplinary investigation process.
- Due consideration will be given to all responses received. In order to ensure that Management have the time to fully consider the facts, there will always be an adjournment at the end of any disciplinary hearing in order to allow time to consider the facts of the case, and to make a fair decision on the next steps.
- The decision on what level of disciplinary sanction, if any, is to be imposed will be taken during the adjournment. A follow up disciplinary meeting will be held with the Employee where this decision will be communicated to the Employee. The Employee may have a representative present at this meeting. Formal disciplinary action will be confirmed in writing.

Disciplinary Sanctions

Where the informal process fails to resolve an issue, or where it is deemed inappropriate given the particular circumstances of a situation, then the following sanctions may be imposed by Management. Disciplinary action, if required, will normally follow an incremental warning process as set out in this policy. However, in appropriate circumstances, North Tipperary Disability Support Service reserves the right to initiate the process at any particular stage, or to move to any particular stage in the process, where the matters of concern are deemed sufficiently serious. The decision on what level of sanction to be imposed will only be taken following a formal disciplinary hearing having considered the circumstances of the particular situation.

Stage 1. Formal Verbal Warning

Where the informal procedure fails to resolve an issue, or where more serious disciplinary action is deemed appropriate given the particular circumstances of the case, a formal disciplinary hearing will be arranged and held as outlined in this procedure.

Following the meeting a formal verbal warning may be issued by the Appropriate Manager. An action plan will also be agreed in order to attempt to resolve this issue in the future. A copy of the notes from the meeting, the agreed action plan and a copy of the verbal warning, along with any other relevant documentation, will be placed on the Employee file.

The verbal warning will expire following a period of satisfactory performance, conduct or attendance, as outlined in the formal verbal warning document. A formal verbal warning may be appealed through the appeals procedure outlined in this policy. Failure to achieve the requirements set out in the corrective action plan may result in further disciplinary action.

Stage 2. First Written Warning

Where a formal verbal warning fails to resolve an issue, or where more serious disciplinary action is deemed appropriate given the particular circumstances of the case, a formal disciplinary hearing will be arranged and held as outlined in this procedure.

Following the meeting a first written warning may be issued by the Appropriate Manager. An action plan will also be agreed in order to attempt to resolve this issue in the future. A copy of the notes from the meeting, the agreed action plan and a copy of the first written warning, along with any other relevant documentation, will be placed on the Employee file.

The first written warning will expire following a period of satisfactory performance, conduct or attendance, as outlined in the first written warning document. A first written warning may be appealed through the appeals procedure outlined in this policy. Failure to achieve the requirements set out in the corrective action plan may result in further disciplinary action.

Stage 3. Final Written Warning

Where a first written warning fails to resolve an issue, or where more serious disciplinary action is deemed appropriate given the particular circumstances of the case, a formal disciplinary hearing will be arranged and held as outlined in this procedure.

Following the meeting a final written warning may be issued by the Appropriate Manager. An action plan will also be agreed in order to attempt to resolve this issue in the future. A copy of the notes from the meeting, the agreed action plan and a copy of the final written warning, along with any other relevant documentation, will be placed on the Employee file.

The final written warning will expire following a period of satisfactory performance, conduct or attendance, as outlined in the final written warning document. A final written warning may be appealed through the appeals procedure outlined in this policy. Failure to achieve the requirements set out in the corrective action plan may result in further disciplinary action.

Stage 4. Dismissal

There are two ways in which dismissal may occur. Generally, the Employee will have been notified of concerns and have been provided with an opportunity to improve through one or more stages of the disciplinary procedure.

The other form of dismissal is a summary dismissal, which normally results from an act of gross misconduct. An act of misconduct will be considered as gross misconduct where the act is so serious that North Tipperary Disability Support Service cannot reasonably be expected to retain the Employee in employment. Summary dismissal occurs without recourse to the earlier stages of the disciplinary procedure.

In all cases an appropriate and fair hearing, which adheres to the principles set out in this procedure, will be undertaken, and careful consideration given to the decision on whether or not dismissal is the appropriate sanction given the circumstances of the case. In cases of alleged gross misconduct, an in-depth investigation may be necessary, and an Employee will be suspended on pay pending the outcome of this investigation. Suspension on pay is not deemed a disciplinary sanction, and there will be no negative inference against an Employee as a consequence of any such suspension.

Where there is an allegation of gross misconduct or gross incompetence it may be appropriate after a formal investigation to initiate the procedure at stage 4. In such circumstances, there is no obligation on North Tipperary Disability Support Service to provide advance notice of dismissal.

Decisions to dismiss in such circumstances may only be taken by a senior Manager in the Organisation, or a nominated officer, following a full and fair investigation and hearing process. The decision will be confirmed in writing to the Employee.

Alternative Disciplinary Sanctions

In addition to the sanctions outlined in stages 1 to 4 of the disciplinary procedure, North Tipperary Disability Support Service also retains the right to impose alternative disciplinary sanctions as outlined in this section. This will only occur where deemed appropriate. Such action is an optional stage of the procedure, rather than a required stage. Where deemed appropriate, alternative sanctions which may be imposed may include a transfer, demotion, suspension without pay, or withholding of a salary review for a period or removal of another benefit.

Note on Probation

During the period of an Employee's probation, including extended probation, the full-rigours of the disciplinary process may not apply, and North Tipperary Disability Support Service retains the right not to exhaust the disciplinary procedure during probation.

Appeals

All disciplinary sanctions may be appealed within five working days of being issued to an Employee. The details of whom the appeal should be made to will be included in the warning document, or letter of dismissal. A finding will be issued within a reasonable timeframe, generally 10 working days. This may be extended where necessary to facilitate a full and fair appeals process.

All timeframes in this policy assume Employees are attending work. If Employees have had time out of work, the duration of the disciplinary steps may be extended.

C.2 Grievance Procedure

Purpose

The purpose of this policy and procedure is to ensure that North Tipperary Disability Support Service operates a fair grievance procedure which has regard to the rights of Employees as set out in the Code of Practice on Disciplinary and Grievance Procedures. The policy is to be applied in order to assist and encourage Employees to raise any issues of concern to them in order that the Organisation may take appropriate action to resolve these concerns.

Scope

This policy applies to the individual grievances of all Employees. The policy is not appropriate for dealing with issues of harassment, sexual harassment or bullying, which should be addressed through the appropriate procedures set out by North Tipperary Disability Support Service. Further information may be sought from your Manager.

Policy

It is recognised that from time to time in all employment situations, grievances may arise. A grievance is a formal expression of dissatisfaction with workplace relationships, the work environment or a term or condition of employment. It is the policy of North Tipperary Disability Support Service to recognise that situations of this nature may arise, therefore this procedure is in place to assist Employees to resolve such matters. It is acknowledged that grievances which are not raised and addressed may escalate and become serious distractions in the workplace. Therefore, all Employees are encouraged to raise any concerns they may have through the procedure set out here.

Management are responsible for listening and responding to all Employee concerns raised through this procedure. In all cases, matters will be dealt with in as confidential a manner as possible. Employees may utilise the procedure whenever they feel it is required. An Employee will not be treated adversely for raising a grievance. During the formal stages of the procedure, Employees have the right to be accompanied at a meeting by a representative. The role of the Employee's representative is to ensure that the Employee is afforded a fair opportunity to raise their issue and afforded fair consideration.

Procedure

Informal Discussion

Employees are encouraged to approach their Manager in the first instance to discuss issues and attempt to resolve them informally. Should the Employee feel uncomfortable approaching their Manager regarding a particular issue, they may approach another Manager to raise the issue. At this stage the Manager will consider the grievance carefully and respond to the Employee within a reasonable and agreed timeframe. If the Employee is not satisfied with the response provided, the issue may be escalated through the formal grievance procedure.

Stage 1. Formal Procedure

- Where the informal procedure fails to resolve a situation to the Employee's satisfaction, or where it is deemed inappropriate, the Employee is encouraged to raise their grievance formally.
- In order to raise a formal grievance it is necessary to put the grievance in writing, or to meet with the Manager to put the grievance in writing. The written grievance may be submitted to the Employee's Manager, or where this is deemed inappropriate, to any other Manager.

- A grievance hearing will be arranged within an agreed timeframe, to which the Employee is entitled to bring a representative. Advance notification of this meeting will be provided in writing.
- The Employee will be invited to provide more information regarding their grievance at this meeting.
- The meeting will be adjourned to allow Management to explore the issue further and to identify possible solutions where appropriate.
- A prompt decision will be provided to the Employee, in writing, within a reasonable agreed timeframe.
- A record of the meeting will be kept and given to those in attendance.

Stage 2. Formal Procedure

- Should an Employee feel dissatisfied with the response given at stage 1, he / she may appeal. The appeal must be submitted in writing. Details of the procedure to be followed in the event of an appeal will be outlined in the written decision on the grievance, as outlined above.
- A grievance appeal hearing will be arranged within an agreed timeframe, to which the Employee is entitled to bring a representative. Advance notification of this meeting will be provided in writing.
- A senior member of Management, and/or an appropriate third party will be present at the meeting to ensure that the grievance is given due consideration.
- The issue will be discussed in an effort to explore satisfactory outcomes.
- A prompt decision will be provided to the Employee within an agreed reasonable timeframe.
- A record of the meeting will be kept and given to those in attendance.

The decision after Stage 2 will be binding on all parties in the dispute. If the Employee is dissatisfied with the response given to the grievance, he/she will have to accept that it cannot be resolved to his/her satisfaction, as the procedure has been exhausted.

Section D: People Policies

<u>D.1 Diversity Management</u>	1
<u>D.2 Recruitment and Selection</u>	3
<u>D.3 Training and Development</u>	4
<u>D.4 Timekeeping</u>	5
<u>D.5 Working Time, Rest Periods and Work Breaks</u>	6
<u>D.6 Double Employment</u>	7
<u>D.7 Probation</u>	8
<u>D.8 Part-Time Working</u>	9
<u>D.9 Housekeeping/Clean Workspace & Personal Property</u>	9
<u>D.10 Employee Data and Employee Files</u>	10
<u>D.11 Workplace Smoking</u>	11
<u>D.12 Termination of Employment</u>	12

D.1 Diversity Management

Purpose

This policy is in place to demonstrate North Tipperary Disability Support Service's commitment to diversity management and as recognition that difference in an Organisation can be a strength.

Scope

This policy applies throughout North Tipperary Disability Support Service.

Policy

It is the policy of North Tipperary Disability Support Service to recognise people as a key resource required for successful attainment of the Organisation's mission. In support of this, it is important to remember that differences between people, whether devised from their different backgrounds and personalities, cultures and/or their different abilities, can be a source of strength to the Organisation.

North Tipperary Disability Support Service is also committed to providing reasonable accommodation for a person with a disability, whether they are an applicant for employment or an Employee requiring special facilities. Reasonable accommodation will be provided subject to such measures not imposing a disproportionate burden on the Organisation.

Procedure

In order to ensure that difference is respected in North Tipperary Disability Support Service a number of procedures are in place. These are listed below:

Equal Opportunities – This policy is in place to encourage a work environment free from discrimination.

Dignity at Work – Policies in relation to dignity at work include the Organisation's anti-harassment and sexual harassment policy and the anti-bullying policy. These policies have been established to help the Organisation provide a safe place of work free from harassment, sexual harassment or bullying, irrespective of an Employee's gender, civil status, family status, sexual orientation, race, religion, age, disability, or membership of the Traveller community.

Training and Development – This policy seeks to ensure that there is no discrimination in the selection process for training and development activities.

Recruitment and Selection – This policy makes a commitment to hiring the most qualified candidate for positions as they arise, and not to discriminate in the recruitment and selection process.

Grievance Procedure – This procedure is in place to ensure that should any Employee feel that they have been treated unfairly, they can bring this to the attention of Management in order to have the issue examined and resolved if possible.

D.2 Recruitment and Selection

Purpose

This policy outlines North Tipperary Disability Support Service's commitment to compliance with the Employment Equality Acts, 1998-2011, by providing equality of opportunity in our recruitment procedures.

Scope

This policy applies to all applicants for employment with North Tipperary Disability Support Service and to existing Employees applying for internal positions in the Organisation. Anyone involved in recruitment and selection on behalf of North Tipperary Disability Support Service is expected to comply with the provisions of this policy.

Policy

North Tipperary Disability Support Service is committed to providing equality of opportunity with respect to vacancies that arise. As such, the Organisation strives to ensure a recruitment process free from any form of illegal discrimination. Recruitment decisions will be taken without reference to an applicant's gender, civil status, family status, sexual orientation, age, disability, race, religion or membership of the Traveller community, unless these are legitimate requirements for the post as permitted in the relevant legislation. In order to source the best candidates, selection criteria will be based on the skills, qualifications and experience necessary for successful performance in the role.

Procedure

Prior to engaging in the recruitment process, the skills, experience and qualifications necessary for the successful candidate will be identified. Applications will be screened against these requirements. Interviews will be conducted in a fair manner ensuring that questions are designed to seek information relevant to performance in the position. Other selection methods may be employed where appropriate, for example reference checking.

A candidate for employment who has a disability will be provided reasonable accommodation to facilitate their ability to compete for a post, and to fulfil a post where he/she is the most suitable candidate for the role. Reasonable accommodation will only be provided where it does not present a disproportionate burden on North Tipperary Disability Support Service.

Records related to unsuccessful candidates may be retained for up to 13 months following appointment of the successful candidate.

D.3 Training and Development

Purpose

The purpose of this policy is to demonstrate North Tipperary Disability Support Service's commitment to equality of opportunity in relation to training and to highlight the Organisation's commitment to providing development opportunities for Employees in line with job requirements. This policy also demonstrates North Tipperary Disability Support Service's compliance with the Employment Equality Acts, 1998-2011.

Scope

This policy applies to all Employees.

Policy

Training may be provided in a number of ways, varying from formal classroom style lectures to on the job training provided by a colleague or Manager. In all cases, training is a valuable method of ensuring that Employees are familiar with their role and capable of fulfilling that role to the requirements of North Tipperary Disability Support Service. The majority of training and development takes place informally on the job.

North Tipperary Disability Support Service is an equal opportunities employer. In this regard, all decisions relating to the provision of training will be taken with reference to the requirements of an Employee's position, their individual development needs and the requirements of North Tipperary Disability Support Service. No reference will be made to an Employee's gender, civil status, family status, sexual orientation, age, disability, race, religion, or membership of the Traveller community in decisions regarding the provision of training, except where these present objective determining requirements for the training.

Where possible, reasonable accommodation will be provided to facilitate an Employee with a disability to participate fully in training. Although every effort will be made to arrange training to facilitate attendance by part-time Employees during their working hours, there is an expectation that part-time Employee will make themselves available, from time to time, to attend training outside their normal hours of work. Reasonable notice of such a requirement will be provided.

Procedure

Personal development is the individual responsibility of each Employee, therefore Employees should seek to establish their own training needs. These requirements should be discussed with the Employee's Manager where appropriate, and the Employee's Manager will consider requests for training in line with any needs identified by the Organisation. Where appropriate, training may be approved by the Employee's Direct Manager.

D.4 Timekeeping

Purpose

The purpose of this policy is to demonstrate North Tipperary Disability Support Service's requirement that all Employees be punctual for work as per their statement of terms and conditions of employment.

Scope

This policy applies to all Employees.

Policy

It is the policy of North Tipperary Disability Support Service to require a high standard of timekeeping from all Employees. Every Employee is expected to arrive for work on time as set out in their individual statement of terms and conditions of employment.

Procedure

A failure to comply with this policy will be dealt with through North Tipperary Disability Support Service's disciplinary procedure. In general, issues will initially be addressed informally, however the Organisation may commence the disciplinary procedure at whichever stage is deemed appropriate.

D.5 Working Time, Rest Periods and Work Breaks

Purpose

This policy demonstrates North Tipperary Disability Support Service's compliance with the provisions of the Organisation of Working Time Act, 1997 related to working time, rest periods and work breaks. The policy also protects the rights of Employees as set out in this legislation in order to ensure that no breaches occur.

Scope

This policy applies to all Employees.

Policy

Normal working hours are as per the statement of terms and conditions of employment. From time to time, it is recognised that Employees may be required to work in excess of these hours in order to meet business requirements. However, North Tipperary Disability Support Service is committed to ensuring that no Employee works in excess of the maximum average working week, as determined by the Organisation of Working Time Act, 1997.

Breaks will be permitted as per each Employee's statement of terms and conditions of employment. It is the policy of this Organisation to ensure that all Employees are afforded their minimum entitlements to daily and weekly rest as per the Organisation of Working Time Act, 1997.

Procedure

Should an Employee have a query in relation to their working hours, breaks or rest periods, or where they have been unable to avail of same, this should be brought to the attention of their Manager, or raised through North Tipperary Disability Support Service's grievance procedure.

D.6 Double Employment

Purpose

This policy sets out to ensure compliance with the Organisation of Working Time Act, 1997 provisions with regard to double employment.

Scope

This policy applies to all Employees.

Policy

It is the policy of North Tipperary Disability Support Service to ensure that no Employee works in excess of the maximum working week applicable to them, and is permitted to avail of their minimum weekly and daily rest periods as set down by statute. It is the responsibility of North Tipperary Disability Support Service to ensure that these rights are upheld, and these rights exist irrespective of how many employments an Employee may hold. Therefore, where an Employee is engaged in more than one employment, this can become a difficult responsibility for North Tipperary Disability Support Service to protect.

In order to ensure that an Employee is not engaging in a secondary employment which may result in their failure to protect their rights under the relevant legislation, Employees are required to seek Management approval in writing prior to engaging in secondary employment or other work. Approval will only be given to engage in secondary employment or other work where deemed appropriate in light of the Organisation's legal obligations and the Employee's contractual commitments to North Tipperary Disability Support Service.

Procedure

Any Employee seeking to engage in a secondary employment must consult their Manager and apply formally in writing for approval to hold secondary employment. Where approval is given, the Employee will be required to submit details of the working hours and details of the duties entailed by the other employment to their Manager on a weekly basis, in order that working time and your contractual commitments may be monitored. In certain instances records may not be required, e.g. employment by a family member, however North Tipperary Disability Support Service must still be informed of such secondary employments. Employees are not required to work exclusively for North Tipperary Disability Support Service. However, it is the policy of North Tipperary Disability Support Service to ensure that no Employee works in excess of the maximum working week applicable to them, and is permitted to avail of their minimum weekly and daily rest periods as set down by statute. It is a requirement of your contract of employment that you disclose details of any other employment held by you to North Tipperary Disability Support Service. This includes your hours of work for any Company/ Firm or Third Party on a weekly basis whether such work is paid or unpaid. You acknowledge that you are not in breach of any obligation to any other Company/Business/Firm or Third Party in agreeing to work for North Tipperary Disability Support Service.

North Tipperary Disability Support Service requires this information from you to ensure that it complies with its obligations pursuant to the Organisation of Working Time Act, 1997. The Employee will be required to submit details of the working hours and details of the duties entailed by the other employment on a weekly basis, in order that working time and your contractual commitments may be monitored.

D.7 Probation

Purpose

The purpose of this policy is to set out North Tipperary Disability Support Service's approach to managing the probation process.

Scope

This policy applies to all Employees during their probation period.

Policy

It is the policy of North Tipperary Disability Support Service to use a probationary period at the commencement of employment in order to assess the suitability of newly appointed Employees, and to assist their integration into their role and the Organisation. The period is used to ensure that the new hire is performing in their new role, and that they are settling into North Tipperary Disability Support Service. The duration of probation is outlined in the individual statement of terms and conditions of employment and may be extended at the discretion of Management.

Procedure

During probation there should be dialogue between the Manager and the Employee with regard to performance, conduct, attendance and any other issues impacting on the new Employee's ability to settle into the role and North Tipperary Disability Support Service. Issues may also be addressed formally by way of probation review meeting(s).

Where an Employee successfully completes probation, this will be confirmed to them by their Manager.

Where there are issues which affect an Employee's ability to successfully complete probation, then probation may be extended at the discretion of Management.

Where there are serious misgivings with an Employee's fit in North Tipperary Disability Support Service or their role, then the employment relationship may be terminated at the end of the probation period.

In certain circumstances it may be necessary to terminate employment during probation, due to the nature of the issue(s) arising. Dismissal may arise without application of the full rigours of the disciplinary process during probation.

D.8 Part-Time Working

Purpose

The purpose of this policy is to demonstrate compliance with the Code of Practice on Access to Part Time Work and the Protection of Employees (Part-Time Work) Act 2001.

Scope

This policy applies to all Employees.

Policy

It is the policy of North Tipperary Disability Support Service to provide access to part-time working arrangements, where appropriate and suited to business requirements. North Tipperary Disability Support Service does not guarantee that any part-time working arrangement will be approved, but is committed to dealing with all such requests seriously.

In general, the part-time working arrangement will be subject to annual review, and the arrangement may be amended or withdrawn where it is deemed that the working arrangement is not meeting North Tipperary Disability Support Service's business requirements. Part-time Employees will be entitled to terms and conditions equivalent to those offered to comparable full-time Employees on a pro-rata basis.

Training will be arranged with the needs of part-time workers considered. However, North Tipperary Disability Support Service has a reasonable expectation that part-time Employees will attend work outside of their normal hours of work in order to facilitate training. Notice will be provided of such a requirement.

D.9 Housekeeping/Clean Workspace & Personal Property

Purpose

The purpose of this policy is to outline the requirement on all Employees to maintain a clean and tidy workspace in so far as reasonably possible.

Scope

This policy applies to all Employees.

Policy

It is the policy of North Tipperary Disability Support Service to provide a clean, tidy and hygienic workplace for all Employees. As such all Employees are expected to maintain a clean, tidy and hygienic workspace.

All Employees are expected to take reasonable care of their personal belongings at work to protect them from theft, damage or loss.

North Tipperary Disability Support Service does not accept liability for any personal belongings which are lost, damaged or stolen while in the workplace.

D.10 Employee Data And Employee Files

Purpose

The purpose of this policy is to promote compliance with the Data Protection Acts as they apply to the collection and retention of Employee information.

Scope

This policy applies to all Employees.

Policy

In order to administer each Employee's employment it is necessary to collect, retain and process certain personal data. Personal data which may be required can include Employee names and addresses, their date of birth, their rate of pay, their application form or C.V., any records related to disciplinary situations, etc. It is the policy of this Organisation that this information will be processed in accordance with the Data Protection Acts and Employees consent to such processing of data, including sensitive personal data.

Procedure

In order to uphold the requirements of the legislation, every effort will be taken to adhere to the principles of data protection as established by the Data Protection Commissioner. Personal data will be stored in a safe location and used in the manner outlined when it is collected. Personal data will not be disclosed to any person other than members of Management, the Employee themselves, or other third parties who may process the information on behalf of North Tipperary Disability Support Service from time to time. Any person who is provided access to the information will be required to comply with the Data Protection Acts when processing the information. Data will only be retained for as long as it is necessary, and will be kept accurate and up to date in so far as reasonably practicable. To this end, Employees are requested to notify their manager of any changes to personal data retained by North Tipperary Disability Support Service. An Employee wishing to access personal data held about them may do so by making a request to their Manager to do this. Access will be provided within a reasonable timeframe.

D.11 Workplace Smoking

Purpose

The purpose of this policy is to demonstrate compliance with the Public Health (Tobacco) (Amendment) Act, 2004.

Scope

This policy applies to all Employees and other persons present in the workplace.

Policy

North Tipperary Disability Support Service is committed to providing a smoke free work environment for all Employees and other persons who attend the workplace from time to time. All Employees are required to comply with the requirements of Irish legislation by not smoking in the workplace at any time, or within the immediate vicinity of any entrances or exits from the premises.

Whilst we acknowledge e-cigarettes are not covered by the Health Act 2004, North Tipperary Disability Support Service has made a decision to ban the use of e-cigarettes in the workplace. As with cigarettes, Employees who use e-cigarettes are still free to do so in their own time and outside of the premises on breaks.

Procedure

Breaches of this policy should be notified to a member of Management and may result in disciplinary action in accordance with the Organisation's Disciplinary Policy.

D.12 Termination of Employment

Purpose

The purpose of this policy is to demonstrate compliance with the Minimum Notice and Terms of Employment Act, 1973-2005 and to outline an Employee's responsibilities in the event of their decision to terminate employment with North Tipperary Disability Support Service. The policy also sets out steps for Management to follow in the event of an Employee leaving service.

Scope

This policy applies to all Employees.

Policy

It is the policy of North Tipperary Disability Support Service that all Employee's terminating employment are required to provide adequate notice of their departure in order to facilitate the Organisation to arrange cover for their position and to ensure a smooth handover of work. Therefore, all Employees are required, as a minimum, to provide notice as per their statement of terms and conditions of employment when terminating employment. In all cases notice must be confirmed in writing and submitted to the Employee's Manager.

North Tipperary Disability Support Service is committed to provide notice as per the statement of terms and conditions of employment or the relevant legislation, whichever the greater. In the case of summary dismissal for acts of gross misconduct, there is no obligation on the Organisation to provide notice of termination or pay in lieu of notice.

North Tipperary Disability Support Service retains the right to pay in lieu of notice where deemed appropriate.

Procedure

Prior to leaving employment, all property belonging to North Tipperary Disability Support Service must be returned to the Employee's Manager, including items such as keys/access cards, IT equipment, or other facilities provided in the course of employment. All Employee benefits will be cancelled on the date of termination of employment.

The Employee will be paid their final pay as per normal payroll procedures. Final pay may include, where appropriate, payment in lieu of annual leave not availed of during employment, or alternatively may include a deduction for annual leave taken without having been accrued prior to departure. The Employee's P45 and payslip will be issued at the date of termination, or by post soon after termination. Where these documents are to be posted to the Employee, it is important that the Employee ensures that they leave up to date contact details with their Manager.

Section E: Information Technology, Internet and E-Mail

E.1 Information Technology, Internet and E-mail 1

E.1 Information Technology, Internet and E-mail

Purpose

This document sets out North Tipperary Disability Support Service's policy with regards to acceptable internet, e-mail and Information Technology (I.T.) usage.

Scope

This policy applies to all Employees of North Tipperary Disability Support Service, and any other person using business I.T. resources.

Policy

It is the policy of North Tipperary Disability Support Service that all I.T. facilities, including telephones, e-mail internet, PCs, laptops & other mobile devices are used solely for business purposes. Occasional personal use may be permitted with Management approval. However, excessive use for personal purposes during working time or otherwise will be treated as a serious disciplinary offence. Usage of I.T. facilities may be monitored in accordance with law, and as these are systems belonging to North Tipperary Disability Support Service, Employees should not expect privacy on these systems. At all times the Organisation retains the right to access an Employee's e-mail, internet or phone records and other records relating to information technology usage to ensure compliance with North Tipperary Disability Support Service's standards and policies, to ensure that Employees' obligations to the Organisation are being complied with and to ensure that the Employee is not engaging in prohibited activities as identified in this policy or activities otherwise deemed inappropriate.

This policy also sets out to provide guidelines on the acceptable usage of I.T. facilities. All Employees are required to be familiar with these requirements and to adhere to same. Should an Employee have a query in this regard, they should consult their Manager.

I.T. Usage Policy

All I.T. facilities should be used solely for business purposes. Employees who have access to any password restricted systems are required not to disclose that password to any other person, except with the prior approval of their Manager. Employees should make arrangements to permit their Manager access to password restricted systems prior to or during any period of absence, where necessary. Passwords should be carefully selected so that they cannot be easily guessed. In order to ensure the security of physical data and equipment, Employees are required to ensure that laptops and other mobile devices are appropriately stored and locked away whilst in their possession.

Internet

The internet can be a valuable source of information, and when used for research purposes can be a powerful business tool. However, it is important to take care when using the internet to make decisions, as the information can be misleading, or inaccurate in some cases.

If internet access is provided, it should only be used to fulfil Organisational requirements. The internet should never be used for personal purposes during working time. Outside of working time authorisation may be sought to access the internet for personal use, e.g. to make purchases, or to conduct research for personal purposes. However, such use should be limited, and the user must accept liability for any losses incurred while using the systems for personal use. No software should be downloaded from the internet, due to the risk of infection by viruses or infringement of licence agreements.

Only appropriate material should be accessed on the Organisation's systems. Any use of the internet to send, view, display, request, print or download pornographic or other potentially harassing or

sexually harassing material, obscene material, or material which is fraudulent, offensive or otherwise unlawful will be deemed to be a disciplinary offence and may constitute gross misconduct.

Prohibited activities include those defined elsewhere in this policy and also include wasting computer resources by, among other things, sending mass mailings or chain letters, spending excessive amounts of time on the internet for non-business purposes, using the internet for personal use or downloading and sending large files, such as pictures, music, audio files which are not work-related, playing games, engaging in on-line chat rooms or otherwise creating unnecessary traffic or over burdening the computer system, accessing or using any material, including another Employee's computer equipment, without authorisation or under false pretences or inadvertently or otherwise, engaging in unauthorised exchanges which may result in the Organisation being contractually bound to a third party.

E-mail

North Tipperary Disability Support Service's e-mail systems should be used for business purposes only. Limited personal use may be permitted with Management approval, however, users should have no expectation of privacy when using a resource belonging to the Organisation. Employees must also take care to ensure that they do not bring the Organisation into disrepute through the distribution of inappropriate or illegal e-mails using the Organisation's systems.

Attachments should not be accessed unless they are received from a trusted source with which the Organisation has a business relationship. Employees should be aware of the risks associated with downloading of information from sources which cannot be trusted. Further information should be sought from Management if required. Employees should ensure that they do not make defamatory remarks or engage in any libellous behaviour on e-mail. Personal data should not be transmitted relating to any individual without their prior consent.

General

PCs, laptops and other mobile devices, where provided, should not be used for personal purposes except as outlined above. Printing for personal purposes should be limited, and excessive use will be dealt with as a disciplinary offence. Laptops and other mobile devices, if provided, should be stored in the boot of the Employee's car when travelling, and taken indoors rather than left unattended in vehicles. If a laptop/mobile device is left in the open in a vehicle it may attract thieves or vandals, resulting in possible damage to the vehicle, and theft of the laptop as well as personal items contained within the vehicle. Screensavers should not be downloaded from the internet, and only screensavers approved by Management may be used.

Employees should not transfer digital photographs or music, DVD or movie files onto their PC, laptop/mobile device without prior permission from their Manager. Employees must observe copyright regulations in relation to any content they upload/download to business systems.

North Tipperary Disability Support Service's I.T. systems should not be used for the purposes of engaging in secondary employment. The Organisation's telephone systems should not be used for personal use, without the consent of your Manager. Where an Employee receives a personal call, they should keep the call brief.

Social Media

Social networking and social media are communication tools which can have significant impact on North Tipperary Disability Support Service and professional reputations. Examples of social media may include blogs, twitter, Facebook, LinkedIn, YouTube, wikis etc. Employees are personally responsible for the content they publish online.

Personal usage of Social Media

You must not disclose the Organisation's name or details on your own personal social media platform. Your work e-mail address should not be used as your primary means of identification on your personal social media platform. The Organisation may impose the disciplinary process up to and including dismissal for posting inappropriate material on social networking sites in circumstances where the posts breach confidentiality, dignity at work, Anti-Bullying, Harassment or Sexual Harassment, internal policy or brings the Organisation into disrepute.

Respect your audience. Employees should refrain from engaging in the use of inappropriate slurs and personal insults referring to work colleagues, clients and/or the Organisation, as this may lead to disciplinary action. The Organisation's IT equipment, where provided, should not be used for personal purposes. The use of social media for personal purposes is prohibited on the Organisation's systems.

Using Social Media for Work Purposes

Any contact details or business information acquired and maintained on the Organisation's systems remain the property of North Tipperary Disability Support Service. This includes any uploaded information (including personal contacts) brought by an Employee from a previous employment. Where it is a requirement as part of your role to engage in social media, the following guidelines must be adhered to:

1. Respect copyright, fair use and data protection.
2. Do not provide the Organisation's or another's confidential or other proprietary information and never discuss the Organisation's business performance or other sensitive matters publicly.
3. Do not cite or reference clients, partners or suppliers without their approval. When you do make a reference, link back to the source. Don't publish anything that might allow inferences to be drawn which could embarrass or damage a client.
4. Refrain from the inappropriate use of ethnic slurs, personal insults, obscenity, or engage in any conduct that would not be acceptable in the workplace. Employees should also show proper consideration for others' privacy and for topics that may be considered objectionable or inflammatory.
5. Refrain from using the Organisation's logos or trademarks unless approved to do so.
6. Do not post material that could be deemed to be threatening, harassing, illegal, obscene, defamatory, slanderous or hostile towards an individual or entity.
7. Ensure that the content you are posting is accurate and reviewed for grammatical and spelling errors.

Breaches of this policy may result in disciplinary action up to and including dismissal.

Queries

All queries in relation to this policy should be addressed to the Employee's Manager.

Section F: Health and Safety

F.1 General Health and Safety Responsibilities 1

Please note that the information contained in this section is in place to draw attention to the particular responsibilities imposed on both employers and Employees under the Safety, Health and Welfare at Work Act, 2005. This policy is not a replacement for the safety statement.

F.1 General Health and Safety Responsibilities

Purpose

The purpose of this policy is to outline some of the main provisions of the Safety, Health and Welfare at Work Act, 2005, with a particular emphasis on the responsibilities of both North Tipperary Disability Support Service and Employees. It is a term of employment that Employees always act in the interest of workplace safety. Any act which is contrary to the requirements of health and safety legislation may be dealt with as a serious disciplinary offence.

Scope

This policy applies to all Employees both in the workplace, and also any place which they attend in the course of employment.

Policy

It is the policy of North Tipperary Disability Support Service to operate in a safe manner which protects the safety, health and welfare of all Employees in accordance with the relevant legislation. This policy states the general responsibilities on both North Tipperary Disability Support Service and its Employees in this regard.

Responsibilities of the Employer

Every employer shall ensure, so far as is reasonably practicable, the safety, health and welfare at work of all his/her Employees. In particular, the employer will endeavour to:

- manage and conduct work activities in such a way as to ensure the safety, health and welfare at work of the Organisation's Employees;
- manage and conduct work activities in such a way as to prevent any improper conduct or behaviour likely to present a health or safety risk to Employees;
- as regards the place of work, the employer will ensure:
 - the design, provision and maintenance of it in a condition that is safe and without risk to health,
 - the design, provision and maintenance of safe means of access to and from it,
 - the design, provision and maintenance of plant and machinery or any other articles that are safe and without risk to health.
- ensure the safety and prevention of risk to health at work of his/her Employees relating to the use of any article or substance or the exposure of noise, vibration or ionising or other radiations or any other physical agent;
- provide systems of work that are planned, organised, performed, maintained and revised as appropriate so as to be safe and without risk to health;
- provide and maintain facilities and arrangements for the welfare of Employees at work;
- provide the information, instruction, training and supervision necessary to ensure the safety, health and welfare at work of Employees;
- determine and implement the safety, health and welfare measures necessary for the protection of the safety, health and welfare of Employees when identifying hazards and carrying out a risk assessment or when preparing a safety statement and ensuring that the measures take account of changing circumstances and the general principles of prevention;
- have regard to the general principles of prevention, where risks cannot be eliminated or adequately controlled or in such circumstances as may be prescribed, providing and maintaining such suitable protective clothing and equipment as is necessary to ensure, so far as is reasonably practicable, the safety, health and welfare at work of Employees;

- prepare and revise, as appropriate, adequate plans and procedures to be followed and measures to be taken in case of an emergency or serious and imminent danger;
- report accidents and dangerous occurrences, as may be prescribed to the Health and Safety Authority, and
- obtain, where necessary the services of a competent person for the purpose of ensuring, so far as is reasonably practicable, the safety, health and welfare at work of Employees.

Responsibilities of the Employee

It is the responsibility of all Employees to co-operate with Management in the implementation of health and safety initiatives in the Organisation. Employees must be aware that they have a responsibility for the safety of their visitors while on site. Employees also have a specific responsibility for their own safety. Therefore, Employees are expected to discharge their work in a safe manner, so as to avoid injury to themselves or other Employees and customers, and to avoid damage to company equipment and property. Employees are required to report all accidents, dangerous occurrences, unsafe conditions and unsafe acts to their Manager.

The duties of an Employee under the Safety, Health and Welfare at Work Act, 2005 may be summarised. While at work an Employee must:

- comply with the relevant statutory provisions and take reasonable care to protect his/her safety, health and welfare and that of any person who may be affected by his/her acts or omissions at work;
- ensure that he/she is not under the influence of an intoxicant to the extent that he/she is in such a state as to endanger his/her own safety, health or welfare at work or that of any other person;
- co-operate with the Organisation in order to enable the Organisation to comply with the relevant statutory provisions as appropriate;
- not engage in improper conduct or behaviour that is likely to endanger his/her own safety, health and welfare at work or that of any other person;
- attend such training and assessment as may be reasonably required relating to safety, health and welfare at work, or relating to the work carried out by the Employee;
- make correct use of any article or substance provided for use at work or for the protection of his/her safety, health and welfare at work, including protective clothing or equipment;
- report to Management:
 - any work being carried on, or likely to be carried on, in a manner which may endanger the safety, health and welfare at work of any person,
 - any defect in the place of work, the systems of work, any article or substance which might endanger the safety, health or welfare at work of any person, or
 - any contravention of the relevant statutory provisions which may endanger the safety, health and welfare at work of the Employee or that of any other person.
- not mis-represent him/herself to the Organisation with regard to the level of training they have received in respect of their position.

Procedure For Raising Concerns

An Employee who has any concerns with regard to this policy may raise the issue informally with their Manager or any other Manager. Where they do not receive a satisfactory response to their concerns, they may raise the issue through the grievance procedure.

Section G: Organisation Policies

G.1 Paternity Days.....

G.2 Bereavement/ Compassionate Days.....

G.3 Expenses

G.4 Right of Search.....

G.5 Personal Calls & Personal Mobile Phones

G.6 Open Door

G.7 Data Protection

G.8 Time Off for Medical Appointments

G.9 Privacy & Confidentiality.....

G.10 Alcohol & Drug Free Workplace.....

G.11 Violence at Work

G.12 Use/ Possession of Organisational Property.....

G.13 Protected Disclosure

G. 14 Exit Interview.....

G.15 Child Protection

G.16 General Organisation Guidelines

G.17 Unpaid Leave

G.1 Paternity Days

Purpose

The purpose of this policy is to permit fathers and/or adoptive fathers to avail of short-term paid leave from Employment on the occurrence of the birth or adoption of their child.

Scope

This policy applies to all male Employees of North Tipperary Disability Support Service, upon successful completion of their probation.

Policy

It is the policy of North Tipperary Disability Support Service to provide 3 days leave to natural/ adoptive fathers on the birth /adoption of their child.

The leave may be taken within 1 month of the birth/ adoption of the child.

Advance approval of the leave is necessary, in-so-far as is as reasonably practicable, in order to avail of the leave.

Procedure

Expectant natural fathers and/or fathers intending to adopt a child should provide 2 weeks' notice, or as much notice as is reasonably practicable, to their Manager of their intention to avail of Paternity Leave. This notification should be made in writing, outlining the expected dates for leave. Although North Tipperary Disability Support Service will try to facilitate Employees wishing to avail of this leave for the purposes of attending the birth or adoption of the child, this cannot always be guaranteed due to the uncertainty often associated with the expected date of a birth or adoption.

Paternity Leave will only be granted subject to business requirements and Employees will be required to submit proof of paternity, i.e. birth certificate or written confirmation from a medical practitioner, within one month of the birth or adoption of the child.

G.2 Bereavement / Compassionate Days

Purpose

This policy details North Tipperary Disability Support Service's approach to leave for Employees in the unfortunate event of bereavement or other situations where Compassionate Leave may be requested.

Scope

This policy applies to all Employees.

Policy

It is the policy of North Tipperary Disability Support Service to permit Employees to avail of 3 days paid leave in the unfortunate event of the death of one of the persons listed below:

- Partner or Spouse
- Child of an Employee
- Parent or parent in-law of an Employee
- Grandparent living with the Employee
- Brother or sister of an Employee
- Relative residing in the Employee's home

Each situation will be assessed on its own merits, taking consideration of the Employees individual circumstances and the requirements of the Organisation at the given time.

G.3 Expenses

Purpose

This policy details North Tipperary Disability Support Service's expense processing system, and the requirements for Employees to submit claims for expenses.

Scope

This policy applies to all Employees incurring personal expenses in the discharge of their duties.

Policy

Employees may, from time to time, incur reasonable business expenses in the course of their employment with North Tipperary Disability Support Service. All business related expenses may be reimbursed to Employees on receipt of a completed expense claim form and valid receipts.

Legitimate business expenses are related to travel undertaken in the course of employment, subsistence where away from the normal place of work, telephone and similar expenses made for and on behalf of North Tipperary Disability Support Service. These expenses must be agreed in advance.

Mileage will be paid in respect of all driving undertaken by an Employee in the course of Employment in their own personal vehicle. Privately owned motor vehicles must be insured for business use. Mileage rates will be advised to Employees on request. Mileage will need to be verified and approved by Management.

Procedure

Employees should submit their expense claims on the appropriate claim form on a weekly basis.

All expenses for the previous week must be submitted and associated receipts must be enclosed. This should be submitted to the Employee's Manager for approval.

Once approved, the claim form will be passed on for payment. Every effort will be made to reimburse expenses through payroll on the next payroll run.

G.4 Right of Search

Purpose

The purpose of this policy is to outline North Tipperary Disability Support Service's right of search with reference to Employees and their belongings.

Scope

This policy applies to all Employees of North Tipperary Disability Support Service.

Policy

It is a condition of Employment that any Employee may at any time be searched by a recognised member of Management/authorised person of North Tipperary Disability Support Service, who has the authority to search an Employee or his/her belongings, when they are entering or leaving the Organisation's premises, should there be a strong suspicion that the Employee is in possession of any property belonging to North Tipperary Disability Support Service.

An Employee found in possession of any property belonging to the Organisation or to any party other than the Employee being searched is liable to serious disciplinary action up to and including dismissal, following a full investigation in line with North Tipperary Disability Support Service's Disciplinary Procedure.

G.5 Personal Calls & Personal Mobile Phones

Purpose

The purpose of this is to outline North Tipperary Disability Support Service's policy in relation to the use of mobile phones and the taking of personal calls at work.

Scope

This policy applies to all Employees of North Tipperary Disability Support Service.

Policy

Personal mobile phones:

The use of personal mobile phones during work hours is discouraged. All personal mobile phones should be on "silent" or switched off during work hours. Any infringements of this rule will have serious consequences, up to and possibly including dismissal

Breach of this policy may result in disciplinary action up to and including dismissal.

G.6 Open Door

Purpose

The purpose of this is to outline North Tipperary Disability Support Service's commitment to the provision of a work environment which promotes honesty and openness.

Scope

This policy applies to all Employees of North Tipperary Disability Support Service.

Policy

North Tipperary Disability Support Service is committed to a workplace which is open and honest.

For this reason North Tipperary Disability Support Service operates an Open Door policy whereby Employees are encouraged to raise questions and discuss issues or concerns with Management.

Through the Open Door policy Employees may raise any work related issues or concerns which they feel are potentially unlawful, unethical or may cause harm to the company or other Employees. Employees are encouraged but not required to raise issues with their direct Manager. If they feel that it is appropriate to raise the issue with a different member of Management, they may do so.

Employees should raise any concerns or issues in a timely manner. Delays in bringing forward issues make it more difficult to conduct a thorough review, as relevant data may no longer be available and memories may fade.

North Tipperary Disability Support Service commits to treating all concerns seriously and in confidence. North Tipperary Disability Support Service will investigate any matter and will remain non-judgmental and focused on the facts.

Issues will be reviewed in a prompt, thorough, fair and confidential manner and a clear explanation of the findings will be given to the Employee, where appropriate.

G.7 Data Protection

Purpose

The purpose of this policy is to outline Employees and Employers rights and responsibilities under the Data Protection Act 1988 and the Data Protection (Amendment) Act 2003. North Tipperary Disability Support Service is committed to complying with its legal obligations with regard to the Acts.

Scope

This policy applies to all Employees of North Tipperary Disability Support Service.

Policy

Under the Data Protection Acts, Employees have a right to obtain a copy of any information relating to them kept on a computer or in a structured manual filing system regardless of when the data was created. Personnel records held by Employers come within the terms of the Acts. Employees can make access requests for information held about them.

Data Protection Principles

Under the Data Protection Acts, data must be:

- Obtained and processed fairly
- Accurate, complete and kept up to date
- Obtained only for one or more specified, explicit and legitimate purpose
- Shall not be processed in a manner incompatible with these purposes
- Adequate, relevant and not excessive
- Shall not be kept longer than is necessary=
- Should be controlled with appropriate security measures

Storage of personal data

Personal data kept by North Tipperary Disability Support Service shall normally be stored on the Employee's personnel file. Highly sensitive data such as medical reports will be stored in a separate file in order to ensure the highest levels of confidentiality.

North Tipperary Disability Support Service will ensure that only authorised personnel have access to an Employee's personnel file. It may be necessary to store certain other personal data e.g. salary details. The Employee's Manager or Supervisor may have access to certain personal data where necessary. North Tipperary Disability Support Service has appropriate security measures in place to protect against unauthorised access.

Collection and Storage of data

North Tipperary Disability Support Service processes certain data relevant to the nature of the Employment. North Tipperary Disability Support Service will ensure that personal data will be processed in accordance with the principles of data protection, as described in the Data Protection Acts, 1988 and 2003. Personal data is normally obtained directly from the Employee concerned. In certain circumstances, it will, however, be necessary to obtain data from third parties e.g. references from previous Employers.

Changes in Personal Details

Employees are responsible for ensuring that they inform their Manager of any changes in their personal details e.g. change of address. North Tipperary Disability Support Service will endeavour to ensure personal data held by is up to date and accurate.

North Tipperary Disability Support Service is under a legal obligation to keep certain data for a specified period of time.

In addition North Tipperary Disability Support Service will need to keep personnel data for a period of time in order to protect its legitimate interests.

Security and Disclosure of Data

North Tipperary Disability Support Service shall take all reasonable steps to ensure that appropriate security measures are in place to protect the confidentiality of both electronic and manual data. Security measures will be reviewed from time-to-time having regard to the technology available, the cost and the risk of unauthorised access. Employees must implement all company security policies and procedures e.g. use of computer passwords, locking filing cabinets etc.

HR data will only be processed for Employment-related purposes and in general will not be disclosed to third parties, except where required or authorised by law or with the agreement of the Employee. Employees who have access to HR files must ensure that they treat them confidentially. Employees must maintain the confidentiality of any data they have access to in the course of their Employment.

Employees must adhere to the data protection principles set out above. If Employees are in any doubt regarding their obligations they should contact the Data Protection Officer. Any breach of the data protection principles is a serious matter and may lead to disciplinary action up to and including dismissal.

Medical Data

Occasionally, it may be necessary to refer Employees to the company doctor for a medical opinion and all Employees are required by their contract of Employment to attend in this case. North Tipperary Disability Support Service will receive a copy of the medical report, which will be stored in a secure manner with the utmost regard for the confidentiality of the document.

Employees are entitled to request access to their medical reports. Should an Employee wish to do so, please contact your Manager who will consult with the doctor who examined you and request the data. The final decision lies with the doctor to decide whether the data should be disclosed to you or not in accordance with Statutory Instrument No. 82 of 1989. Employees are required to submit sick certificates in accordance with the sick pay policy. These will be stored by North Tipperary Disability Support Service having the utmost regard for their confidentiality.

Interview Records

North Tipperary Disability Support Service will retain records of interview notes, application forms etc. in order to ensure compliance with the Employment Equality Acts, 1998 and 2012 and with the company's Equal Opportunities Policy for a period of 12 months.

Data Protection Officer

Ann Ryan is the data protection officer for North Tipperary Disability Support Service. The Data Protection Officer has overall responsibility for ensuring compliance with data protection legislation. All Employees must co-operate with the Data Protection Officer when carrying out his/her duties.

The Data Protection Officer is also available to answer queries or deal with Employee's concerns about data protection.

Access Requests

Employees are entitled to request data held about them on computer or in relevant filing sets. This includes personnel records held by North Tipperary Disability Support Service. North Tipperary Disability Support Service will provide this data within 40 days. There is a charge of €6.35 for requesting this data. An Employee should make a request in writing to the Data Protection Officer, stating the exact data required.

Employees are only entitled to data about themselves and will not be provided with data relating to other Employees or third parties. It may be possible to block out the data relating to a third party or conceal his/her identity, and if this is possible the company may do so. Data that is classified as the opinion of another person, will be provided unless it was given on the understanding that it will be treated confidentially. Employees who express opinions about other Employees in the course of their Employment should bear in mind that their opinion may be disclosed in an access request, e.g. performance appraisals.

An Employee who is dissatisfied with the outcome of an access request has the option of using North Tipperary Disability Support Service's grievance procedure.

Right to Object

Employees have the right to object to data processing which is causing them distress. Where such objection is justified, North Tipperary Disability Support Service will cease processing the data unless it has a legitimate interest that prevents this. North Tipperary Disability Support Service will make every effort to alleviate the distress caused to the individual.

An objection should be made in writing to the Data Protection Officer, outlining the data in question and the harm being caused to the Employee.

G.8 Time Off for Medical Appointments

Purpose

The purpose of this policy is to outline North Tipperary Disability Support Service's position with regard to allowing time off for attending medical appointments.

Scope

This policy applies to all Employees of North Tipperary Disability Support Service. It applies in the event of Employees having medical appointments such as (but not limited to):

- Doctor
- Hospital
- Optician
- Physiotherapist
- Dental

This policy does not extend to Employees seeking time off for ante-natal appointments. This is covered under the Organisation's Maternity Leave policy.

Policy

In so far as is possible, medical appointments should be scheduled outside of business hours. Where this is not possible, evidence (such as appointment card) may be requested of the medical appointment or the Employee is expected to seek a relevant medical practitioner close to their normal place of work.

Subject to operational requirements, the Employee will be allowed reasonable time off to attend appointments, taking into account travel time, waiting periods etc. Where Employees take time off to attend medical appointments, the Employee will be expected to work hours in lieu of the time taken for the appointment or take annual leave.]

Procedure

Employees should give their line Manager as much notice as is reasonably practicable of medical appointments.

In general, reasonable time off for medical appointments will be allowed however this will be subject to operational requirements.

G.9 Privacy & Confidentiality

Purpose

The purpose of this policy is to outline the terms of North Tipperary Disability Support Service's Privacy and Confidentiality Policy.

Scope

This policy applies to all Employees of North Tipperary Disability Support Service.

Policy

North Tipperary Disability Support Service realise the sensitive nature of the service which we provide, and therefore we understand the importance of confidentiality. To maintain our competitive edge and customer confidence it is crucial that confidential information is protected and you may not discuss such information outside North Tipperary Disability Support Service. Employees may not, during your Employment or thereafter, divulge any details of North Tipperary Disability Support Service's business. All of our Employees are required to abide by the relevant codes of conduct.

All staff members have a legal and ethical duty to maintain any information in the strictest of confidence. All forms, paperwork and communications in writing are confidential and are the property of North Tipperary Disability Support Service. It is against company policy to make unnecessary copies of confidential documents.

North Tipperary Disability Support Service ensures that the gathering and storing of information complies fully with the Data Protection Act 1998 & 2003. Disclosure of confidential information may result in disciplinary action, up to and including dismissal.

G.10 Alcohol & Drug Free Workplace

Purpose

The purpose of this policy is to outline North Tipperary Disability Support Service's policy in relation to alcohol and drugs in the workplace.

Scope

This policy applies to all Employees of North Tipperary Disability Support Service.

Policy

It is the policy of North Tipperary Disability Support Service to adhere to the Safety, Health and Welfare at Work Act, under which Employers are obliged to provide a safe workplace for all Employees.

Employees, who are under the influence of alcohol or drugs at work, put both themselves and their fellow colleagues in danger. For this reason, the use of non-prescribed illegal substances, the abuse of prescribed legal substances, or the use of alcohol is strictly forbidden, during working time or at work. The possession of such substances while on the Organisation's premises or a Leader's premises is also prohibited.

No Employee should be under the influence of an intoxicant while at work. Employees who are suspected of being under the influence of drugs or alcohol while at work, or who are suspected of having alcohol or drugs in their possession may be subject to disciplinary action, up to and including dismissal.

Key Principles

Employees should not be adversely affected by alcohol or drug use during work hours and must at all times carry out their duties and responsibilities in a safe manner. Work premises are alcohol and drug free during. Use of alcohol or drugs outside of work hours should not impair performance and behaviour at work.

For the purpose of this policy, the term alcohol and drugs will be defined as mood altering substances, either legal or illegal. This includes alcohol, abuse of prescribed medication with or without a prescription as well as the use of illegal substances.

Policy

It is the policy of North Tipperary Disability Support Service to adhere to the Safety, Health and Welfare at Work Act, 2005 under which Employers are obliged to provide a safe workplace for all Employees. Employees are responsible for adhering to this policy as failure to do so may compromise the health, safety and welfare of themselves and their colleagues. For this reason, the use of non-prescribed illegal substances, the abuse of prescribed legal substances, or the use of alcohol is strictly forbidden, during working time or at work. The possession of such substances while on the Organisation premises is also prohibited.

Employees taking prescription drugs that are not recommended to be taken whilst driving a car or operating machinery should notify their Supervisor where the role may necessitate either driving or the operation of machinery.

Action where an Employee is suspected of being unfit for Work

In any instances of suspected intoxication in the workplace, the Manager or Supervisor will record the factors supporting this conclusion, for example: smell of alcohol on breath, dilated pupils, impaired co-ordination or speech. The first step will be for the Supervisor to request an immediate meeting with the Employee.

The factors leading to the concern will be outlined to the Employee who is suspected of being under the influence of drugs or alcohol. The Employee will be sent home immediately. Payment of wages may be deducted for that day.

Where an Employee is removed from the site/the premises, North Tipperary Disability Support Service will use reasonable endeavours to ensure that individual travels home in a safe manner. An Employee found in possession of illegal substances will be reported to An Garda Siochana. An Employee who is suspected of being under the influence of drugs or alcohol while at work, or who is otherwise unsafe for work, or who is suspected of having alcohol or drugs in their possession may be subject to disciplinary action, up to and including dismissal.

Procedures regarding Identification of Alcohol or Drug use

An Employee with an addiction problem should be assured that every assistance will be given to them if they are willing to try to overcome the problem and that the matter will be treated in strict confidence. Any Employee who suspects he/she has an alcohol and / or drugs problem is encouraged to seek help voluntarily. This request should be made to the Supervisor on a personal basis. Time off work to obtain help may be offered if necessary.

Confidentiality

North Tipperary Disability Support Service aims to ensure that the confidentiality of all Employees experiencing alcohol or drug problems is maintained. Information regarding individual cases will not be shared with third parties unless consent has been provided by the individual or the safety of the person concerned or others is comprised.

G.11 Violence at Work

Purpose

The purpose of this policy is to outline North Tipperary Disability Support Service's policy in relation violence in the workplace.

Scope

This policy applies to all Employees of North Tipperary Disability Support Service .

Policy

Workplace violence occurs where people, in the course of their Employment, are aggressively verbally abused, threatened or physically assaulted.

Under the Safety, Health and Welfare at Work, Employers are under an obligation to create a safe work environment for all Employees. For this reason North Tipperary Disability Support Service does not tolerate workplace violence.

Procedure

Employees have a responsibility not to endanger themselves or any other person they may reasonably be expected to come in contact with in the course of their Employment.

Where there is a suspected incident of violence at work, this will be investigated in accordance with North Tipperary Disability Support Service's normal disciplinary procedures.

Violence at work is considered gross misconduct and may result in summary dismissal. Where an act of violence has occurred, North Tipperary Disability Support Service will report the incident to the Health and Safety Authority on the IR1 form, where appropriate and will also store a copy of the report internally.

Employees who wish to make a complaint in relation to violence at work can do so under North Tipperary Disability Support Service's normal grievance procedure.

G.12 Use / Possession of Organisational Property

Purpose

The purpose of this policy is to outline North Tipperary Disability Support Service's position in relation to Organisational Property.

Scope

This policy applies to all Employees of North Tipperary Disability Support Service.

Policy

Where there is an identified business need, Employees may be provided with equipment, protective clothing or other such items as may be appropriate in order to enable them to carry out their duties. These items remain the property of North Tipperary Disability Support Service. These items should only be used for business purposes and are not for personal use. Any infringements of this rule will have serious consequences, up to and possibly including dismissal.

All property of North Tipperary Disability Support Service should be left on-site unless authorised by management. Employees should exercise due care when using the Organisation's property. Damage or misuse of Organisational property is considered misconduct and may result in disciplinary action up to and including dismissal.

Upon termination of Employment all Organisational property must be returned to North Tipperary Disability Support Service.

G.13 Protected Disclosure (Whistleblower)

Purpose

The purpose of this policy is to demonstrate North Tipperary Disability Support Service's commitment to observing and maintaining the highest standards of honesty, openness and accountability in all of our practices. Our whistleblowing policy is intended to encourage and enable workers to raise concerns or disclose information within our workplace rather than overlooking a problem without fear of penalisation or threat of less favourable treatment, discrimination or disadvantage.

Scope

This policy applies to all workers within North Tipperary Disability Support Service, including Employees, Volunteers, Consultants, Contractors, Trainees, Agency Workers, Interns and those on work experience.

This policy is not appropriate for dealing with issues of harassment, sexual harassment, bullying or individual grievances which may relate to dissatisfaction with workplace relationships, the work environment or a term or condition of employment. Such matters should be addressed through the appropriate procedures as set out by North Tipperary Disability Support Service.

In addition, this policy is not designed to replace any legal reporting or disclosure requirements arising under other legislation. Where statutory reporting requirements or procedures exist, these must be fully complied with.

Policy

What is 'Whistleblowing'?

Whistleblowing is the term used when a worker raises a concern about a relevant wrongdoing such as possible fraud, crime, danger or failure to comply with any legal obligation which came to the worker's attention in connection with the worker's employment. 'Relevant wrongdoings' are broadly defined in the Act and include the following:

- That an offence has been, is being or is likely to be committed;
- That a person has failed, is failing or is likely to fail to comply with any legal obligation, other than one arising under the individual's contract of employment or other contract whereby the individual undertakes to do or perform personally any work or services;
- That a miscarriage of justice has occurred, is occurring or is likely to occur;
- That the health and safety of any individual has been, is being or is likely to be endangered;
- That the environment has been, is being or is likely to be damaged;
- That an unlawful or otherwise improper use of funds or resources of a public body, or of other public money, has occurred, is occurring or is likely to occur;
- That an act or omission by or on behalf of a public body is oppressive, discriminatory or grossly negligent or constitutes gross mismanagement; or
- That information tending to show any matter falling within any of the points above has been, is being or is likely to be concealed or destroyed.

What is meant by a Reasonable Belief?

Although a worker is not expected to prove the truth of the facts in a disclosure, they must have a 'reasonable belief' that there are grounds for their concern when making a disclosure using the internal procedure. A reasonable belief means that the belief is based on reasonable grounds.

This does not mean the belief has to be correct. The individual should also not have unlawful and / or unethical objectives in reporting a concern. If an individual is uncertain as to whether a concern is a Protected Disclosure within the scope of this policy he/she should seek guidance from their Manager or the Protected Disclosures Officer.

Procedure for Raising a Concern

This procedure enables all workers to raise any genuine concern(s) relating to North Tipperary Disability Support Service in the right way and at an early stage in the confidence that he/she will not be penalised or suffer detriment for having done so.

Raising a Concern Internally

In the first instance, a worker is encouraged to raise any concern(s) to their Manager. However, should the worker feel that it is not appropriate or feel uncomfortable disclosing such information to their Manager, the worker should raise any concern(s) to a more Senior Manager or the Protected Disclosure Officer and confirm that a Protected Disclosure is being made in accordance with this policy. Concerns may be raised verbally or in writing. Should a worker raise a concern verbally a written record of the conversation will be kept and a copy provided to the worker.

The disclosure should state:

- The name of the person(s), body or otherwise referred to;
- Give a description of the 'relevant wrongdoing'; Provide any information that tends to show the 'relevant wrongdoing', including dates/times and locations so as to assist the investigation of the matters raised in the disclosure;
- Name of witnesses to any 'relevant wrongdoing'

Confidentiality

North Tipperary Disability Support Service is committed to taking all reasonable steps to protect the identity of the worker making a disclosure and to ensure that relevant disclosures are treated in confidence. However, there are circumstances, as outlined in the Protected Disclosures Act 2014, where confidentiality cannot be maintained. This may include instances in which the worker has made it clear that he/she has no objection to his/her identity being disclosed or the identity of the person making the disclosure is critical to an investigation of the matter raised. Should such a situation arise, the Organisation will make every effort to inform the worker that his/her identity may be disclosed.

All workers involved in the process must respect the need for confidentiality. A failure to do so may represent a serious disciplinary offence, up to and including dismissal or other sanction.

Raising a Concern Anonymously

A concern(s) may be raised anonymously. However on a practical level it may be difficult to investigate such a concern(s). North Tipperary Disability Support Service encourages all workers to put their names to allegations, with our assurance of confidentiality where possible, in order to facilitate appropriate follow-up. This will make it easier for North Tipperary Disability Support Service to assess the disclosure and take appropriate action including an investigation if necessary.

How the Organisation will deal with a Concern

In the event of a concern being raised, North Tipperary Disability Support Service will arrange a meeting with the worker to discuss the matter on a strictly confidential basis. The meeting will be conducted by an independent member of Management or external assistance may be necessary in some circumstances so as to ensure impartiality, objectivity and fairness. A worker is permitted to have a representative present (colleague or trade union representative).

North Tipperary Disability Support Service will clarify at this point if the concern is appropriate to this procedure or is a matter more appropriate to our other procedures, for example our Grievance or Dignity in the Workplace procedures.

Having met with a worker in regard to concerns raised and clarified that the matter is in fact appropriate to this procedure, the concerns raised may be subject to an initial examination by a designated independent member of management or other appropriate person, with a view to determining an appropriate course of action. This may involve simply clarifying certain matters, clearing up misunderstandings or resolving the matter by agreed action without the need for an investigation.

Should this approach be deemed inappropriate or inconclusive or where deemed appropriate, matters raised in the disclosure may:

- Be investigated internally by an appropriate independent member of management or other appropriate person;
- Be referred to an external enforcement agency or regulator;
- Be referred to An Garda Siochana.

Where an internal investigation takes place, this will be governed by the terms of reference which will detail the likely time frame for its completion (an indicative timeframe will be outlined) and the scope of the investigation.

The investigation will be conducted by an independent member of Management or external assistance may be necessary in some circumstances so as to ensure impartiality, objectivity and fairness. Any worker making a protected disclosure or any worker against whom a concern has been made is entitled to be accompanied by a representative (colleague or trade union representative). The investigation will be conducted thoroughly, objectively and with sensitivity. Utmost confidentiality will be protected in so far as it is reasonably practicable.

Where possible or appropriate, North Tipperary Disability Support Service will keep the worker who made the disclosure informed of actions taken. Such information should be treated as confidential. Sometimes the need for confidentiality may prevent the Organisation however from giving specific details of any steps, including the outcome of any investigation or sanctions taken as a result.

Internal Investigation Outcomes

Every reported issue will be taken seriously. Appropriate action will be taken based on the outcome of any actions or investigation undertaken. Measures will be taken against a worker where an investigation finds sufficient evidence to conclude that the concern(s) raised by the whistleblower was justified. This may include formal disciplinary action, or other appropriate sanction or intervention deemed necessary to prevent a recurrence of the 'relevant wrongdoing'. Prior to any disciplinary action being taken, a fair disciplinary hearing will be held in line with North Tipperary Disability Support Service's disciplinary procedure.

Where an investigation is inconclusive or the concern is not upheld, there will be no negative inference against any party to the concern raised. All parties to the disclosure(s) will be expected to continue working as normal, and to conduct themselves in an appropriate manner at work.

A worker is not expected to prove the truth of any concern raised. However, the worker must have a reasonable belief that there are grounds for their concern. An appropriate sanction may be taken against any worker who is found to have made a deliberately false disclosure or raised a concern with malicious intent.

Safeguards and Penalisation

No worker engaging in the procedures outlined here will be penalised or subject to unfavourable treatment for their role in the process, whether they are making a protected disclosure in good faith, supporting a disclosure, giving evidence in proceedings or giving notice of any intention to do any of the foregoing. Penalisation means any act or omission that affects a worker to the individual's detriment and may include suspension, lay-off, dismissal, demotion, loss of opportunity for promotion, transfer of duties, change of location of place of work, reduction in wages, change in working hours, the imposition or administering of any discipline, reprimand or other penalty (including a financial penalty), unfair treatment, coercion, intimidation, harassment, discrimination, disadvantage, unfair treatment, injury, damage, loss or threat of reprisal.

Each worker is also responsible for not causing detriment to another person because the other person or a third person has made a protected disclosure. A detriment in this context includes coercion, intimidation, harassment, discrimination, disadvantage, adverse treatment in relation to employment (or prospective employment), injury, damage, loss or threat of reprisal.

Any worker involved in such conduct may, depending on the seriousness of the issue, be deemed gross misconduct by the Organisation and may result in summary dismissal or other appropriate action.

A worker who believes that they have suffered any such treatment should inform their Manager, Senior Manager or the Protected Disclosures Officer immediately. If the matter is not remedied a worker should raise it formally using the Organisation Grievance Procedure.

OTHER CHANNELS – RAISING CONCERNS OUTSIDE OF THE WORKPLACE**Raising Concerns Externally**

The aim of this policy is to provide an internal avenue within the workplace in which a concern(s) or in regard to a 'relevant wrongdoing' can be raised. North Tipperary Disability Support Service is confident that such concerns can be dealt with 'in house' and strongly encourages all workers to report such concerns internally.

However, it is recognised that in some limited circumstances it may not always be appropriate to report any genuine concerns internally and that it may be necessary to raise a concern(s) externally. The Protected Disclosures Act 2014 provides for a number of avenues in this regard.

It is important to note however, that the evidential criteria for making an external disclosure is set at a higher level than that applying to raising a concern(s) internally. While a worker need only have a reasonable belief as to wrongdoing to make a disclosure internally, if a worker is considering an external disclosure, different and potentially more onerous obligations apply depending on to whom the disclosure is made.

RESPONSIBILITIES

Management will endeavour to ensure that this policy is communicated to all workers and will ensure that the policy is maintained and updated in line with legislative changes and any amendments to the relevant Code of Practice. Where required, measures will be taken to ensure the accessibility of policies and procedures for all workers.

All workers are expected to comply with this policy and to raise issues of concern through the procedures outlined in the policy.

Protected Disclosures Officer

Patricia Carroll

067-34202

ntdss@eircom.net

G.14 Exit Interview

Purpose

The purpose of this procedure is to identify workplace, Organisational or human resources factors which have contributed to an Employee's decision to leave employment at North Tipperary Disability Support Service or from a given department or function, with a view of identifying any trends requiring attention or any opportunities for improving North Tipperary Disability Support Service's ability to respond to Employee issues, and to retain key people.

Scope

This policy applies to all Employees of North Tipperary Disability Support Service.

Policy

The exit interview procedure is designed to enable the Organisation to monitor the reasons for people leaving North Tipperary Disability Support Service and the effectiveness of policies and procedures in providing a good working environment.

Once the leaving date has been confirmed, the Manager should arrange to have either a one-to-one discussion or make arrangements with the Employee to complete an Exit Interview questionnaire.

The aim is give the leaver the opportunity to discuss their experience of working for the Organisation in a confidential and objective manner.

Where relevant and/or possible, this feedback can be used to constructively highlight any areas of good practice or concern to make adjustments for Employees remaining.

The results and analysis of exit interviews provide relevant and useful data that can feed directly into a number of areas within North Tipperary Disability Support Service including:

- Managers' understanding and experience of managing people
- Training needs analysis and training planning processes
- How to improve recruitment and induction of new Employees
- How to improve staff retention
- Culture

Additional Information

If an Employee requires any additional information with regards to the procedure in relation to Exit Interviews, please contact your Manager.

G.15 Child Protection

Purpose

The purpose of this is to outline North Tipperary Disability Support Service's position in relation to Child Protection.

Scope

This policy applies to all Employees of North Tipperary Disability Support Service.

Policy

North Tipperary Disability Support Service has a separate Child Protection Policy and Procedure which is made available to all staff and supported by appropriate training.

It is the policy of North Tipperary Disability Support Service to safeguard the welfare of all children by protecting them from harm.

North Tipperary Disability Support Service works on the premise that the welfare of the child is of paramount importance and always comes first, regardless of all other considerations.

North Tipperary Disability Support Service acknowledges the rights of children to be protected, treated with respect, listened to and have their own views taken into consideration. North Tipperary Disability Support Service also acknowledges that child protection is the responsibility of all Employees, who will work in an open and honest manner.

Regarding concerns of child abuse, no undertaking of secrecy will be given by those working with a young person and their family. Any Leader or Service User will be made aware that if an issue of child protection arises, information cannot remain confidential within North Tipperary Disability Support Service.

North Tipperary Disability Support Service will work to ensure that children are protected and kept safe from harm while they are with staff and volunteers of the Organisation.

They will do so by ensuring the following procedures are in place and that all Employees are competent in knowing and following these procedures:

- Procedures for reporting suspected or disclosed abuse;
- Procedures for dealing with allegations against staff and volunteers;
- Confidentiality procedure;
- Complaints procedure;
- Recruitment procedure;
- Supervision, training and support for staff;
- Code of Behaviour for Employees;
- Safe management of activities.

North Tipperary Disability Support Service is committed to regular reviews of its Child Protection Policy and Procedures.

G.16 General Organisational Guidelines

Purpose

The purpose of this procedure is to identify any other applicable policies and procedures which Employees of the Organisation are required to adhere to and be aware of in the course of their employment.

Scope

This policy applies to all Employees of North Tipperary Disability Support Service.

Policy

Lay Off and Short-time

North Tipperary Disability Support Service reserves the right to lay Employees off from work or reduce their working hours where, through circumstances beyond its control, it is unable to maintain you in full employment.

- Employees will receive as much notice as is reasonably practicable prior to such lay-off or short-time.
- Employee will not be paid during the lay-off period.
- Employee will be paid for hours actually worked during the periods of short-time.

Acceptance of Gifts

North Tipperary Disability Support Service acknowledges that from time to time Employees may receive gifts from Leaders or Service Users. The acceptance of gifts or favours from clients leaves the recipients open to possible allegations that they have been placed under a sense of obligation and that in consequence their impartiality is impaired. In principle, therefore, unless such gifts or favours are trivial or are generally available to others, they must not be accepted without the Organisation's approval.

Criminal Offences

Due to the nature of North Tipperary Disability Support Service's business and clientele, Employees are required to notify the Organisation within 48 hours of being charged with an arrestable offence irrespective of whether or not it relates to their employment.

Additional Policies Related to Employment

Employees should be familiar with and adhere to the following policies in operation within North Tipperary Disability Support Service including, but not limited to:

- Children First
- Lone Working
- Trust in Care
- Development of Relationships between Leaders and Personal Assistants

These policies are located in the Office and all Employees are required to be familiar with, and adhere to same.

G.17 Unpaid Leave

Purpose

North Tipperary Disability Support Service is committed to the principle of Work-Life Balance. This policy outlines a non-statutory leave arrangement and has been developed and introduced by North Tipperary Disability Support Service to enable Employees to meet work demands while at the same time attending to responsibilities outside the workplace.

Scope of the Policy

The policy applies to all North Tipperary Disability Support Service Employees with at least one year's service.

Procedure

Discretionary Unpaid Leave can be taken in blocks of 4-12 weeks.

There is no automatic entitlement to leave under this policy. Applications will be assessed on an individual basis in line with the operational considerations of the team and the Organisation. The Manager will consider the number of applicants from his/her department before approving an application for Discretionary Unpaid Leave. The Manager must ensure in making his/ her decision that the operational requirements of the team/department will not be adversely affected.

Subject to the requirements of the Organisation, this Policy will be reviewed annually.

Terms and Conditions of Employment

The entitlement of participants to public holidays falling within the period of the Discretionary Unpaid Leave will be as determined by the provisions of the Organisation of Working Time Act 1997.

A full-time Employee who has not been absent for more than 13 weeks prior to the public holiday is entitled to benefit from the public holiday. Part-time Employees will need to have worked 40 hours in the 5 weeks preceding the public holiday in order to be entitled to a benefit in that respect.

The employee on Discretionary Unpaid Leave is deemed for all purposes, other than the right to remuneration and superannuation benefits, to be in employment. The period of leave will not count as pensionable service.

Where possible, an employee is entitled to return to work at North Tipperary Disability Support Service at the end of the Discretionary Unpaid Leave to the post held immediately prior to the leave and under the same contract, terms and conditions of employment.

Applications Procedure

Employees should apply in writing to Patricia Carroll by completing the Discretionary Unpaid Leave Application Form, stating the number of weeks unpaid leave without pay for which they wish to apply (maximum of 12 weeks).

Applications must be submitted in writing to your Line Manager no later than 3 months prior to the leave taking place. Employees will be informed in writing two weeks after the application has been received if their leave has been granted.