(Company)

**Staff Handbook**

**#**

**2019 Edition**

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# WELCOME TO (Company)

At (Company), we aim to encourage an open and communicative managerial style that promotes continuous self-development and a supportive work environment. In addition, our aim is to provide strong leadership, excellent conditions and a safe work environment to help you to realise your career potential and maintain a high level of job satisfaction.

As an employee, you play an essential role in helping us to realise our business objectives. We hope that you will continue to enjoy working with us and that we will be able to provide you with the guidance and support required allowing you to drive your career forward. As we will play a large part in the development of your career both personally and professionally, we look forward to assisting you in any way possible to achieve your own personal goals and objectives in line with our business practice.

We hope that you will find this handbook interesting and informative and if there are any details, which you do not understand, please contact your team leader who will be delighted to assist you. The handbook documents our policies and procedures and other relevant information pertaining to your employment with us.

This handbook is an integral part of your employment contract and, together with your contract, forms your written terms and conditions of employment, and you are required to study it carefully. It is important to be aware of all the procedures and codes of practice contained herein. Please note that from time to time this handbook may be amended and that such amendments will form part of your conditions of employment.

Finally, I would like to reiterate our commitment to you and wish you continued success in your career with (Company).

........................................................................................

(Owner / Managing Director

# INTRODUCTION TO (Company)

## Pre-Employment Requirements

In advance of your employment with us we require the following information from you:

* Full address, contact details, and phone numbers of next of kin/emergency contact;
* Signed contract of employment;
* Educational references/professional membership associations (where applicable);
* References from previous employers, or character reference;
* School/college or other references may be accepted in certain circumstances;
* Bank details

In order to ensure that staff records are kept up to date you are required to inform your manager of any changes made to the following:

* Name, address and contact details;
* Next of kin/emergency contact details;
* Additional qualifications acquired;
* Bank details;
* Notification of any employment outside of the company

If you have any queries relating to personal income tax please contact your designated tax office or the Revenue Commissioners at [www.revenue.ie](http://www.revenue.ie).

## Method of Payment

Wages are paid weekly / fortnightly / monthly in arrears. Payment is by credit transfer / cash / cheque, and you will receive a wage advice slip showing your gross pay, deductions and net sum credited.

## Overtime

The company’s policy is to minimise the necessity for working extra hours or overtime as far as possible. Inevitably, however, situations do arise where it becomes essential. Every effort is made to give you as much advance notice as possible. Overtime is paid at the normal rate of pay / DETAILS OF OT RATES

## Hours of Work

You should be conscientious about your attendance and punctuality at work. You are part of a team and getting the work done depends on everyone being in the right place at the right time.

Persistent lateness or regular absences from work may give rise to disciplinary action, up to and including dismissal in line with the company’s disciplinary policy.

Your hours of work are stated on their contracts of employment and are in accordance with the requirements of the Organisation of Working Time Act 1997. These hours may be subject to change in consultation with you.

Your contract of employment also outlines the statutory rights for employees in relation to rest periods, maximum working time and holidays. The company reserves the right to alter break times in accordance with the needs of the business. Breaks in accordance with statutory requirements will not be affected.

## Pension / PRSA

(Company) does not provide an occupational pension scheme for employees, but, under the Pensions (Amendment) Act 2002, the company does provide access to an appointed standard Personal Retirement Savings Account (PRSA) contract.

The company will, if requested, make deductions from the payroll at the employee’s request in respect of the employee’s contribution to the PRSA, although there is no obligation on employees to make any such contributions.

The company provides a pension as per your contract of employment. Please contact your manager for further details.

## Place of Work

Your place and location of work is detailed in your contract, and you will be expected to be ready to start work in accordance with your daily hours at that location.

Due to the nature of the business and type of work you are employed to do, a certain degree of flexibility regarding location of work is required within reason.

From time to time you may be required to work at different locations as part of your role. You will be given as much notice in advance of any such change as possible.

## Lay-Off and/or Short-Time

The Company reserves the right to reduce your working hours where, through circumstances beyond its control, it is unable to maintain you in full-time employment.

You will receive as much notice as is reasonably possible prior to such lay-off or short-time, you will not be paid during the lay-off period.

You will only be paid for time actually worked during periods of short-term.

## Timesheets

In accordance with the terms of the Organisation of Working Time Regulations you are required to utilise the Time & Attendance system provided by the company indicating your hours of work and rest periods. You are required to give details of dates worked, plus start time and finish times of each day, as well as the times of each break that you took during each day on the time sheet.

As indicated in your contract of employment, an employee may in certain circumstances be required to adjust or exceed their hours of work above, in order to ensure the efficient discharge of the employee's duties and/or to meet the needs of the company.

This will again be in accordance with the Organisation of Working Time Act, 1997.

## Probation

A probationary period of X months will apply from commencement of employment. During this time, the contract may be terminated at any time and notice provided will be in line with current employment legislation.

The probation period is designed to give the employee the opportunity to assess their suitability and interest in the position at hand, while at the same time enabling the company to establish the compatibility of the employee to the work environment.

The probation period may be extended at the discretion of management but in any case, will not exceed eleven months. The company reserves the right to terminate your employment during this period also.

Normal company disciplinary procedures will not apply during the probationary period.

# EMPLOYEE PRIVACY STATEMENT

## Introduction

In order to comply with contractual, statutory and management obligations and responsibilities, (COMPANY) is required to process personal data relating to its employees. (COMPANY, REGISTERED ADDRESS) will be the Data Controller of all data collected for these purposes.

(COMPANY) is committed to protecting employee privacy and processing data in line with all relevant Data Protection Legislation. For the purposes of this policy the term processing includes the initial collection of personal data, and holding and use of such data, as well as access and disclosure, through to final destruction.

This policy sets out the basis on which we collect, use and disclose the personal data of our employees, as well as your rights in respect of personal data.

## What type of Personal Data do we collect?

We may collect the following types of personal data:

* Relevant contact information including your name, address, email address, telephone number and any other contact information that allow us to meet our organisational and statutory obligations to you as your employer
* Details we require to ensure payment is made in line with our contractual obligations to you, including your PPSN, bank account details, and information relating to your salary
* Right to work documentation and other security screening information
* Job-related information such as years of service, work location, holiday information and contract data
* Data that we require to ensure we fulfil our health and safety obligations as an employer including but not limited to, next-of-kin details, individual risk assessment details, personal information emergency evacuation plans and information relating to workplace accident (including but not limited to accident reports, relevant photographs, witness statements)
* Data that we require to fulfil statutory obligations including but not limited to data relating to:
	+ tax,
	+ statutory leave (including maternity leave, paternity leave, parental leave, force majeure, carer’s leave);
	+ and work permits
* Data that is necessary for the organisational functioning of (COMPANY). This includes, but is not limited to, data related to your recruitment, training and development, absence, disciplinary matters, health and safety, and security
* Sensitive personal data relating to your physical or mental health,
* Information relating to health, will be processed for the purpose of recording absence from work due to sickness, to make appropriate referrals to the Company Doctor and to make any necessary arrangements or adjustments to the workplace in the case of disability. This processing will not happen without the employee’s knowledge.
* Information relating to racial/ethnic origin will be processed for the purpose of confirming immigration, right-to-work and residence status only. This processing will not happen without the employee’s knowledge

## Disclosure to other bodies

In order to perform our contractual and management responsibilities (COMPANY) may, from time to time, need to share an employee’s personal data with another body.

For the performance of the employment contract, (COMPANY) is required to transfer an employee’s personal data to third parties (for example, to an external accountant who processes (COMPANY’S) payroll, and to our pension provider). In addition, from time to time, in order to ensure full compliance with National and European employment legislation, (COMPANY) may from time to time be required to share certain information with our solicitor, or another employment advisory body.

In order to fulfil our statutory responsibilities (COMPANY) is required to provide some employee personal data to government departments or agencies, or to regulatory bodies. This can include, but is not limited to, provision of salary and tax data to Revenue; or provision of information relating to workplace accidents to the Health and Safety Authority.

Where we are obliged to do so due to legal obligations, employee personal data may be shared with relevant bodies (for example Security information relevant to a criminal investigation may be shared with An Garda Síochána)

## Accuracy

We take reasonable steps to ensure that your personal information is accurate, complete and current. Please note that you have a shared responsibility regarding the accuracy of your personal information.

Please notify the Your Line Manager / HR of any changes to your personal information, or that of your next of kin.

* 1. ***Rights***

As a data subject you reserve the right to:

* Reasonably access and update the personal information pertaining to you that is on file with (COMPANY)
* Reasonably object to processing that is likely to cause or is causing damage or distress
* Have inaccurate personal data rectified, blocked, erased, or destroyed
* Make a complaint to the Data Protection Commissioner

## Security

(COMPANY) takes its responsibilities to secure your personal data seriously and will take all reasonable efforts to protect your information from loss, misuse, unauthorised access, disclosure, alteration and destruction. Appropriate technical and organisational measures are in place to prevent unauthorised or unlawful processing of Personal data and against accidental loss, destruction or damage to personal data.

## Retention

Your personal information will be retained if necessary, to achieve the purpose for which it was collected, usually for the duration of any contractual relationship and for any period thereafter as legally required or permitted by applicable law.

***3.8 Social Media Policy***

The Social Media Policy document provides guidance and direction to staff when utilising all types of online social media sites and networks. This policy applies to all employees either participating personally, or communicating on behalf of the company, while online.

Misuse or abuse of social and digital media can cause significant injury to third parties and can also impact negatively on the credibility of the company. This is particularly relevant in the context of safeguarding personal information.

The company is potentially vicariously liable for injury caused by misuse or abuse of social and digital media channels by its employees.

While management will address any issues that arise in relation to breach of these policies and regulations employees are reminded that they are personally responsible for their activities online.

**Information Security Policy**

Each user is responsible for respecting and protecting the privacy and confidentiality of the information they process in the course of their duties.

**Electronic Communications Policy**

Confidential information regarding company business practices and procedures or personal information about any suppliers, clients or employees must not be posted or discussed on internet social networking websites, internet video hosting/sharing websites, internet discussion forums, message boards or internet chat rooms.

The company reserves the right to take such action as it deems appropriate against users who breach the conditions of these policies or Data Protection regulations. Employees who breach these policies may be denied access to the organisation’s information technology resources, and may be subject to disciplinary action, including suspension and dismissal as provided for in the disciplinary procedure.

**Code of Standards and Behaviour**

There is an implied term of mutual trust and confidence between employer and employee in all employment contracts. A very negative, defamatory or damaging posting or communication by an employee may entitle the employer to proceed with the Disciplinary Process, including investigation, and discipline up to dismissal if warranted. If defamatory material is posted on a social networking site, defamation claims may arise against the employee.

Employees must not improperly disclose, during or following termination of employment, information gained in the course of their work.

**Representing the Company**

Official comment from the company to be broadcast externally should be cleared through appropriate management in the first instance.

* Any section / department that wishes to establish a social media profile or site should seek communications support via the appropriate manager, who will then be then responsible for the ongoing management and governance of authorised social media pages or profiles and consequently must be familiar with this policy document.

* The company will ensure that any official comments made online meet obligations under the Data Protection Act, especially in relation to private information.
* It will also be cognisant of any copyrights, trademarks, rights of publicity, and other third party rights in the online social media space, including user generated content.

* Any requests from the media, public representatives or other organisations for official comment from the company on any topic should be referred to the manager.

**Personal Social Media Profiles**

There is a wide range of websites that allows visitors to establish a profile and enter debate, comment and conversation online, like YouTube, Twitter, Pinterest, news sites like the Journal.ie and many more. Everyone is entitled to explore and engage in social media communities in a personal capacity, at a level at which they feel comfortable.

As time passes, more and more people tend to link together in this way, and many social media sites will continue to allow you to register personal information like your hometown, education, likes, interests - and details of your employer.

If you choose to identify yourself as an employee on social media profiles, or in your commentary on personal topics within social media sites, it is important to use common sense and be aware of the nature of your comments and their possible consequences. It is important that all our employees are aware of the implications of engaging in forms of social media and online conversations that reference the company or your association with the company.

Privacy, Data Protection requirements, defamation law and basic duty of care all still apply in comments that are made while off-duty and online. If an employee comments online in a personal capacity while identified as an employee, these comments can be attributed or perceived as the official position of the company.

Remember, when using social media in personal time:

* Be respectful of all individuals, races, religions and cultures; how you conduct yourself in the online social media space not only reflects on you – it is a direct reflection on your professionalism and the company as your employer.
* Think before you post. Anything you post that is inaccurate, unfair, or breaking privacy standards will ultimately be your responsibility.
* You may come across negative posts about the company but should avoid responding yourself. The post in question should be forwarded to the manager who is authorised to respond to comments on behalf of the company.
* Be conscious when mixing your business and personal lives. Online, your personal and business profiles are likely to intersect. The company respects the privacy of all employees, but you must remember that clients and colleagues may have access to the online content you post. Keep this in mind when publishing information online that can be seen by more than friends and family and know that information originally intended just for friends and family can be forwarded on very easily.
* Know that the Internet is permanent. Once information is published online, it is essentially part of a permanent record, even if you “remove/delete” it later or attempt to make it anonymous.

**Protecting Employees from online abuse**

From time to time become the victim of abuse or defamation by members of the public through comments made and published on the internet or on social networks.

Where this occurs, management will work to support its employees in every way possible. Responsibility for responding to staff concerns about and co-ordinating the response to abusive online comments rests with local line management, as is does with all staff health safety and welfare issues.

Where staff are notified of or are concerned about an abusive or defamatory post, profile, comment or page relating to an employee or service, this should be reported immediately to management.

Arrangements arrange for the post to be reviewed, and where possible or appropriate, the post should be reported as abuse with the relevant site’s existing reporting process. A screenshot should be recorded of the comment.

The company senior management are available to assist line managers in responding to cases such as this, by providing access to sites such as Facebook to allow for online reporting, and also by giving advice on how to approach website or network owners and publishers directly in relation to reporting abusive content.

## 3.9 Use of Telephone, E-mail and Internet

Telephone, E-Mail and Internet usage is primarily for business use.

Employees are made aware that the email and internet facilities and the related equipment and technology (including all information on such systems) are the property of the company.

The company discourages the use of email for personal messages. Employees who have internet access are required to monitor their personal usage to ensure that it is kept to minimal levels. Any person found abusing the system will have the facility withdrawn and will be dealt with through the disciplinary procedure.

The company’s policy in relation to harassment, discrimination and misuse of confidential information also applies to e-mail messages and use of the Internet. It is against the policy of the company for any staff member to make derogatory statements, offensive comments or jokes, or display offensive visual materials.

Inappropriate use (including time and nature) of e-mails or internet will be investigated and will lead to disciplinary action up to and including dismissal in line with the company Disciplinary policy.

The company recognises that in certain circumstances, staff may be required to make and receive personal telephone calls (including personal mobile phones). These calls should only be made or received if absolutely necessary. Any employee found abusing the use of the telephone will be dealt with through the disciplinary procedure.

# 4. COMPANY POLICIES

4.1 **Absence Policy**

While we recognise that sometimes absence is unavoidable within the workplace, attendance at work remains an essential condition of the contract of employment. The overall aim of this policy is to promote expected standards of attendance within the workplace and to provide a framework for the management of employee absence, using a fair and consistent approach.

Absence is defined as any period of non-attendance within the workplace that falls outside the normal leave entitlements of the employee. This may include non-attendance for reasons of sickness, injury or personal circumstances.

**Notification Requirements**

Any period of unplanned absence must be communicated to (**Job Title**) by (**Time**) on the first day of your absence. Absences should be notified by means of a phone-call. It is not acceptable to send a text message or an email. If you are unable to reach (**Job Title**) you should leave a voicemail and request that they return your call.

During your period of absence you will be expected to remain in frequent contact with the company. You must phone daily until we have received a medical certificate from you and weekly thereafter unless otherwise agreed.

**Medical Certification**

You must submit the original medical certificate to (**Job Title**), on the third day of your absence and weekly thereafter or as agreed in writing with (**Job Title**).

**Sick Pay Entitlements**

The company does not operate a sick pay scheme. You may be entitled to claim Illness Benefit from the Department of Social Protection. You must apply for Illness Benefit within 7 days of becoming ill. The Department of Social Protection do not make any payment for the first 6 days of illness.

***OR:***

The Company operates an occupational sick pay scheme. To be eligible to receive payment under the scheme you must have completed **X** months continuous service with the company prior to the first date of your illness.

You must comply fully with the notification requirements set out above, and must submit appropriate medical certificates in line with company policy.

Backdated or amended medical certificates will not be accepted and will result in non-payment from the company.

No payment will be made for the first **X** days of absence. You will be entitled to receive **X** days paid leave while on certified sick leave.**(include details of sick pay entitlements here-*e.g. 5 days sick pay per 12 month period***).

During the period of paid absence you will be required to return any Social Welfare Illness Benefit payment that you receive to the company.

The company reserves the right to withdraw payment at any time from any employee who is found to be abusing the scheme or who fails to comply with the eligibility requirements set out above.

**Unauthorised Absence**

Should you fail to correctly notify the company as to the reason for your absence, or at any stage over the course of your absence, fail to provide an appropriate medical certificate, your absence will be classed as unauthorised.

During a period of unauthorised absence (**Job Title**) will attempt to contact you via telephone.

If we are unable to contact you in this manner we will write to you requesting you to contact us within 3 days.

If you fail to contact us by that time the company may refer the matter for Disciplinary Review in line with the Company Disciplinary Policy.

Persistent or repeated periods of Unauthorised Absence may be deemed to be an act of Gross Misconduct in line with the Company Disciplinary Policy.

**Unacceptable levels of absence**

Attendance will be monitored on an ongoing basis. While it is understandable that people with be absent from time to time, high levels of absence present a number of issues for the company and in turn your colleagues.

Where absence levels are deemed to be excessive it may be necessary to take further action to encourage and assist you in attaining the expected standard of attendance.

Where an individual has three absences in a six-month period, they will be subject to an informal counselling session with their manager that will be recorded on file.

If the employee has a subsequent absence in the following six-month period, their absence may be investigated in line with the Company Disciplinary Policy.

An investigation meeting does not automatically give rise to a disciplinary warning. A full investigation will take place and you will be afforded every opportunity to have your say. During the investigation meeting the reasons for the absence will be discussed and any mitigating circumstances will be given full consideration. Where required, additional support may be identified and considered to help you to improve your attendance record.

Persistent instances of Absence may be deemed to be an act of Gross Misconduct in line with the Company Disciplinary Policy.

**Managing Absence**

In the event that an absence is in excess of one month, it will be considered to be “Long Term”.

In order to ensure that employee needs are met during Long Term Absences, you may be asked to meet with your manager to attend an Absence Review meeting.

This meeting will discuss the details of the absence, whether there is a requirement for support from the company that can facilitate a return and what the prognosis is from the employee’s doctor.

Should the Company require further understanding around the absence they may request that the employee attends an Occupational Health review or a GP assigned by the company. Where the medical specialist indicates that you are fit to return to work you must do so with immediate effect. Where there is a conflict of medical opinion a final opinion will be sought from an independent medical third party.

The manager must take the time to consider the employees responses. If there is an issue in the employee’s personal or professional life that needs additional consideration the company will seek to offer an appropriate level of support.

**Returning to Work**

If you have been absent for more than one week but less than one month, you must notify you Manager 1 day in advance of your intended return date.

If your absence has been in excess of one month, you must notify your Manager 3 days in advance of your intended return date.

Upon your return to work you must report to your Line Manager to allow for a Return to Work discussion to take place. The purpose of the Return to Work discussion is to ensure you are fit to return to work, to discuss any concerns you or the company may have and to advise you of any developments from within the company that you need to be aware of.

Depending on the nature of your absence and the details associated to it you may be requested to provide a Fit for Work cert prior to returning.

If you plan to return to work before the expiry of your current medical certificate you will be asked to provide medical evidence of your fitness for work from your GP. The company reserves the right to decline your request to return until such certification has been provided.

**Termination on the Grounds of Incapacity**

In the event that any employee’s absence has extended beyond a period of 18 months on a continuous basis, the company reserves the right to review the employee’s ability to fulfil their contractual obligations.

In this circumstance the company reserves the right to terminate the contract on the grounds of incapacity.

Termination on the Grounds of Incapacity will only be considered if the company has:

* Conducted a minimum of three absence review meetings during the relevant absence
* Notified the employee of the potential termination during an absence review meeting
* Consulted with an Occupational Health practitioner and identified that there is no potential return date for the employee in the foreseeable future
* Reviewed all options with regards to ‘Reasonable Accommodation’ and found that they are not possible to be applied with objective justification

**Timekeeping**

All employees are required to be at their workstations at their contracted start times. If an employee is going to be later they need to contact their manager at the earliest possible opportunity outlining the reason for the delay and the expected arrival time.

Repeated instances of Lateness may result in disciplinary action being taken in line with the company Disciplinary Policy. Persistent instances of lateness may be deemed to be an act of Gross Misconduct in line with the Company Disciplinary Policy.

Employees are not authorised to leave their assigned duties early without prior authorisation of their manager. Repeated instances of Early Leaving may result in disciplinary action being taken in line with the company Disciplinary Policy. Persistent instances of unauthorised Early Leaving may be deemed to be an act of Gross Misconduct in line with the Company Disciplinary Policy.

Hourly paid employees may be paid on a pro-rata basis and Lateness or Early Leaving may be factored into the payment of wages.

**Policy Breaches**

Breaches of this policy will be dealt with in line with the normal company Disciplinary procedure.

Where the company is given any reason to suspect that an absence may not be genuine a full investigation will take place and appropriate disciplinary action may be taken.

## 4.2 Alcohol & Drugs Policy

**COMPANY** recognises that for a range of reasons individuals can and do misuse drugs and alcohol, and that this represents a problem for the individual and for the company.

The consequences of drug and alcohol misuse range from absenteeism, reduced productivity and increased disciplinary action. There is also a greater risk to the Safety and Welfare of individuals that are under the influence of intoxicants as well as to all stakeholders in the company.

This policy has therefore been adopted in order to protect all employees and the business.

**Intoxication**

Intoxication is defined as an individual having physical or mental control markedly diminished by the effects of alcohol, narcotics or certain prescription medications.

The Company does not permit under any circumstance:

* The misuse of Intoxicants during working hours (including during break intervals)
* Being under the influence of Intoxicants while at work
* Encouraging others to misuse Intoxicants
* The sale or supply of Intoxicants both inside or outside of the work environment

Employees are required to manage all prescribed medication as directed by their Doctor and any employee on prescribed medication that may result in intoxication, drowsiness or mood changes is required to notify their manager in the interest of ensuring the Health & Safety of the individual and the employees of the company.

The management may seek independent medical advice with regards to employees under the influence of prescription medication.

**Testing**

If an employee is known to be, or strongly suspected of being, intoxicated during working hours, the employee will be relieved of their duties for the shift in question.

The company reserves the right to request that individuals attend a designated medical practitioner to undergo a test to ascertain if they are indeed intoxicated. Attendance at an intoxication test is mandatory.

In the event that an employee refuses to complete a test it will result as a failed test and be regarded as an intentional attempt to avoid detection of intoxication.

In this event there will be no recorded intoxicant.

Failure of an intoxication test may be deemed an act of Gross Misconduct in line with the company Disciplinary Policy.

The company commits to ensuring that any requests for testing will be made in the strictest confidence and will be applied in a proportionate and reasonable manner. Requests for testing will be conducted by a recognised medical practitioner.

**Dependency**

The management will offer practical support to those who are experiencing alcohol and drug addiction, provided such employees come forward and disclose the details of their condition. Employees that identify as having a substance dependency will be referred to support or treatment services.

**COMPANY** encourages employees to seek specialist help if they feel that they have an alcohol or drug problem. The company is also committed to providing information to employees about the effects of drugs on health and safety in the workplace.

While the company will seek to apply a sensitive and compassionate approach to dependency, in the event that an employee is confirmed as not attempting to address the issue at hand the company may regard this behaviour as an act of Gross Misconduct and seek to engage disciplinary action up to and including Dismissal

**Breach of Policy**

Any abuse in the application of this policy will be dealt with in accordance with the Company’s Disciplinary Policy and Procedure and may result in disciplinary action being taken, up to and including dismissal if proven to have occurred

## 4.3 Communication

It is the policy of the company to encourage open and proactive communication within the organisation. In order to achieve this, we provide an open door policy whereby we would encourage each member of staff to communicate any issues or concerns that you may have.

You should feel free to approach your immediate manager or any other member of management if you have a concern that has not been addressed.

Through open communication and firm commitment, we are keen to develop a mutual level of respect that will consequently lead to a long-term relationship that will grow from strength to strength in the coming years.

##

## 4.4 Company Property

Any allegations regarding the theft, damage or misuse of company property will be investigated, and if necessary, reported to the Gardaí and any other appropriate authority.

Intellectual property is the property of the company. It is an offence to utilise any of this intellectual property for means other than company business. This applies not only during employment but also thereafter should an individual leave employment.

##

## 4.5 Confidentiality

Employees are not authorised to disclose any information, which is regarded as confidential by the company to any third party. This includes all confidential information on the company’s databases relating to company affairs and details about (Company)’s actual or potential clients, and employees.

Employees are not permitted to make a copy, summary or abstract of any documentation belonging to the company without obtaining expressed permission from the management of the company.

Breach of this policy will be dealt with through the disciplinary procedure, which could result in dismissal.

##

## 4.6 Double Employment Declaration

During your employment, you are expected to devote your time, attention and skills exclusively to the business of the company and you must use your best endeavours to promote the interests, business and welfare of the company. Should you, during the continuance of your employment engage in other work or employment for any other party you must notify the company.

You are therefore requested to declare any such employment or intended employment to your manager. Employees who fail to declare other employment may be liable for disciplinary action.

## Dress Code

It is the policy of the company that each employee’s personal presentation should be appropriate to their work situation. Where appropriate and that they project a professional image whilst adopting a “business-casual” approach to work wear.

Where appropriate – client meetings, events representing the company – a more formal approach to business attire is required.

All employees issued with a uniform are required to ensure that they always attend to their duties in their full uniform. If an item of uniform is damaged or lost the company may pass the cost of replacing the item on to the employee, however the company will undertake to replace items that succumb to normal wear and tear. Uniforms are the property of the Company and must be returned when you leave. Failure to return your uniform may result in a deduction from your final salary.

Employees working on client premises must adhere to any dress code policy operated by the client.

This policy does not aim to replace any guidance or requirements that exist in relation to specific health and safety requirements such as the use of personal protective clothing and employee’s will be informed of any specific health and safety guidelines that may apply in such circumstances.

The safety, health and welfare of employees is of paramount importance and this is reflected in the items of clothing, head/footwear prohibited for wear under this policy.

Management reserves the right to request that any employee failing to meet the standards of dress described within this policy remedy the situations by returning home to change into attire that is more appropriate. Repeated breaches will be regarded as a disciplinary offence and action taken as necessary up to and including dismissal, under the company’s disciplinary procedures.

**Hygiene**

All employees are expected to arrive for work in a manner that befits the Company, that is clean and free from obnoxious odours. Every employee needs to take care of their personal hygiene as a mark of respect for the company, its employees and its customers. The following guidelines are expected as a minimum:

* Always ensure that you have a thorough wash (preferably a shower or bath) before each shift.
* Use a deodorant or anti-perspirant where possible.
* Light, mild perfume or after shave may be worn.
* Always ensure that teeth and gums are healthy, clean and polished.
* Hands and nails must be regularly washed throughout the day and ensure they are free from nicotine stains.
* Always ensure that you have a shower if you exercise before work or on your lunch break.

**Make Up**

Make-up may be worn and should enhance and create a fresh natural appearance and be in a shade complimentary to your skin tone. Extreme colours are not acceptable.

**Hair**

Hair must be clean and neat, styling should be simple and natural looking. Unnatural hair colours are not acceptable for employee they may be asked to change hair colour if their Manager deems it to be irregular or extreme.

Shaved symbols or patterns on scalp are not acceptable.

**Jewellery / Accessories**

Employees must keep jewellery to a minimum and should be plain and in keeping with the dress code.

The wearing of facial/tongue rings or studs is not acceptable in the workplace, and tattoos must be kept covered.

Name Badges

Wear your name badge with pride in an upright, readable position on the left side.

Name badges will display the employee’s full name and title

## Employee’s Property

It is the policy of the company not to take responsibility for the loss or damage of employees' property, including motor vehicles, bags, clothing, etc., brought onto or held / stored on company premises. However, employees should report all property lost or found to their immediate manager as soon as they notice it is missing.

## 4.9 Health and Safety at Work

The company recognises the importance of health and safety at work and has established rule and procedures to assist in accident prevention.

The main legislation providing for the health and safety of people in the workplace is the Safety, Health and Welfare at Work Act, 2005.   The Act sets out the duties of employees while at work and include the following:

* To take reasonable care to protect the health and safety of themselves and of other people in the workplace
* Not to engage in improper behavior that will endanger themselves or others
* Not to be under the influence of drink or drugs in the workplace
* To undergo any reasonable medical or other assessment if requested to do so by the employer
* To report any defects in the place of work or equipment which might be a danger to health and safety.

All employees are expected to behave responsibility and to observe any safety regulations. Employees have a duty to take any precautions necessary to reduce the possibility of risk to themselves and to others.

There are established procedures and rules to ensure your safety in the case of an emergency such as a fire. In addition to the management’s responsibility for your safety, you too have responsibility to co-operate with the company, use any protective equipment supplied; report to the company without reasonable delay any defects in equipment which might affect your safety or welfare; not to intentionally or recklessly interfere with or misuse anything provided for safety, health or welfare of other staff members or of their work activities. First Aid facilities are available on the premises.

You should keep your workplace tidy, not only for reasons of safety, but to ensure that company documents are not left lying about.

Where your work is completed on non-company sites/property such as supermarkets and other premises where we are contracted to work on behalf of our clients, you are requested to make yourself aware of the safety statements in operation in these premises, including details of building access, fire regulations and first aid.

Detailed procedures to be followed in relation to hygiene are included in the employee codes of practice for each relevant contract and should be read and understood fully prior to commencing work.

All accidents in the workplace must be reported immediately to the store manager and your immediate supervisor or head office, using the company Accident Report Form. In any case where the injury sustained requires medical treatment, the employee concerned must forward a copy of all relevant medical reports to the company.

## 4.10 Liability to Search

It is a condition of employment that any employee may at any time be searched by a member of management.

The company has the authority to search an employee, an employee's belongings, including their motor vehicle when they are entering or leaving the company's premises and any other premises to which the employee is assigned in the course of their employment.

To conduct a search of property, the manager is required to have a witness present as a minimum and an employee is entitled to have witness in attendance during any search – where possible.

Any employee who refuses to co-operate fully with any search request or is found to be in possession of any property belonging to the company or to any party other than the employee being searched is liable to serious disciplinary action up to and including dismissal, in line with the company Disciplinary policy

***4.11 Part-Time Working Policy***

Access to part-time/flexible work is available to all qualifying employees.

All employees are eligible to apply for flexible working, if you have been continuously employed for at least X weeks at the time the application is made and have not submitted an earlier application to work flexibly in the previous twelve months.

The company will give consideration, wherever practicable to requests to transfer from full-time to part-time work and from part-time to full-time work, or to increase working time, should the opportunity arise. If you move to part-time work, or have a reduction in your working hours, your status and employment remain unaltered, with the exception of your salary and benefits, as appropriate. The pro-rata principle will apply where appropriate.

Full details of how to make a request, including reasons why requests may be refused, are available on request.

##

## 4.12 Periods of Notice

Except in circumstances justifying immediate termination of your employment by the company you will be entitled to receive an appropriate period of notice set shown in the Minimum notice and terms of Employment Act, 1973 - 2001:

**Length of Service** **Minimum Notice**

13 weeks to 2 years 1 week

2 years to 5 years 2 weeks

5 years to 10 years 4 weeks

10 years to 15 years 6 weeks

More than 15 years 8 weeks

If you wish to terminate your contract of employment, you will be required to give the minimum notice period as set out in the Minimum Notice and Terms of Employment Act, 1973 -2001 (see above), in writing, irrespective of your length of service, unless it is otherwise stated in your contract of employment. Notice will run from and include the day on which it is given.

During your probation period, the company or employee may terminate employment at any time by giving notice in line with current employment legislation.

Outstanding leave may be taken during this notice period. Any outstanding holiday entitlements may be taken as part of your notice period, alternatively it will be paid to you with your salary payment.

You will be required to return all company property on the last day of employment. Failure to do so could result in a deducting amounting in the cost of the company providing replacements.

The company reserves the right to exclude an employee from the company during the notice period or grant pay in lieu of notice.

***4.13 Retirement***

This policy applies to all employees of COMPANY who reach the age of AGE.

The retirement date is defined in the contract of employment. It confirms the point at which the employment agreement between the employee and the company has been fully discharged, and the contract is discharged on the grounds of performance.

For employees whose contracts are silent on the matter or who have been recruited beyond the age set out in the company’s standard employment contract the age of retirement shall be AGE.

Employees’ whose contracts have a set retirement point that occurs in advance of AGE are entitled to amend their contract date to AGE without negotiation with the company however they are required to notify the company no less than six months in advance of the contractual retirement date.

**Employment beyond the Retirement Age**

Decisions made with regards to the issuance of Fixed Term contract extensions will consider the guidelines set down in the Code of Practice for Longer Working, the Fixed Term Workers Act and Employment Equality Act.

Employment beyond the Retirement Age outlined in this policy will be based on a one year Fixed-Term basis and management will review requests to be retained annually.

As per the Code of Practice for Longer Working the management of COMPANY will consider the following grounds when considering the extension of employment agreements beyond the Company’s defined retirement age:

* Intergenerational fairness (allowing younger workers to progress)
* Motivation and dynamism through the increased prospect of promotion
* Creation of a balanced age structure in the workforce
* Succession planning
* Personal and professional dignity (avoiding capability issues with older employees)
* Health and Safety (generally in more safety critical occupations)

Where an employee wishes to apply to have their employment extended beyond the existing employment agreement, they must submit their application in writing no less than three months before the conclusion of the existing employment agreement. Failure to do so could result in the termination of the contract in line with the guidelines set out in the Fixed Term Workers Act

It is important to note that management reserves the right to refuse any requests for an extension to employment beyond the retirement age on the grounds set out above and employees will receive a written response to any request at least one month from the scheduled leave date.

Fixed term contracts only will be issued for a maximum of 3 years.

**Appeals**

If an application for a Fixed Term contract extension is refused, an appeal can be lodged with CEO/MD/BOARD OF DIRECTORS in writing outlining grounds for the appeal within X days of notification.

The findings of CEO/MD/BOARD OF DIRECTORS will be the company’s final say on the matter.

**Preparation for Retirement**

If you do not wish to request an extension of your working time with the company, management would ask that you notify the company no later than three months prior to the next relevant birthday that completes your current contract.

At that point you may ask your manager for assistance with the following:

* Financial preparation for retirement / Taxation on savings
* Phased reduction in hours in the weeks preceding the leave date
* Understanding pension provision
* Health and nutrition
* Social welfare payments
* Re-employment / part time working
* Adjusting to being in the home

## 4.14 Smoking

Smoking (including e-Cigs/ Vaping Devices) is prohibited throughout the workplace with no exceptions. The policy applies to management, customers and all staff. The overall responsibility for the implementation of this policy rests with the management of the company, with all staff having an obligation to adhere to the policy. Smoking is only permitted in outdoor areas, as notified.

Any infringements will be dealt with under the disciplinary procedure, by law, for prosecution.

# 5 GRIEVANCE PROCEDURE

**5.1 Grievance Policy**

While **COMPANY** endeavours to provide a workplace free from incident, on occasion there is a requirement for employees to seek guidance and support in the resolution of grievances associated to their employment.This policy is intended to facilitate conversations with the goal of resolving disputes, either with or without the assistance of management. The purpose of this policy is to ensure that employee grievances are resolved appropriately and in a timely manner.

**Informal Complaints**

The company encourages all employees to attempt to address issues in the first instance on a one to one basis, where possible, and ask that any employee that is offended highlights the reason for this with the person causing the offence. The company also asks that any individual that is approached in this manner that they are respectful and acknowledge their colleagues’ position and seek to resolve the matter appropriately.

If this does not work or is not a suitable approach the employee should approach their manager or a suitable member of the management team for assistance.

Some informal complaints may need the support of management to find a resolution. In this circumstance the manager will facilitate a conversation between the relevant parties to allow the matter to be discussed. The goal of addressing matters in this way is to avoid unnecessary offence and to ensure that the matter is resolved quickly.

Although this is an informal process it is important that both parties maintain professionalism and act in a manner that is dignified and respectful to their colleague, manager and the company.

In an informal review the manager will not issue findings but will confirm in writing the details of the meeting to both parties. If the employee making the complaint is dissatisfied with the informal process, there may be a requirement for the matter to be addressed through the formal process.

**Formal Complaints**

All formal complaints must be submitted in writing to IDENTIFY POINT OF CONTACT – MANAGER / HR.

At that point management will initiate an investigation into the matter. The employee raising the complaint will be interviewed and the person responding to the allegation will then be interviewed. Both parties will be invited to their meeting in writing and will have the right to representation. (HIGHLIGHT WHO IS APPROPRIATE AS PER COMPANY POLICY – USUALLY COLLEAGUE AND UNION REPRESENTATIVE) The documentation gathered during the investigation should be shared between the relevant parties.

The manager conducting the investigation will then review all of the information available, including witness statements and supporting documentation and having consider the facts available they will provide an outcome to both parties.

Both parties have the right to appeal the findings of the formal process.

In the event that a significant breach of policy identified, the matter may be referred by the investigating manager to another member of the management team for disciplinary review prior to a formal outcome being issued.

The company commit to conducting the process in a timely manner, however if the matter is delayed by any more than two weeks from the first meeting both parties have the right to request an explanation for any delay from the investigating manager.

**Terms of Reference**

The matter under review will be restricted to the detailed submitted in writing by the employee raising the grievance. This will be clarified by the investigating manager and no other complaints will be heard until this matter is concluded

**External Investigation**

In the event that there is a clear conflict of interest between the management and the person raising the grievance, the investigation into the complaint may be referred to an external organisation for review.

**Mediation**

At the conclusion of the grievance process the management will request the parties to enter into mediation, however this is not a mandatory process. Mediation is seen as the first step in rebuilding the relationships between the relevant parties and is strongly encouraged.

**Abuse of Policy**

Any abuse of this policy, including false or vexatious complaints, may be referred for disciplinary review. If an allegation under these terms is upheld it could be considered an act of Gross Misconduct resulting in dismissal from employment in line with the company Disciplinary

# 6 DISCIPLINARY

6.1  Disciplinary Policy

It is the expectation of **COMPANY** to provide a work environment that is respectful, ethical and in adherence to the normal behaviours expected in a professional environment. Unfortunately, on occassion the company is required to formally address breaches of these principles and this policy outlines the process for formally resolving such matters.

The purpose of this policy is to outline the company’s process for addressing disciplinary matters in a fair and consistent manner.

**Principles of Natural Justice**

The Principles of Natural Justice are guidelines for conducting a formal Disciplinary procedure.

* Employees are entitled to a fair examination of the matter at hand.
* No Disciplinary process will be initiated until the completion of an investigation process.
* Before the start of the Disciplinary process the employee will be notified of the nature of the allegation(s) in writing.
* The employee will be given the opportunity to respond to the details of the allegation.
* Employees will be provided with the right to representation at all stages.
* A fair decision will be made with regards to the issues at hand and any sanction will be proportionate
* The employee will have the right to appeal any sanction that is issued against them

**Representation**

The company recognise the employees’ right to be represented and may be accompanied by **a colleague, Trade Union representative or member of the Citizens Information Bureau**.

Delete as Required.

Requests for representation cannot be overridden by company policy and a failure to allow external representation could result in a Unfair Dismissal complaint on the grounds of a breach of the Principles of Natural Justice)

**In the event that the allegations under review relate to potential criminal activity that may result in the matter being presented at a judicial hearing at a later date, the employee may be accompanied by a legal representative; however, they will be in an advisory capacity to the recognised representative only.**

**The process is not a judicial one, and all parties are expected to remain respectful of the company process.**

**(Delete as required. This has been included to recognise recent changes in case law and it is advised that full representation is offered to the individual under the strict guidelines set out in this policy)**

As per the Principles of Natural Justice the employee is required to issue responses to the Investigation/Disciplinary chairperson in their own words.

If a representative becomes disruptive to the process they will be asked in the first instance to refrain from disrupting the meeting. If there is further disruption to the meeting the Investigation/Disciplinary Chairperson will call a five minute recess to allow the parties convene with the understanding that any further disruption upon resumption of the meeting will result in the representative being asked to leave the process and the employee asked to find alternative representation.

**Official Records**

At any stage of the process, the relevant Chairperson will assign a member of the team to record the meeting in written format. A copy of these minutes will be issued to the employee once they have been typed up. If the employee disputes any aspect of the minutes, they must do so within 24 hours of receipt and the Chairperson will review the submission. If it is not agreed, the employee’s submission will be noted at the foot of the final document.

This will be the official record of the meeting and audio recordings are not permitted.

**Disciplinary Breaches**

Disciplinary Breaches are categorised as Misconduct or Gross Misconduct.

Misconduct

Misconduct relates to activity that is unacceptable but as an isolated instance is less serious and will not offer a significant impediment to the operation of the company.

* Absenteeism or failure to comply with the company absence policy
* Poor timekeeping or failure to comply with the company absence policy
* Incompetence
* Failure to reach the stated standards of performance following further support, advice and retraining
* Failure to abide by any rule or notice by the company to both staff and customers
* Not recording activity as required
* A breach of procedure is established following a grievance investigation
* General breach of company’s policies and procedures
* Sleeping whilst on duty
* Attending work while intoxicated – non safety critical role
* Failure to carry out a reasonable instruction from a superior
* Refusing to co-operate with a reasonable request regarding health & safety
* Harassment of others
* Refusal to comply with a reasonable request
* Acting in any way which would jeopardise the company's interests in dealings with its customers, suppliers or other outside contacts
* Flagrant disregard of safety precautions
* Breaches of data protection and company IT regulations

*Please note that this list is by no means exhaustive*

Gross Misconduct

Gross Misconduct is activity that fundamentally damages the relationship between the employee and the employer to a point where the company needs to consider if it is possible to maintain a working relationship with the employee.

* Attending work while intoxicated – safety critical role
* Possession, using, selling or consuming illegal drugs on company premises
* Theft or pilfering
* Unethical or criminal conduct, threats, assaults or fighting
* Wilfully, or with gross negligence, causing, or potentially causing, the loss or destruction of company or other’s property
* Damaging, untrue, exaggerated or defamatory remarks or claims on social media sites relating to the company, our clients or other employees whether posted during or outside of work hours.
* Divulging confidential information to a third party
* Failure to disclose information relevant to the employment relationship, including matters relating to criminal activity
* Making false or inaccurate statements to achieve employment or promotion
* Behaviour identified as bullying and /or harassment
* Behaviour identified as sexual harassment
* Any act in contravention of company standards of business ethics

*Please note that this list is by no means exhaustive*

Repeated instances of Misconduct or Serious Misconduct may be regarded as an Act of Gross Misconduct.

**Counselling**

In the event of a minor breach of misconduct in the first instance, the employee’s Line Manager may address the matter through an informal counselling meeting.

This will consist of the manager highlighting the breach in performance / behaviour /attitude, notifying the employee of the company’s expectations and offering the employee the opportunity to state their case.

The Line Manager will offer the necessary support and the meeting will be recorded in an email that will outline the details of the counselling session.

This will be placed on file as being active for a period of no more than 12 months.

**Investigation**

A member of the supervisory/management team (normally the employees Line Manager) will be assigned to complete the investigation as the Investigation Chairperson.

The investigation will review all the details relating to the matter under review. The Investigation Chairperson will establish if there are allegations that should be reviewed at a Disciplinary Review.

The employee may be invited to an Investigation meeting to verify necessary details under review and they will have the right to respond to these in line with the Principles of Natural Justice. The employee will have the right to be represented in line with company policy at the meeting.

Employees will receive at least 48 hours’ notice of the requirement to attend an Investigation meeting.

If the employee is unable to attend the investigation meeting, they will be facilitated with one opportunity to reschedule. If the employee does not attend the rescheduled meeting the Investigation may proceed in their absence.

At the investigation the employee will receive copies of the information under review, where possible. Certain information such as CCTV footage and third party reports will be made available by request but may not be issued to the employee in line with Data Protection (GDPR) restrictions.

If necessary, the witness statements may be requested by the Investigation Chairperson. The employee will have the right to counter any statements made by witnesses; however this will be conducted by correspondence with the investigating chair acting as the facilitator. The employee will be permitted to ask an initial set of questions in relation to the witness statement and will be permitted to follow up on one more occasion to the subsequent response.

At that point the Investigation chair will consider further requests for additional questioning on its own merit if the employee can identify a justification for further review.

Upon completion of the investigatory process, the Investigation Chairperson will issue a findings report and notify the employee whether the matter will be referred to Disciplinary Review.

The Investigation report will confirm the allegations that are to be reviewed at the Disciplinary Hearing along with a formal invitation to the Disciplinary Review meeting.

This will conclude the Investigating Chairpersons involvement in the matter, unless they are required to clarify matters relating to their findings at a later point.

**Suspension**

An employee may be placed on paid suspension under the following circumstances:

* An Investigation has ascertained that there is an allegation to be reviewed at the Disciplinary stage that could potentially result in a finding of Serious or Gross Misconduct
* A breach of company policy that gives rise to a genuine Health & Safety risk to the employee, the employees of the company, the company customers or the public at large

Suspension will be applied until the conclusion of the relevant stage and is applied to facilitate the Investigatory / Disciplinary process.

Suspension is not an indication that a determination has been reached with a regards to the matter; it is a means to facilitate the Disciplinary process with minimal disruption to the company’s operation.

**Disciplinary**

Once the investigation has ascertained that there are allegations to be reviewed, a member of the supervisory/management team will be assigned to complete the disciplinary review as the Disciplinary Chairperson.

The Disciplinary Review will review all the details relating to the allegations that were established during the Investigation to confirm if the allegations should be upheld. The employee will have the opportunity to state their position with regards to the findings of the Investigation process as they relate to the allegations at hand.

If the allegations are upheld the Disciplinary chairperson will identify a proportionate level of Disciplinary sanction.

The employee will have the right to be represented at the Disciplinary Review, in line with the Principles of Natural Justice and company policy.

Employees will receive at least 48 hours’ notice of the requirement to attend any formal meeting.

If the employee is unable to attend at the Disciplinary Review meeting, they will be facilitated with one opportunity to reschedule. If the employee does not attend the rescheduled meeting the Disciplinary Review may proceed in their absence.

At the Disciplinary Review the employee will receive copies of the information under review that they request, where possible. Certain information such as CCTV footage and third party reports will be made available by request but may not be issued to the employee in line with Data Protection (GDPR) restrictions.

If necessary, the witness statements may again be reviewed by the Disciplinary Chairperson. The employee will have the right to counter any statements made by witnesses; however representations will be made to the Investigation Chairperson prior to engaging witnesses any further. The Disciplinary Chairperson will then ascertain if there is any further value to be gained by engaging the witnesses again. Only new lines of enquiry will be entertained when reverting to witnesses at the Disciplinary stage.

The employee will be permitted to ask an initial set of questions in relation to the witness statement and will be permitted to follow up on one more occasion to the subsequent response.

At that point the Disciplinary chair will consider further requests for additional questioning on its own merit if the employee can identify a justification for further review.

Upon completion of the Disciplinary Review, the Disciplinary Chairperson will issue an outcome report and notify the employee of their findings in writing.

The report will clarify if the allegation(s) will be upheld or not and a reason for this finding.

The report will also advise on the level of sanction being issued to the employee.

**Sanction**

The company reserves the right to issue a level of sanction that at any stage, considering the seriousness of the allegation

Verbal Warning

This sanction is usually given for relatively minor offences such as Misconduct or Poor Performance.

There will be a written acknowledgement filed on the employee’s official employment record.

A record of a Verbal Warning will be regarded as being active on file for a period of six months.

If there is repetition of the offence, or there is no satisfactory improvement this could lead to further, more serious sanctions.

First Written Warning

A First Written Warning may be issued in the event that an allegation(s) of Misconduct is upheld or in the event of persistent poor performance.

A record of a First Written Warning will be regarded as being active on file for a period of twelve months.

If there is repetition of the offence, or there is no satisfactory improvement this could lead to further, more serious sanctions.

Final Written Warning

A Final Written Warning may be issued if an allegation or Gross Misconduct is upheld or in the event of persistent poor performance.

It may also be issued in the event of Misconduct that has repeated persistently following Disciplinary intervention and sanction being issued.

A record of a Final Written Warning will be regarded as being active on file for a period of twelve months.

If there is subsequently Misconduct of any level or there is no satisfactory improvement of performance confirmed while a Final Written Warning is active on file, the matter may escalate to the next sanction level; Dismissal.

Dismissal

Dismissal from employment will only be issued in the event that an allegation of Gross Misconduct has been upheld or that a sanction has been issued to an employee with an active sanction of Final Written Warning on File.

If an employee is dismissed, their employment will terminate with immediate effect.

Notice of Dismissal will be issued at an outcome meeting with the Disciplinary Chairperson.

Where an individual is dismissed, they are excluded from all future employment opportunities with the company except under legislative requirement such a TUPE.

**Appeal**

As per the guidelines set down in the Principles of Natural Justice, the employee will have the right to appeal any sanction issued against them.

As part of the Disciplinary outcome they will be advised of the appropriate contact to lodge their appeal.

The employee must lodge the appeal in writing within 7 calendar days of having received the Outcome.

In the written submission, the employee must outline the grounds for the appeal in the following format:

* Decision being appealed
* Reason for the appeal
* Details of new information not available during the preceding processes (where applicable)

If the employee is appealing more than one aspect of the Disciplinary findings each point should follow this format.

The Appeal Chairperson will meet with the employee and review all of the details relating to the employees submission.

The employee will have the opportunity to state their position with regards to the findings of the Disciplinary review in line with the submission of their appeal.

The Appeal Chairperson will undertake a review of the information provided and ascertain if there is merit in the submission of the employee.

Where the information reviewed during the appeal process ascertains that there was justification in upholding the allegations, the proportionality of the level of Disciplinary sanction will be reviewed.

If the Appeal Chairperson finds that the sanction was disproportionate, they may find that it needs to be revised.

This could result in the sanction being reduced to a lower level or, in the event that the Appeal Chairperson ascertains that it was too lenient in accordance with the seriousness of the breach of policy, it may be escalated to a more serious level of outcome.

# 7 PROTECTED DISCLOSURES POLICY

## 7.1 Introduction

(Company) is committed to maintaining an open culture and ensuring the highest levels of honesty, openness and accountability are observed in all our practices. The purpose of this policy is to encourage and enable workers to raise genuine concerns or disclose information related to potential wrongdoing within the workplace without fear of penalisation, or threat of less favourable treatment, discrimination or disadvantage.

## 7.2 Policy Scope

This policy applies to employees at all levels, volunteers, agency workers, contractors, interns and those on work experience.

A concern or disclosure should relate to a relevant wrongdoing. Examples include fraud, crime or failure to comply with any legal obligation, which has come to your attention in connection with your employment and about which you have a reasonable belief of wrongdoing. A “relevant wrongdoing” has been broadly defined within the Protected Disclosures Act 2014 and include the below:

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

This policy is not appropriate for dealing with issues of harassment, sexual harassment, bullying, personal concerns or individual grievances.

Concerns such as these would be more appropriately processed through our Bullying and Harassment, or Grievance Procedures.

## 7.3 Procedure

**Internal Procedure:**

Appropriate concerns should be raised with your immediate line manager in the first instance. However, should you feel that this is inappropriate or feel unable to approach you line manager with the concern, you should approach a more Senior Manager or the Human Resource Department/Manager.

A concern can be raised either verbally or in writing.

Once the matter has been raised, a meeting will be organised to discuss the matter with you confidentially. At this meeting, you may be accompanied by a colleague if you wish.

The meeting will be conducted by an independent member of management or, if necessary in order to ensure objectivity and fairness, external assistance may be sought.

If within this meeting, it is clarified that the concern has been raised through the correct procedure, appropriate steps will be taken to ensure that the concern is dealt with sufficiently.

Such steps may include:

* resolving the matter by agreed action without the need for a formal investigation
* investigating internally by an appropriate independent member of management, or other appropriate person
* referring the matter to an external enforcement agency or regulator
* referring the matter to An Garda Síochána

You will be kept informed at all stages of steps being taken by the company in response to your disclosure, likely timeframes in regard to these steps, and eventually the outcome of any investigation undertaken as a result of your disclosure.

**External Procedure:**

While workers are encouraged, enabled and supported to raise concerns internally in the first instance, it is recognised that in very limited circumstances this might not be appropriate.

It is important to note however, that while you need only have a reasonable belief as to wrongdoing to make a disclosure internally, if you are considering an external disclosure, different and potentially more onerous obligations apply depending on to whom the disclosure is made.

## 7.4 Confidentiality

The organisation is committed to protecting the identity of the worker raising a concern and ensures that all reasonable steps are taken to ensure relevant disclosures are treated in confidence. However, there may be circumstances in which this proves impossible, or where confidentiality cannot be maintained. Should such a situation arise, (Company) will make every effort to inform the worker that their identity may be disclosed.

## 7.5 Safeguards and Penalisation

A worker who makes a disclosure and has a reasonable belief of wrongdoing will not be penalised by (Company), even if the concerns of disclosure turn out to be unfounded.

Penalisation includes suspension/dismissal, disciplinary action, demotion, discrimination, threats or other unfavourable treatment. If you believe you are being penalised for making a disclosure under this procedure you should inform your manager immediately.

Workers who penalise those who have raised concerns under this policy will be subject to appropriate disciplinary action.

While workers are not expected to prove the truth of the allegation, they must have a reasonable belief that there are grounds for their concern. Appropriate disciplinary action may be taken against any worker who is found to have raised a concern with malicious intent.

# 8 LEAVE ENTITLEMENTS

## 8.1 Annual Leave

The holiday year usually runs from January to December. All holiday entitlements for that period must usually be taken within that period. Unused days may be carried over, at the discretion of management, and should be used within the first 3 months.

Each employee’s annual leave entitlement is outlined within their contract of employment.

For employees who commence employment during the holiday year, their entitlement will be calculated on a pro rata basis against the number of months they have worked.

Holiday request forms are available in the office and must be completed and submitted in advance to your immediate manager, at least (4) weeks in advance.

The final decision in the allocation of annual leave rests with management. Leave that is taken without approval will be treated as unauthorised and dealt with accordingly through the company’s disciplinary procedures.

Annual leave may be accrued during periods of absence due to illness and may be taken up to 15 months after the leave year in which the absence occurred.

## 8.2 Public Holidays

Staff are also entitled to nine public holidays in accordance with the Organisation of Working Time Act, 1997, and any other day decreed by the Taoiseach as a national holiday:

* New Year’s Day (January 1)
* St Patrick's Day (March 17)
* Easter Monday
* First Monday in May
* First Monday in June
* First Monday in August
* Last Monday in October
* Christmas Day (December 25)
* St Stephen's Day (December 26)

In respect of each public holiday, an employee (at the employer’s discretion) is entitled to compensation for public holidays in one of the following ways:

* A paid day off on the holiday, or
* A paid day off within the month, or
* An extra day's annual leave, or
* An extra day's pay.

Part time employees are entitled to certain public holidays entitlements provided that they work at least 40 hours during the five weeks coming up to the public holidays, ending on the day before the public holiday. Specific details of this can be obtained from your immediate manager.

## 8.3 Maternity Leave

In accordance with the Maternity Protection Act, 1994, and subsequent amendment to the Act, an expectant mother is entitled to 26 consecutive week’s maternity leave. The employee must take at least two weeks leave before the expected date of the birth, and at least four weeks after the birth.

In addition she may take an additional 16 consecutive weeks' unpaid leave immediately after her maternity leave.

An employee must provide a medical certificate indicating the week which it is expected the baby is born. This written notice must be given to the employer at least 4 weeks before the beginning of maternity leave.

Where a pregnant woman is employed on a specified purpose/fixed term contract and the contract ends while the woman is on maternity leave, the maternity leave ends on the same day.

Employees are required to advise their manager of their return to work four weeks prior to returning.

Employees during their maternity leave may be entitled to receive state maternity allowance during the 26 weeks of the maternity leave. Application forms for this allowance are available from the Department of Social Protection. A claim for this benefit must be made 6 weeks before the employee intends to commence her maternity leave.

Pregnant employees and employees who have recently given birth are entitled to time off from work, without loss of pay for the purposes of receiving one set of antenatal and postnatal care (other than the last three classes). However the employee must inform her employer in writing of the time and date of the appointment no later than 2 weeks before the date of the appointment.

There is no obligation on an employer to pay maternity benefit, and (Company) does not furnish maternity pay. However, employees may be entitled to a state maternity benefit.

The employee’s right to return to work is subject to the employee notifying her employer in writing not later then four weeks before the date on which she expects to return detailing her intention to return and the date on which she expects to return to work. If the employee’s previous work is not available the employer is entitled to provide suitable alternative work.

***8.4 Paternity Leave***

The Paternity Leave and Benefit Act 2016 allows a relevant parent to take 2 weeks Paternity Leave upon the birth of their Child. A Relevant Parent is defined by the Act as the Father of the Child, or the Spouse, Civil Partner or Co-habitant of the Mother or the Adopting Parent.

The Leave must be taken within 26 weeks of the birth of the child, or in the case of adoption, within 26 weeks of the placement date. The leave cannot commence before the date of birth or placement. Except in exceptional circumstances, the leave must be taken in a 2 week consecutive block.

Employees must give a minimum of 4 weeks notice of their intention to take Paternity Leave. An exception may be made in the event of a premature birth. Notice should be provided in writing and a medical certificate confirming the expected date of birth, or a certificate confirming the date of placement should also be provided.

In the event of a multiple birth, or more than one child being adopted at any one time, the relevant parent will be entitled to one period of Paternity Leave only (i.e. 2 weeks).

(Company) does / not provide pay during Paternity Leave.

***8.5 Parental Leave***

The [Parental Leave Act 1998,](http://www.irishstatutebook.ie/1998/en/act/pub/0030/index.html) and as amended, allows parents to take parental leave from employment in respect of certain children. A person acting in loco parentis with respect to an eligible child is also eligible.

Any natural or adoptive parent that is a full time employee is entitled to 22 weeks unpaid leave to facilitate them to take care of their child. Parental Leave may be taken as a continuous block of 18 weeks by agreement with their immediate manager, or can be taken in 2 separate blocks of a minimum of 6 weeks each.

Parental leave must be taken before the child reaches 12 years of age or 16 years of age in the case of a child with a disability. Employees must have one year’s continuous service to avail of the full entitlement.

An employee must give written notice to their immediate manager of their intention to take parental leave no later than 6 weeks before the proposed commencement of the leave.

Parents of twins or triplets can take more than 22 weeks of parental leave in a year.

Both parents have an equal separate entitlement to parental leave. Unless you and your partner work for the same employer, you can only claim your own parental leave entitlement (22 weeks per child). If you both work for the same employer and your employer agrees you may transfer 14 weeks of your parental leave entitlement to each other.

If the parent becomes ill while on parental leave and is unable to care for the child the leave can be suspended for the duration of the illness. In order to suspend the parental leave the employee must give written notice and relevant evidence of the illness to the employer as soon as is reasonably practicable. The parental leave resumes after the illness. During the illness the parent is treated as an employee who is sick.

As of 1st November 2019, parents are entitled to two weeks additional leave in the 52 weeks following the birth / adoption of a new child. Payment is issued by the Department of Social Protection

(Company) does / not provide pay during the two week Parental Leave period.

***8.6 Adoptive Leave***

Under the [Adoptive Leave Act, 1995,](http://www.irishstatutebook.ie/1995/en/act/pub/0002/index.html) as amended by the [Adoptive Leave Act, 2005](http://www.irishstatutebook.ie/2005/en/act/pub/0025/index.html), only the adoptive mother is entitled to avail of adoptive leave from employment, except in the case where a male is the sole adopter.

Adopting mothers and sole male adopters are entitled to 24 weeks adoptive leave. The employee must notify their immediate manager of their intention to take adoptive leave no later than four weeks prior to the expected date of placement.

An adopting mother or sole adopting male is also entitled to take an additional 16 weeks unpaid adoptive leave.

Employees on adoptive leave are entitled to payment from the Department of Social Protection for up to 24 weeks. Application forms for this benefit area are available from the Department of Social Protection.

Employees are entitled to paid time off work to attend preparation classes and pre-adoption meetings with social workers required during the pre-adoption process.

Employees are entitled to leave for any public holidays that occur during your adoptive leave (including additional adoptive leave). The right of employees to leave for public holidays is set down in [Section 21 of the Organisation of Working Time Act, 1997.](http://www.irishstatutebook.ie/1997/en/act/pub/0020/sec0021.html#zza20y1997s21) Time spent on adoptive leave (including additional adoptive leave) is treated as though they have been in employment, and this time can be used to accumulate [annual leave](http://www.citizensinformation.ie/en/employment/employment_rights_and_conditions/leave_and_holidays/annual_leave_public_holidays.html) and [public holiday](http://www.citizensinformation.ie/en/employment/employment_rights_and_conditions/leave_and_holidays/public_holidays_in_ireland.html) entitlement.

Under the adoptive leave legislation all employment rights (except remuneration and superannuation benefits) associated with the employment, such as annual leave and seniority, are protected during adoptive leave and additional adoptive leave.

Since January 30, 2006 if the adopted child is hospitalised, the period of leave or additional leave may be postponed, provided that the employer agrees.

The employee has the same rights to return to work as with [maternity leave](http://www.citizensinformation.ie/en/employment/employment_rights_and_conditions/leave_and_holidays/maternity_leave.html), and must also give 4 weeks' notice of the intention to return. They are entitled to return to the job they had immediately before the leave, unless this is not reasonably practicable for the employer. Where this is the case, then the employer must offer the employee a suitable and appropriate alternative. The terms and conditions of the alternative and the capacity under which they are to be employed, must not be less favourable than their job before going on leave.

## 8.7 Force Majeure Leave

Force Majeure leave is provided for under the Parental Leave Act, 1998. The Act entitles an employee to paid time off, where for urgent family reasons, owing to the injury or illness of an immediate family member, the immediate presence of an employee at the place where the person is, is indispensable. Absence for part of a day is counted as one day of force majeure leave.

In accordance with the Act, the employee is entitled to 3 days in any 12-month period or 5 days in any period of 36-months.

The immediate family members covered by this policy include:

* A child/adoptive child of the employee,
* A spouse or person with whom an employee is living as husband and wife,
* A person to whom the employee is in loco parentis,
* A brother or sister of the employee,
* A parent or grandparent of the employee.
* A person who resides with the employee in a relationship of domestic dependency.

By definition, prior notice does not arise in the case of force majeure leave. However, an employee who has availed of the entitlement must as soon as is reasonably practicable thereafter, give written notice to the Company by completing the Force Majeure Leave Form stating that he/she has taken such leave and the date on which it was taken. The employee must also include a statement of the facts entitling them to the leave.

## 8.8 Carers’ Leave

Under the Carer's Leave Act, 2001, there is an entitlement for an employee to avail of temporary unpaid leave from their employment to enable him/her to personally provide full time care for a person who is in need of such care. To avail of Carer's leave the employee must have completed at least 12 months continuous service with the company.

The employee must intend to provide full time care for the relevant person for the duration of the leave and the relevant person will be deemed to be in need of full time care by a deciding officer of the Department of Social Protection.

The leave entitlement may be one continuous period of 104 weeks, which is the maximum duration of the care, or this may be broken up into one or more periods not exceeding 104 weeks. If the leave is broken up, there must be a break of 6 weeks before the employee can commence another period of leave for that relevant person.

If an employee wishes to take carers leave for a second relevant person, there must be a 6-month break since the termination of the leave for the first relevant person, before the leave for the second relevant person could commence.

The minimum statutory entitlement to be taken in one period is 13 weeks. And the company reserves the right to refuse on reasonable grounds to permit the employee to take Carer's leave for any period of less than 13 weeks.

## 8.9 Compassionate Leave (Discretionary)

Special leave (up to 3 days) may be granted on the death of an immediate relative (partner, parent, sibling, parent in law). This may be increased to 5 days at management’s discretion.

In exceptional circumstances, compassionate leave may be granted on the death of a more distant relative where the employee has to take charge of funeral arrangements or has lived in the same house as the deceased.

## 8.10 Jury Service Leave

An employee who is called for jury duty is entitled to time off with pay for the required length of time.

If the employee is not required in court the employee is expected to return for work on these days their service is not required for duty.

# 9 EQUALITY STATEMENT

## 9.1 Purpose

The purpose of this policy is to demonstrate the company’s commitment to equality of opportunity for existing and potential employees, by promoting a work environment that affirms our commitment to the personal dignity and worth of each employee.

We do this by promoting a work environment that is free from discrimination in the following areas: gender, marital status, family status, sexual orientation, religious belief, age, disability, race, membership of the travelling community.

## 9.2 Application

This policy applies to all present and potential employees of (Company).

## 9.3 Policy

The company is committed to equal opportunity of all employees and all potential employees of (Company). As such all employment decisions will be based on qualifications, merit and ability.

Any decision in relation to employment will not be influenced by any of the aforementioned areas outlined within the purpose of this policy. This policy applies to all areas of the organisation.

At (Company), recruitment decisions will not be influenced by any of the above areas of discrimination. We will ensure that discrimination on these grounds will neither occur directly or indirectly. This policy applies to training, conditions of pay, promotion and every other aspect of employment.

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## 9.4 Responsibility

Every employee of (Company) has a personal responsibility for the implementation of this policy. This includes treating peers and managers with dignity and respect.

Employees also have a responsibility to draw the attention of management to discriminatory practices or areas where they believe individuals have been treated unfairly under the above grounds. It is the responsibility of all managers to support and communicate this policy.

To reiterate the communications policy of the company, we encourage all managers to provide forums for employees to have open discussions in order to identify and resolve issues.

## 9.5 Procedure

Any employee who feels they have been treated unfairly in any employment related decision, such as promotion, training, conditions of employment or any other area should follow the company grievance procedure outlined in this document.

All cases of discriminatory allegations will be promptly investigated. Any individual found partaking in any form of discrimination shall be subject to disciplinary action up to and including dismissal, as per the company’s disciplinary procedure outlined in section six.

# 10 BULLYING AND HARASSMENT POLICY

## 10.1 Overview

The company is committed to providing all of its employees with an environment free from bullying/harassment.

All employees will be expected to comply with this policy and management will take appropriate measures to ensure that bullying/harassment does not occur.

Appropriate disciplinary action, including dismissal for serious offences, will be taken against any employee who violates this policy.

The policy applies to employees both in the workplace and at work associated events such as meetings, conferences and work related social events, whether on the premises or off site.

The policy applies to bullying/harassment not only by fellow employees but also by a client, customer or other business contact to which an employee might reasonably expect to come into contact with in the course of their employment.

## 10.2 Definition of Bullying

Bullying can be defined as: “repeated inappropriate behaviour, direct or indirect, whether verbal, physical or otherwise, conducted by one or more persons against another or others, at the place of work and/or in the course of employment which could reasonably be regarded as undermining the individual’s right to dignity at work. An isolated incident of the behaviour described in this definition may be an affront to dignity at work but as a once off incident is not considered to be bullying.”

The bullying can include conduct offensive to a reasonable person, e.g. oral or written slurs, physical contact, gestures, jokes, displaying pictures, flags/emblems, graffiti or other material which state/imply prejudicial attitudes which are offensive to fellow employees.

Other examples of bullying behaviour include:

* Personal insults and name calling
* Persistent unjustified criticism and sarcasm
* Public or private humiliation
* Shouting at staff in public and/or private
* Sneering
* Instantaneous rage, often over trivial issues
* Unfair delegation of duties and responsibilities
* Setting impossible deadlines
* Unnecessary work interference
* Making it difficult for staff to have access to necessary information
* Aggression
* Not giving credit for work contribution
* Continuously refusing reasonable requests without good reasons
* Intimidation and threats in general.

## 10.3 Definition of Harassment

Sexual harassment is any form of verbal, non-verbal or physical conduct of a sexual nature which has the purpose or effect of violating a person’s dignity and creating an intimidating, hostile, degrading, humiliating or offensive environment for the person.

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

* Sexual gestures
* Displaying sexually suggestive objectives, pictures, calendars
* Sending suggestive and pornographic correspondence including faxes, text messages or e-mails
* Unwelcome sexual comments and jokes
* Unwelcome physical conduct such as pinching, unnecessary touching, etc.
* Same sex sexual harassment.

Harassment on the grounds of gender, marital status, family status, race, age, religious belief, sexual orientation, disability or membership of the traveller community is defined as any unwanted conduct which has the purpose or effect of violating a person’s dignity and creating an intimidating, hostile, degrading, humiliating or offensive environment.

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

## 10.4 Complaints Procedure

There is both an informal and formal procedure to deal with the issue of bullying / harassment at work. Any investigation will be completed as quickly as possible.

***Informal Procedure***

* + It is often preferable for all concerned that complaints of bullying or harassment are dealt with informally whenever possible. This is likely to produce solutions that are speedy, effective and minimise embarrassment and the risk of breaching confidentiality. Thus, in the first instance a person who believes that they are the subject of bullying/harassment should ask the person responsible to stop the offensive behaviour.
	+ If a person finds it difficult to approach the alleged perpetrator directly then a person should seek help and advice on a confidential basis from their line manager or the General Manager. This person can be a work colleague, a supervisor / manager, shop steward/trade union official). The role of the designated contact person is not to judge but rather to provide advice and assistance about what the company’s policy says.
	+ Having consulted with the contact person, the complainant may request the assistance of a manager / supervisor in raising the issue with the alleged perpetrator(s). In this situation the approach of the manager / supervisor should be by way of a confidential, non-confrontational discussion with a view to resolving the issue in an informal low-key manner.
	+ A complainant may decide, for whatever reason, to bypass the informal procedure. Choosing not to use the informal procedure will not reflect negatively on a complainant in the formal procedure.

It is recognised that it may not always be practical to use the informal procedure particularly where the bullying or harassment is serious or where the people involved are at different levels in the organisation. In such instances the employee should use the formal mechanism set out below.

***Formal Procedure***

* + When a formal complaint is being made, then the employee should contact their supervisor/manager as soon as possible. If this is inappropriate, then the employee should contact the CEO/GM/MD. In the interests of natural justice, the alleged harasser will be notified in writing of the nature of the complaint, given a copy of the allegation, informed of their right to representation and will be given every opportunity to rebut the detailed allegations made.
	+ The complaint will be subject to an initial examination by a designated member of management, who can be considered impartial, with a view to determining an appropriate course of action. An appropriate course of action at this stage, for example, could be exploring a mediated solution or a view that the issue can be resolved informally.
	+ Should either of these approaches be deemed inappropriate or inconclusive, a formal investigation of the complaint will take place with a view to determining the facts and the credibility or otherwise of the allegation(s).
	+ Whilst it is desirable to maintain utmost confidentiality, once an investigation of an issue begins, it may be necessary to interview other staff. If this is so, the importance of confidentiality will be stressed to them. Any statements taken from witnesses will be circulated to the person making the complaint and the alleged bully/harasser for their comments before any conclusion is reached in the investigation. When the investigation has been completed both parties will be informed as to whether the complaint has been upheld.
	+ Both parties will be given the opportunity to comment on the findings before any action is decided upon by management. All complaints received will be treated seriously, confidentially and dealt with as soon as is practicable.
	+ Strict confidentiality and discretion will be maintained, in any necessary consultation to safeguard both parties from innuendo and harmful gossip.
	+ A record of all relevant discussions which take place during the course of the investigation will be maintained by management. Both parties will be given an opportunity to comment on the conclusions of the investigation team. Both parties will be given a copy, in writing, of the conclusions reached by the investigating team.

***Appeal***

Either party can appeal the decision of the formal investigation in writing within 7 working days.

**Action Post Investigation**

* Where a complaint is upheld a disciplinary hearing will take place. The disciplinary action to be taken will be in line with the company’s disciplinary policy. Should a case of bullying or harassment be proven then the organisation will take appropriate disciplinary action.
* This can include a warning, transfer, demotion or other appropriate action up to and including dismissal. Records of any warnings for bullying/harassment will remain in the employee’s file and will be used in determining disciplinary action to be taken if any further offences of the same or similar nature occur in the future.
* Regular checks will be made by one of the investigators to ensure that the bullying/harassment has stopped and that there has been no victimisation for referring a complaint in good faith. Retaliation of any kind against an employee for complaining or taking part in an investigation concerning bullying/harassment at work is a serious disciplinary offence.

***Malicious Complaints***

If a complaint is found to be malicious, then the case may be referred for disciplinary review with sanction of up to an d including dismissal in line with the company’s Disciplinary Policy.

***Further Information***

All questions relating to the execution or interpretation of this policy should be referred to your direct line manager.

**11. COMPANY VEHICLE POLICY**

Purpose

This purpose of this policy is to govern the use of company vehicles for both business and personal use and to outline the company’s expectation with regards to same. This policy applies to all employees who use a vehicle in the course of their duties for COMPANY

COMPANY is committed to promoting safety and responsible driving for all of its employees. To ensure that this commitment is followed through, the Company has adopted a ‘Company Vehicle Policy’ that requires all employees who use a vehicle in the course of their duties to do so in a lawful and safe manner.

**Section 1 Documentation**

Valid Driving Licence

All drivers must hold a valid up to date ‘Full’ driving licence to drive a company vehicle or receive a vehicle allowance. Holders of Learner Permits are not authorised to receive company vehicles or receive vehicle allowances.

Prior to commencing employment, all employees are required to produce their original driving license so the Company can take a copy to ensure all employee records are up to date and accurate.

The company will retain a copy of the front and back of the driving license. In line with legislative guidelines only licences submitted from EU/EEA countries will be accepted, however in the event that an international licence is recognised under Irish legislation then it will be deemed suitable.

You are required to keep your licence in your possession at any time that you are operating a vehicle on company time and you may be requested to present it to your manager.

If the licence is mislaid or lost, a replacement must be applied for as soon as the loss is discovered. You must also notify the company with immediate upon realising the loss.

Where ‘N’ plates are required, it is the responsibility of the driver to ensure that the vehicle is compliant.

Where a driving license is a compulsory requirement for a role, should an employee fail to retain their driving licence it may result in their lack of ability to complete their core duties which, in turn, may result in a disciplinary review with a potential sanction of up to and including dismissal, in line with the company Disciplinary Policy.

Driver Declaration Form

Every employee that uses a vehicle for business purposes is required to complete a Driver Declaration Form.

This form is a self-declaration of the employee’s suitability to drive a vehicle as well as an acceptance of the Company Vehicle Policy.

COMPANY must be advised of any driving licence endorsements.

It is very important to ensure that all information provided in the declaration form is honest and accurate.

In the event that an employee is found to have knowingly provided false information they may be subject to a disciplinary review with a potential sanction of up to and including dismissal, in line with the company Disciplinary Policy.

The Company requires a new declaration of driver suitability to be completed each year.

**Section 2 Driver Responsibilities**

Driver Behaviour

Employees are required to ensure that they practice safe driving procedures that adhere to the requirements of the Road Traffic Act 1961 to 2016 with regards to, but not limited to:

* Driving Speeds
* Driving Practices
* General Road Safety
* Adherence to signage
* Driver safety checks
* Driving in poor weather conditions

*This list is not exhaustive*

In addition to this it is important to consider the fact that while you are utilising a company vehicle, be it for Business or Personal use, you are a brand representative for not only COMPANY but the client account that you are designated to.

As such please take into account the following activities while using a company vehicle:

* Driver courtesy with regards to other road users such a cyclists / pedestrians
* Parking practices. You must never utilise assigned parking without the requisite authorisation / permit
* General behaviour. Your behaviour should be consistent with the company’s values and standards

*This list is not exhaustive*

In the event of an incident whereby driver behaviour has been found to be a contributing factor in an incident, the employee may be subject to a disciplinary review with a potential sanction of up to and including dismissal, in line with the company Disciplinary Policy.

Please check with your manager to confirm if your vehicle can be used for personal use

Speeding & Driving Practices

Speeding is the most common cause of road fatality in Ireland and as such will not be tolerated under any circumstance. A large proportion of company vehicles are fitted with telemetric systems that measure the basic details of vehicle activity such as speed, braking practices (excessive braking) and steering practices (excessive steering).

In the event of an incident, the vehicle information for the preceding month for the relevant driver will be analysed. If driver error has been found to be a contributing factor in an incident, the employee may be subject to a disciplinary review with a potential sanction of up to and including dismissal, in line with the company Disciplinary Policy.

Traffic Offences

Drivers are personally liable for all fines / penalties, including parking fines, incurred under the Road Traffic Acts. The company will not pay any fine incurred by a driver.

Drivers will incur Penalty Points if convicted for parking a vehicle in a dangerous position and the company accepts no responsibility in such cases.

Vehicle Maintenance

The Company’s lease agreements ensure that all scheduled maintenance will be provided without any additional cost to the employee.

Therefore it is the employee’s responsibility to ensure that they monitor the vehicles maintenance requirements and register the vehicle for the required service checks.

In addition to this it is the employee’s responsibility to ensure that the following service matters are reviewed:

* External Lights These should be checked every week
* Oil Levels These should be checked every 6 -8 weeks
* Tyre Pressure & Thread depth These should be checked every week
* Windscreen Damage should be reported to the insurance company.
* Windscreen Wash This should be kept topped up at all times
* Diesel Must be purchased from a reputable supplier
* General upkeep The vehicle should be kept clean internally and externally on an ongoing basis

The company acknowledges that there is normal wear and tear on vehicles, however in the event that a company vehicle is damaged due to poor vehicle maintenance then it may result in the costs being redistributed to the employee.

Under the Road Traffic Acts it is an offence to drive a defective vehicle. The following extract from the Rules of the Road clearly outlines the responsibility of the driver:

*“It is an offence to drive a defective vehicle on a public road. The onus is on the driver to ensure that the vehicle being driven is in good working order. Steering, brakes, front and rear lamps, reflectors, rear view mirrors, speedometer, tyres, windscreen wipers, horn and silencer should be checked regularly to ensure that they are in working order.”*

If poor vehicle maintenance results in an accident, the employee with responsibility for the vehicle may be subject to a disciplinary review with a potential sanction of up to and including dismissal, in line with the company Disciplinary Policy.

Tyres

The company’s lease agreement incorporates the replacement of tyres in line with normal usage guidelines. If you believe that the tyres on your vehicle need replacing please contact the lease company and notify your manager of same.

It is your responsibility to ensure your tyres are in keeping with Government Legislation and the tread depth and pressure should be checked weekly.

If replacement tyres are required due to excessive wear and tear resulting from to driver negligence or poor maintenance the cost may be issued to the employees.

Only tyres provided by the leasing company may be placed on the vehicle and no third party provider may be used to provide replacement tyres without written permission of a member of the management team.

If inadequate tyre maintenance results in an accident, the employee with responsibility for the vehicle may be subject to a disciplinary review with a potential sanction of up to and including dismissal, in line with the company Disciplinary Policy.

Brakes

The wear and tear of the vehicles brakes will depend on the amount of usage and driving style.

The company’s lease agreement incorporates the replacement of Brake parts in line with normal usage guidelines. If you believe that the Brakes on your vehicle need attention please contact the lease company and notify your manager of same.

Driving on degraded Brakes will cause terminal damage to the metal discs. This would be considered negligent.

If poor Brake maintenance results in an accident, the employee with responsibility for the vehicle may be subject to a disciplinary review with a potential sanction of up to and including dismissal, in line with the company Disciplinary Policy.

Windscreen

If there is damage to the windscreen it should be reported to the company and an insurance report should be completed.

If the damage is not covered by the vehicles insurance policy the cost is borne by the employee with responsibility for the vehicle.

General Upkeep

It is your responsibility to ensure that the exterior and interior are kept clean, damage and rust free. Stone chips should be touched up and bird droppings removed as soon as possible as this can burn the surface of the paint.

Accidental damage to the bodywork should be reported to your line manager and an assessment will be required to assess whether a repair is required.

The paintwork should be polished at a minimum of every 6 months.

Authorised Drivers

Only COMPANY employees that have completed the COMPANY driver declaration form are authorised to drive company vehicles.

Commercial Vehicles may only be driven by COMPANY employees that have provided the requisite documentation.

A commercial vehicle is defined as a vehicle that does not contain passenger seat behind the driver’s compartment.

In the event that a ‘non-commercial’ vehicle is provided, the employee may request that a spouse or partner is authorised to utilise the vehicle.

Before this is authorised it must be approved by the respective Senior Management team member for the employee’s business division. Along with this, the nominated person’s driving details will need to be held on file with HR, including a copy of their driving licence and a driver declaration form. This option is only available to Full Licence holders who have held their licence for a minimum of two years.

Under no other circumstance should a non-COMPANY employee without the correct authorisation be permitted to drive any company vehicle.

In the event that an unauthorised driver is found to be permitted to drive a company vehicle, the employee with responsibility for the vehicle may be subject to a disciplinary review with a potential sanction of up to and including dismissal, in line with the company Disciplinary Policy.

Passengers

Employees provided with ‘Commercial’ vehicles such as vans are insured to carry passengers for business purposes only.

Employees must ensure that all passengers of any vehicle use the seatbelt provided. Passengers can only be carried in vehicles with the appropriate number of seats.

Carriage of hitchhikers is strictly prohibited and is not covered under the Fleet Insurance.

Driver Handbook

Please ensure you have read and understood the contents of the lease provider’s driver’s handbook. A copy of this handbook can be found in your vehicle.

Should you not have access to a driver’s handbook, please notify your line manager as soon as possible.

Security

The vehicle is a Company asset and, therefore, you must pay maximum attention to the security and care of this asset at all times. In order to reduce the risk of theft and pilferage of the car, the following precautions should be taken:

* Choose parking places as carefully as possible. Where possible park in well lit, populated areas
* Always close windows, lock doors and remove car keys. Failure to do this could invalidate insurance
* If your vehicle has an alarm activate when parked
* Do not leave items unaccompanied in the vehicle in view from outside the vehicle. Items should be locked in the glove box or in the boot.
* You are provided with one key for your vehicle. Should you misplace the key you will be responsible for the cost of a replacement key
* Damage to car, theft or accessories etc. should be reported immediately to the leasing agent and your manager and the COMPANY Accident Reporting Policy should be adhered to.

Costs arising from damage due to an insufficient level of security will be recharged to the employee.

Safety

All employees are expected to take all steps necessary in avoiding endangering themselves and others while operating company or company-sponsored vehicles on company business. To ensure this, employees are expected to:

* Ensure that all passengers wear safety belts when the vehicle is in operation in line with the Road Traffic Act.
* Ensure that the vehicle to which the employee is assigned is maintained in a safe driving condition.
* Refrain from driving any vehicle under any circumstances while under the influence of any drugs or alcohol. This includes prescription drugs that may impair your ability to drive.

On social and other occasions where alcoholic drink is involved you are not permitted to use the company vehicle.

* Refrain from using mobile phones unless the vehicle is equipped with hands-free system. You should also refrain from any conduct which may impede the driver’s ability to focus on safely operating the vehicle while it is in motion. This includes including smoking and eating.
* Smoking is always prohibited in the vehicle under the Public Health (Tobacco) Act 2002 (Section 47) Regulations 2003 as it is considered to be part of the workplace. Any person found guilty of breaching the ban on smoking in the workplace may be subject to a fine of €3,000.
* You must always comply with The Road Traffic Act. It is your responsibility to ensure that you are aware of all road traffic rules and regulations.
* You must ensure that you are always in possession of a valid driver’s licence. Should this situation change you are required to inform your line manager and HR immediately. You are required to notify your Manager and Human Resources if your points total exceeds 6 points.

Failure to do so could result in a disciplinary review with a potential sanction of up to and including dismissal, in line with the company Disciplinary Policy.

* You are only permitted to transport goods or materials that are required for your role with COMPANY.

No dangerously flammable, radioactive, chemically or biologically toxic goods may be transported in company vehicles. This includes the transport of illegal substances.

In the event that you are required to transport hazardous materials such as detergent or CO2 please ensure that you follow the relevant training associated to handling and transporting these items. CO2 monitors should be checked weekly.

* Drivers must refrain from taking their company vehicle overseas. Insurance does not cover the use of company vehicles for either personal or business purposes outside the of Ireland. Failure to do so comply could result in a disciplinary review with a potential sanction of up to and including dismissal, in line with the company Disciplinary Policy.
* Employees are asked to remember that when using company vehicles that they are always representing COMPANY and its clients, even when the vehicle is used for personal use. Employees must not engage in any actively that could damage the reputation of COMPANY or its clients. Any driver or passenger behaviour that brings the company’s reputation into disrepute could result in a disciplinary review with a potential sanction of up to and including dismissal, in line with the company Disciplinary Policy.

Section 3 Insurance and Control Guidelines

Insurance

If a vehicle has been provided by the company, you are required to ensure that you notify the company of any accidents, driving restrictions or penalty points.

All employees in receipt of company vehicles, vehicle allowances or mileage payments must submit a copy of their driving licence, both front and back, to their line manager and / or Human Resources.

Employees who are under the age of AGE are required to notify their line manager of this as they will be required to fill out additional documentation that will be submitted to the insurance company.

Provisional drivers cannot receive, company vehicles, vehicle allowances or mileage payments as they are not authorised to operate a car on their own under the guidelines of the Road Safety Act.

Where an employee uses their own private car for business purposes it is the employee’s responsibility that the car is adequately taxed, insured and breaches of the Road Traffic Act are the responsibility of the employee. You should check with your insurance provider that you have enough insurance cover (business use cover) while using a motor vehicle on official business. The Company cannot accept liability for any loss or damage resulting from the use of privately-owned motor vehicles on Company business.

Staff claiming mileage will be required to confirm that they have adequate business insurance in place before any mileage expenses will be refunded. The mileage rates payable to members of staff include the cost of motor insurance and therefore no element of insurance costs on privately owned motor vehicles can be reimbursed to staff.

Endorsements and Loss of Licence

Should you incur any penalty points, endorsements or criminal convictions in relation to driving, you are required to inform your line manager of this immediately as this may affect your insurance cover.

Should you receive more than 6 penalty points, you may be subject to a disciplinary review with a potential sanction of up to and including dismissal, in line with the company Disciplinary Policy.

In the event that you receive a driving conviction that results in the loss of your driving licence, and you are subsequently unable to complete your assigned duties, you may be subject to a disciplinary review with a potential sanction of up to and including dismissal, in line with the company Disciplinary Policy.

Accidents & Incidents

Any vehicle related accidents or damage must be reported immediately to your manager in line with the Accident Reporting Policy. You are also required to notify the appropriate leasing company.

The contact details will be available in your vehicle however if you are unable to locate them please contact your manager.

Employees must not take it upon themselves to repair damage to company vehicles directly.

Should you be involved in an accident where damage to company assets has occurred you will be deducted an asset deduction charge. If you are deemed not responsible for this accident, the deduction will be refunded to your bank account.

An excessive amount of minor accidents, reported damage, vehicle negligence or one serious accident may be considered gross misconduct and could result in formal disciplinary action being taken against you, the outcome of which may be your dismissal. Three incidents on an employee’s record within any twenty-four-month period are classified as excessive.

Incident Reporting

In the unfortunate event that you are involved in a Road Traffic Accident, you are required to follow the company’s accident reporting procedure.

The key steps are as follows:

* Management must be notified immediately. If the Line Manager is unavailable, please contact another senior colleague or Human Resources
* The driver must complete both the COMPANY and the Insurers’ incident report form. Both forms and supporting documentation must be issued to the HR department within 24 hours of the incident.
* Photographs or the scene and damage should be recorded
* Witness details should be recorded, where possible
* A copy of any Garda reports should be provided by the employee

Please refer to the Company Reporting Policy for a comprehensive guide on reporting procedures.

Failure to notify the company of any incident involving your vehicle could result in a disciplinary review with a potential sanction of up to and including dismissal, in line with the company Disciplinary Policy.

Incident Investigation

If you are in a Road Traffic Accident the company may undertake an investigation into your driving activity preceding the incident. This will utilise vehicle telematics and your speed, braking activity and steering activity will be reviewed.

If driver behaviour, and in particular, excessive speed is identified, the company may remove your access to a company vehicle, and you will be required to provide your own transport. If access to the company vehicle is removed you will be provided with a vehicle allowance as deemed appropriate by management.

The company reserves the right not to provide you with a replacement vehicle following an incident and may request that you provide a certificate of completion for a recognised driver safety course before providing a replacement vehicle.

The company also reserves the right to request any employee involved in a Road Traffic Accident to attend a Driver Assessment Course with a recognised driving training provider. Failure to complete this course or achieve the required results during the assessment could result in all vehicle entitlements being removed from the employee.

To ensure driver behaviour is consistent the management team will occasionally undertake random audits of driver activity. If the company identify persistent unsafe or illegal driving practices by an employee it may result in a disciplinary review with a potential sanction of up to and including dismissal, in line with the company Disciplinary Policy.

Expenses

Where required, vehicles will be issued with Toll Tags for Motorway charges. If you feel that your vehicle requires a Toll Tag, please contact your manager to request one. Toll tags are not universally available, and you will be advised by your manager.

If you use a motorway you are responsible for any charges associated to that trip. Should you incur any fleet related fines or charges for non-payment of tolls, parking, speeding etc. your line manager will inform you of the amount owed and a deduction will be made through the payroll process. You will also be responsible for any administration fees that accrue due to unexpected fines.

You are not permitted to expense any such fines or charges that are deducted as these are not considered a valid business-related expense.

Drivers in the Northern Ireland team are reminded that private mileage is to be declared and paid back each month via payroll at the appropriate rate as dictated by website and any unreported difference may be may result in a personal liability arising with HMRC. Please check the government guidelines for further information.

Fuel Card

If you are issued a company fuel card, this is to be strictly for commercial purposes. Fuel should not be charged to the company for personal purposes under any circumstance. This fuel card must only be used to fill the company car that has been allocated to you and usage should be within the acceptable guidelines for your call file.

Fuel cards cannot be used during business down times such as periods of Annual Leave, Sick Leave or when the company is closed for business such as Christmas or during an extreme weather event.

Redistribution of Assets

Employees, who are on periods of long term absence from the business for any reason, will be requested to return their company vehicle and fuel card as they will not be expected to use their vehicle for business purposes.

Company Cars may not be swapped, even on a temporary basis, for another Fleet car, without the express approval of your Line Manager. Any such request and approval must be in writing.

Leavers

Vehicles are expected to be returned in the same condition that they are provided to you in and ready to be issued to other employees – clean and tidy and in good working order.

Where your employment ceases with the company, the following steps should be followed:

* The company vehicle is returned to COMPANY at an agreed location
* The vehicle inspection form must be completed at the point of handover by the line manager or dealer and it must be signed by the employee.
* Any damage to the vehicle at this stage is recorded and will be deducted from your final pay.
* If the vehicle requires professional cleaning at the point of return the cost may be deducted from your final payroll.

The company reserves the right at its sole discretion to deduct from any salary due to you the amount due in order to cover the cost of damage, loss, misconduct, neglect of assets and/or where the Company has incurred a financial loss due to the recovery of your assets.

All company assets must be returned in the same condition when assigned to you at the commencement of employment.

Telemetrics / GPS

A large proportion of company vehicles are fitted with a telemetric system. The company utilises this system to consistently develop its performance with regards to Health & Safety, environmental impact and productivity.

The system can record and report on a number of driver safety and vehicle efficiency measures such as:

* **Vehicle Tracking**
* **Fuel consumption**
* **Driver Activity**
* **Idling**

COMPANY reserves the right to review telemetric information in relation to employee use of company assets and any other company policy on employee behaviour.

COMPANY retains the right to fit and utilise telemetric information in all company vehicles however, as much notice as reasonably possible will be given should this arise.

The company reserves the right to use any information gathered from the telematics system for review in internal matters. In the event that information gathered identifies breaches of this policy it could result in in a disciplinary review with a potential sanction of up to and including dismissal, in line with the company Disciplinary Policy.

COMPANY commit to ensuring that the review of such information is proportionate and within reason.

Breach of Policy

As per the company Disciplinary Policy, any breach of this policy may be considered Gross Misconduct by the company and as such could result in a disciplinary review with a potential sanction of up to and including dismissal, in line with the company Disciplinary Policy.

Line Manager’s Responsibilities

Line Managers are responsible for the implementation and on-going administration of this policy within their own teams. In addition to this, line managers are expected to:

* Ensure that all reported vehicle problems or concerns are corrected within a reasonable timeframe and that no employee is driving in a vehicle that is not safe.
* Carry out vehicle inspections using the ‘Vehicle inspection form’ via one random audit per month, via accompaniments as well as when any vehicle is being issued to / returned by an employee.
* These inspections must be carried out correctly to ensure that the person responsible for any abuse or misuse of company vehicles is held liable.
* Facilitate inspections of company vehicles by other managers or external auditors
* Ensure all accidents, damage and negligence is reported to both the vehicle leasing provider and Human Resources. All records and reports must be uploaded to Cascade in line with the Company Accident Reporting Policy.

**Section 4 Benefit in Kind**

Company vehicles that are provided for private use as well as company business are subject to “Benefit in Kin” tax liabilities. This includes PAYE, PRSI and USC liability.

Revenue identifies private use as any non-company business usage, including the commute to and from work.

Liability extends to vehicles provided by third parties or subsidiaries that are linked to the company professionally.

[BIK Liability](https://www.revenue.ie/en/employing-people/benefit-in-kind-for-employers/private-use-of-company-cars/how-to-calculate-the-value-of-the-benefit.aspx) is calculated on the ‘Original Market Value’ of the vehicle and are index linked to the number of kilometres completed by the driver.

Employees are required to retain details of their business and personal use in the event of an audit by Revenue and may be personally liable for retrospective tax if they are able to furnish the necessary records. As per revenue guidelines, where records are not available the company must assume 8,000km are private kilometres.

Revenue Guidelines are subject to change. If you have any queries, please contact Line Manager / Finance / Accounts / Human Resources.

**12 CCTV SYSTEM POLICY**

**12.1 Introduction**

The purpose of the CCTV System Policy of (Company) (“the Policy”) is to regulate the management, operation and use of the closed-circuit television (CCTV) system (“the System”) at (Company) (“the Company”).

The system comprises a number of fixed and dome cameras located around the company site. The Policy follows the Data Protection Commissioner’s published guidelines and is in accordance with all relevant Data Protection Legislation. The System is wholly owned by the Company.

**12.2 Objectives of the System**

(a) To act as a deterrent against criminal activity affecting property belonging to the company.

(b) To increase safety of staff, customers and visitors.

(c) The System will not be used to monitor the movements of staff, customers or visitors.

**13.3 Statement of intent**

The Company will treat the System and all information, documents and data images obtained and used there from as data which may be deemed personal data requiring protection under the legislation.

It is intended that the CCTV cameras will be used to capture images of intruders or individuals damaging property or removing goods without authorisation and release this information to and at the request of, the Gardai.

Information captured as a result of the use of the System will not be used for any commercial purpose. The recorded images shall be stored on DVDs which will only be released to third parties for use in the investigation of a specific crime and with the written authority of the Garda Siochana. DVDs containing personal data will never be released to the media or other third parties for any purpose that is not permitted under the Policy without the Data Subject’s consent.

The planning and operation of the System has been designed to ensure that it provides maximum effectiveness and efficiency insofar as is reasonably practicable, but it is not possible to guarantee that the System will cover or detect every single incident taking place in the areas of coverage.

Warning signs, as required by the Code of Practice of the Data Protection Commissioner have been placed at all access points to areas covered by the company CCTVs to inform all persons who may be deemed Data Subjects, of the existence of the System.

**12.4 Operation of the system**

The Data Controller will be (Company). For the purposes of ensuring the fair usage of the CCTV system, a detailed assessment on the use of CCTV has been conducted and documented within this area to ensure that the use of CCTV is justified in terms of achieving the objectives outlined above. In practice, the System will be managed by \_\_\_\_\_\_\_\_\_, hereinafter referred to as “
Data Controller”), in accordance with the principles and objectives expressed in the Policy.

The day-to-day management will be the responsibility of the Data Controller and be approved by the Chief Executive. Other personnel may also be authorised by the CEO / MD / GM to view recorded images for the purposes outlined in this policy, e.g. an Assistant Manager.

The Data Controller’s office (referred to in 6 below) will only be staffed by the Company’s authorised security and management personnel who shall also adhere to the Policy.

The System will be operated 24 hours each day, every day of the year, except for periods of breakdown or necessary maintenance.

**12.5 Control Room**

The Data Controller’s office is where the system is installed and from where it is controlled. The Manager will check and confirm the efficiency of the System regularly and in particular that the equipment is properly recording and that cameras are functional. The recording equipment is located in a locked cabinet in the Manager’s office. The key will be held by the Manager.

Access to the Data Controller’s office will be limited to authorised personnel while recorded data is being viewed.

If out of hours emergency maintenance arises, the Data Controller must be satisfied of the identity and purpose of contractors before allowing access to the Control cabinet. During the working day when the Data Controller’s office is not manned the Control cabinet will be kept locked.

**12.6 Recording procedures**

CCTV recording will be maintained at all times.

CCTV Monitors are installed in the following areas and will be used in accordance with this policy:

(a) Data Controller office

(b) Other locations (if any). Should this be a remote monitor, its use will be restricted to ensure that staff and customer movements are not being monitored or captured continuously.

**12.7 Video recording procedures**

Recordings are initially made to a hard disk which is located in the locked Control cabinet in the Data Controller office. The equipment is programmed to delete images after 28 days automatically. Data can be recorded on to DVDs for specific purposes in accordance with this policy and with the authorization of the Chief Executive. Such DVDs will be stored in the locked Control cabinet.

In order to maintain and preserve the integrity of the DVDs used to record events from the hard drive and the facility to use them in any future proceedings, the following procedures for their use and retention must be strictly adhered to:

(a) Each DVD must be identified by a unique mark.

(b) Before use each DVD must be cleaned of any previous recording.

(c) The Manager shall register the date and time of DVD insert, including DVD reference.

(d) A DVD required for evidential purposes must be sealed, witnessed, signed by the Data Controller, dated and stored in a separate and secure, safety container. If a DVD is not copied for the Gardai before it is sealed, a copy may be made at a later date providing that it is then resealed, witnessed, signed by the Data Controller, dated and returned to the evidence DVD store.

(e) If the DVD is archived the reference must be noted.

DVDs may be viewed by the Gardai when requested to assist them in their duties.

A record will be maintained of the release or viewing of DVDs to the Gardai or other authorised persons. A register will be maintained for this purpose.

Should a DVD be required as evidence, a copy may be released to the Gardai under the procedures described in paragraph 7.2 (d) of the Policy. DVDs will only be released to the Gardai on the clear understanding that the recording remains the property of the Company, and both the DVD and information contained on it are to be treated in accordance with this code. The Company also retains the right to refuse permission for the Gardai to pass to any other person the DVD or any part of the information contained thereon. On occasions when a Court requires the release of an original DVD this will be produced from the secure evidence DVD store, complete in its sealed bag.

The Gardai may require the company to retain the stored DVDs for possible use as evidence in the future. Such DVDs will be properly indexed and properly and securely stored until they are needed by the Gardai.

In respect of DVDs not required to be retained for security, crime detection or other legitimate purposes, the Company will ensure its best endeavours are used to safely and properly dispose of the contents of the DVDs after 28 days.

Applications received from outside bodies (e.g. solicitors) to view or release personal data stored on DVDs and held by the Company will be referred to the CEO / MD / GM. In these circumstances a copy of the relevant DVD will normally be made available for viewing or released where satisfactory documentary evidence is produced showing that they are required for legal proceedings, a subject access request, or in response to a Court Order. A fee can be charged in such circumstances: €6.35 for subject access requests; a sum not exceeding the cost of materials in other cases.

**12.8 Breaches of the Policy (including breaches of security)**

Any breach of the Policy by the Company staff or any other person with responsibility under the Policy will be initially investigated by the CEO / MD / GM, in order for him/her to take the appropriate disciplinary action.

Any serious breach of the Policy will be immediately investigated and an independent investigation will be carried out by nominees of the CEO / MD / GM to make recommendations on how to remedy the breach.

**12.9 Assessment of the System**

Maintenance and performance of the system, including random operating checks, will routinely be carried out by the Data Controller.

**12.10 Complaints**

Any complaints about the Company’s CCTV system should be addressed to the CEO / MD / GM. Complaints will be investigated in accordance with paragraphs 8.1 and 8.2 of the Policy.

Any person who might be deemed a Data Subject in relation to the System shall be at liberty to make a complaint directly to the office of the Data Protection Commissioner, Canal House, Station Road, Portarlington, Co. Laois.

**12.11 Access by the Data Subject**

The Acts provide Data Subjects (individuals to whom "personal data" relate) with a right of access to personal data held about themselves (including images recorded by the System and stored on DVDs), under the terms of the Acts.

Requests by Data Subjects for such access should be made in writing to the CEO / MD / GM. The form of access granted may consist of facilities being offered at the Company premises to view the relevant personal data or the release of a copy DVD storing the relevant personal data.

# 13 INFORMATION TECHNOLOGY (IT) SECURITY POLICY

## 13.1 Introduction

Ensuring information is properly protected is essential to the success of (Company) activities. (Company) is committed to ensuring all access to, use of, and processing of all information is performed in a secure manner.

## 13.2 Policy Scope

All managers, employees, volunteers, contractors, suppliers and any other person who works on behalf of the company are bound by this policy. (Company) is committed to ensuring that all staff have sufficient awareness of their responsibilities to ensure they can anticipate and identify an IT security issue should one arise.

## 13.3 Electronic Communications

(Company) provides internet access and electronic mail to all employees.

(Company) Internet connections are intended for activities that either support (Company) business or the professional development of employees. System users are expected to be responsible, considerate and ethical in using company systems, to protect valuable company information and to exercise prudent judgement. Misuse of company systems may result in restriction or termination of access privileges and other disciplinary action, up to and including termination.

Users accessing the internet through a computer attached to the office's network must do so through an approved Internet firewall or other security device. Bypassing the office's computer network security by accessing the Internet directly by modem or other means is strictly prohibited.

Do not launch, detach or save any executable file (i.e. those ending in 'exe' or 'vbs') under any circumstances. If you receive any material which you believe has the potential to be dangerous or damaging you must contact (Company) support immediately.

Do not open, detach or save any unofficial file attachments to any network drive.

Unauthorised software must not be downloaded from the internet.

Only authorised devices may be connected to the company network. Any computers that are not authorised, owned and/or controlled by the company are specifically prohibited from connecting to the company network.

## 13.4 Removable Media

As far as reasonably possible, no information should ever be removed from the workplace.

However, it is recognised that from time to time there may be a legitimate business reason for the removal of certain information.

Sensitive information relating to company or member financials, member contact information or member HR cases information must never, under any circumstances, be removed from the workplace or stored on any portable storage devices.

Any other information may be removed in certain circumstances, but only with the prior approval of the CEO / MD / GM.

Where is has been agreed with the CEO / MD / GM that there is a requirement to remove information from the workplace the following procedures will apply:

* Information should not be stored or carried on non-encrypted devices.
* The information must remain solely on the encrypted device and must not be transferred to any other device.
* Once the information is no longer required it should be deleted from the encrypted device.

All employees have a duty of care to ensure all information removed from the site is held securely at all times. The loss of information is considered a serious matter that could result in disciplinary action. Any loss of information must be reported immediately to the CEO / MD / GM.

## 13.5 Company Phones and Laptops

All employees are responsible for ensuring the security of all company-provided mobile phones and laptops at all times. When working off-site, company mobiles and laptops must not be left unattended at any time. They must never be left unattended in a car overnight.

## 13.6 Password Protection Policy

Passwords are an important aspect of (Company) IT security. Passwords are used to access all (Company) computers and relevant systems. All employees are responsible for taking reasonable steps to select and secure their password(s).

**Password Creation:**

* + When creating your password(s) the following standards must be adhered to:
	+ The password must be a minimum length of 8 characters
	+ It must contain both upper and lower case letters
	+ It also must contain at least one number
	+ Default passwords (i.e. the password that is provided to you upon commencing employment) must be changed as early as reasonably possible.

**Password Protection:**

As far as reasonably possible passwords must not be shared with anyone.

All passwords are to be treated as sensitive and confidential company information.

Where a member of management requires your password for urgent business reasons the following procedures must be followed:

* + Passwords must never be inserted into email messages or any other form of electronic communication
	+ Passwords will only be shared verbally, either in person or over the phone
	+ Immediately upon returning to the office your password should be changed

Passwords must never be shared with any other third party.

Where possible, passwords must not be written down or stored anywhere within the office.

Where this is not possible, the system upon which they are stored must be fully encrypted.

All passwords must be changed at least every six months. Where you have any reason to suspect that the security of the password is in doubt, the password must be changed immediately.

## 13.7 Clean Desk Policy

As part of (Company) security and privacy control procedures, (Company) has adopted a clean desk policy to ensure that all sensitive and confidential information is properly locked away or disposed of while the workstation is not in use.

Employees are required to ensure that all sensitive/confidential information in hardcopy or in electronic form is secure in their work area at the end of the day and when they are expected to be gone for an extended period. All hardcopy material must be placed in a locked drawer during these times.

Computer workstations must be locked when the workspace is unoccupied and must be shut down completely at the end of the day.

All office documents and paper, and other sensitive media with member information must be secured and/or shredded. This includes, but is not limited to, all member account information, contact information and printed emails.

## 13.8 Responsibility

All users are expected to familiarise themselves with this policy and are required to report any violations to their immediate line manager.

## 13.9 Violation of Policy

(Company) takes the issue of security seriously. Violation of this policy could result in disciplinary

action, up to and including dismissal.

(COMPANY)

 Employee Handbook

I acknowledge receipt of the COMPANY Employee Handbook and confirm that I understand the procedures and policies contained within this handbook form part of the terms and conditions of my employment.

*Employee:*

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Name Date

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Name (Block Capitals)

 *On Behalf of the Company:*

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Name Date

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Name (Block Capitals)