



Employee Handbook



EMPLOYEE HANDBOOK



Employee Handbook

Introduction

You are now part of a strong team and your contribution is very important in driving our organisation forward. We welcome you to the team and hope you will be happy in your employment with the organisation.

Together as a team we strive to drive the organisation forward and to that end this handbook is a helpful tool as well as a detailed reference on the policies and procedures within our Organisation.

To help ensure you can carry out your duties effectively we are committed to providing you with full training and support. The organisation's successful growth depends directly on each and every employee making a positive contribution. This handbook has been produced to help you understand more about our Organisation and to provide you with a point of reference for any questions you might have about working for us, or about the terms and conditions of your employment.

From time to time changes to the contents may be necessary, and we reserve the right to modify or discontinue the benefits, policies and terms and conditions described in this handbook. Notification of such changes will be given by the Manager. Any variations to your contractual terms will be notified to you individually.

We are committed to the principles of equal opportunity in our employment practices. We aim to ensure that no employee receives less favourable treatment due to gender, civil status, family status, age, disability, race/ethnicity, sexual orientation, religious belief or membership of the traveller community, or is disadvantaged by any conditions or requirements being placed on him/her, which cannot be justified. We will not condone any discriminatory act or attitude in the conduct of our relationship with our employees, leaders, suppliers or anyone with whom we deal and we look to you to support us in implementing these policies.

We hope that you settle quickly into your new role, and that you have a long, successful and happy relationship with us. This handbook should be a useful tool in supporting your employment here at Donegal Centre for Independent Living.



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Adoptive leave policy

1. Introduction to adoption rights and benefits

This policy sets out the rights of employees to statutory adoption leave and pay.

An employee who adopts a child is entitled to 24 consecutive weeks adoptive leave, commencing on the placement of the child. An additional 16 weeks can be taken, commencing immediately after the end of adoptive leave.

All employees who take adoptive leave will be deemed to be in employment and their employment rights with the exception of remuneration, are deemed to be the same as if they were in employment.

2. Who qualifies for adoptive leave?

All adopting employees whether female or sole male adopters, permanent/temporary, full time or part time, are entitled to time off work for adoptive leave.

Employees on fixed term contracts are covered by this procedure. However, if their contract is due to expire during adoptive leave/ additional leave, the leave expires on the end date specified on their contract.

3. Timing of adoptive leave

Adoptive leave can start on the day the child is placed for adoption, or up to 14 days earlier.

In order to make administration as easy as possible, the employee should discuss the timing of his/her adoptive leave with his/her immediate manager as early as possible.

4. Notice requirements

The employee must notify their manager of their intention to take adoptive leave in writing 6 weeks in advance.

5. Rights during adoptive leave

During adoption leave and additional adoption leave, all terms and conditions of the employee's contract except pay will continue. Employees may be entitled to Adoptive Benefit through Social Welfare if they have built up enough PRSI contributions.

This means that, while sums payable by way of wages or salary will cease, all other benefits will remain in place. For example, holiday entitlement will continue to accrue.



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Employees are encouraged to take any outstanding holiday due to them before the commencement of adoptive leave. Employees are reminded that holiday must be taken in the year that it is earned.

6. Contact during adoptive leave

Donegal Centre for Independent Living reserves the right to maintain reasonable contact with employees during adoption leave. This may be to discuss employees' plans for return to work, to discuss any special arrangements to be made or training to be given to ease their return to work or to update them on developments at work during their absence.

Failure to return to work by the end of adoptive leave will be treated as an unauthorised absence unless the employee is sick and produces a current medical certificate before the end of the adoptive leave period.

If the employee decides during adoptive leave that he/she does not wish to return to work, he/she should give written notice of resignation to the organisation as soon as possible and in accordance with the terms of his/her statement of terms and conditions of employment.



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Annual Leave Policy

1. Your annual holiday entitlement is shown in your individual Statement of terms and conditions of employment.
2. The holiday year runs from the 1st of January to the 31st of December.
3. If you leave the organisation and have taken more than your annual leave entitlement a deduction will be made in your final pay period of any annual leave overtaken.
4. It is our policy to encourage you to take all of your holiday entitlement in the current holiday year. We do not permit holidays to be carried forward unless there are exceptional circumstances and this is at the discretion of the Management. Any authorisation of holidays carried forward will be done so in writing.
5. 75% of your annual leave entitlement should be taken by 30th September in each year.
6. You should complete your annual leave card for all holiday requests and have it signed by your Line Manager before making any firm holiday arrangements.
7. Holiday requests will only be considered if you present them on your annual leave card and we will allocate agreed holiday dates whilst ensuring that operational efficiency and minimum staffing levels are maintained throughout the year.
8. You should give at least three weeks' notice of your intention to take holidays.
9. You may not normally take more than two consecutive working weeks at any one time except in exceptional circumstances and at the discretion of the Management.
10. Your holiday pay will be at your normal basic pay unless shown otherwise on your Statement of terms and conditions of employment.
11. The organisation reserves the right to nominate when holidays may be taken. You will be given not less than four weeks advance notification of those dates and periods on which holidays may be taken.
12. The final decision in allocating leave rests with the Management.



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Bereavement policy

You may be entitled to 3 days paid leave in the case of a death of a member of your immediate family i.e. parent, partner, spouse, sibling, child or Grandparent. You should discuss your circumstances with your Manager and agree appropriate time off. In the event of a death of a member of your extended family or of a close friend, you will receive unpaid time off.



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Code of Conduct

Policy Statement

All employees of Donegal Centre for Independent Living are expected to meet certain standards of behaviour and carry out their duties in an ethical and diligent manner, respecting the health and safety of other employees, clients, contractors and visitors to our organisation.

The following Code of Conduct acts as a guideline for employees on certain issues. It is not exhaustive and merely illustrates the standard of behaviour required.

Compliance with the Code of Conduct is designed to ensure the highest possible service and a high standard of professionalism from our staff.



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1. Introduction

In carrying out its work, Donegal Centre for Independent Living is very much in the public eye and it is obviously important that public confidence in the integrity of the organisation and its employees is maintained. It is therefore reasonable for the organisation to expect its employees to support a Code of Conduct, which aims to protect such integrity.

Employees should, in the course of their employment with the organisation at all times:

- a. Have regard to the reputation and interest of the organisation.
- b. Strive for the highest standards of care and attention in their work.
- c. Comply with all statutory requirements and at all times work within the law.
- d. Bring to the attention of the Manager or member of the management team any departure from legal and statutory requirements, which may be encountered in the course of their duties.
- e. Respect the confidentiality of any information acquired during the course of their employment.
- f. Never abuse their position by accepting inducements or bribes.
- g. Work within the terms and conditions of their employment.
- h. Work within the health and safety procedures as set out in the Health & Safety policy.
- i. Be mindful of any conflicts of interest pertaining to their employment and explain them fully to his/her manager at the earliest opportunity for consideration.
- j. Use the organisations resources appropriately and not for personal benefit.

2. Time Keeping

Employees are required to arrive at work on time, according to the terms and conditions of their statement of terms and conditions of employment. Lateness and the reason for lateness should be explained to the employee's manager, preferably before the time the employee is expected to arrive for work.

It is an expectation of employment that you may on occasion be requested to remain at your work beyond your normal finishing time, e.g., to cover for emergencies until your manager makes arrangements for adequate and satisfactory cover.

Lateness or absence may result in disciplinary action and/or loss of appropriate payment.

3. Absence

Absence from work, and the reason for absence, should be notified as soon as possible to the employee's manager, before the time the employee is expected to arrive for work, and in line with the organisation Sickness and Absence policy and procedures. Absence which is



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considered to be unreasonable or excessive, and which cannot be reasonably explained, will be subject to investigation and possible disciplinary action.

4. Organisation Property

It is expected that employees respect, treat with care and have due regard to all properties and belongings of the organisation.

Employees should be aware and mindful of the health and safety of themselves and others when using organisation property and when using equipment belonging to the organisation. They are expected to maintain a high standard of personal housekeeping in line with the Health and Safety policy and good work practices.

Neglect, abuse and theft of any of the organisations property, stock or cash is a disciplinary offence.

5. Confidentiality

All information regarding the affairs of the organisation, its employees and client group is strictly confidential and must not on any account be disclosed to third parties without express permission from a member of the management team.

6. Use of Facilities

No paid outside work of any sort should be undertaken at your place of work and no use should be made of office facilities (such as telephones, postage or access to secretarial support) in connection with such work. This prohibition extends to unpaid or voluntary activity unless you have permission, preferably written, from a member of the management team.

7. Gifts and Hospitality

No employee of Donegal Centre for Independent Living should place themselves in a position where they feel under an obligation that might influence or be perceived to influence the conduct of their duties. Equally, the organisation wishes to protect employees from allegations of favour, inducement or corruption. Employees should therefore, exercise the utmost discretion in accepting hospitality or gifts.

The organisation insists that gifts or benefits in kind with a significant monetary value be declined. However, small gifts may be accepted, where not to do so might cause offence.

Details of gifts or hospitality received must be reported to your manager.



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8. General Behaviour

Employees are expected to behave with respect, courtesy and consideration towards fellow employees and to observe professional boundaries in all their relationships with staff and contractors.

Employees must behave in a manner not likely to cause offence to any other employee or any person with whom they have dealings in a work capacity.

Employees must not in any way ignore, harass, intimidate, threaten, coerce or abuse fellow employees of Donegal Centre for Independent Living.

Employees are expected to observe all Health and Safety rules.

Employees must endeavour to maintain a safe and tidy workplace, and similar consideration should be shown in the use of kitchens, washrooms, cloakrooms and lavatories.

Employees found unfit for work during working time due to alcohol or drug abuse will be suspended from duty until they are fit to return to work, following which a full investigation will be undertaken, which may result in disciplinary action.

9. Criminal Convictions

Employees involved in legal proceedings, concerning either their work or personal circumstances must advise their manager as soon as possible. As a result of a thorough risk assessment, depending on the offence and its effect on the employee's work and the reputation of the organisation, the management team will decide whether to refer the matter through the disciplinary channels.

10. Contact With Media

Employees or ex-employees may not communicate in any way with the press or media on matters concerning the organisation's affairs and should refer any matters to the management team.

11. Violations

Failure to adhere to the standards of the Code of Conduct may result in disciplinary action up to and including dismissal.



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Dignity at work policy and procedure

Policy Statement

Donegal Centre for Independent Living protects you from bullying, harassment and sexual harassment regardless of whether it is carried out by a work colleague, client, member of the public, business contact or any other person whom you might come into contact with during the course of your work. It aims to inform you of your rights and responsibilities in terms of maintaining a working environment that is free from bullying, harassment and sexual harassment. It also outlines the complaints procedure to be followed if you feel that you have been a victim of any form of behaviour that undermines your dignity.

Principles

- The policy sets out a complaints procedure to ensure that complaints are dealt with promptly and with sensitivity
- The policy states that all employees, regardless of their position, have a responsibility to treat their colleagues with dignity and respect and to maintain a working environment where bullying and harassment are not tolerated.
- This policy extends beyond the immediate workplace to:
 - ✓ Places where employees are representing the organisation
 - ✓ Social functions, assignments or conferences that are in relation to a person's work
 - ✓ Communication that occurs within the organisation – telephone calls, emails, memos, letters or internet; and
 - ✓ Communication in the public domain referring to the organisation or any of its employees e.g. Social network or blogs.

The organisation will not tolerate any form of bullying or harassment and is committed to investigating and dealing with any instance and implementing the Disciplinary Procedure where appropriate.

Employees' Responsibilities

You must comply with the policy and ensure that your behaviour does not cause offence to fellow workers or any person whom you come into contact during the course of their work. You should discourage bullying and harassment by objecting to inappropriate behaviour. You must inform a manager if you are concerned that a colleague is being bullied or harassed. As a duty of care to our employees, management will intervene where a situation of bullying or harassment has become apparent.



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Harassment

What is harassment?

The anti-discrimination and equality laws define harassment as follows:

Harassment is unwanted conduct related to gender, civil status, family status, age, disability, race/ethnicity, sexual orientation, religious belief or membership of the traveller community, which has the purpose or effect of violating a person's dignity or of creating an intimidating, hostile, degrading, humiliating or offensive environment for that person. It can be a one-off event or persistent and repeated behaviour.

Many forms of behaviour can constitute harassment; examples include, but are not limited to:

- Physical conduct such as assaulting a person or making obscene gestures;
- Verbal conduct such as making racist, sexist or homophobic remarks; making derogatory comments about a person's age or disability; or singing songs of this nature;
- Visual or written material containing racist, sexist, homophobic or other derogatory words or pictures (e.g. in posters, text messages, graffiti, letters or emails);
- Isolating or refusing to co-operate with, a person at work, or excluding them from work-related social activities;
- Coercing, or applying pressure to a person, to get them to participate in religious groups, or to offer sexual favours.

Harassment is defined as a form of unlawful discrimination. Donegal Centre for Independent Living is committed, however, to discouraging all forms of harassment, regardless of whether it is unlawful under the anti-discrimination laws or not. For example, if behaviour of the kind listed in the bullet-points above occurs but is not related to any of the equality grounds (such as political opinion, etc.); it is still unacceptable behaviour and will not be tolerated under this policy.

Bullying

What is bullying?

Bullying is a gradual wearing down process comprising a sustained form of psychological abuse that makes victims feel demeaned and inadequate. Bullying is defined as offensive, intimidating, malicious or insulting behaviour, or an abuse or misuse of power, which has the purpose, or effect of intimidating, belittling and humiliating the recipient, leading to loss of self-



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esteem for the victim and ultimately self-questioning his or her worth in the workplace and society as a whole.

An isolated incident of the behaviour described in this definition may go against your dignity at work but as a once off incident it is not considered to be bullying, e.g. an occasional bout of anger or a difference of views. A key element of bullying is that it usually takes place over a period of time. It is regular and repeated inappropriate behaviour that is specifically targeted at one employee or a group of employees.

Fair and constructive criticism of an employee's performance, conduct or attendance does not constitute bullying. Complaints relating to assignment of duties, terms and conditions of employment or other matters, which are appropriate for consideration under the normal grievance procedure, do not constitute bullying.

Examples of bullying

Workplace bullying can range from extreme forms such as violence and intimidation to less obvious actions, like deliberately ignoring someone at work. These can be split into two categories:

The obvious:

- Shouting or swearing at people in public and private
- Persistent criticism
- Ignoring or deliberately excluding people
- Persecution through threats and instilling fear
- Spreading malicious rumours
- Constantly undervaluing effort
- Dispensing disciplinary action that is totally unjustified
- Spontaneous rages, often over trivial matters

The less obvious:

- Withholding information or supplying incorrect information
- Deliberately sabotaging or impeding work performance
- Constantly changing targets
- Setting individuals up to fail by imposing impossible deadlines
- Levelling unfair criticism about performance the night before an employee goes on holiday
- Removing areas of responsibility and imposing menial tasks
- Blocking applications for holiday, promotion or training



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The actions listed must be viewed in terms of the distress they cause the individual. It is the perceptions of the recipient that determine whether any action or statement can be viewed as bullying.

What is Sexual Harassment?

Sexual harassment is defined as a conduct of a sexual nature that has the purpose or effect of going against a person's dignity and creating an intimidating, hostile, degrading, humiliating or offensive environment. Such conduct may take the form of unwanted verbal, non-verbal or physical conduct of a sexual nature. This may include acts of physical intimacy, any requests for sexual favours, or any other act or conduct including spoken words, gestures or the production, display or circulation of written words, pictures or other material that is unwelcome and could be reasonably regarded as sexually offensive, humiliating or intimidating. Sexual harassment may consist of a single incident or repeated inappropriate behaviour. It may be targeted at one employee or a group of employees.

Examples of sexual harassment include but are not limited to:

- Physical conduct of a sexual nature – this may include unwanted physical contact such as unnecessary touching, patting, pinching or brushing against another employee's body and sexual assault
- Verbal conduct of a sexual nature- this includes sexual advances, propositions or pressure for sexual activities, continued suggestions for social activities outside the workplace after it has been made clear that such suggestions are unwelcome, unwanted or offensive flirtations, suggestive remarks, innuendos or lewd comments
- Non- verbal conduct of a sexual nature- this may include the display of pornographic or sexually suggestive pictures, objects, written materials, emails, text messages or faxes. It may also include leering, whistling or making sexually suggestive gestures.
- Unwanted or derogatory comments about dress or appearance.
- Leering and suggestive gestures

Bullying/Harassment by Non-Employees

This policy protects employees from bullying, harassment or sexual harassment carried out by any other person with whom employees come into contact with during the course of their work. Bullying/harassment by non-employees may result in termination/non renewal of contracts, the suspension/non-renewal of services, exclusion from the premises or the imposition of other appropriate sanctions. If an employee feels that she/he has been a victim of inappropriate behaviour by a non-employee, she/he should bring the matter to the attention of his/her line manager so that the matter can be investigated and appropriate action taken.



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1. Employees' responsibilities

All our employees have a responsibility to help us to secure and maintain a good and harmonious working environment.

All our employees must comply with this policy and endeavour to ensure that their behaviour towards work colleagues or clients does not amount to harassment.

All employees should discourage harassment by making it clear that they find such behaviour unacceptable and should support colleagues who suffer such treatment.

Any employee who is aware that an incident of harassment has occurred should alert management team about it to enable the organisation to deal with it.

2. Management's responsibilities

Managers have a duty to implement this policy and to make every effort to ensure that harassment/ bullying does not occur, particularly in the work areas for which they are responsible.

Managers have a responsibility to deal appropriately with any incidents of harassment, which they are aware of, or ought to be aware of. If harassment/ bullying does occur, they must deal effectively with the situation.

Managers should:

- Explain the organisation's policy to staff and take steps to promote awareness of the procedure for dealing with complaints;
- Support any member of staff who makes an allegation of harassment by providing clear advice about the organisation's policy and procedures; by maintaining confidentiality; and, by seeking to ensure that the member of staff does not suffer further harassment, or victimisation, whilst a complaint is being addressed, or after it has been resolved;
- Set a good example by treating all workers and clients with dignity and respect;
- Be alert to unacceptable behaviour and take appropriate action in accordance with the organisation's policy and procedures.

3. The organisation's responsibilities

The organisation will ensure that:



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- Adequate resources are made available to implement this policy and to deal effectively with complaints of harassment;
- This policy and the procedure for dealing with complaints are communicated effectively to all managers and staff;
- Appropriate training is provided to all managers and staff so that each person is aware of his or her own responsibility for implementing this policy and associated procedure;
- All complaints of harassment are addressed promptly, seriously and confidentially.

4. Procedure for dealing with Bullying/Harassment

What should I do if I feel I am being bullied or harassed?

If you feel that you are being bullied or harassed you should contact your line manager for support and advice. If you are unable to approach your line manager, you can approach the next most senior manager.

Advice

Donegal Centre for Independent Living recognises the sensitive nature of harassment and bullying. Employees who believe they are being harassed or bullied may wish to discuss their situation before deciding what action to take. The organisation operates an open door policy to discuss workplace problems and employees can discuss the matter with their manager on an informal basis.

The organisation recognises that this may not always be appropriate in the circumstances, however. If this is the case, employees can discuss the situation with the next higher level of management.

Managers will:

- ensure the conversation remains confidential as far as possible;
- listen sympathetically;
- help individuals consider objectively what has happened;
- discuss what outcome the individual would wish to see;
- draw attention to available procedures and options;
- inform the individual of the legal liabilities involved;
- help weigh up the alternatives, but without pressure to adopt any particular course;
- assist the individual in dealing with the situation, if they ask for help.



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Confidentiality will be maintained as far as possible. If however an employee decides not to take any action to deal with the problem and the circumstances described are very serious the organisation reserves the right to investigate the situation. It has an overall duty of care to ensure the safety of all employees who may be adversely affected by the alleged harasser's/ bully's behaviour.

Solutions

It is for the individual to decide which route to take in solving any problem that has occurred. There are two types of solution available – informal and formal.

a. The Informal Procedure

Employees can choose to solve the matter themselves by approaching the harasser or bully, telling him or her that their behaviour is unwelcome and that it must stop. Otherwise a formal complaint will be made using the procedure outlined below.

If victims would find it difficult or embarrassing to raise the issue directly with the person creating the problem, support can be sought from a work colleague who can affirm the victim when speaking to the harasser or bully.

A third option, is that the victim can put his or her views in writing to the harasser or bully, telling him or her that their behaviour is unacceptable and that it must stop.

b. The Formal Procedure

Where informal solutions fail, or are inappropriate, the formal procedure can be used. Each step and action under the formal complaints procedure will be taken without unreasonable delay.

Complaints will be investigated swiftly and confidentially, while ensuring that the rights of both the alleged victim and the alleged harasser or bully are protected. Employees and witnesses can be assured that they will not be ridiculed or victimised for making, or assisting a colleague in making a complaint, even if it is not upheld, as long as it is made in good faith. Everyone involved in the investigation, including witnesses, will be required to maintain confidentiality – a failure to do so will be a disciplinary matter. The procedure is as follows:

Step 1: Lodging a complaint and conducting an investigation:

- The complaint should be put in writing, outlining the alleged incidents, when they occurred, the harm caused, the names of any witnesses and the name of the alleged harasser or bully.
- The written complaint should initially be lodged with the employee's manager. If this would not be appropriate in the circumstances, it should be lodged with the relevant manager.



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- An independent investigator will be appointed who has had no previous involvement with the situation and who will conduct investigatory interviews with the complainant, the individual against whom the complaint has been lodged and any relevant witnesses. The right to accompaniment will be provided to all those interviewed.
- The investigator will submit a full report to the person hearing the complaint
- All parties will be expected to cooperate fully with the investigation
- Notwithstanding the difficult circumstances, both the person making the complaint and the person being complained about may be expected to continue with their normal duties and maintain a professional working relationship during the course of the investigation. Management will be aware at all times of their part in safeguarding the health, safety and welfare of all employees. However the organisation does reserve the right to suspend any employee alleged of bullying or harassment on full pay or making other temporary changes to working arrangements pending the outcome of investigation, if circumstances require.
- It is important to note that nothing will be taken off the record at any stage during the investigation process

Step 2: Outcome

- After reviewing the report and any other comments received, the line manager (or other appropriate manager) will decide if action is to be taken.
- The line manager (or other appropriate manager) will advise the person complained of and the person making the complaint of the next steps within 7 working days.
- If the complaint is upheld, the matter may be further progressed through the Disciplinary Procedure or other appropriate action may be taken such as mediation.
- Where a complaint is not sustained, no action will be made against the person making the complaint provided the complaint was made in good faith.

Step 3: Right to appeal

As part of any formal investigation, both the person making the complaint and the person complained of have a right to appeal to the next level of management. The reason for the appeal should be clearly outlined in writing. In cases where the direct next level manager is not an appropriate person to hear the appeal another manager at the same level will be appointed. The appeal hearing will only focus on the area of the investigation that is being appealed. Appeals should be made within 7 working days of receipt of the letter advising of next steps.

Full records will be kept of the proceedings and copies of meeting records given to the complainant.



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Please note, for the avoidance of doubt, the above procedure is non-contractual and the organisation reserves the right to amend the procedure as appropriate under the circumstances.

5. Continuing to work together

Whether a complaint is upheld or not, the organisation recognises that it may be difficult for the employees concerned to continue to work in close proximity to one another during the investigation or following the outcome of the proceedings. Support will be provided where required.

6. Monitoring

Where harassment or bullying has been found to have occurred and the perpetrator remains in employment, regular checks will be made to ensure that harassment has stopped and that there has been no victimisation or retaliation against the victim. The organisation will also ensure that the employee who committed the act of harassment or bullying is not victimised in any way. The organisation may offer mediation if there has been a breakdown in relationship; both parties must agree to this process.

7. Malicious complaints

Where a complaint is blatantly untrue and has been brought out of spite, or for some other unacceptable motive, the complainant will be subject to the organisations disciplinary procedure, as will any witnesses who have deliberately misled the organisation during its investigations.

8. Confidentiality

All employees aware of any claims of bullying and harassment, i.e. person complained of, person making the complaint, witnesses or managers, are required to treat all information as strictly private and confidential. All discussions are to take place in a private environment.

Any person found to be obstructing the rights of an individual to bring a complaint under this procedure or found to be obstructing or causing undue delay in any area of the proceedings may face disciplinary action.



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Disciplinary Policy and Procedures

Policy Statement

Donegal Centre for Independent Living recognises that the maintenance of standards is essential for the organisation to operate effectively and is particularly necessary for the safety and well-being of its employees, clients, suppliers and groups with whom it works and those who visit the organisation. With this aim, the organisation will encourage and advise all employees to achieve and maintain certain standards of behaviour, attendance and performance. These standards will be as specified in employees' contracts of employment, disciplinary rules, and code of conduct and/or as stipulated in policies or procedures.

It is recognised that managers have the responsibility to ensure that their employees are aware of, and understand, the standards expected of them and where necessary, appropriate support is provided to ensure these standards are met. However, consistent performance and/or behavioural issues are likely to be dealt with under the organisation's disciplinary procedure.

The purpose of the disciplinary procedure is to ensure that all employees are treated in a fair and consistent manner, with all disciplinary issues being investigated and dealt with as soon as is reasonably practicable. The procedure should be used primarily to improve employees' standards of conduct or performance.

For the avoidance of doubt, the following disciplinary and dismissal procedures are on a non-contractual basis.



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Disciplinary Rules and Procedure Flow Chart

Purpose of Disciplinary Procedure:

- a. To set the standards
- b. To provide a means of fair and consistent treatment
- c. To give employees the opportunity to improve performance/behaviour/attendance



Basic Principles

- a. No disciplinary action is taken until an investigation or fact-finding exercise has taken place.
 - b. Informal action is taken first and foremost, where appropriate.
 - c. The employee is given a reasonable notice of a disciplinary hearing.
 - d. Employees have the right to be accompanied by a work colleague
 - e. Employees have the right of appeal against any formal discipline.
- f. Employees will be informed in writing of any disciplinary penalty within 5 working days of hearing the appeal.



Informal Action

Minor problems may be resolved without recourse to the formal disciplinary procedure. However any such action should be confirmed in writing and recorded in the person's personnel file.



Formal Procedure

When informal action has not been successful or when the issue is of a more serious nature, the formal procedure should be used. The decision should be relative to the performance or behavioural issue and does not have to follow the sequence.



Disciplinary Options

- | | |
|--------------------------|--|
| a. Verbal Warning | less significant issues but confirmed in writing |
| b. First Written Warning | where the issue is more serious or there is a reoccurrence of the earlier issue within a particular time frame |
| c. Final Written Warning | when more serious still or there is a reoccurrence of the earlier issues within a particular time frame |
| d. Dismissal | where gross misconduct or another issue has occurred which necessitates dismissal. |

Where gross misconduct is suspected the employee should be suspended pending investigation.



Employees have the right to appeal all formal disciplinary action.



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1. Purpose

The objectives of this procedure are:

- To set standards of conduct at work, and ensure that employees are properly aware of what levels of performance and conduct are expected of them.
- To provide a means of fair and consistent treatment of employees whom it is felt are not conducting themselves in accordance with those standards.
- Wherever possible, to approach disciplinary problems in the context of seeking to help the employee to improve in those matters where his/her standards of performance and/or conduct are found to be deficient (as opposed to merely seeking to punish).
- To give employees the opportunity to improve their behaviour/performance.

2. Application & Definitions

The procedure applies to all employees of Donegal Centre for Independent Living excluding those in their probationary period.

The following defines certain use of words in this document:

- Work Colleague:** Where reference is made in the policy to a work colleague, such a person may either accompany or represent the employee depending on the support required by that person. The management team will support and encourage such representation in order to assist the process and give the employee and their work colleague every opportunity to participate and respond at meetings. A work colleague will not suffer any personal detriment for undertaking such a role.
- Manager:** A manager is the person to whom the employee reports and (s) he is part of the recognised management structure of Donegal Centre for Independent Living.
- Personnel file:** This is the employee's file held centrally at Donegal Centre for Independent Living, Letterkenny. Such records are strictly confidential.



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3. Basic Principles

It is vital that all matters of discipline are conducted in an equitable manner, with proper investigation of the circumstances, with every opportunity for the employee concerned to explain his or her side of the story, and with consistent application of disciplinary rules and sanctions. To this end, the following basic principles will apply:

- No disciplinary action will be taken against any employee until the case has been fully investigated and a disciplinary hearing held (at which the employee and his/her work colleague must have every opportunity to be present).
- Employees will always be given, in writing, a reasonable amount of notice of a disciplinary hearing and of the complaints made against them.
- Employees will always have the opportunity to state their own cases at disciplinary hearings.
- Employees will always have the right to be accompanied at a disciplinary hearing by a work colleague who may represent them as appropriate. See role of the companion below*.
- A right of appeal will be afforded to any employee who has had a formal disciplinary penalty awarded against him/her; this will be to a person who has not previously been involved in the case.
- No employee will be dismissed for a first breach of discipline except in the case of gross misconduct, where dismissal with or without normal notice may be the appropriate action.
- The level of discipline imposed will be appropriate to the seriousness of the employee's misconduct; for example in a case where the misconduct is very serious, but falls short of warranting dismissal, a final warning may be given whether or not the employee has previously received lower level warnings.
- In cases of inadequate work performance, the disciplinary procedure will be used only where it is felt that the employee is failing to perform to his/her capability through poor conduct or by lack of effort. It is recognised that there may be a problem of genuine non-capability in this issue, and where this is felt to be the case, the separate work capability procedure will be used.
- In cases where disciplinary penalties are imposed, employees will be informed in writing of what has been awarded, the reasons, the improvements which are



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required, the timescale within which they must be achieved, the possible consequences of not doing so and to whom any appeal should be addressed (together with the appeal time limit). Reasonable assistance will be given to the employee in his/her efforts to make the necessary improvement.

- All formal disciplinary action will be recorded and kept on an employee's personnel file; however, following defined periods, a review will take place with the employee and the record will be removed from the file if satisfactory improvement has been achieved. (The period in which improvement is required may however, and often will, be shorter than that during which file records will be kept – employees will not receive longer periods of grace than are reasonably necessary to reach acceptable standards).
- Where a manager is not available to take action under the procedure (i.e. due to annual leave or sickness absence), another member of the management team may be appointed as a substitute.

** Role of the companion*

The employee's chosen companion has the right to address the hearing to put the employee's case, sum up the case and respond on the employee's behalf to any view expressed at the hearing. The companion may also confer with the employee during the hearing. However, there is no requirement for the Chairperson of the hearing to permit the companion to answer questions on behalf of the employee, or to address the hearing where the employee indicates that he/she does not wish this.

4. Notice of Concern (Informal)

Minor problems may be capable of resolution without recourse to the formal disciplinary procedure. Therefore, wherever practicable, managers will attempt to deal with such problems by means of informal discussion with an employee concerning a deficiency in conduct or performance, with a view to achieving improvement on a mutually agreed basis and with any help, which may be reasonable.

Such meetings will be approached in a constructive way, and not by means of threat, though the employee should be aware that a failure to improve could result in the formal procedure being used. The manager will confirm in writing his/her concern with a copy for the employee's personnel file although no formal penalty will be deemed to have been taken.

Due to the nature of such a meeting, accompaniment by a representative is not permitted, and there is no right of appeal (since there is no detriment to the employee to appeal against).



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5. The Formal Procedure

Where a notice of concern has not achieved its objective, or in cases where it is felt that the matter is too serious to be dealt with in an informal setting, the formal procedure is to be used. This has the following stages:

Stage 1 – Verbal Warning

For the least serious offences, a formal verbal warning may be given by the employee's manager or a more senior manager. It will be confirmed to the employee in writing, as in paragraph 3 above, and a copy will remain on the employee's personnel file for six months. If improvement is achieved and no further disciplinary action (for either a similar or an unrelated breach of discipline) has been required, the warning will be removed from the employee's personnel file and the employee will be advised accordingly.

Stage 2 - First Written Warning

For more serious offences, or where the formal verbal warning has failed to achieve improvement, or where there has been further misconduct, a written warning may be given. It will again contain the items specified in paragraph 3 above, and a copy will remain on the employee's file for twelve months. If improvement is achieved and no further disciplinary action (for either a similar or an unrelated breach of discipline) has been required, the warning will be removed from the employee's personnel file and the employee will be advised accordingly.

Stage 3 - Final Written Warning

Where the offence is still more serious, but short of gross misconduct, or where there has been no improvement within the specified period, or where there has been further misconduct, a final written warning will be given.

It will again contain the items specified in paragraph 3 above, and a copy will remain on the employee's file for 12 months. If improvement is achieved and no further disciplinary action (for either a similar or unrelated breach of discipline) has been required, the warning will be removed from the employee's personnel file and the employee will be advised accordingly.

In cases where the misconduct was verging on gross misconduct, and the decision not to dismiss was only marginal, the final warning will remain on file permanently.

Stage 4 - Dismissal

Where an employee's conduct or performance has not improved from a final warning, or where gross misconduct makes it impossible for employment to continue, the employee may only be dismissed by a senior manager of the organisation. The employee will immediately be informed in writing of the fact and reasons for the dismissal, the last date of employment, any necessary administrative or financial arrangements, and to whom, and within what time limit any appeal should be made. Dismissal for gross misconduct may be summary, i.e. with



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immediate effect and no pay in lieu of notice and without accrued holiday pay over and above the statutory minimum. In other cases, dismissal will take account of the period of notice to which the employee has built up an entitlement under his/her contract, though a may decide to give basic net pay in lieu of working the notice period.

6. Paid Suspension from Duty

When a manager is of the view that an employee is suspected of gross misconduct or that, because of some other good and urgent cause, such as posing a safety, reputational, financial or security risk to the Manager or any of its staff members, the manager may suspend the employee from duty on full pay, pending a full investigation and if necessary, the holding of a formal disciplinary hearing. The suspension is not in itself disciplinary action and will not be recorded as such. The employee must remain available for contact and recall to work during the period of suspension.

7. Conduct of Disciplinary Cases

When conducting a disciplinary case the following steps will normally be followed.

- a. Full, objective and timely investigation of the facts of a situation in order to determine whether there is a disciplinary case, which needs to be heard.
- b. An investigatory meeting is not the disciplinary hearing, and will not therefore be followed by a disciplinary penalty, but the employee concerned may be called upon to answer questions in the fact-establishing context. The employee will not be entitled to be accompanied at this meeting, as it is informal. Notice may not be given for such meetings. The person undertaking the investigation will not then hear the disciplinary case, should it progress to that level.
- c. If there is a case to answer, the manager, will write to the employee as soon as possible after completion of the investigation setting a time, date and place of the disciplinary hearing, informing him/her of the allegations, of the possible consequences if they are not satisfactorily answered and of his/her right to be accompanied by a work colleague. The disciplinary hearing will be chaired by a member of the management team.
- d. The Manager will ensure copies of all relevant documents are available for the hearing and that the employee has received these in good time prior to the hearing.
- e. The Manager will arrange attendance of witnesses and an independent note-taker. Where an impartial note-taker cannot be arranged, the person hearing the disciplinary may ask for permission for the hearing to be recorded using an



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electronic device, so that verbatim notes can be made and provided to the other persons present after the hearing for review and approval.

- f. At the hearing, the Manager will introduce those present to the employee (and work colleague), explain the purpose of the hearing, and outline how the interview will be conducted.
- g. The Manager will state the complaints(s) precisely and go through the evidence, using witnesses and documents in support.
- h. The Manager will give the employee a full opportunity to answer the complaint(s) and evidence, allowing him/her to ask questions, present his/her own evidence and call witnesses.
- i. The Manager will question the employee and/or witnesses if their answers/evidence is unclear or unsatisfactory.
- j. The Manager will allow the employee a last word at the end of the interview, in summary of his/her case or in mitigation.
- k. The Manager will adjourn the hearing whilst considering a decision on whether the complaints are founded, and if so what action is appropriate. Furthermore any side may call an adjournment at any time if they wish.
- l. The Manager will recall the employee to tell him/her of the decisions reached.
- m. The Manager will confirm the decision in writing within seven working days.

8. Appeals

An employee may appeal against any disciplinary sanction imposed against him/her. The appeal will be heard by a person who has not been involved in the decision to impose the disciplinary sanction on the employee (the Appeals Officer). The Appeals Officer is obliged to consider any representations made by the employee, the employee's fellow employee and those of the manager who conducted the investigation and the manager who conducted the disciplinary hearing and imposed the disciplinary sanction. The Appeals Officer must decide on the basis of both sets of representations, together with any subsequent facts that may have come to light, whether or not to uphold the disciplinary sanction. In the event that the Appeals Officer finds for the employee, all records of the disciplinary sanction should be removed from the employee's record. In the event that the Appeals Officer does not accept the representations made by or on behalf of the employee, he/she (Appeals Officer) must uphold the disciplinary sanction.



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Appeals must be lodged in writing with the Appeals Officer within five working days of receipt of the letter confirming the disciplinary decision, and he/she (Appeals Officer) will give the employee written notice of the date, time and place of the appeal hearing within 10 working days. The employee has the same right of representation at an appeal as at a disciplinary hearing.

When lodging an appeal, the employee should state:

- a. the grounds of appeal; and
- b. Whether he/she is appealing against the finding that he/she has committed the alleged act or acts of misconduct, or against the level of disciplinary sanction imposed.

Note that whilst employees have the right to appeal any formal disciplinary action, the result of the disciplinary hearing will be implemented and not delayed pending the appeal, but the decision may subsequently be reversed (with no loss to the employee of entitlements or benefits) as a result of the appeal finding.

The procedure for appeal hearings will be conducted in accordance with the following procedure.

- a. The Appeals Officer will ensure that all persons at the hearing are introduced and that everyone is aware of the procedure to be followed.
- b. The Manager will present his/her case, calling any witnesses which (s) he requires.
- c. The employee and/or his/her work colleague may ask questions of the Manager concerning the case presented.
- d. The employee or his/her work colleague will present his/her case, calling any witnesses which (s) he requires.
- e. The Manager may ask questions of the employee concerning the case presented.
- f. The employee and/or work colleague may summarise his/her case, without introducing new evidence.
- g. The Manager may summarise his/her case, without introducing new evidence.
- h. The meeting may be adjourned so that the Appeals Officer can deliberate on what it has heard and come to a decision. The Appeals Officer has discretion as to whether he/she wishes the parties to wait for a decision on the day, or whether it will announce its decision within the following five working days. The decision will be confirmed in writing within five working days. The Appeals Officer may decide to decrease or increase the penalty or overturn the decision.
- i. No further right of appeal is available to the employee and the decision of the Appeals Officer is final.

9. Criminal Offences Outside of Employment

An employee who is charged with or convicted of a criminal offence will not automatically be subject to discipline. However, a member of the management team will investigate the nature of the criminal offence and determine whether it has implications for the work, which the



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employee does for the organisation. If it throws doubt on the continued ability of the employee to carry out the particular functions for which he or she is employed, disciplinary proceedings may take place and dismissal may result. Alternatively, consideration may be given to redeployment to alternative work unrelated to the offence. Employees should not normally be dismissed solely because a charge against them is pending and it will only be in certain circumstances that dismissal would take place prior to conviction.

Criminal charges or convictions for offences of dishonesty or violence committed outside working hours may result in disciplinary proceedings being taken against the employee up to and including summary dismissal. Management will consider whether or not the employee's conduct or convictions merit action because of employment implications.

A charge or conviction for any other type of offence may result in disciplinary proceedings being taken against the employee where, in the opinion of the organisation, the charge or conviction is such as to affect, or be likely to affect, the suitability of the employee for the position in which he/she is employed, or the business or reputation of Donegal Centre for Independent Living, or where the existence of the charge or conviction could, in the opinion of management, as appropriate, otherwise seriously undermine the trust and confidence that the organisation has in the employee.

10. Frustration of Contract

Where an employee is unable to fulfil his or her duties, e.g. through imprisonment, through failure to attend work (unauthorised absence) or failure to return from annual leave, (s) he is likely to be breaching his/her contract. In all such cases the circumstances will be thoroughly investigated by a manager and possible solutions to the problem considered, but the organisation reserves the right to terminate employment in these situations if an acceptable solution cannot be found.

11. Disciplinary Rules

This paragraph sets out some examples of misconduct, which is likely to result in disciplinary action being taken against employees of the organisation. The list is not exhaustive, and other equally serious matters may also be regarded as necessitating disciplinary action. It does however set a guide for employees and a standard, which will apply, to all employees.

Certain acts of misconduct are viewed as sufficiently serious as to be treated as gross misconduct. This means misconduct, which is serious enough to constitute a fundamental breach of the employment contract between employer and employee and make any further trust and working relationship impossible. It follows that instant dismissal is a probable result of a disciplinary hearing finding that such misconduct has taken place.



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The circumstances of each case will be taken into account in determining the appropriate disciplinary action for individual instances, but the examples will indicate the norm, which the organisation applies.

Examples of Gross Misconduct (This list is not exhaustive)

- Breach of confidentiality
- Breaking professional boundaries in relation to inappropriate physical contact with Leaders/the client
- Theft or unauthorised possession of money or property belonging to the organisation, leaders or other employees
- Flagrant abuse of alcohol or misuse of drugs during employment
- Possession, sale or distribution of a controlled substance in the workplace.
- Submission of false claims for items such as expenses
- Assaults, verbal and/or physical, on third parties, including other employees
- Wilful refusal to carry out reasonable management instructions
- Endangering the health and safety of others through reckless behaviour
- Wilful damage to property belonging to the organisation
- Acts of indecent or immoral behaviour while employed
- Disclosure of organisation confidential information to third parties without prior authority or consent
- Discrimination, harassment or victimisation
- Serious conduct likely to weaken public confidence in Donegal Centre for Independent Living
- Use of information obtained at Donegal Centre for Independent Living for personal, financial or business gain



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Examples of Major Misconduct (This list is not exhaustive)

These are matters likely to be dealt with by warnings above the first level, and perhaps by the use in the first instance of a final warning.

- Falsification of time-keeping records
- Offensive behaviour, including swearing towards leaders and other people at work
- Unauthorised absence without due cause
- Acceptance of gifts or other benefits from clients, without consent in line with the Code of Conduct
- Wilful or excessive wastage of material, stock or other DCIL property
- Failure to observe no-smoking restrictions
- Failure to carry out all reasonable instructions or follow the organisation's policies and procedures

Examples of Minor Misconduct (This list is not exhaustive)

- Poor timekeeping
- Persistent absenteeism or failure to comply with absence notification and certification procedures
- Lack of proper care and attention to work
- Breaches of DCIL policies & procedures
- Failure to declare outside commitments, which would conflict with the interests of Donegal Centre for Independent Living
- Unsatisfactory attitude and/or behaviour towards management or other members of staff
- Misuse of telephone, PC and/or internet and email facilities
- Failure to abide by the general health and safety rules and procedures



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Final written warning	Manager
Dismissal	Manager

14. Period of Warnings

a. Formal verbal warning

A formal verbal warning will normally be disregarded after a six month period.

b. Written warning

A written warning will normally be disregarded after a twelve month period.

c. Final written warning

A final written warning will normally be disregarded after a twelve month period.

15. Extended Warnings

The organisation may extend, at its discretion, a final written warning if in its opinion the employee has not reached the required standard following a disciplinary process but has shown some improvement.

16. Spent Warnings

A “spent” warning forms part of an employee’s history and cannot be used to accelerate the disciplinary procedure to the next level warning. However in certain limited circumstances it may be used in consideration of the employees total work history, especially where any future offences or incidents are related.



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Email, Internet and Social Media Policy

Policy Statement

Donegal Centre for Independent Living views the Internet and E-mail as essential tools for employees. However, the use of those tools can expose the organisation to technical, commercial and legal risks if they are not used sensibly. The widespread availability of social media means it is important to understand how to use it effectively and sensibly, both in the workplace and during personal use.

This policy aims to ensure that Donegal Centre for Independent Living is not exposed to legal and governance risks through the use of email, internet or social media and that its reputation is not adversely affected.

This policy also aims to ensure that employees of Donegal Centre for Independent Living are protected while using social media, email and the Internet and feel empowered to contribute to collaborative online activity when it supports their role within the organisation.

The policy applies to all workers and employees of Donegal Centre for Independent Living, from management to temporary workers, and to all users of email, Internet and social media.

1. Social Media

What is social media?

Social media activities can include, but are not limited to:

- maintaining a profile page on social/business networking site such as Facebook, Twitter or LinkedIn
- writing or commenting on a blog, whether it is your own or the blog of another person
- taking part in discussions on web forums or message boards
- leaving product or service reviews on business websites or customer review websites
- taking part in online polls.

2. Terms of use for social media

Proposals to use any social media applications as part of your role within the organisation must be approved by the Manager. Use of social media for personal reasons does not need to be approved by the organisation.



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The following terms should be adhered to at all times, including during periods of leave.

You must ensure that your content, or links to other content, does not:

- interfere with your work commitments
- contain libellous, defamatory, bullying or harassing content
- contain breaches of copyright and data protection
- contain material of an illegal, sexual or offensive nature
- include confidential information to the organisation
- bring the organisation into disrepute or compromise the organisation's brand and reputation
- use the organisation to endorse or promote any product, opinion or political cause.

If content published by you or others implicates you in the breach of these terms, it may lead to an investigation and disciplinary action in accordance with the organisation's disciplinary policies.

3. Defamation

You must not send or circulate any materials on the internet or by e-mail that contain negative remarks about other persons or organisations unless you are very sure that what you are saying is not defamatory and is factually correct. If in doubt, do not send.

4. Obscene Materials

You must not under any circumstances use the organisation's e-mail system or internet to access, display, circulate or transmit any material with a sexual, violent, graphic or discriminatory content. This may constitute a criminal offence and both you and the organisation could be liable.

The display on screen of material with a sexual content and/or its transmission to another may also amount to sexual harassment – for which you could be liable.

5. Protection of Personal Data

The organisation is required to comply with legislation concerning the protection of personal data. Failure by the organisation to adhere to that legislation could expose the organisation to civil liability and to enforcement action by the data protection authorities.

The obligations of the organisation are complex but you can help ensure compliance by adhering to the following rules:

- Do not disclose any information about a person in an e-mail or on the Internet, which you would object to being disclosed about yourself.



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- Be particularly careful when dealing with information concerning a person's gender, civil status, family status, age, disability, race/ethnicity, sexual orientation, religious belief or any membership of the traveller community, health or financial matters.
- Do not send any personal data outside the European Union.

6. Bullying and Harassment

The organisation intends that all employees will be treated with dignity at work, free from harassment and bullying of any kind. Harassment by e-mail could include sending sexist or religious jokes, making sexual propositions or general abuse.

7. Recording and Monitoring

E-mail and Internet are widely used to communicate internally and externally. The organisation reserves the right to monitor any e-mails and Internet use when reasonably required for the purposes of the organisation's work and ensuring that this policy is not breached. Your Organisation email account should only be used for work purposes. Employees should use their own personal accounts for private emails. The organisation reserves the right to restrict or prevent access to certain internet sites including social media websites if personal use is considered to be excessive. Monitoring is only carried out to the extent permitted or as required by law and as necessary and justifiable for the purposes of the organisation. Misuse of social media and other websites can, in certain circumstances, constitute a criminal offence or otherwise give rise to legal liability against you and the organisation. If you notice any use of social media by other members of staff in breach of this policy please report it to your line manager

8. Installation of Software

Installation of any software is prohibited except by authorised personnel.

9. Viruses

Non-text e-mail attachments and software downloaded from the Internet may contain computer viruses or other harmful content which can seriously disrupt the organisation's computer systems. You must not open, download or copy any non-text e-mail attachments or software from the Internet unless they have been checked for viruses or other harmful content. Disciplinary action can be taken against any employee who knew or ought to have known that he or she is distributing a computer virus.

10.Chain e-mail

Do not participate in the circulation of "chain e-mail" particularly when it threatens bad luck etc.

11.Breaches of policy

Where it is believed that an employee has failed to comply with this policy, they will be subject



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to the disciplinary procedure. If the employee is found to have breached the policy, they may face a disciplinary penalty ranging from a verbal warning to dismissal. The penalty applied will depend on factors such as the seriousness of the breach; the nature of the posting; the impact it has had on the organisation or the individual concerned; whether the comments cause problems given the employee's role; whether the employer can be identified by the postings; other mitigating factors such as the employee's disciplinary record etc. You may be required to remove any social media content that Donegal Centre for Independent Living consider to constitute a breach of this policy. Failure to comply with such a request may in itself result in disciplinary action.



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Equal Opportunities Policy

Policy Statement

Donegal Centre for Independent Living is committed to the principle of equality of opportunity in employment and in the provision of services.

Our employment policies for recruitment, selection, training and development are designed to ensure that no job applicant or member of staff receives less favourable treatment on the grounds of gender, civil status, family status, age, disability, race/ethnicity, sexual orientation, religious belief or membership of the traveller community,

Donegal Centre for Independent Living will not unlawfully discriminate, either directly or indirectly, or victimise on any of the above grounds. It is committed to the provision of a harmonious working environment and the operation of fairness and equality at work, for those seeking work and in the services it provides.

Management have the primary responsibility for the successful application of this policy by:

- a. not discriminating in the course of employment against colleagues, job applicants or leaders/clients
- b. not inducing or attempting to induce others to practice unlawful discrimination
- c. bringing to the attention of everyone that they will be subject to disciplinary action for failure to adhere to the policy
- d. promoting a harmonious, dignified, respectful and neutral working environment.

Every staff member has a responsibility to assist the organisation in the implementation of this policy by:

- a. not discriminating in the course of employment against colleagues, leaders, suppliers or members of the public
- b. not inducing or attempting to induce others to practice unlawful discrimination
- c. reporting any discriminatory action to the organisation's management team.

To make this policy work requires much more than this formal system. The policy will help to create the necessary conditions for success but it is for each of us to make our own contribution.

Management will treat breaches of this policy very seriously; they will be considered as a disciplinary offence and may warrant dismissal.

The consistent application, effectiveness, development and related training for the policy will be regularly monitored and reviewed and the overall responsibility rests with the Management.



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In order to implement this policy Management will ensure that:

- a. the policy is communicated to all staff
- b. managers and staff are made aware of their responsibilities through appropriate training
- c. and adequate resources are made available to fulfil the aims and obligations of this policy.

1. Responsibility

Management will have overall responsibility for the subsequent development, review and monitoring of the policy on a continuing basis.

It is intended that this policy will continue to provide employment practices which benefit employees, create better working relationships, greater job satisfaction and improved service.

Therefore, all staff and anyone acting on behalf of Donegal Centre for Independent Living must:

- a. Co-operate with measures introduced to ensure equal opportunities and prevent discrimination;
- b. Not harass, abuse or intimidate fellow staff;
- c. Carry out their duties in accordance with this policy.

The successful adoption of equal opportunities working practices will depend upon commitment from the staff and management of Donegal Centre for Independent Living.

Staff who have reason to believe that they have been discriminated against or have not received fair treatment may be able to pursue their complaint through the Grievance or Dignity at Work Procedures. This will depend upon the nature of the complaint.

2. Good Staff Relations

This policy aims to promote understanding and acceptance that prejudice and discriminatory practices are unacceptable and unprofessional and are not tolerated by the organisation.

- a. Staff are encouraged to promote good relations between colleagues and discourage offensive and discriminatory behaviour;
- b. All complaints by staff that feel that they have been discriminated against will be taken seriously. All complainants will be protected from victimisation by virtue of this policy;



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This policy will be regularly monitored and reviewed in order to assess its effectiveness.

3. Recruitment & Selection

The recruitment and selection process must be based solely on merit, using objective, non-discriminatory and work-related criteria in order to ensure that the most suitable person for the post, in respect of experience, abilities and qualifications is finally recruited.

The policy is designed to:

- a. Ensure that selection criteria are strictly relevant to the job specification for the position;
- b. Ensure that no criteria, condition or requirement which cannot be shown to be relevant to the performance of the job is applied in the selection process;
- c. Remove unlawful discrimination from recruitment and selection processes and ensure that consistent use is made of the available guidelines;
- d. Develop professional awareness in all employees who are involved in the recruitment, selection and placement process, providing training and information where appropriate;
- e. Advertise vacancies in appropriate ways that provide for equality of opportunity.

4. Equal Opportunities - Training & Guidance

Donegal Centre for Independent Living will provide equal opportunities training and guidance where appropriate. In particular, the organisation will ensure that those involved in assessing candidates for recruitment will be trained in non-discrimination.



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Force Majeure Leave

If you need to take time off work for urgent, emergency or unforeseen family reasons, you may be entitled to a limited amount of paid leave in accordance with the current statutory provisions. The statutory entitlement to 'force majeure' leave may arise where your immediate presence with a near relative (your child, spouse or partner, sibling, parent or grandparent) is required as a result of his/her injury or illness in unforeseen circumstances. It is your responsibility to apply for this leave as soon as possible following your return to work. Further details are available from your manager.



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Grievance Policy and Procedure

Policy Statement

Donegal Centre for Independent Living has established a formal grievance procedure in order that any employee in the organisation may raise an employment-related grievance directly with their manager.

If a grievance is not dealt with it may result in poor employee relations or in some cases it may result in dispute. For these reasons Donegal Centre for Independent Living wishes to encourage employees to make use of the informal and formal grievance procedure open to everyone in the organisation.

The procedure aims to settle a grievance fairly and as near to the point of origin as possible. The procedure is intended to operate simply and rapidly. Nothing in this procedure is intended to prevent you from informally raising any matter you may wish to mention. Informal discussion can frequently solve problems without the need for a written record but if you wish for your grievance to be formally recorded and investigated, please make this clear at the outset.

For the avoidance of doubt, the following grievance procedures are on a non-contractual basis.

Grievance Procedure – Flow Chart

Employees with a grievance (excluding issues specified in the Policy) can go through the following stages to have it resolved.

Informal

Raise the issue with your Manager informally.



Stage 1 – Raise a formal Grievance

If there is no resolution write to your Manager formally requesting a meeting.



Stage 2 – Right of Appeal

If there is still no resolution write to the Appeals Officer who will hear the grievance and give a written response within 3 working days of the hearing.

The decision of the Appeals Officer is final.



Representation

Employee has the right to be represented at any grievance hearings by a workplace colleague.



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1. Purpose

The objective of this procedure is to establish a fair and efficient means by which an employee, who has a grievance concerning his/her employment, can raise the matter with the organisation and allow for the matter to be dealt with appropriately and at the earliest opportunity.

The procedure should not be used for the following:

- a. Questions about salary payments;
- b. Complaints about harassment or bullying (for which a separate procedure exists);
- c. Matters not connected to employment with Donegal Centre for Independent Living.
- d. Appeals against discipline and termination of employment.

2. Application & Definitions

The procedure applies to all employees of Donegal Centre for Independent Living excluding those in their probationary period (see separate procedures for Probationary period).

The following defines certain use of words in this document:

a. Work Colleague

Where reference is made in the policy to a work colleague, such a person may either affirm or represent the employee depending on the support required by that person. The management team will support and encourage such representation in order to assist the process and give the employee and their work colleague every opportunity to participate and respond at meetings. A work colleague will not suffer any personal detriment for undertaking such a role.

b. Manager

A manager is the person to whom the employee reports and she/he is part of the recognised management structure within Donegal Centre for Independent Living.

c. Personnel file

This is the employee's file. Such records are strictly confidential.



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3. Stages

If an employee has a grievance arising from or relating to his/her employment, she/he may use the following stages in the order in which they are set out.

Informal

The employee may raise the issue with his/her manager who should hold a meeting with the employee to hear the full facts of the situation and attempt to find a satisfactory solution.

Stage 1 – Raise a Grievance

If a satisfactory solution is not reached the employee may write to the Manager requesting a formal meeting to have a second opportunity to attempt to find a satisfactory solution. The employee must state in the letter that they are using the formal procedures and they must outline details of their grievance.

Stage 2 – Right of Appeal

If a satisfactory conclusion is not reached with the Manager, the employee may submit his\ her complaints in writing to the Appeals Officer (whose name will be outlined in the letter). The matter(s) must be those raised at Stage 1 and cannot be new issues. Where new issues are raised the matter will be referred back to Stage 1. The Appeals Officer should hear the grievance and give a written response within a reasonable timeframe. The Appeals Officer may use discretion to try to resolve the issue by means of informal discussion in the period before the formal hearing. If the problem has not been resolved within ten working days you should agree a further time at which the matter will be discussed with a view to resolution. A decision reached at this meeting is final.

Note: No grievance should be heard by a member of staff lower in the structure than the manager with whom the grievance has been lodged; therefore some stages may be dispensed within such circumstances. The principle that the manager with whom the grievance has been lodged should have the first opportunity to resolve the problem will operate. Any of the time limits indicated above may have to be extended in the event of leave or other unforeseen events.

However the Informal stage and Stage 1 will always be the starting point of any grievance.



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Health and Safety Policy

Policy Statement

Donegal Centre for Independent Living recognises its obligations under Health and Safety at Work legislation for ensuring the health and safety of its staff, leaders, suppliers, visitors, contractors and the public.

In conducting its business the organisation will:

- a. Assess the risks to the health and safety of its employees and others who may be affected by its activities.
- b. Implement arrangements for the effective planning, organisation, control, monitoring and review of measures necessary for the control of risks and for preventing injury and ill health.

1. Standards

In so far as is reasonably practicable the organisation will:

- a. Provide and maintain working environments audited by risk and hazard analysis so as to minimise risk and provide safe environments and systems of work
- b. Make all staff aware of both their obligations under Health and Safety legislation and to provide them with the information, training, equipment and procedures necessary to perform their work efficiently and without risk to health
- c. Promote safety awareness to all visitors with particular emphasis on risk awareness and the procedures in place to manage such issues
- d. Ensure that all contractors fulfil their own Health and Safety obligations and are made aware of Organisation's Health and Safety requirements and operating systems
- e. Ensure that Health and Safety obligations and responsibilities are clearly assigned at all management and staff levels
- f. This policy is to be implemented and enforced by the management team and to be observed by all staff
- g. Ensure that a Health and Safety action plan is implemented once per year and that Health and Safety objectives and actions are assessed and monitored as an integral part of the management and appraisal processes of Donegal Centre for Independent Living.



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2. Responsibilities for Health & Safety

The Management of Donegal Centre for Independent Living is responsible for formulating, implementing, monitoring and revising the organisation's overall policy and plans on health and safety.

Responsibility for implementing this policy rests with the individual person nominated from within the management team who will implement systems to promote high standards of health and safety across the organisation.

This person is responsible for preparing and publishing details of annual health and safety objectives, by the inclusion of set targets and actions in their respective annual operational plan that will achieve continuous improvement in health and safety performance.

Each member of staff has a personal responsibility for observing the organisation's Health and Safety policies, rules and procedures and will be encouraged to develop knowledge, interest and enthusiasm in health and safety.

Each member of staff has a duty while at work to take reasonable care for the health and safety of themselves and of others who may be affected by their acts or omissions and to co-operate with the organisation in fulfilling its statutory duty.

Each member of staff has a duty not to interfere with or misuse anything provided in the interest of health and safety and to inform their respective manager of any situation or practice that might present a serious or immediate danger which cannot be rectified by the employee at the time.

All contractors working for Donegal Centre for Independent Living are required to comply with the organisation's rules and regulations governing their work activities including any related Organisational Policy or Procedures. Contractors are legally responsible for their own workforce and for ensuring that their work is carried out in a safe manner.

3. Management Responsibilities

- a. Establishing responsibilities for and the conduct of first managers for the implementation of health and safety policy and procedures for staff, leaders/clients, visitors, contractors and anyone else affected by our activities.
- b. Ensuring there are enough resources to provide and maintain safe and healthy workplaces/ locations, arranging for specialist advice and guidance on health and safety measures as necessary and to ensure the provision of appropriate first aid facilities and health checks for employees.



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- c. Preparing and practicing plans to deal with fire and other emergencies in the workplace/location.
- d. Ensuring staff and contractors get proper information and training on hazards and precautions needed in each workplace.
- e. Providing appropriate Personal Protective Equipment for the tasks being performed and making sure it is properly used, maintained and stored.
- f. Ensuring all accidents, incidents and near misses, within their area of responsibility, are reported, recorded and a suitable and sufficient investigation is carried out with appropriate action taken to prevent a recurrence.
- g. Promoting a culture of safety awareness through advice, awareness and interest promotion and consultation.

4. Safety and Hygiene

You must not take any action, which could threaten the health or safety of yourself, other employees, client or members of the public.

The organisation firmly believes in the importance of providing a healthy and safe environment for clients and staff. The organisation wholly accepts the aims and provisions of health and safety legislation and recognises that foremost in its duties and responsibilities to its employees is the need to provide and maintain safe, healthy and hygienic working conditions and practices. The organisation considers that all levels of staff should share their responsibility.

It is the duty of every individual employee to take every reasonable care for the health and safety of himself/herself and of other persons who may be affected by his/her acts or omissions at work. It is the legally enforceable duty of all employees to co-operate with their employer in achieving compliance with health and safety legislation.

5. Use of equipment

- a. If you notice a hazard to health and safety, you should report it immediately to a Manager.
- b. Only use equipment that you have been trained to operate properly.
- c. Employees under 18 years are not permitted to use certain equipment.
- d. If you notice that equipment is faulty/broken, report it to a Manager – you should never attempt to repair it yourself.



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- e. Appropriate footwear should be worn at work.

6. General Health and Safety

Under the Safety, Health and Welfare at Work Act 2005, all employees have a responsibility for Health and Safety in the workplace. It is important that the following steps are followed:

a. Safety

- You must co-operate with your manager on matters of Health and Safety
- You must not take any action that could threaten the health or safety of yourself, other employees, clients or members of the public.
- You should report all accidents and injuries at work, no matter how minor, in the accident book.

b. Refreshment Making Facilities

We provide refreshment-making facilities for your use, which must be kept clean and tidy at all times.

c. Smoking Policy

There is a statutory ban on smoking in the workplace. The organisation is committed to providing a smoke free workplace for all employees and other persons who attend the workplace. 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 entrance or exit from the premises.

Breaches of this policy should be notified to your line manager and may result in disciplinary action in accordance with the Organisations Disciplinary Policy.

d. Alcohol and Drugs Policy

Under legislation we, as your employer, have a duty to ensure so far as is reasonably practicable, the health and safety and welfare at work of all our employees and similarly you have a responsibility to yourself and your colleagues. The use of alcohol and drugs may impair the safe and efficient running of the organisation and/or the health and safety of our employees.

The effects of alcohol and drugs can be numerous: -
(these are examples only and not an exhaustive list)



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- absenteeism (e.g. unauthorised absence, lateness, excessive levels of sickness, etc.);
- higher accident levels (e.g. at work, elsewhere, driving to and from work); and
- work performance (e.g. difficulty in concentrating, tasks taking more time, making mistakes, etc.).

It is your responsibility to report for work free from all intoxicants that may pose a threat to your own safety or that of your colleagues, leaders and partners. Where medication has been prescribed, you should find out from your doctor if there are any possible side effects, which may interfere with your role and notify your line manager before starting your job.

No consumption of alcohol is allowed during working hours. The organisation reserves the right to arrange a drugs/alcohol test under the supervision of a registered practitioner of the organisation's choice, if this is deemed necessary.

The use, sale and distribution of illicit drugs are prohibited on the Organisation's premises. Employees found in possession of illicit drugs will be reported to An Garda Síochána immediately and their behaviour dealt with as gross misconduct under the Disciplinary Procedure.

If your performance or attendance at work is affected as a result of alcohol or drugs, or we believe you have been involved in any drug related action/offence, you may be subject to disciplinary action and, dependent on the circumstances, this may lead to your dismissal. The organisation reserves the right to arrange a drugs/alcohol test if this is deemed necessary.

e. **Illness**

Please report to your Manager if you have:

- Vomiting and/or diarrhoea
- Skin infections
- Flu, coughing, infections to the mouth, throat, ears or eyes.
- Jaundice
- Food poisoning



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Joining the Organisation

1. Job Flexibility

It is an express condition of employment that you are prepared, whenever necessary, to transfer to alternative departments or duties within our organisation. This flexibility is essential as the type and volume of work is always subject to change, and it allows us to operate efficiently and gain maximum potential from our workforce.

2. Personal Information

The terms and conditions of your employment with Donegal Centre for Independent Living are set out in the statement of terms and conditions of employment between you and the organisation. You have received a copy of your contract for your own records. You should keep this in a safe place for reference. We decided to offer you employment after taking into account the personal information you provided and on the basis that it was correct and complete. We reserve the right to terminate any employment contract offered should the information you provided prove to be misleading or untrue.

3. Job Description

A job description for the position to which you have been appointed has been issued to you. However, amendments may be made to these documents from time to time in relation to the changing needs of the organisation and your own ability. You may be required to carry out alternative duties within the organisation.

4. Induction

You are required to complete an induction session at the beginning of your employment with our organisation. The induction session will explain all of our policies and procedures including Health and Safety protocol. Information on policies and procedures will be given to you at the induction.

5. Employee Training

Training in your specific job will be provided to you at the beginning of your employment. Up skilling may be required to encompass new job activities within the organisation as your employment progresses. Any training/skill requirements should be brought to the attention of your Manager. It is our policy to provide training for all staff to allow them to perform their respective jobs effectively, which in turn ensures that organisational objectives are reached.

Management are responsible for ensuring that staff development is directed towards the achievement of the overall organisation's objectives.

- The Manager is responsible for the day-to-day management of all staff development.



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- Initial training and development consists of practical training on the job, where an employee learns in the role under the supervision of a fully trained person.
- Each Manager has the lead responsibility for assessing their staff training and education needs.
- The induction of new staff into the organisation and any coaching in the operation of their roles is the responsibility of the appropriate Manager.
- The development of the annual training programme and subsequent budget submission is the responsibility of management.
- The total cost of training and education will be contained within the relevant budget as agreed on an annual basis.

No individual will be excluded from receiving training on the grounds of gender, civil status, family status, age, disability, race/ethnicity, sexual orientation, religious belief or holding membership of the traveller community, or any other criteria which could be deemed as discriminatory or divisive.

Training resources are dependent on various factors such as budgetary constraints, availability of funding or training priorities for meeting the objectives of the organisation. As a result there may be occasions when requests may be postponed or refused. In these circumstances the management make the final decision. The organisation has the right to insist upon the training of individuals whenever it deems this is necessary to ensure the achievement of the organisation's objectives. Each member of staff has access to the organisation's training facilities through direct communication with the managers or through any existing or future formal training request system.

6. Performance and Review

Our policy is to monitor your work performance on a continuous basis so that we can maximise your strengths, and help you to overcome any possible weaknesses. To ensure that you have the best opportunity to develop your skills and contribute to the organisation's success, we will provide you with on-going guidance and support in relation to your performance.



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Jury Service

If you are summoned to Jury Duty you must inform the Manager as soon as possible and produce the jury summons. If you are summoned for Jury Duty on a scheduled working day you should provide evidence of attendance at Court to the Manager (for each day attended). Where you are called for Jury Duty you will be entitled to time off with pay for the required length of time. If you do not have to attend court, you are expected to report to work each day.



Employee Handbook

Maternity Policy and Procedures

Policy Statement

Donegal Centre for Independent Living supports the right of its female employees to take maternity leave and return to work. It, therefore, aims to provide flexibility where possible in its employment practices in order to retain as many of its female workforce as possible after periods of maternity leave.

The policy follows the prevailing statutory provisions and will, therefore, vary in line with any future amendments to them. It may also be reviewed according to the changing needs of the organisation and in light of other changes in employment law.

All female staff employed by the organisation are covered by this policy, which is aimed at ensuring fair and consistent treatment.



Employee Handbook

1 Introduction

Should you become pregnant, you should notify your manager as soon as possible. There are many benefits to discussing it with him/her at the earliest possible stage in order that the full procedure is outlined to you and your entitlements explained.

Failure to follow the appropriate procedures can affect your statutory rights. The organisation requires you to follow the procedures as summarised below and to seek advice from your manager where necessary.

2 Antenatal Care

You are entitled to time off with normal pay for antenatal care. After the first appointment this right will depend on you providing an appointment card or some other document showing evidence of attendance. Wherever possible these appointments should be arranged near to the start or end of your working day and you must inform your manager at least 1 week in advance of such appointments.

3 Health and Safety

The organisation has a duty to take care of the health and safety of all employees. We are also required to carry out a risk assessment to assess the workplace risks to women who are pregnant. The organisation will provide the employee with information as to any risks identified in the risk assessment. If the risk assessment reveals that the employee would be exposed to health hazards in carrying out her normal job duties, the organisation will take such steps as are reasonably necessary to avoid those risks, such as altering the employee's working conditions. In some cases, this may mean offering the employee suitable alternative work (if available) on terms and conditions that are not substantially less favourable.

4 Maternity Leave

All female employees whether permanent or temporary, full time or part time, are entitled to time off work for maternity leave. Employees wishing to avail of maternity leave must notify their Line Manager in writing. Entitlements are as follows:

- Employees are entitled to 26 consecutive weeks' maternity leave. Maternity leave must commence before the expected due date (EDD), commencing at least 2 weeks or a maximum of 22 weeks before the date of birth. At least 4 weeks maternity leave must be taken after the birth of the child.
- Employees are entitled to 16 weeks' additional unpaid maternity leave commencing immediately after the end of maternity leave.

6 weeks' notice must be given in writing to the employee's Manager of their intention to take additional maternity leave and return to work after their maternity leave.



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With the exception of remuneration, employees on maternity leave have the right to benefit from normal contractual terms and conditions of employment that she would have enjoyed if she had not been absent.

5 During Maternity Leave

Shortly before an employee's maternity leave starts; the manager will discuss the arrangements for her to keep in touch during her leave, should she wish to. The organisation reserves the right in any event to maintain reasonable contact with the employee from time to time during her maternity leave. This may be to discuss the employee's plans for return to work, to discuss any special arrangements to be made or training to be given to ease her return to work or simply to update her on developments at work during her absence. The employee may be entitled to an Allowance from the relevant State Department (currently the Department of Social Protection).

6 Return to work

On return from Maternity Leave you have the right to return:

- To the role that you left when you embarked on your maternity leave, providing no structural changes have taken place in the organisation since the start of your leave.
- On a rate of remuneration which is no less favourable than before your maternity leave commenced
- With your seniority, pension rights and similar rights as they would have been had you not have been on maternity leave.



Employee Handbook

Parental Leave Policy and Procedure

Parental leave is an unpaid leave entitlement of a maximum of 18 weeks and is available to parents who meet the requirements as set out in this procedure.

1. Terms and Conditions

The following terms and conditions apply to parental leave:

- a. You are the parent of a child who is under 8 years old or older in the case of adoption
- b. You have adopted a child who is between the age of 6 and 8. Leave in respect of that child must be taken up to 2 years after the date of the adoption order
- c. In the case of a child with a disability or a long-term illness, leave may be taken up to 16 years of age
- d. Any employees with at least 1 year continuous service with the organisation are entitled to 18 weeks unpaid parental leave.
- e. Employees with more than 3 months service but less than less than 1 year service may be entitled to a pro rata parental leave entitlement, if the child is about to reach 8 years of age. The parental leave entitlement is 1 week unpaid leave for each month of continuous service.
- f. Part time employees will be entitled to parental leave on a pro rata basis. This is calculated on the average number of hours worked per week in the 18 weeks prior to the commencement of the parental leave.

2. Leave Criteria

- a. Each parent has a separate entitlement to parental leave and the leave may not be transferred between the parents
- b. The leave may be taken in a block of weeks (minimum 6 week period each block) or broken down into pre planned time off by arrangement with your manager. The structure of the leave will be granted based on the organisation needs.
- c. 18 weeks unpaid parental leave is available per eligible child and the maximum time off in any 1 year is 18 weeks (except in the case of multiple births).
- d. You must give at least 6 weeks' written notice before a period of parental leave begins, of both the start and end dates of the leave period you wish to take.

More information regarding the rules and regulations of parental leave can be obtained by contacting your Manager.



Payroll Policy and Procedure

1. Administration

a. Payment

- Wages are available monthly in arrears.
- You will receive a payslip showing how the total amount of your pay has been calculated. It will also show the deductions, which have been made, and the reasons for them, e.g. PAYE, PRSI etc.
- Any pay queries, which you may have, should be raised with your Line Manager.

b. Overpayments

If you are overpaid for any reason, the total amount of the overpayment will normally be deducted from your next payment but if this would cause hardship, arrangements may be made for the overpayment to be recovered over a longer period.

c. PAYE and Social Insurance

At the end of each tax year you will be given a form P60 showing the total pay you have received from us during that year and the amount of deductions for PAYE and PRSI. You should keep this document in a safe place, as you may need to produce it if making enquiries with the Revenue, etc. If there is a change in your circumstances you should speak with the local revenue office.

2. Lateness/Absenteeism

- a. You must attend for work punctually at the specified time(s) and you are required to comply strictly with any time recording procedures relating to your area of work.
- b. All absences must be notified in accordance with the sickness reporting procedures laid down in this Employee Handbook.
- c. If you arrive for work more than one hour late without having previously notified us, other arrangements may have been made to cover your duties and you may be sent off the premises for the remainder of the day without pay.
- d. Lateness or absence may result in disciplinary action and/or loss of appropriate payment.



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3. Short-Time Working / Lay-offs

If there is a temporary shortage of work for any reason, we will try to maintain your continuity of employment even if this necessitates temporarily placing you on short time, a reduced working week or having to lay you off work without pay. Any wages, benefits or statutory leave accrued during a period of reduced working week, short time or lay off will be on a pro rata basis. You will receive as much notice as is reasonably possible prior to such lay-off or short time working however there may be occasions where no notice is given should the organisational needs demand this. The organisation will endeavour to avoid this situation as much as possible; and consider all other alternatives prior to making a final decision.

4. Working Time Policy

In accordance with the working time legislation, we are committed to the welfare of our employees with regard to their time spent at work. All employees, whether full-time, part-time or fixed term, are covered by the legislation.

Daily Break Period - All employees must take a break of at least 15 minutes if working up to four and a half hours or a break of at least 30 minutes if working up to six hours (this may be inclusive of the initial 15 minute break).

Daily Rest Period - Employees affected by this legislation must take a rest period of 11 consecutive hours in each 24-hour period.

Weekly Rest Periods - All employees must take a rest period of at least 24 consecutive hours in each period of seven days.

If you are unable to take a rest break in your job, you must notify your line manager in writing (within one week) that you were unable to take this break. We will look at the reasons why you were unable to take your break and at any health and safety issues that might or have arisen relating to you and your job. If you do not notify your line manager within one week you will forfeit that break. If after investigation you are offered the break and refuse, you are at fault and the organisation is not obliged to offer you a further rest break. However we do ensure employee's rest breaks are taken.

For employees under the age of 18, the Protection of Young Persons (Employment) Act 1996 will apply, details of which are provided separately, where applicable.



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5. Expenses

Donegal Centre for Independent Living will reimburse employees for necessary and reasonable expenses incurred in the course of carrying out their duties as per guidelines and rates in place at the time. Relevant details are available from the finance administrator. All expense claims must be submitted in a timely manner with supporting receipts against all claims.

Donegal Centre for Independent Living will not pay expense claims that do not adhere to these guidelines. Leaders are responsible for reimbursing employees for all reasonable out of pocket expenses incurred in the course of carrying out their role, including mileage at the appropriate rate for all travel in the employees own vehicle

Mileage may not be claimed in respect of the journey to and from home to place of work.

Should you have any queries in relation to this policy please contact your line manager.



Employee Handbook

Probationary Policy and Procedures

Policy Statement

Probationary service refers to the initial period of employment during which the employee must demonstrate suitability for the job.

The organisation's normal probationary period is six months. Employees will receive reviews and feedback as well as on-going support during this period.

Our right to dismiss in accordance with the notice provisions contained in your individual Statement of terms and conditions of employment, or without notice for reasons of gross misconduct, should such action be deemed necessary, is not prejudiced. During the probationary period your work performance and general suitability will be assessed and, if it is satisfactory, your employment will continue. If your work performance is not up to the required standard or you are considered to be generally unsuitable we may either take remedial action or terminate your employment, without recourse to the disciplinary procedure. At the end of your probationary period you will again be assessed and, if satisfactory, you will become a member of our regular staff. If you have not reached the required standard, we may either extend the probationary period in order that remedial action can be taken, or terminate your employment. The organisation reserves the right to address disciplinary misconduct matters through probationary review assessments at any stage during your probationary period. We reserve the right to bypass, at our discretion, any step in the disciplinary process in view of your probationary status or to terminate your contract with notice, if we feel that the severity of the action warrants it. We will be fair in the application of such discretion. Any continuous period of absence of four weeks or more will suspend your probationary period until your return to work.

Reference Personal Assistants only:

The organisation reserves the right to terminate the probationary period if it deems the working relationship between the PA and Leader has broken down. Thereafter, efforts to resolve the working relationship will be made. If these efforts fail, the Organisation will endeavour to source alternative reasonable work in the first instance, however if this is not available termination of employment will be the next resort.



Employee Handbook

Induction and Initial Training

The probationary period is linked to the giving of proper induction training and assistance, so that every new employee can be carefully and fairly reviewed during the early months of service; and so they can be kept fully aware of the duties and responsibilities which they are expected to perform, the standards which are required and how they are matching up to them.

A general introduction to rules, methods of work, conditions of service, safety rules, contacts, etc., will be given during the first few days at work. The manager will normally be in attendance and available to the new member of staff on these days. The manager will also be responsible for ensuring that there will be a programme of training and practical assistance; in the particular duties of the post and information about the overall work of Donegal Centre for Independent Living during the six month probationary period. This will be designed to be appropriate to the job being filled and the particular needs of the new employee concerned.

1 Review

There will be assessment of new staff throughout their probationary period, with full discussion on progress with the manager. Where necessary, additional assistance and training to overcome shortcomings and to optimise performance will be agreed with the employee.

Formal reviews will take place throughout the six month period. If the manager is not satisfied with any aspect of the employee's performance during the first two reviews, the employee will be informed of this in writing, together with details of the improvement which is expected and any additional help which will be given. On the third review a decision will be taken as to whether to confirm the appointment or terminate employment.

2 Confirmation of Employment

Following the third review, the employee will be informed whether or not he or she is to receive a confirmation of employment. If the employee is to receive a confirmation, this will be provided in writing by a member of management.

3 Termination of Employment

Termination of employment can take place at any time within the probationary period. The exception would be where there are serious failings, which are not capable of being remedied through extra assistance, or where there are extended absences from work.



Employee Handbook

Redundancy and Redeployment Policy and Procedures

Policy Statement

It is the policy of the organisation, by careful planning, to ensure as far as is reasonably possible, security of employment for its employees. However, it is recognised that there may be changes in the work of the organisation, organisational requirements and financial situation that may affect the need for staff throughout the organisation.

The organisation recognises that whenever there is a reorganisation of employee resources, which could result in loss of jobs, there is an anxiety for the employees who are involved, whether or not their actual job is affected. It is therefore the organisation's policy, where compulsory redundancy is inevitable that it will be handled in the most fair, consistent and sympathetic manner possible in an attempt to minimise any hardship that may be suffered by the employees concerned.

Redundancy and Redeployment Policy

Reasons for a Redundancy situation may be:

- Financial Position of the organisation
- Lack of Work
- Reorganisation
- The organisation closing down completely

1. Definition

The organisation recognises that over the course of time, organisational change is required. Therefore there may be occasions when there is either a diminished requirement for a role to be carried out at a certain location, or no longer a requirement at all. In these circumstances there may be a redundancy situation.

In potential redundancy situations there is a legal requirement to ensure the following:

- a. That there is a genuine redundancy situation as defined above;
- b. That the employees who are potentially being made redundant are selected fairly; and,
- c. That a fair procedure has been followed.



Employee Handbook

2. Consultation

The management of Donegal Centre for Independent Living will ensure meaningful consultation takes place in any redundancy situation. Formal consultation will commence at the earliest opportunity.

Members of the management team should meet with employees whose roles are considered at risk during the consultation period.

Efforts will be made to mitigate the need for compulsory redundancies by:

- Natural wastage
- Redeployment (where possible)
- Accepting volunteers (where appropriate)

The Manager will notify the effected employees of the potential redundancies in writing. The views of the employee will be sought on matters relating to the redundancy and a reasonable period given for their response and for discussion of the issues with them. The views presented will be taken into consideration before any final decisions are made.

3. Selection

Criteria will vary according to circumstance however the following may apply;

- Voluntary redundancy
- Areas of work which are ceasing or diminishing
- Length of Service, attendance, disciplinary, performance and capability records

Selection will, in the first instance, be of those employees who may be at risk of potential redundancy; their situations may subsequently be resolved by redeployment or by some other measure, which makes eventual termination of employment unnecessary.

In order to minimise the need for compulsory redundancies, the organisation may consider requests from employees for voluntary redundancies. Whether or not additional payments will be offered in relation to voluntary redundancies will be a matter for consultation and will depend on the circumstances.

The organisation reserves the right at its absolute discretion to decline requests for voluntary redundancy.



Employee Handbook

4. Right of appeal

It is this organisation's policy that, if the need for redundancies arises, selection for redundancy will be made on the basis of objective criteria that will be reasonably, fairly and consistently applied. Examples of criteria that may be used are: length of service, performance, skills, qualifications, type of experience, attendance records, disciplinary records and other criteria that are capable of being objectively applied. The organisation will also ensure that the pool of employees to whom the selection criteria are applied is fairly defined. Once provisional selections for redundancy have been made, the organisation will enter into individual consultation with each employee identified.

Any employee who has been selected for redundancy and who is dissatisfied with the way in which the organisation has applied its redundancy selection criteria, or who believes that he/she has been unfairly disadvantaged by the selection criteria or not given a fair opportunity to put forward representations, can appeal against his/her selection for redundancy.

An employee who has been informed that he/she is to be made redundant may appeal against the decision by notifying the Appeals Officer that he/she wishes to do so. The appeal should be lodged within five working days of the formal notification of redundancy being given. A meeting will then be arranged with the Appeals Officer.

The outcome of the appeal will be communicated to the employee in writing within five working days of the appeal hearing. The decision of the appeal hearing will be final.

5. Redeployment

Offers of redeployment will be made in writing and will specify the new job, the normal rate of pay and any differences in conditions of service from those of the previous job. Training will be provided where redeployments are made to a different area of work for which it is felt the employee will be suitable with some additional assistance.

Employees who unreasonably refuse to accept a post, which is deemed a "suitable alternative", will lose his/her right to a redundancy payment.

6. Redundancy Pay

The organisation's redundancy pay is calculated in accordance with the statutory entitlement. Employees with less than two years' service are not entitled to redundancy pay.

7. Formal Notice

Entitlement to notice of termination of employment when the dismissal is due to redundancy will be as per statutory entitlements, or the contractual notice period, whichever is the greater.

8. Review

This policy will be subject to review as the circumstances and size of the organisation change.



Employee Handbook

Retirement Policy and Procedures

The normal age for retirement is 65, and it is our policy for employees to retire at the end of the week in which their 65th birthday falls. In certain circumstances consideration may be given to fresh employment being offered to you after retirement. Such offers will be totally at the discretion of the organisation and will be on a fixed term basis.



Employee Handbook

Sickness and Absence Policy and Procedures

Policy Statement

It is the responsibility of Donegal Centre for Independent Living both as an employer and as a service provider to ensure sickness and absence are controlled effectively. This is in the interest of all employees of the organisation and all of those individuals and groups for whom a service is provided.

Employees of the organisation are expected to attend for work regularly and on time. However, the organisation does not require, nor does it wish, employees who are unfit for work to attend. In complying with this policy employees are expected to keep absence and lateness to a minimum by:

1. maintaining reasonable health standards
2. not permitting a minor ailment to prevent timely attendance
3. attending, where possible, to personal affairs outside working hours and ensuring domestic affairs do not interfere with attendance. It is expected that where time off is needed to attend to such affairs, it will be made up from annual leave and \or time off in lieu.

If it is found that an employee's health is impacting upon their ability to carry out their duties in an effective manner, then the organisation reserves the right to request a medical examination by an independent medical practitioner. The organisation will meet the cost of any examination.

The organisation's Sickness Absence Procedures are designed to control the effects of absence and to contain such absence within acceptable levels in a way, which ensures equitable treatment for all employees.



Employee Handbook

Sickness Procedure and Summary

- a. On your first day of absence you must notify your manager (or designated person) one hour before your designated start time. If your manager is unavailable then you must notify the next most senior manager.
- b. If your absence continues, you must continue to keep your manager informed daily
- c. If you are absent for more than 3 working days, a GP's medical certificate is required.
- d. Subsequent GP's certificates must arrive before the expiry of the previous one.
- e. Inform your manager on your return to work.

Conduct during Sickness Absence

You are not expected to:

- a. Participate in activities, which are inconsistent with or may aggravate your condition.

Or

- b. Undertake work paid or unpaid.

The above are examples of unacceptable behaviour while absent as a result of sickness.

Sick Pay

You are entitled to state benefit during absence as a result of sickness or injury, provided you meet the criteria laid down in government regulations. It is your responsibility to claim illness benefit from the Department of Social Protection. This claim is made by obtaining a signed Social Welfare Certificate from your doctor and forwarding it to the department of Social Protection. All social welfare benefits are taxable.

1. Sickness Absence Notification Procedure

In the event of unavoidable absence due to sickness you must adhere to the correct notification procedures as set out below. Failure to do so may result in disciplinary action.

- a. On the first day of absence you, personally, must contact your manager via telephone, one hour before your dedicated start time giving the reason for your absence and an indication of how long you will be off. Text messages or emails are not an acceptable method of notification. If your manager is unavailable you must contact the next most



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senior person. Only if you are too unwell to personally contact your Manager can someone do so on your behalf.

- b. If the absence continues for more than one day you must continue to keep your manager informed of your progress.
- c. If the sickness occurs during annual leave, staff may take these holidays at a later date so long as a doctor's certificate is submitted.
- d. If the absence continues for more than 3 days, you must obtain a doctor's certificate and provide this to your manager.
- e. If the absence is for less than 3 days you must provide a self-certificate, even if the absence is for one day. This must be submitted no later than one day after your return to work.
- f. If the absence continues beyond the period confirmed by the first doctor's certificate, you must continue to submit doctor's certificates to cover the entire period of absence. Subsequent certificates must reach your manager before the expiry date of the current medical certificate.
- g. On return to work from sick leave you must immediately inform your manager.

False declaration concerning sickness absence is a disciplinary offence.

2. Medical Appointments

Where possible, routine doctor, hospital, dentist, optician or other necessary medical appointments should be arranged outside working hours. If this is not possible, every attempt should be made for the appointment to be at the beginning or end of your working day and you will normally be required to make this time up. The organisation is not obliged to pay salary while absent on appointments of this nature. Advance notification of such appointments should always be given and managers have the right to ask for proof of attendance, e.g. an attendance letter from the GP or appointment card for such appointments.

3. Monitoring

The organisation views the management of sickness as extremely important and therefore the sickness record of all employees will be monitored. Throughout this process all information concerning an employee's health will be treated in the strictest confidence as far as is possible. Sickness absence is very costly both in financial terms and in the impact on quality of service. High levels of sickness absence, either due to frequent short term absences or long term absence, can have a serious impact on the smooth running of the organisation and can also



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cause pressures on other employees who may have to cover for their absent colleagues. Reports will be available to help managers monitor sickness levels and full records of absence will be maintained so that managers have full and accurate information on when to act if an individual's sickness record gives cause for concern.

4. Short-term absence

The organisation defines short-term absence as any absence of two weeks or less. Persistent or frequent short term-absences, even though they may be for genuine medical reasons, are particularly disruptive and create additional work for colleagues, often at short notice.

The organisation has adopted a procedure for managing short-term absence. This procedure applies to self-certified absence and absence covered by a doctor's certificate. The organisation does, however, recognise that all cases of short-term absence are different and will deal with individual cases on their own merits and in the light of individual circumstances.

The procedure is as follows:

All absences from work will be recorded and monitored as a matter of routine.

If your absence record shows:

- 3 or more occasions of short-term absence in any rolling 12 month period;
- or**
- short-term absences totalling 3 or more working weeks in any rolling 12 month period (a part-time employee's working week would be their contracted days in that week e.g. if he/she works 3 days per week, this is counted as 1 week);
 - a. You will be asked to attend an absence review meeting. This will normally take place with your manager.
 - b. At this meeting, we will review your absence record and establish any possible underlying problems or medical conditions. Following the absence review meeting your attendance will be monitored.
 - c. It may be necessary for the organisation to obtain a medical opinion or prognosis from your doctor or an independent doctor appointed by the organisation. If this is the case, you will be required to give your written consent to the organisation's request for a medical report. If you refuse to co-operate with the organisation in this regard, the organisation will have no alternative other than to make decisions based on the information it has available at the time.



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- d. If you have already attended an absence review meeting and you are absent again, you will be required to attend a further absence review meeting where the reason for your absence will be discussed.
- e. If, in the light of all information obtained, the organisation considers your absence record to be a disciplinary matter, you will be dealt with in accordance with the organisation's formal discipline procedure.
- f. Where there is a genuine medical reason for your absences, the organisation will keep your attendance under review. If your absences continue at an unacceptable level, further absence review meetings will be held.
- g. In conducting these review meetings, the organisation will follow a procedure, which mirrors the stages and warnings of the formal discipline procedure. The stages are: verbal warning; written warning; final written warning and dismissal.
- h. At each absence review meeting, the organisation will consider your attendance record and its effect on the organisation
- i. You will be given the opportunity to explain your absences and make any representations. We will agree with you the appropriate requirements to improve your current attendance levels. Target attendance levels within a timescale will be set in accordance with your individual circumstances. Any alternative options will also be considered to help you to maximise your attendance, for example changes to your working arrangements such as location or hours. It may also be necessary to seek further medical advice. The outcome of the meeting will be confirmed to you in writing. Depending on the stage of the procedure, this may be a verbal, written or final written warning or dismissal, on the grounds of unsatisfactory attendance. Failure to make the necessary improvements within the agreed timescale will result in an escalation of the procedure to the next level.
- j. You will have the right to appeal against any warning or dismissal. If you wish to appeal against a decision made at any stage of the procedure, you should follow the procedure as set out in the organisation's capability procedure.
- k. You will have the right to be accompanied by a work colleague of your choice at every stage of any formal procedure, including any appeal.
- l. Failure to make the necessary improvements after a final written warning may lead to your dismissal on the grounds of unsatisfactory attendance. If you are dismissed, you will be provided with written reasons for your dismissal, the date



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your employment will terminate and details of any notice pay to which you are entitled. You will also be informed of your right of appeal.

5. Long term Sickness

The circumstances that give rise to an absence due to long-term sickness are usually quite different to those causing short-term absence.

The organisation defines long-term absence as:

- more than 14 consecutive days absence (including non-working days);
- or**
- 3 separate occurrences of absence, one or more of which lasts for more than usually 2 weeks, in a 12 month rolling period.

The organisation has adopted a procedure for managing long-term absence, the aim of which is to facilitate and support the return to work of the individual concerned. All cases of long-term illness will be treated sympathetically, taking into account the particular circumstances of the case.

The procedure is as follows:

- a. All absences from work will be recorded and monitored as a matter of routine.
- b. The procedure will be triggered when your absence from work has become long-term (as defined above). At this stage, the organisation will begin consultations with you about your return to work. These consultations will take the form of staged absence review meetings, during which your manager will discuss with you:
 - your medical condition and prognosis;
 - the effect of your absence on the organisation;
 - a return to work date;
 - any possible alternative working arrangements or roles which might enable you to return to work;
 - where appropriate, a planned, graduated return to work programme, including, wherever possible reduced hours and/or lighter duties.
- c. It may be necessary for the organisation to obtain a medical opinion or prognosis from your doctor or an independent doctor appointed by the organisation. If this is the case, you will be required to give your written consent to the organisation's request for a medical report.



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If you refuse to co-operate with the organisation in this regard, the organisation will have no alternative other than to make decisions based on the information it has available at the time.

- d. You will be given the opportunity to be accompanied by a work colleague of your choice at every meeting during the course of this procedure, including any appeal. Your manager may be accompanied at any meeting by another member of management.
- e. The content and outcome of every meeting will be fully documented and confirmed to you in writing.
- f. When your absence becomes long-term (as defined above), you will be required by your manager to attend an initial absence review meeting. If it is not possible for you to attend a meeting at work, a home visit will be arranged. In most cases, it will be at this stage when the organisation seeks your permission to obtain a medical report on your condition.
- g. If your absence continues, you will be required to maintain regular contact with your manager. After you have been absent for 6 weeks, your manager will arrange a second absence review meeting. It will be discussed with you the contents of any medical reports on your condition that have been received. The organisation will take into account the recommendations of your medical adviser and wherever possible and practicable make any necessary arrangements to accommodate your return to work. Such arrangements may include a planned, graduated return to work programme and/or alternative employment if appropriate and available.
- h. If, in the opinion of your medical adviser, you are still unable to return to work, you will be required to maintain regular contact with your manager. After you have been absent for 12 weeks, we will arrange a third absence review meeting to discuss the likelihood of your return to work. If necessary, the organisation will seek further medical advice before this meeting. At this stage the organisation will seek to finalise a clear plan for your return to work. If, having considered the medical evidence and all possible alternative arrangements, the organisation considers that there is no prospect of your return to work and your absence is having a detrimental effect on the organisation, you will be advised dismissal on the grounds of ill health/capability is being considered. This is not in any sense a disciplinary matter.
- i. If the organisation is considering dismissal, demotion or any other action short of dismissal, you will be given a written statement prior to a further absence review meeting, setting out the reasons for the proposed course of action. The issues will be fully discussed at the meeting and you will be informed in writing of the outcome. If you are dismissed, you will be provided with written reasons for dismissal, the date your employment terminates and details of any notice pay to which you are entitled. You will also be informed of your right of appeal. If you are demoted, you will be entitled to the salary and other terms and conditions



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of employment appropriate to the position to which you have been demoted. You will have a right of appeal against demotion.

- j. In implementing the above procedure, the organisation will take into account the particular circumstances of the absence in relation to the individual (for example, the nature and predicted length of the illness) and the organisation (for example when key employees are absent at critical times). The organisation reserves the right to amend the procedure in the light of these circumstances and may take more or fewer steps as appropriate.

Throughout the entire procedure, employees are expected to communicate with their manager regarding their condition and general state of health. Full co-operation from employees is also required. If the employee is to receive a visit at home by a representative of the organisation then this should be at a time that is mutually convenient. This should be done in the context of genuine welfare assistance.

6. Return to Work

Returning to work after short term and long term sickness absence will be marked by a return to work interview between the employee and their manager. These interviews will be recorded using a standard format and will be used to introduce the employee back to work and to ensure he or she is fit for work. This interview should discuss any changes within the organisation or their work area since they have been off. This meeting should be confirmed in writing.

If any problems of a major nature are perceived (e.g. employee not fully fit) this should be recorded as above and the organisation may require attendance for medical assessment.

If termination of employment is felt to be necessary, the employee must be seen by a member of the management team, and advised beforehand of his/her rights to be accompanied by a workplace colleague. Sufficient time should be allowed for the employee to arrange for this accompaniment. The employee should be informed of the medical conclusions, asked for his/her views and consulted with regarding the feasibility of alternative employment. There may be agreement that termination of employment is the only option, or that another option should be pursued. However, it may also be necessary to terminate without the employee's agreement and the employee must be advised of any right of appeal under the agreed procedures.

7. Representation

At all stages of this formal procedure, employees will be afforded the right to have a workplace colleague present.



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8. Going Home Early Due to Sickness

If you need to go home from work because you are feeling unwell, the day you leave work will be counted as your first day of sickness. You will be paid only for the hours you work on that day.

9. Falsification of records

If you inform the organisation that your absence is due to sickness and subsequent investigation indicates that the absence was not due to sickness, this will be regarded as misconduct and dealt with under the organisation's published disciplinary procedure.



Term-time working policy

1. Aims and Principles

This policy sets out:

- the process by which employees can request term-time working
- the rules on eligibility
- how requests will be dealt with

Wherever possible Donegal Centre for Independent Living will agree to an employee's request for term-time working, but reserves the right to refuse a request because of the nature and type of work carried out by the employee and in the best interests of the organisation.

This policy consists of unpaid special leave, and is designed to help employees combine their work with responsibilities and choices outside of the work place.

2. Eligibility criteria

To make a valid request for term-time working the employee must satisfy all of the criteria shown below:

- a. The employee must have been employed continuously for at least one year before a request can be made.
- b. He/She must have responsibility for the care of a person with a disability that gives rise to the need for care on a continuing or frequent basis for the period of the leave or
- c. Have one or more dependent pre-school children attending primary, second level, vocational education, or a special school and aged 18 years or younger by 1 June in the year in which it is intended to participate in the same scheme.

Participation in the scheme is for the purposes outlined above only, and may be terminated at any time during the period of special leave if a person engages in any other employment whilst on special leave.

3. Requests for term-time working

The employee must place their request in writing, which must also be dated. This may be in the form of an email. This request in the first instance should be sent to their line manager, who will make a recommendation to the Board on the matter. Management shall reserve the right to



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refuse some or all of the applications on the scheme. An employee who avails of term time leave in one year will be asked to reapply the following year if he or she wishes to avail of a further period of term time leave.

To be a valid request the employee must address the following points:

- a. State whether they wish to avail of a period of 13 weeks or 10 weeks special leave.
- b. The date on which the new pattern of work is to commence.
- c. Employees who apply to participate in this scheme can also apply to have their salary reduced on an annualised basis. Employees wishing to avail of this facility (of spreading the salary reduction over the full calendar year) must specify this on their application form. Either of the following methods can apply:
 - i. Special leave without pay for a period of 10/13 weeks (i.e. no pay for the period)
 - ii. Reduction of annual salary in the 10/13 week period (i.e. spread over the full calendar year)

Each participant is required to give an undertaking that any overpayment that may arise from his or her participation in the scheme will be repaid to the organisation not later than 31st of December of that year, unless otherwise agreed.

4. Dealing with requests for term-time working

Donegal Centre for Independent Living will give every request serious and proper consideration, but is not obliged to agree to any request.

If the request is agreed

If the leave is approved, the applicant will receive confirmation in writing from their manager of the dates applicable. The employee will be invited to sign and date the agreed arrangement, which will include details of variations to their entitlement to remuneration, benefits and other terms. This offer must be accepted and returned within 10 working days of the offer being made. Failure to do so will render the offer null and void and the offer will pass to another employee. It will not be possible for an employee to withdraw or to alter an application for the scheme once that undertaking has been given. This commitment is essential for putting into place the special salary arrangements, if applicable.



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If the request is refused

The refusal will be placed in writing. It will explain the organisations reason(s) why it has been refused.

5. Annual Leave and Public Holidays

The period of special unpaid leave provided under the scheme is in addition to normal annual leave. Subject to the provisions of the Organisation of Working Time Act, the annual leave entitlement of an employee may be reduced to take into account of the period of special leave. At the discretion of the manager an employee may not be granted annual leave in the four weeks immediately prior to or following the period of special leave.

The entitlement of employees to benefit of any public holidays falling within the period of the special leave will also be determined by the provisions of the Organisation of Working Time Act. One or two public holidays may arise within the period of special leave for term time.

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. The employer shall determine which of the following the employee is entitled to:

- a. A paid day off within a month
- b. An additional day of annual leave
- c. An additional day's pay

Part time employee's entitlement will be based on their eligibility in terms of having worked 40 hours in the 5 weeks prior to the public holiday.

6. Voluntary Contributions

It is the responsibility of the person availing of the term time scheme to make arrangements to ensure that any voluntary contributions (e.g. health insurance, savings plans etc.) normally deducted from your salary continue to be paid.

7. Reckonable Service

The period of special leave will reckon for seniority purposes. The period of special leave will not reckon for pension purposes.

8. Sick Leave

Employees may not avail of sick leave during the period of special leave



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Training for Staff

Policy Statement

It is the organisation's policy to provide training for all staff in order that they can perform their individual jobs effectively, and in doing so, ensuring that the organisation achieves its objectives. The management team is responsible for ensuring that staff development is directed towards the achievement of the overall organisation's objectives.

- a. Day to day management of all staff development is the responsibility of the Manager.
- b. The Manager has the lead responsibility for the development of their members of staff and for assessing their training and development needs.
- c. Coaching in operational activities and the induction of new staff, into the organisation is the responsibility of the appropriate Manager.
- d. The development of the annual training programme and subsequent budget submission is the responsibility of the management team.
- e. The total cost of training and education will be contained within the relevant budget as agreed on an annual basis.

No individual will be excluded from receiving training on the grounds of gender, civil status, family status, age, disability, race/ethnicity, sexual orientation, religious belief or holding membership of the traveller community, or any other criteria, which could be deemed as discriminatory or divisive.

The training resources are dependent on several factors, for example budgetary constraints, availability of funding and the training priorities necessary to fulfil the organisation's objectives. Consequently there may be occasions when a request may be postponed or refused due to other priorities.

The organisation has the right to insist upon the training of individuals whenever this is necessary to ensure the achievement of the organisation's objectives.

If the organisation sponsors training for you, you will be asked to complete a training agreement before commencement. This document details the reimbursement of the cost of training to the organisation should your employment be terminated for any reason, details of which are available separately.

You may be required to attend training sessions outside your working hours. This is an express condition of your employment.



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Reimbursement of Training Costs

Should you terminate your employment within 12 months of commencing a training course, you will be required to reimburse the cost of training fees, any travel and accommodation expenses connected with the course, the salary payable for training days and any staff replacement costs made necessary by your absence during the training period. Any deductions will be made primary from salary and any other monies due on termination.



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Travel Policy

Policy Statement

This policy seeks to set out how Donegal Centre for Independent Living aims to manage the issue of driving on business. We aim to ensure that those who drive on business do so safely, and that any risks are identified and reduced as far as is reasonably practicable. Most positions within DCIL require you to hold a valid driving licence and that you have the use of a vehicle to enable you to drive.

1. Safe Driving

Employees must agree to the following conditions if using their own vehicle for driving on DCIL business.

- DCIL accepts no liability for accidents or incidents in which an employee is involved while travelling for work purposes.
- Permission to use your own car on DCIL business must first be obtained from your manager
- In the event of using your own car for business purposes, expenses will be reimbursed at the appropriate mileage allowance rate, details of which can be obtained from your manager
- Employees must ensure that the vehicle is fully insured, including use for such business purposes.
- Tax and NCT certificates are up to date as per legal requirements
- The car has been fully maintained and is in roadworthy condition
- The vehicle is not overloaded with materials
- You follow the rules of the road, driving regulations and speed limits at all times
- You have a drivers licence which legally permits you to drive and that you do not exceed the maximum number of penalty points

2. Fines

DCIL does not accept responsibility for any speeding or parking fines and requires that the driver should pay any such fines him/herself.

3. Accident reporting

Drivers are required to report all accidents and 'near misses' including any accidents or 'near misses' in their own vehicles whilst driving on business.

Drivers will be supplied with instructions on what to do in case of an accident, and given a checklist to be completed at the site of an accident, or, where this is not possible due to conditions or injury, then as soon as possible following the accident.



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4. Mobile phones

It is a strict rule that mobile phones must not be used to make or receive calls whilst driving or temporarily stationary in busy traffic (even if the traffic is not moving). Neither must mobile phones be used whilst driving to access any sort of data (e.g. via the Internet), nor to send or receive text messages or other images.

Drivers should ensure that they do not answer mobile phone calls whilst driving and that voicemail messages are attended to during motoring rest breaks. In addition, other employees are advised not to contact colleagues on their mobile phone if they know they will be driving.

This rule also applies to those with "hands-free" equipment. A driver who needs to use a mobile phone should be properly parked and the engine switched off.

DCIL will not be liable for such use, and any driver who is fined for breaching the ban will be required to pay such fines themselves.

Employees are required by DCIL to abide by the details of this policy whilst driving for business purposes.



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Work Capability Policy and Procedures

1. Introduction

We recognise that during your employment with us your capability or competence to carry out your duties may deteriorate. This can be for a number of reasons, the most common ones being that either the job changes over a period of time and you fail to keep pace with the changes, or you change (most commonly because of health reasons) and you can no longer cope with the work.

For the avoidance of doubt, the following capability procedures apply on a non-contractual basis.

2. Addressing Capability Issues

- a. If the nature of your job changes we will make every effort to ensure that you understand the level of performance expected of you and that you receive adequate training and supervision. If we have concerns regarding your capability these will be discussed in an informal manner and you will be given time to improve.
- b. If your standard of performance is still not adequate you will be invited to a formal meeting and may be issued with a verbal warning. Failure to improve and to maintain the performance required could lead to a further warning in writing.
- c. If your standard of performance is still not adequate you will be invited to a subsequent formal meeting and the outcome could be a written warning that a failure to improve and to maintain the performance required could lead to a further final warning. We will also consider the possibility of a transfer to more suitable work if possible.
- d. If there is still no improvement after a reasonable time, you will be issued with a final warning that you will be dismissed unless the required standard of performance is achieved and maintained if we cannot transfer you to more suitable work.
- e. If such improvement is not forthcoming after an agreed period of time, you will be dismissed.
- f. Every effort will be made in between meetings to set out achievable targets and objectives and you will be fully aware of the level of performance expected of you.
- g. We reserve the right to take into account an employee's length of service and to vary the procedures accordingly. If you have a short amount of service (less than 1 year) you may not be in receipt of any formal warnings before dismissal. However you will retain



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the right to a formal disciplinary hearing, the right of representation and the right to appeal.

3. Personal Circumstances

Personal circumstances may arise in the future, which do not prevent you from attending for work but which prevent you from carrying out your normal duties (e.g. a lack of dexterity or general ill health). If such a situation arises, we will normally need to have details of your medical diagnosis and prognosis so that we have the benefit of expert advice. Under normal circumstances this can be most easily obtained by asking your own doctor for a medical report. Your permission is needed before we can obtain such a report and we will expect you to co-operate in this matter should the need arise. When we have obtained as much information as possible regarding your condition and after consultation with you, a decision will be made about your future employment with us in your current role or, where circumstances permit, in a more suitable role. If you do not give consent for such medical information being provided to us, the organisation reserves the right to make a decision on your employment based on the information available to us.

There may also be personal circumstances, which prevent you from attending work, either for a prolonged period(s) or for frequent short absences. Under these circumstances we will need to know when we can expect your attendance record to reach an acceptable level and again this can usually be most easily obtained by asking your own doctor for a medical report. When we have obtained as much information as is possible regarding your condition and after consultation with you, a decision will be made about your future employment with us in your current role or, where circumstances permit, in a more suitable role. If you do not give consent for such medical information being provided to us the organisation reserves the right to make a decision on your employment based on the information available to us.



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Amendments

This set of policies is owned by Donegal Centre for Independent Living and were updated on 22nd September 2014.

Details of any amendments or additions are recorded below.

Employee Handbook Issue and Updates		
Pages	Issue Number	Date



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