

EDI CENTRE

Employee Handbook

Prepared by

BOARD OF MANAGEMENT



09/08/2021

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BOARD OF MANAGEMENT

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Name	Role	Representing
Mary Smith	Chairperson / Finance Committee	Community
Pat Joe Mc Loughlin	Treasurer / Finance Committee / HR	Longford Council of Trade Unions
Bernie Nolan	Treasurer / Finance Committee	Longford Council of Trade Unions
Pat Kelleher	REVAMP 3RStore Subgroup	Community
Vera Kiernan	HR Committee	INOUE
Michael Egan		Longford Council of Trade Unions
Adrian Greene	Finance Committee	LCRL Clg
Edel Kelly	HR / REVAMP 3RStore Subgroup	Unemployed
Padraic Gallogly		
Anthony McCormack	Finance Sub-group	SIPTU
Frank Horne	Finance Committee	Longford County Council
Bernie Cox		Longford Council of Trade Unions
Michael Wall		
Bernie Moore	REVAMP 3RStore Subgroup	

WELCOME TO THE EDI CENTRE LONGFORD

The Board of Management would like to welcome you to The EDI Centre Longford.

We are an elected Committee from the Longford Council of Trade Unions and other organisations. The Council is made up of representatives of all the Trade Unions active in Longford and responds and acts upon local issues such as Low Pay, Social Inclusion and Unemployment.

Our involvement with the Centre is our way of recognising that the unemployed are as much a part of our society as those who work.

We hope that you enjoy your time with us and that at the end of it you feel that you have benefited personally.

The EDI centre was established in 1998 by the Longford and District of Trade Unions, The Irish Congress of Trade Unions and Longford Community Resources Limited and FAS.

The overall aim of the EDI Centre is to help meet the needs of people who are unemployed and welfare dependent by providing the following services.

- Information provision and dissemination
- Mediation and pre-employment
- Enterprise development supports
- Outreach Services to rural areas
- Training/education to unemployed people and groups locally
- Upcycling Service (Revamp 3R Store)

The EDI Centre is managed by a voluntary committee: this committee includes representatives from Longford & District Council Trade Unions, Community, Longford Community Resources Clg. and Longford County Council.

The operation of the Centre is managed on a day-to-day basis by two full-time Coordinator's and a total of 56 staff, both part-time and full-time.

The Centre is located in a purpose-built building with Meeting rooms, IT rooms, Offices, Training Rooms, Training Kitchen and Revamp 3RStore. All these areas are accessible to wheelchair users.

The Centre has over 20 years' experience in successfully delivering training for people who are unemployed, persons on disability payments, women's groups and men's groups.

Regardless of job title, the shared goal for all staff members is to provide information and services to unemployed and disadvantaged people and groups.

STAFF CONTRACT

Commented [SO2]: Suggest replacing this staff contract with the new contract - when agreed.

LONGFORD EMPLOYMENT DEVELOPMENT & INFORMATION CENTRE

&

REVAMP 3RStore

The Revamp 3RStore is open daily Monday – Thursday 8.30am – 5.00pm and Friday 8.30am – 4.00pm. Anyone wishing to work outside of these hours must have permission from their Line Manager.

The EDI Centre is open daily Monday – Thursday 9.00am – 5.00pm and Friday 9.00am – 4.00pm. Anyone wishing to work outside of these hours must have permission from the EDI Centre Coordinator.

Time in lieu sheets must be signed and filed in the relevant Administration office.

You may not work your breaks to leave early. These are Health and Safety regulations. Break times must be staggered so that services are available from 8.30am- 5.00pm.

All members of staff will be required to sign an Attendance Book at the start and finish of each working day. This will be held in the relevant Administration Office. - Failure to sign in will result in non-payment of wages for that period.

If for any reason you cannot attend work, you must contact your Line Manager or the EDI Centre Coordinator

All staff are required to register their name at reception when entering and leaving the premises.

Should a member of staff be required to /or need to leave during their working day they must first request permission from their Line Manager or Coordinator and must inform them the time they leave and the time at which they will return

Staff should ensure that any personal business takes place outside of their working hours.

Occasionally staff may be required to work at weekends or in the evening. The Line Manager and Coordinator must be notified **before** extra hours are worked. If you work hours additional to your contracted hours this will be acknowledged as time in lieu.

Absence from Work

If you are going to be absent from work for any reason you must inform your Line Manager or Coordinator by 9.30 am. Failure to do so may result in non-payment of wages for that day.

Certified Sick Leave

Each employee is entitled to claim up to 7 full days (56 hours) for part-time staff, 14 days for full-time staff. Certificates must be handed in/sent to your Line Manager or Coordinator at the latest by morning of the third day of absence.

Uncertified Sick Leave

Payment may not in any circumstances exceed two days (16 hours). Failure to comply with these procedures may result in the non-payment of wages. Pro rata arrangements will be operated for anyone working less than 52 weeks. This is exercised at the discretion of the H.R. Committee. CE Staff are not entitled to payment for uncertified sick leave.

Maternity Leave

If you become pregnant while you are in employment, you have the right to take 26 weeks' maternity leave. You can take this time off work from full-time, casual or part-time employment, no matter how long you have been working for your employer.

If you have enough social insurance (PRSI) contributions, you are entitled to Maternity Benefit (including self-employed). You also have the right to take up to 16 weeks' additional maternity leave, but it is not covered by Maternity Benefit. You must take at least 2 weeks' maternity leave before your baby is due, and at least 4 weeks after the baby is born. The legislation laws covering this leave are the Maternity Protection Acts 1994 and 2004.

Paternity Leave

From 1 September 2016, new parents are entitled to paternity leave from employment or self-employment following birth or adoption of a child. The Paternity Leave and Benefit Act 2016 provides for statutory paternity leave of 2 weeks. The provisions apply to births and adoptions on or after 1 September 2016. You can start paternity leave at any time within the first 6 months following the birth or adoption placement. You may qualify for Paternity Benefit from the Department of Social Protection if you have sufficient PRSI contributions.

Compassionate Leave

In the case of the death of a spouse, parent, child, brother or sister, up to 3 days' bereavement leave may be given. In the case of grandparents and in-laws, up to 2 days' bereavement leave may be given. This is at the discretion of the Board of Management.

Holiday Arrangements

- a) Staff engaged for the full year on a part-time basis will be entitled to 10 days (81 hours) holidays and pro rata where a less period is worked, Full-time staff entitlement of 20 days - Or as per contract.
- b) When taking annual leave you must seek the signed agreement of your Line Manager or Coordinator. Once agreement has been reached you should fill in your day's holidays in the Attendance Book. Your personal Annual Leave Sheet is to be held in the relevant Administration office.
- c) Holidays must be taken within the 52-week period as no payment in lieu of holidays is permissible.
- d) Staff are entitled without loss of pay to **all public holidays on a pro-rata basis.**

<http://www.irishstatutebook.ie/1997/en/act/pub/0020/sec0021.html>

- e) Employers may choose to give you paid time off instead of pay for the public holiday. Your employer has chosen this option; therefore, arrangements will be made to ensure that staff who do not normally work the day of the public holiday will get the time they are entitled to.

Staff are entitled, without loss of pay, to all public holidays that fall on days they would normally work.

There are ten (10) public holidays in Ireland each year. **Good Friday is not a public holiday.**

The list of public holidays is as follows:

- New Year's Day (1st January)
- First Monday in every February, except where St Brigid's day happens to fall on a Friday, in which case that Friday, February 1st will be a public holiday.
- St. Patrick's Day (17th March)
- Easter Monday • First Monday in May
- First Monday in June • First Monday in August
- Last Monday in October
- Christmas Day (25th December)
- St. Stephens Day (26th December)

- f) EDI Centre and Revamp 3RStore will close for the Christmas Break.

Fund Raising

All staff will be expected to take part in all the fund-raising activities of the EDI Centre. The EDI Centre is not fully funded and additional money is required to pay for such items as rent and equipment.

Tea Breaks

You are entitled to 2 x 15mins tea breaks and a half hour lunch break. As the Centre remains open all day, breaks must be staggered and time will be in consultation with Line Manager or Coordinator. Canteen facilities are provided in the Centre and all members of staff are entitled to purchase meals at a discounted price. The consumption of food and drink in any other part of the building is strictly

prohibited. Should you require food or drink in any other part of the building it must be ordered from the canteen and served by canteen staff. Tea/coffee etc can only be taken out of canteen in a safety cup. No flasks/kettles etc to be used in any office, training room, work-shop etc, this is a Health & Safety and Insurance issue.

Dress Code

Staff are required to wear the appropriate PPE Gear for their workstation.

Trade Union Membership

Membership of a Trade Union affiliated to the Irish Congress of Trade Unions is expected of all staff. Union dues will be deducted directly from wage payments. Unless there are any valid reasons staff will be expected to join the Longford Branch of SIPTU.

Election of Staff Representatives

One member of staff may be elected to represent staff at Board of Management meetings as a nonvoting member and for other representational purposes. A Union Representative and Health & Safety Representative may also be elected.

Confidentiality

The staff will treat as confidential any personal information she/he may learn in relation to the users of the Centre. As confidentiality is the cornerstone of all our services, any breach of it will be viewed extremely seriously and will constitute serious misconduct under the Disciplinary Procedure.

Supervision

Staff will report to and take direction from their Line Manager, Centre Coordinator or any other person so identified by the Board of Management.

Expenses

Any member of staff approved to travel on the Centre's behalf will be reimbursed for the extra travel costs in-line with Civil Service rates, see table below. An Expenses Form must be filled in and signed by your Line Manager or Coordinator and travel receipts must be furnished.

Civil Service Motoring and Bicycle Rates

Cars (rate per kilometre)

Motor travel rates (from 1 September 2022)

Distance band	Engine capacity up to 1200cc	Engine capacity 1201cc - 1500cc	Engine capacity 1501cc and over
Up to 1,500 km (Band 1)	41.80 cent	43.40 cent	51.82 cent
1,501 - 5,500 km (Band 2)	72.64 cent	79.18 cent	90.63 cent
5,501 - 25,000 km (Band 3)	31.78 cent	31.79 cent	39.22 cent
25,001 km and over	20.56 cent	23.85 cent	25.87 cent

(Band 4)			
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The kilometres accumulated by an employee between 1 January 2022 and 31 August 2022 will not be altered by the introduction of these new rates. Actual kilometres driven to date will, however, count towards total kilometres for the year.

Example

You have claimed 1,400km by 31 August 2022. You would move to the new rate applicable to Band 1 for the remaining 100km in that band.

Mileage claims made in respect of journeys carried out in electric vehicles should use the rates applicable to engine capacity 1201cc-1500cc. Please see the above table.

Reduced Motor Travel Rates per kilometre

Engine Capacity up to 1200cc	Engine Capacity 1201cc to 1500cc	Engine Capacity 1501cc and over
21.23 cent	23.80 cent	25.96 cent

Reduced mileage rates apply for journeys associated with an official's job but not solely related to the performance of those duties. Examples include necessary travel in relation to:

- attendance at confirmed promotion competitions
- attendance at approved courses of education or conferences.

Motorcycles (rate per kilometre)

Motorcycle rates (from 5 March 2009)

Distance	Engine capacity up to 150cc	Engine capacity 151cc - 250 cc	Engine capacity 251 cc - 600 cc	Engine capacity 601cc and over
Up to 6,437 km	14.48 cent	20.10 cent	23.72 cent	28.59 cent
6,438 km and over	9.37 cent	13.31 cent	15.29 cent	17.60 cent

Bicycles

Bicycle rates (from 1 February 2007)

Rate per km	8 cent
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In matters not outlined above, staff will be guided by decisions of the Board of Management.

Overall, the staff will endeavour to establish and build a positive relationship with different sections of the community and assist in getting maximum support for the Centre.

COMMENCING EMPLOYMENT

Purpose

It is the responsibility of the Company, as an employer of best practice, to ensure that all new, promoted, transferred and seconded employees receive an appropriate programme of Induction on commencement of employment or transfer to a new work area in line with guidelines set out in this document.

What is Induction

Induction is a process by which employees are received and welcomed to the organisation for the first time or received and welcomed into a different part of the organisation they have not previously worked in. In other words, Induction is a method of formally introducing the employee to their work location and colleagues. A clear understanding of their job, role, responsibilities and the mission and values of the wider organisation will be provided.

An effective Induction process will ensure that you are supported in achieving expected performance levels.

Why Induct?

It is important to induct so that employees can gain the necessary information to perform their duties to the highest standard possible within the Company.

Aims of an Effective Induction

- To ensure that each employee receives a structured welcome and introduction to their immediate work environment and the wider organisation
- To outline the organisation's responsibilities and values
- To assist in the promotion of the culture and philosophy of the organisation
- To clarify expectations of both employee and employer in relation to codes of conduct, policies and procedures, employee services etc.
- To clarify your role and performance expectations
- To commence a process of structured feedback on performance
- To promote an environment of effective health, safety and welfare

Induction Schedule and Process for the New employee

Induction for employees may take six months to complete, although it may be reasonable to expect a period of more intensive attention on the part of the Manager to the employee's adaptation in the first month or so.

Pre-Commencement

Before the new employee joins the Company, the following should be completed:

- **The Director will issue 2 copies of the Contract** of Employment to the new employee and ensure that a signed copy of the contract is returned by the new employee prior to the date of commencement
- **The hiring Manager / Director** should notify the Manager of any reasonable accommodation a disabled new employee will need to enable the new employee to commence work or indeed to complete their work

- The Manager should ensure any items necessary for reasonable accommodation of a disabled new employee are ready for use by the employee once they start
- The Manager should ensure that a suitable desk, chair and computer is vacant and ready for use by the employee once they start
- The Manager should ensure that the new employee's computer profile (with access to all required software programmes and shared drives) is set up and ready for use by the employee once they start
- The Manager / Director will prepare and arrange any and all appropriate training e.g. employee Handbook, manual handling, health and safety, etc

“Day 1”

It is essential that the new employee is met on the first day and welcomed into the Company. The Manager, Director or delegated person should:

- Introduce the new employee to colleagues and other key staff in the Company including the buddy / work colleague
- Provide appropriate information to the new employee in relation to the physical working environment e.g. canteen, toilets, etc
- Provide appropriate information to the new employee in relation to their role and responsibilities and expected level of performance
- Provide the new employee with a copy of the employee Handbook

“Week 1”

It will be necessary, in the first week, for the new employee's Manager to set time aside for a performance management and probation meeting. This will involve setting objectives / priorities / targets and discussing initial performance and development needs and ways of meeting these.

“Month 3”

It is essential, to actively manage the probationary period of a new employee, for the Manager to arrange a 3-month probationary meeting with the new employee. The purpose of this meeting is to discuss the objectives / priorities / targets and initial performance of the employee and to highlight any shortcomings which have occurred over the last 3 months.

Where shortcomings are identified, the Manager / Director should instigate a **Performance Improvement Plan (PIP)** with S.M.A.R.T. objectives / or objectives which are:

- Specific: Objectives should specify what they want to achieve.
- Measurable: You should be able to measure whether you are meeting the objectives or not.
- Achievable: Are the objectives you set, achievable and attainable?
- Realistic: Can you realistically achieve the objectives with the resources you have?
- Time: When do you want to achieve the set objectives?

Essentially, in this case the Performance Improvement Plan (PIP) should state:

- What the employee needs to do to correct the behaviour or improve their performance
- What the Company can do to aid them in correcting their behaviour or improving their performance

- When the next review will occur
- What will happen if the employee fails to correct the behaviour or improve their performance

“Month 6”

It is essential, to actively manage the probationary period of a new employee, for the Manager to arrange a 6-month probationary meeting with the new employee. The purpose of this meeting is to discuss the objectives / priorities / targets and initial performance of the employee, to review progress if a Performance Improvement Plan (PIP) was instigated at “Month 3” and to highlight any shortcomings which have occurred over the last 3 / 6 months.

Where new shortcomings are identified, or where a previous Performance Improvement Plan(s) (PIPs) has not been successfully completed by the employee, the Manager should either instigate a Performance Improvement Plan (PIP) [or second Performance Improvement Plan (PIP) where necessary] with S.M.A.R.T. objectives or seek release / dismiss the employee.

Furthermore and only in exceptional cases, if necessary, the Manager may should extend the probationary period beyond 6 months up to a maximum of 12 months, for the new employee so as to give them employee ample time to correct the behaviour or improve their performance.

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Where the employee has met all standards in relation to performance and conduct, the employee will be notified by letter that he / she has successfully passed his / her probationary period.

Post-Induction

Where an employee successfully completes his / her probation, he/she will be deemed to have completed the Induction process.

Approx. 12 months after the commencement of the employee, the Manager should arrange a performance review meeting with the new employee. The purpose of this meeting is to discuss the objectives / priorities / targets set for the employee at the start of the year and will involve discussion as to how (and to what degree) the employee achieved these targets. Furthermore, objectives / priorities / targets will be set for the coming year.

Probation

The Company seeks to attract and retain employees who are committed to operating in accordance with its values and are capable of effectively contributing to the achievement of its vision in order to achieve its objectives.

In support of this objective, the Company is committed to effective employee management and development from the earliest stage of employment.

Probation, as an extension of the recruitment and selection process provides managers with the opportunity to validate the selection decision i.e. to confirm that the employee’s performance and behaviour meet the requirements; to ensure that the employee’s attitude aligns to the culture and values of the business thereby creating a correct ‘fit’ between the employee, the role and the organisation.

Probation offers the employee the opportunity to evaluate the Company and demonstrate their suitability for the role prior to their appointment being confirmed.

Policy

While an employee is on probation, he/she will be managed using the probation policy procedure. The discipline and dismissal procedure will not apply to individuals who are on probation.

Expectations in the Role

New employees will be aware at the time of the recruitment process of the duties and responsibilities in the role, and the skills, abilities and standards of work performance, attitude, conduct, attendance and punctuality required of them in the role.

New employees will be further made aware at the time of their on-boarding, induction and initial training into the role of the standards required.

Individually, each employee is responsible for acquainting themselves with the required standards, should they be unclear as to what is expected of them.

Probation Review Meetings

During the probationary period, new employees will be reviewed against the key criteria for successful performance in their role and in the Company.

Probation Review meetings will be held. There may be 2-3 probation review meetings in a 6-month probationary period, for example, usually at month 1-2, month 3-4 and prior to the end of the 6-month probation period.

The employee is primarily responsible for ensuring that they achieve the required standards in terms of work performance, standards, behaviours, attitude, attendance, conduct and punctuality.

Where an employee is not achieving required standards, the Manager will advise you accordingly and advise you specifically of the improvements you are required to make.

Where applicable, any appropriate and reasonable supports (e.g. additional training, etc.) identified with you as being necessary to assist you reach the required standards will be provided by the Company.

The Company will use a Probation Review form/template which is aligned with your role for these meetings.

Where there are concerns about your performance, these concerns will be highlighted in the Probation Review form and/or the notes of the meetings that were held.

Your manager will highlight and document what has been going well, and where there are concerns, they will document the concerns and what needs to be corrected and the standards required.

Should there be continuing concerns, you must be aware that your employment may be terminated during or at the end of your probation period, ~~or that your probation may be extended.~~ Furthermore and only in exceptional cases, the Manager may extend the probationary period beyond 6 months up to a maximum of 12 months.

If you have met all the requirements for the role, have demonstrated that you are a good fit for the Company and that you have an important contribution to make, and that we can have a positive future working relationship, you will be confirmed in your role.

Appeals

Where an employee fails probation and they are informed that their employment is to be terminated, they may appeal this decision within 3 working days.

Automatic Suspension of Probation

Probation will be automatically suspended during any period of leave (e.g. sick leave, maternity, adoptive, etc.) by the employee and will be resumed upon the employees return to work i.e. probation will be automatically extended by the length of the absence.

Representation at Probation Review Meetings

Most Probation Review meetings are conducted 1-1 between the new employee and their Manager. The development of a professional and positive 1-1 working relationship between the employee and their manager is an important foundation for success.

Where concerns arise about your performance, which could lead to the extension of your probation or the termination of your employment, in accordance with the laws of natural justice and fair procedures you have the right to be accompanied to such a Probation Review meeting by a work colleague or union representative.

Review of Policy

The company will review this policy from time to time and all new updates will be communicated to you.

GRIEVANCE PROCEDURE

Purpose of the Grievance Procedure

Longford EDI Centre CLG is committed to promoting and maintaining good employee relations and fostering the commitment and morale of staff. The purpose of this procedure is to enable employees to raise any complaints concerning work-related matters so that the issue may be addressed promptly and as close as possible to the point of origin without disruption to the running of the Centre.

Definition of Grievance

A grievance may be defined as a complaint which an employee(s) has concerning his or her terms and conditions of employment, working environment or working relationships. This procedure covers individual and collective grievances, i.e. complaints raised by or on behalf of a group of employees.

Scope of the Procedure

The types of issues which are appropriate for referral under this procedure include:

- Allocation of work
- Assignment of duties

- Rostering arrangements
- Granting of all forms of leave, i.e. annual leave, compassionate leave, study leave
- Interpretation and application of national/local agreements including matters relating to pay related benefits
- Granting of overtime
- Access to courses
- Health and safety issues
- Acting-up/deputising arrangements
- Conduct of disciplinary proceedings
- Relationships with work colleagues
- Organisational change/new working practices

Note: This list is not exhaustive.

The grievance procedure does not cover matters relating to improvements in pay or existing terms and conditions of employment which are of general application, i.e. matters appropriate to the collective bargaining process.

Principles

- The grievance procedure will be communicated to all staff
- The employee should raise complaints on an informal basis in the first instance before invoking the formal grievance procedure
- Every effort will be made to address complaints quickly and fairly and at the lowest level possible at which the matter can be resolved
- An employee will not be penalised in any way for making a complaint in good faith regardless of whether or not the complaint is upheld
- The employee has the right to be accompanied by a work colleague or staff representative at all formal hearings under the grievance procedure
- While every effort will be made to adhere to the prescribed time limits these may be extended at any stage in exceptional circumstances
- This procedure provides a comprehensive method for the resolution of grievances in the absence of conflict. In the norm issues raised under it will be processed in accordance with the principles of full consultation and agreement during the process or following third party recommendation
- In the event of a grievance arising, and where an employee(s) is/are working under protest, a meeting with senior management will be held within 3 working days of the request being received. Where the matter remains unresolved following this meeting the issue may be referred to a third party as a priority
- If a grievance is referred to a third party, both sides will co-operate fully with the proceedings in accordance with the Industrial Relations Acts, 1946-2001
- The grievance hearing cannot be used as an opportunity to address shortcomings in the employee's work standards, conduct or attendance. Any deficiencies will be dealt with through informal counselling or under the progressive stages of the disciplinary procedure

Summary Table of Grievance Procedure

The table below provides a summary of the Centre grievance procedures, further details of which are set out in the sections following this:

Grievance Procedures		
Type	Stage	Handled By
Informal	N/A	Employee's Manager in the first instance. Another Manager at the same level if the matter was not resolved after discussions with your Manager. Your Manager's Manager if the matter was not resolved after discussions with your Manager or another Manager.
Formal	Stage 1	Employee's Manager (formal complaint in writing, responded to in writing)
Formal	Stage 2 - Appeal	Your Managers Manager (formal appeal in writing, responded to in writing)
Formal	Stage 3 - Appeal	Another Manager at the same level or higher than your Manager's Manager or a third party (or a combination of the above as appropriate) (formal appeal in writing, responded to in writing)

Informal Procedure

Most routine complaints are capable of being resolved on an informal basis without recourse to the formal grievance procedure. Before invoking the grievance procedure the employee may raise the matter informally with his or her immediate supervisor/manager. If the complaint relates to the immediate supervisor/manager, the employee may discuss the matter informally with another manager. If the matter has not been resolved satisfactorily through informal discussions, the employee may raise a formal complaint under the grievance procedure.

The informal stage must conclude within three months of the grievance being raised informally regardless of whether or not the grievance has been resolved. It is expected that during this period the employee with the grievance and the Centre will take all reasonable steps to resolve the dispute informally.

The Centre reserves the right to seek informal resolution in all instances as a first step.

Formal Procedure

In cases where a problem cannot be resolved using informal methods the following procedure applies to all staff.

Employees have 30 working days from the date of the matter giving rise to the grievance, or from the conclusion of the informal stage, whichever is the later, within which to lodge a formal grievance.

Stage 1

In order to file a formal grievance, you should submit your grievance in written form to your Manager.

Please ensure that matters to do with Respect and Dignity at Work are dealt with under the Respect and Dignity at Work policy. Thus, you should utilise the Respect and Dignity at Work policy, not the grievance policy.

The Grievance should detail:

- The nature of your grievance
- What steps you have undertaken to resolve the matter informally
- Why you consider the response to the informal stage to have been insufficient
- What you consider needs to happen for the matter to be resolved to your satisfaction

The Manager will acknowledge receipt of the Grievance, where possible within five working days of receiving this.

The Manager will review the Grievance to ensure that it complies with the Grievance Procedure and whether it ought to be dealt with under any other policy or procedure of the Centre. For example, it may be more appropriate to use the Respect and Dignity at Work policy.

The Manager will also review the grievance with a view to seeing if informal resolution has been tried and exhausted or if other informal means remain an option to resolving the matter. The Centre reserves the right to seek further informal resolution through options that may not have either been explored or exhausted.

If the grievance is to be dealt with under the Grievance Policy, the Manager will investigate the employee's grievance.

The investigator will decide upon the investigation procedure to be adopted depending on the circumstances of the grievance. Investigations may involve the following depending on the circumstances of the grievance:

- Conducting individual meetings and/or interviews with the employee and any other parties that the Investigator determines as relevant
- Reviewing relevant documentation

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All reasonable efforts will be made to process the grievance as quickly as possible.

In advance of any meeting with the employee or any other party, the interviewee will be informed of his or her right to a fair process and will be given the option to be accompanied to the meeting by a work colleague. Please note that you are not entitled to be accompanied by a legal representative to investigatory and/or grievance meetings.

On completion of the investigation the employee will be issued with an outcome report in writing by the investigator. In addition, a copy of the Grievance and the investigator's outcome report with respect to this grievance will be placed on the employee's personnel file.

Stage 2 - Appeal

If the employee is dissatisfied with the outcome at Stage 1, he or she may appeal this by submitting an appeal in writing within ten working days of receipt of the investigator's outcome report.

Appeals can only be made in the following circumstances:

- There was procedural irregularity in terms of the conduct of the investigation.
- Significant new information relevant to the original complaint is available that could not have been or was not made available to the investigation.
- The decision was made without due regard to the facts, evidence, or circumstances.

In the event that an appeal does not fall within one of the above grounds (as determined by the person(s) in receipt of the appeal), your request for an appeal will not be granted and you will be notified of this within ten working days of the request for an appeal being received.

In the event that your request for an appeal does fall within the grounds set out above (as determined by the person(s) in receipt of your request for an appeal), you will be informed of this along with details of the process for hearing your appeal (which will be dictated by the circumstances of the appeal) within ten working days of receiving your request for an appeal.

The person(s) conducting the appeal may request to meet you or may determine that the appeal will be a 'paper-based' appeal conducted on the basis of all the documentation and evidence that has been previously gathered with reference to your grounds for appeal.

Where the person(s) conducting the appeal requests to meet with you, you will be given 24 hours' notice of the meeting, informed of your rights to a fair process and will be given the option to be accompanied to the meeting by a work colleague. Please note that you are not automatically entitled to be accompanied by a legal representative to investigatory and/or grievance meetings.

Depending on the circumstances of the appeal, additional steps may be warranted which will be communicated to you as part of the details of the process referred to above.

The person(s) conducting the appeal will communicate the outcome of the appeal in writing, to you within 10 working days of conducting the appeal process. In addition, a copy of this will be placed on your personnel file.

Stage 3 - Appeal

If the employee is dissatisfied with the outcome at Stage 2, he or she may appeal this by submitting an appeal in writing within ten working days of receipt of the investigator's outcome report.

Appeals can only be made in the following circumstances:

- There was procedural irregularity in terms of the conduct of the Stage 2 Appeal.
- Significant new information relevant to the original complaint is available that could not have been or was not made available to the Stage 2 Appeal.
- The Stage 2 Appeal decision was made without due regard to the facts, evidence, or circumstances.

In the event that an appeal does not fall within one of the above grounds (as determined by the person(s) in receipt of the appeal), your request for an appeal will not be granted and you will be notified of this within ten working days of the request for an appeal being received.

In the event that your request for an appeal does fall within the grounds set out above (as determined by the person(s) in receipt of your request for an appeal), you will be informed of this along with details of the process for hearing your appeal (which will be dictated by the circumstances of the appeal) within ten working days of receiving your request for an appeal.

The person(s) conducting the appeal may request to meet you or may determine that the appeal will be a 'paper-based' appeal conducted on the basis of all the documentation and evidence that has been previously gathered with reference to your grounds for appeal.

Where the person(s) conducting the appeal requests to meet with you, you will be given 24 hours' notice of the meeting, informed of your rights to a fair process and will be given the option to be accompanied to the meeting by a work colleague. Please note that you are not automatically entitled to be accompanied by a legal representative to investigatory and/or grievance meetings.

Depending on the circumstances of the appeal, additional steps may be warranted which will be communicated to you as part of the details of the process referred to above.

The person(s) conducting the appeal will communicate the outcome of the appeal in writing, to you within 10 working days of conducting the appeal process. In addition, a copy of this will be placed on your personnel file.

Stage 4

If the issue remains unresolved after stage 3, the matter may be referred to an appropriate third party:

- Rights Commissioner
- Labour Relations Commission
- Labour Court
- Equality Tribunal

No strikes or other forms of industrial action will be initiated or threatened until all stages of the grievance procedure including third party referrals have been fully exhausted.

General

It is your responsibility to familiarise yourself with the Grievance Procedure. Grievances that do not follow the correct procedural steps will not be considered. The Centre will not participate in any grievances raised on behalf of third parties. Anonymous complaints will not be considered.

Unreasonable Grievances

In some circumstances, persisting with a complaint that has already been processed or initiating or persisting with a complaint in a manner that infringes the rights of others, may be considered to be unreasonable behaviour. Unreasonable behaviour includes, but is not confined to:

- Persistence in pursuing an argument that has already been addressed or re-framing a complaint that has already been processed to present it as a fresh complaint.
- Making demands – examples include seeking an alternative decision on a grievance that has already been decided, demanding that a complaint be dealt with or not dealt with by a particular staff member.
- Lack of co-operation – examples include not making oneself reasonably available to the grievance process, issuing multiple queries in relation to the same issue and/or demanding an immediate response to correspondence.
- Presenting irrelevant arguments and/or insisting that the complainant's interpretation of legal or other issues should be accepted as fact.
- Threatening behaviour including threats of violence, verbal abuse of staff, and rude or aggressive conduct.
- Work stoppages or threats not to undertake your work

In the event of unreasonable behaviour by an employee who has raised a grievance, the Centre will not process the complaint any further and disciplinary action may be taken against the employee acting unreasonably.

Review of Policy

The Centre will review this policy from time to time and all new updates will be communicated to you.

DISCIPLINARY PROCEDURE

Purpose of the Disciplinary Procedure

The delivery of a high-quality service requires all staff to adhere to high standards of work performance, conduct and attendance. The purpose of this disciplinary procedure is to ensure that all staff maintains the required standards by making them aware of their shortcomings and identifying how the necessary improvements can be achieved. Line managers are responsible for making employees aware of the standards of attendance, work and conduct expected from them and for dealing with shortcomings promptly and fairly. In general, the staff member's immediate supervisor/manager will deal with deficiencies on an informal basis through discussion, counselling, and appropriate assistance rather than through the formal disciplinary procedure. If, following the informal counselling stage, the staff member continues to fail to meet the required standards then the disciplinary procedure should be invoked. The purpose of the disciplinary procedure is to help the staff member to achieve the necessary improvements and to prevent any recurrence.

Scope of the Procedure

The policy of the Centre is to ensure that all employees are aware of the standards of work, performance and behaviour expected of them as outlined in the Centre policies and procedures, staff contracts of employment, job descriptions and communications from management and that the disciplinary policy is for the purposes of addressing instances where work performance or behaviours fall below acceptable levels.

Examples of conduct which may lead to disciplinary action under this procedure include:

- Persistent poor timekeeping
- Unsatisfactory attendance record
- Poor work standards
- Breach of health and safety rules
- Bullying, harassment or sexual harassment
- Breach of internet/e-mail policy
- Refusal to obey reasonable instructions
- Negligence

Note: This list is not exhaustive.

Principles

The following principles apply to all stages of the disciplinary procedure:

- Every effort will be made by the employee's immediate manager to address shortcomings in work standards, conduct or attendance through informal counselling without invoking the disciplinary procedure
- While the disciplinary procedure will normally be operated on a progressive basis, the manager may bypass stages 1 and/or 2 should the nature of the employee's performance, conduct or attendance warrant such action
- No decision regarding disciplinary action will be made until a formal disciplinary hearing has been convened and the employee has been afforded an opportunity to respond

- The employee will be advised of his or her right to be accompanied by a work colleague or trade union representative at any meeting under the formal disciplinary procedure
 - The employee will be advised in advance of the disciplinary hearing of the precise nature of the complaint against him or her and will be given copies of any relevant documentation
 - The employee will be afforded the opportunity to state his or her case and challenge any evidence that may be relied upon in reaching a decision
 - The manager will not prejudice the outcome of the hearing and will take into account any mitigating circumstances before deciding on appropriate action
 - An employee may be put off duty with pay pending the outcome of an investigation
 - It will be considered a disciplinary offence to intimidate or exert pressure on any person who may be required to attend as a witness
 - An employee may appeal against a disciplinary decision or any aspect of the disciplinary proceedings through the grievance procedure
 - In addition to the issuing of warnings, the staff member may be subject to disciplinary sanctions short of dismissal:
 - Demotion
 - Redeployment (which may involve loss of premium earnings)
- Suspension without pay.

Process

The Centre operates on a basis of strong mutual trust with and between its employees. Where appropriate, all reasonable efforts shall be made to resolve issues informally before formal procedures are invoked.

Breaches of any of the policies at the Centre or terms of the employee’s employment contract will be regarded as grounds for disciplinary action. Depending on the level and frequency of performance or conduct issues, discipline will be applied as appropriate, and may in serious cases lead to dismissal.

Where an employee’s performance, standards of work, behaviour or attitude fall below or outside those expected of all employees at the Centre, this will be regarded as grounds for disciplinary action.

Before an employee is exposed to the formal disciplinary process, their Manager may discuss matters with them and a record of the incident/situation will be kept. Normally, an employee will be given opportunities to improve their personal performance or conduct. In some situations, however, this would not be appropriate and the disciplinary process could be commenced immediately.

If an employee’s standards should drop below an acceptable level or if there is a breach of policies or procedures then efforts will be made to improve the situation co-operatively. It is important to understand what has led to this situation and to re-establish co-operation and understanding to prevent a reoccurrence and/or to improve performance, work standards, behaviours, etc.

Procedure

The table below provides a summary of the various stages of the Centre disciplinary procedures, further details of which are set out in sections 1.4.1 and 1.4.2 below:

Disciplinary Procedures					
Type	Stage	Stage Name	Handled By	Appealed To	Duration on file
Informal	N.a.	N.a.	Employee’s Manager	N.a.	N.a.

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Formal	Stage 1	Recorded Verbal Warning	Employee's Manager	Senior Management	6 mths
Formal	Stage 2	Written Warning	Employee's Manager	Senior Management	12 mths
Formal	Stage 3	Final Written Warning	Senior Management	Senior Management not previously involved /External Consultant (or a combination of the above as appropriate)	12 mths
Formal	Stage 4	Dismissal	Senior Management /Board Member	Senior Management not previously involved /External Consultant (or a combination of the above as appropriate)	N.a.

Informal procedure Stage – Informal Counselling

Counselling is an informal method of dealing with shortcomings in an employee's attendance, work or conduct without invoking the disciplinary procedure. The objective of the counselling interview is to alert the employee to his/her shortcomings and to decide what measures should be taken to bring about the required improvements.

The following principles apply when conducting counselling interviews:

The employee shall be given precise details of the specific aspects of his or her attendance, work or conduct that require improvement

- The employee shall be given an opportunity to respond to complaints and careful consideration shall be given to any explanations given
- Having made the employee aware of deficiencies in his/her attendance, work or conduct, the supervisor/manager shall identify any measures that can be taken to assist the employee and formulate an action plan for achieving the required improvements
- Details of the counselling interview and any follow-up action agreed shall be documented and signed by both parties

Where an employee's conduct, attendance or work does not meet the required standards despite informal counselling, the matter will be dealt with under the formal disciplinary procedure.

Formal Procedure

If, following efforts to improve the issue, conduct or behaviour using the informal procedure as outlined above has failed, or if the issue, conduct or behaviour is of a serious nature so as to warrant skipping the informal process, your Manager may resort to the formal disciplinary procedure.

This can involve some or all of the following - suspension, investigation, disciplinary hearing, disciplinary outcome/sanction and appeal of the outcome/sanction.

The stages of the disciplinary procedure are as follows:

Stage 1

Oral Warning

An employee whose work/conduct/attendance falls below the required standards will normally be issued with a formal oral warning by _____ (specify job title of the appropriate manager) for a period of six months. The employee will be advised of the precise nature of the complaint, the improvements required and the timescale for improvement. S/he will be advised that the warning constitutes the first stage of the disciplinary procedure and failure to improve may result in further disciplinary action under stage 2 of the disciplinary procedure. A record of the warning will be kept on the employee's personnel file and will be removed after six months, subject to satisfactory improvement during this period.

Stage 2

Written Warning

If the employee fails to make the necessary improvements or if the poor attendance/work/conduct is more serious, s/he will normally be issued with a formal written warning by _____ (specify job title of the appropriate manager) for a period of Specify months. The written warning will give details of the complaint, the improvements required and the timescale for improvement. The employee will also be advised that failure to improve may result in the issuing of a final written warning under stage 3 of the disciplinary procedure. The warning will be removed after Specify months, subject to satisfactory improvement during this period.

Stage 3

Final Written Warning

If the employee fails to make the necessary improvements, s/he will normally be issued with a final written warning by _____ (specify job title of the appropriate manager) for a period of up to 12 months (this period may be extended in exceptional circumstances). The warning will give details of the complaint, the improvements required and the timescale for improvement. The employee will be advised that failure to improve may lead to dismissal or some other sanction short of dismissal under stage 4 of the disciplinary procedure. The warning will be removed after the specified period, subject to satisfactory improvement during this period.

Stage 4

Dismissal or action short of dismissal*

Failure to meet the required standards of work, conduct or attendance following the issuing of a final written warning may result in a decision to dismiss by _____ (specify the job title of the person to whom the power to dismiss has been vested). Alternatively, they _____ may decide to impose a disciplinary sanction short of dismissal.

Suspension

Where the matter warrants it, the Centre reserves the right to suspend an employee with pay at any time to investigate any allegation of misconduct, serious misconduct, gross misconduct.

The decision to suspend an employee will be made by Senior Management. Should the Senior Management deem that the employee should be suspended, a member of the Senior Management Team (nominated by the Managing Director) and the employee's Manager will request the employee to attend a meeting and inform the employee of the allegations and their suspension. Please note that this meeting may be held without prior notice being given to the employee. The employee will have the right to have a work colleague attend this meeting with them. In this meeting, the employee will be issued with a suspension letter.

Investigation

Where appropriate, the Senior Manager will conduct (or appoint someone to conduct) a full and thorough investigation into the allegations and the facts of the case. It is on the basis of the totality of this objective evidence, following this full and thorough investigation, that management will decide whether or not to proceed with the disciplinary process.

Disciplinary Hearing

Where a Disciplinary Hearing is required, you will be provided with all the evidence gathered in the investigation or arising from informal processes to date. You will then be invited to attend a meeting (giving you at least 24-hours' notice) to discuss the issue, conduct or behaviour in question. At this stage, you will be informed of your rights to a fair process and you will be given the option to be accompanied to the meeting by a work colleague. Please note that you are not automatically entitled to be accompanied by a legal representative to investigatory and/or disciplinary meetings.

Depending on the seriousness of the issue, member(s) of the Senior Manager and/or your Manager will conduct this meeting.

Once the meeting has been conducted, and you have responded to the issues or allegations, the meeting will be suspended so as to allow your Manager time to review the facts, to take into consideration what you have said and to consider the appropriate outcome. Once this outcome has been decided, the meeting will reconvene (within five working days of the initial meeting) and you will be advised of the outcome

You will be informed in the second meeting of any disciplinary sanction or none, and you will be given a letter to confirm the outcome. This will be retained and placed on your personnel file.

If there is a disciplinary sanction, you will be informed of your right to request an appeal and you will be provided with details of the relevant member of the Senior Management to whom your appeal should be sent. Please refer to section below for further details on the appeals process.

Disciplinary Outcome/Sanction

The outcome or sanction following the disciplinary hearing could include:

- No case to answer/no sanction
- Recorded verbal/oral warning
- First written warning
- Second written warning
- Final written warning
- Dismissal

Other sanctions such as demotion may also be considered.

Progression of Disciplinary Process

Where the issue is managed in a progressive way, if the issue does not improve a further disciplinary hearing could be called, and the outcome could be a higher level of sanction than previously. This could progressively move to dismissal if the issue does not improve. For example, if the performance, behaviour or conduct is dealt with informally, but that doesn't improve

the situation, a disciplinary hearing may be called and an outcome could be a recorded verbal warning or a first written warning (for example). If the performance, behaviour or conduct doesn't improve sufficiently or at all after this, another disciplinary hearing may be called and an outcome could be a second written warning or a final written warning (for example). If there isn't sufficient improvement or there is no improvement, the disciplinary process could continue to dismissal.

Serious Misconduct

The following are some examples of offences for which the progressive stages of the disciplinary procedure would not apply and which may result in dismissal without notice.

- Theft
- Deliberate damage to property
- Fraud or deliberate falsification of documents
- Gross negligence or dereliction of duties
- Gross insubordination
- Incapacity to perform duties due to being under the influence of alcohol, unprescribed drugs or misuse of prescribed medication
- Serious breach of health and safety rules
- Serious abuse of telephone, e-mail and other facilities
- Serious breaches of confidentiality
- Serious bullying, sexual harassment or harassment against a member of staff
- Violent behaviour towards a member of staff, client or member of the public
- Sexual assault
- Downloading/disseminating pornographic material from the internet
- Circulation of offensive, obscene or indecent e-mails or text messages

Note: The above list is not exhaustive.

In all cases of alleged serious misconduct, a full investigation will be carried out to establish the facts in accordance with the following principles:

- The investigation will be conducted thoroughly and objectively and with due respect for the rights of the employee to natural justice, including a presumption of innocence
- The investigation will be governed by clear terms of reference
- Every effort will be made to carry out the investigation without undue delay and to adhere to the agreed timescales. However, the timescales may be extended in exceptional circumstances e.g. due to unavailability of key witnesses
- The employee will be advised of the right to be accompanied by a union representative or work colleague throughout the investigation
- It will be considered a disciplinary offence to intimidate or exert pressure on any person who may be required to attend as a witness. The employee may be suspended with pay pending the outcome of the investigation. Suspension with pay is a precautionary measure and not a disciplinary sanction. Suspension will only be imposed after careful consideration and alternative measures, such as reassigning the employee to suitable alternative duties pending the outcome of the investigation, will be considered. On completion of the investigation, the investigator(s) will submit a written report of their findings and recommendations to senior management and the employee. If the

outcome of the investigation is that there is a reasonable belief that the employee is guilty of the alleged misconduct, a disciplinary hearing may be convened under stage 4 of the disciplinary procedure to determine the appropriate disciplinary sanction.

APPEALS PROCEDURE

You have a right to request an appeal of any outcome of the formal disciplinary process. Should you wish to appeal a decision made, you should do so in writing within five working days of you being informed of the outcome/sanction and your right to request an appeal.

An appeals stage may be included where the Chair of the Board (or equivalent) has delegated the authority to dismiss.

Your request for an appeal should be addressed to the relevant person(s) notified to you at the time. This may be a Senior Manager, a member of the Board or an external consultant (or a combination of these) which shall be appointed by the Centre Managing Director as deemed appropriate by the Managing Director depending on the circumstances of the appeal. The person(s) hearing an appeal will not have been involved in any way in the disciplinary procedure to date.

Your request for an appeal must state the grounds on which you are appealing the outcome of the disciplinary process. An appeal can only be made in the following circumstances:

- There was a procedural irregularity in terms of the conduct of the disciplinary process
- Significant new information relevant to the decision is available that could not have been or was not available during the disciplinary process
- The decision was made without due regard to the facts, evidence or circumstances

In the event that an appeal does not fall within one of the above grounds (as determined by the person(s) in receipt of the appeal), your request for an appeal will not be granted and you will be notified of this within ten working days of the request for appeal being received.

In the event that your request for an appeal does fall within the grounds set out above (as determined by the person(s) in receipt of your request for an appeal), you will be informed of this along with details of the process for hearing your appeal (which will be dictated by the circumstances of the appeal and determined by the person hearing the appeal) within ten working days of receiving your request for an appeal. The appeal may be conducted as a paper-based appeal where a review of all the documentation is conducted or it may involve interviews with the appellant or others regarding clarifications that are required.

The person(s) conducting the appeal may request to meet with you (unless the person hearing the appeal deems that a written appeal should be conducted). If this is the case, you will be given 24 hours' notice of the meeting, informed of your rights to a fair process and will be given the option to be accompanied to the meeting by a work colleague. Depending on the circumstances of the appeal, alternative steps may be warranted as determined by the person hearing the appeal which will be communicated to you as part of the details of the process referred to above.

The person(s) conducting the appeal will communicate the outcome of the appeal, in writing, to you and the Managing Director within 10 working days of commencement of the appeal. In addition, a copy of your appeal and the appeal outcome will be placed on your personnel file.

The Chairperson (or equivalent) will hear all appeals and his/her decision shall be final.

Where an appeal against dismissal fails, the effective date of termination shall be the date on which the employee was originally dismissed.

An employee who feels that s/he has been unfairly dismissed may refer a case under the Unfair Dismissals Acts, 1977-2001 within 6 months of the date of dismissal.

Review of Policy

The Centre will review this policy from time to time and all new updates will be communicated to employees.

HEALTH AND SAFETY

General Policy

It is the policy of the EDI Centre to provide the staff with a healthy working environment. As far as is practical the Board of Management will ensure that potential hazards are known and identified, and that staff are given necessary information and where necessary training to minimise to the greatest extent any risks to their health and safety.

A full Health and Safety statement is available from the EDI Centre Coordinators office.

Consultation

- As part of its regular work reviews with staff the Revamp 3RStore Line Manager and/or EDI Centre Coordinator will consult all staff on the issue of health and safety at work. In addition, all staff are obliged by law to make known any concern they may have with regard to their health and safety or the health and safety of others arising from work with the Centre.
- Any such representation will be given full consideration and appropriate action will be taken where necessary. If no action is considered appropriate, the reasons will be disclosed, and further observation encouraged.
- Time will be provided to Safety representatives as described under the provisions of Section 13 of the Safety, Health and Welfare Act, 1989.
- Please note all repairs will be dealt with by maintenance, ie, leaking taps, electric bulbs or plug changes etc.
- Staff will be encouraged to elect a Health and Safety Representative.

Alcohol / Illegal Substances / Smoking

Staff are expected to abstain from taking or being under the influence of any illegal substances and alcohol whilst on Centre property or while engaged in Centre related activities. The Centre is a **No Smoking** building. Smoking is only permitted in designated areas outside the building. **The use of alcohol and drugs may result in impaired judgment, lack of concentration and poor general health. Furthermore, abuse of alcohol/ drugs may adversely affect an individual's work performance or their safety or the safety of others even if occurring outside of working time. It may also result in a negative impact on morale, performance and productivity.**

In addition, the possession of some drugs is illegal, exposing the user and potentially the Centre, to the risk of criminal charges.

The Centre is committed to providing all of our Employees, and those who work in our organisation and within our workplace, a safe comfortable and productive work environment. Employees who abuse drugs or alcohol at work or who appear to be under the influence of illegal drugs or alcohol, may harm both themselves and the work environment. Consequently, the Centre prohibits Employees from:

- Consuming alcohol (unless otherwise specified by a Director) or illegal drugs on Centre premises;

- Being under the influence of drugs or alcohol on Centre premises whereby the Employee is a danger to his / her own health and safety and/or that of others;
- Possessing, buying, selling or distributing illegal drugs at the workplace and/or during working hours.

The Centre does not prohibit Employees from consuming alcohol at social or business functions that we sponsor where alcohol is served, or while entertaining clients or prospective clients. However, at these functions, Employees may not consume alcohol to the point of intoxication or to the point where they endanger their own safety, or the safety of others nor may they consume alcohol if they are going to drive.

A person who uses a drug authorised by a medical practitioner prescribed for the Employee's personal use shall not be considered to have violated this policy. However, the Centre reserve the right to investigate the matter and take disciplinary action up to and including dismissal where such drugs are affecting the performance and behaviour of the individual in the context of the Centre's performance and behavioural standards.

All Employees are responsible for taking proper precautions towards the whereabouts and safe storage of their medication or prescribed drugs.

Intoxication at Work

By law, an Employee is prohibited from being intoxicated at work.

Where it is suspected that an individual is under the influence of an intoxicant at work, the manager / supervisor will meet with the individual to discuss the matter.

The Centre reserves the right to send an Employee home (without pay) if it is suspected that he/she is under the influence of alcohol or drugs. In this case, please note that the Centre may evoke disciplinary action, up to and including dismissal, against the Employee.

Substance Addiction

If it is established that a drug or alcohol abuse problem exists, the manager / supervisor will take the following steps:

- Establish whether the Employee is seeking any medical or professional help.
- Arrange for the Employee to attend the Centre doctor, if appropriate.
- Suggest the Employee attend counselling and/or receive other supports, if appropriate.
- Encourage the Employee to receive treatment and participate in any programmes designed to help recovery.
- Hold meetings with the Employee to monitor progress during rehabilitation or treatment.

Any Employee who suspects he/she may have a problem is encouraged to seek help voluntarily. This request is to be made to the Employee's supervisor on a personal basis. The request will be treated in the strictest confidence and will in no way jeopardise the Employee's job security. Time off work to obtain help will be offered if necessary and during this time the Employee may be put on sick leave and receive normal sick benefits.

An Employee who is identified by the Centre as having a substance problem through observation of poor work performance, absenteeism etc. will be offered the opportunity to seek diagnosis and help as a result of an initial discussion with his / her supervisor.

There will be no demotion or retribution unless matters of discipline are involved.

The decision on whether to receive treatment or not is made by the Employee him/herself. However, continuing unsatisfactory levels of behaviour may be subject to normal disciplinary procedures if the Employee declines specialist help.

Should a relapse occur following a return to employment after a recovery programme, sympathetic consideration will be given to the granting of further sick leave.

The Employee may be accompanied by a representative of his/her choice at any discussion. The Employee's representative may be a work colleague or an authorised trade union representative but not any other person or body unconnected with the Organisation.

Testing

1. Pre-Employment Testing

All job applicants, as a condition of employment, must submit and undergo testing for intoxicants. Applicants will be required to voluntarily submit to a breathalyser, blood and/or urine test by a qualified and appropriate medical practitioner chosen by the Centre by signing a consent agreement which releases the Centre from all liability.

Tests that may be used include breathalyser, hair, blood and urine tests.

2. Random Testing

In an ongoing effort to ensure a safe working environment, the Centre reserves the right to perform random person (i.e. a sample group from the entire Employee population will be chosen to be tested), random time (i.e. Employees will be tested at random times during the day, week, month and/or year) and random site intoxicant testing.

When choosing who will and will not be tested (i.e. for random person testing), the Centre is fully committed to ensuring that it will not discriminate against any Employee i.e. the Centre will ensure, as much as is reasonable possible, that those chosen to be tested are chosen completely at random.

Tests that may be used include breathalyser, hair, blood and urine tests.

3. Reasonable-Cause Testing

The Centre reserves the right to test an Employee on a with-cause / reasonable cases basis.

If an Employee is involved in an accident or dangerous occurrence, he/she may be required to submit to tests for the presence of drugs, alcohol or other substances.

Where the Centre suspects that an Employee has reported for work under the influence of an intoxicant, the Employee will be notified of the belief that he/she is intoxicated, escorted to a qualified medical practitioner for testing and escorted home. Please note that in this case, an Employee will only be asked to submit to testing where it is the opinion of two individuals (one of whom is an Assistant Manager, Manager or Director) that the Employee is under the influence of any intoxicant taking into account the following factors:

- Unsteadiness
- Disorientation
- Unusual behaviour
- Smell of alcohol
- Slurring of words
- Observed or admitted taking any illegal substance or alcohol

In such cases, the Centre reserves the right to send an Employee home, without pay. However, should it be found that the Employee was not under the influence of an intoxicant, he/she will be subsequently paid.

Tests which may be conducted by the qualified medical practitioner include, but is not limited to, breathalyser tests, hair tests, blood tests and urine tests.

Co-operation with this policy by all Employees is a condition of employment i.e. failure to co-operate and submit to testing when requested by the Centre may result in disciplinary action up to and including dismissal.

Referrals to Centre Doctor

All self-referrals to the Centre doctor will be treated in strictest confidence. No details of the referral will be given to the Employee's Manager without the expressed consent of the Employee. The only exception to this is where the Centre doctor considers it necessary in support of public interest or Employee safety.

Please note that the Centre may ask you to authorise the Centre Doctor to share certain information with a designated member of management so as to allow the Centre to implement any reasonable accommodation measure suggested by the Centre Doctor. In such cases, the Centre Doctor will only reveal the basic information necessary for the Centre to know in order to reasonably accommodate you.

Breach of Policy

Breach of this policy (including failure to submit to testing and/or a positive result from a test) may result in disciplinary action, up to and including dismissal. In the case where an applicant refuses or fails to submit to testing, he/she will not be employed.

Review of Policy

The Centre will review this policy from time to time and all new updates will be communicated to you.

Personal Safety

Please ensure before leaving the office that no staff member could be or is being left alone with a member of the public. A code has been set in place if a member of staff feel threatened or uncomfortable with a member of public, they ring reception for support". All staff are aware of this and will respond immediately. Staff are instructed never to work in the Centre on their own, at least two members of staff must be in the Centre at any given time; this will be arranged with your Line Manager or EDI Centre Coordinator.

The Centre is responsible, in accordance with the Safety, Health and Welfare Work Act, 2005 to ensure as far as is reasonably practicable, the safety, health and welfare of all Employees.

To prevent workplace injuries and ill-health, the employer must:

- Provide and maintain a safe workplace (which uses safe plant and equipment)
- Prevent risks from employees using any article or substance, and from exposure to physical agents, noise and vibration
- Prevent any improper conduct or behaviour likely to put the safety, health and welfare of employees at risk
- Provide instruction and training to employees on health and safety
- Provide protective clothing and equipment to employees
- Appoint a competent person as the organisation's safety officer

Employees

Under the Safety, Health and Welfare at Work Act, 2005 Employees are required:

- To take reasonable care for their own safety, health and welfare and that of others who may be affected by their acts or omissions;

- To co-operate with their employer or any other person to an extent as will enable the employer to comply with statutory obligations;
- To use any suitable appliance, protective clothing, convenience, equipment or other means provided for securing their safety, health or welfare;
- To report to their employer or immediate supervisor any defects of which they become aware in plant, equipment, place of work or systems of work which might endanger safety, health or welfare;
- Not to intentionally or recklessly interfere with or misuse any appliance, protective clothing, convenience, equipment or other means provided to ensure the safety, health and welfare of persons in the workplace.
- Not to report to work under the influence of intoxicants
- To always act appropriately in the workplace

Personal Possessions

Staff should remain vigilant at all times to ensure that handbags, wallets, mobile phone, coats etc. are safely stored, as incidents of theft have taken place in the past. The EDI Centre is not responsible for personal items lost or stolen.

General Tidiness

Please ensure that your own working area is kept tidy.

Photocopier

Staff should take great care when using copiers. All staff using copiers should be fully informed and understand the operation of the machine. Staff should never remove any part of the machine other than those necessary for routine operation. Staff should ensure to only photocopy what is necessary and to avoid waste as much as possible. Staff will be provided with a code for photocopier usage if necessary.

Lights

Please ensure that at the end of the working day any equipment that you have been using is turned off, this includes fans and lights.

The last person to leave the building should ensure that all lights, including those in the toilets are turned off.

Telephones and Postage

All personal mobile calls are to be made from your own mobile phone. Personal phone calls are not allowed. If you need to make an urgent call please contact your Line Manager or EDI Centre Coordinator for permission.

When taking a personal call keep it short; remember the phones are required by other members of staff to carry out their work. No personal call to be received at reception as this will block all incoming calls. Staff may not use company stamps for personal use.

Please ensure your mobile phone is switched off when working in a public area

The private land line or mobile number of any member of staff is not to be released to a member of the public or client under any circumstances.

Fire Safety

In order to protect staff against the risk of fire and to ensure speedy evacuation, fire drills will be organised at least annually. It is the duty of all staff members to ensure that passageways are not obstructed. Fire blankets and fire extinguishers are located at different points in the building and all staff will be given the opportunity for training in their operation.

First Aid

A first-aid box is located at various locations throughout the Centre.

Chairs & Desks

Under no circumstances should any member of staff stand on either desks or chairs, especially those with wheels. A stepladder is available for use.

Stress in the Workplace

The Centre is aware of the increasing health hazards associated with stress at work. The Health and Safety Authority states that workplace stress arises when the work demands on a person exceed their capacity to meet them.

The Centre aims to decrease the potential for workplace stress through:

- Promoting awareness of the detrimental effects of long-term stress for individuals and the Organisation as a whole
- Encouraging Employees to recognise stress in themselves and others
- Encouraging individuals to get help in dealing with stress as appropriate
- Regular review of job descriptions to check for work overload
- Changing Organisational structures and systems as necessary; and ensuring that supervision and staff development help alleviate stress levels

If you feel that you are suffering from stress as a result of your work, you should notify your supervisor / manager immediately.

Display Screen Equipment / Visual Display Units

The Centre recognises its responsibility to ensure the implementation of the Safety, Health and Welfare at Work (General Application) Regulations, 2007, regarding the safe operation of display screen equipment. The regulations apply to any member of staff who habitually uses display screen equipment to a significant degree during the course of his / her normal duties.

The Centre is responsible for:

- Monitoring conditions at workstations with particular reference to eyesight, physical difficulties and mental stress
- Providing information relevant to health and safety factors
- Ensuring Employees take periodic breaks or changes in routine away from the screen
- Encouraging regular eye tests
- The Centre has an arrangement for staff with a local optician, to this end.

DIGNITY AND RESPECT AT WORK

Equality Clause

Purpose

The purpose of this policy is to demonstrate the Centres 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.

The Centre will not condone any infringement on personal integrity through any form of Bullying, Harassment or Sexual Harassment as referenced in this policy. Bullying, Harassment or Sexual Harassment in any form will not be tolerated, whether perpetrated by a member(s) of staff, client, supplier or a business contact of the Centre.

The purpose of the policy and procedure is to outline the Centre's position in these areas and to provide employees with information on the steps to take if the need arises.

It should be noted that bullying, harassment and sexual harassment are defined by their impact on the target of the bullying/harassment not by the intention of the perpetrator.

The Centre aims:

- To commit to an environment where every member is treated with dignity and respect
- To promote equality of opportunity throughout the organisation
- To create an environment that is supportive and conducive to work and study
- To ensure that no person is treated less favourably than another on grounds of gender, marital status, race, colour, ethnic or national origin, antibody status, sexual orientation, economic status, age, political or religious belief or responsibility for dependents
- To ensure all members of the EDI Centre will work to develop and maintain a high degree of respect and civility in our workplace
- To prevent any form of discrimination, whether direct or indirect against staff, prospective staff members, volunteers, members or prospective members of the management and against users of our services
- To raise awareness on the prevention of bullying and harassment
- To support good communications amongst staff, trainees and visitors
- To set out everyone's individual responsibility in both making themselves aware of the policy and their responsibility
- To provide methods of resolution for staff and trainees in which they have a number of opportunities, both formal and informal, to resolve their individual situations
- To resolve matters as quickly and as confidentially as possible
- To ensure that we fulfil our legal obligations

Breaches of the policy

This may constitute grounds for disciplinary action and, in cases involving serious offences, disciplinary action up to and including suspension or dismissal. This policy applies to all staff, volunteers, trainees, members or prospective members of the BOM and users of our services.

Responsibilities

1. Management:

Management and any person(s) in positions of authority have a particular responsibility to ensure that bullying or harassment does not occur and that complaints are addressed speedily. In particular, management must:

- Provide good example by treating staff with courtesy and respect
- Promote awareness of the Centre's policy and procedure
- Be vigilant for signs of inappropriate behaviour and take prompt action
- Respond sensitively to an employee who makes a complaint under this policy
- Ensure that an employee making a complaint is not the target of retaliatory bullying/harassment for doing so
- Monitor and follow up the situation after a complaint is made so that the bullying does not occur again.

2. Employees:

Each individual employee is required to contribute to achieving an environment free of bullying and harassment through co-operation with management's commitment to preventing bullying and harassment. Each employee must be aware of their duty not to place the dignity, safety and welfare of their colleagues at risk by engaging in or condoning bullying and harassment.

SEXUAL HARASSMENT

The Centre is committed to maintaining a working environment for all staff which is free from sexual harassment and which encourages harmonious, respectful and dignified working relations regardless of sexual orientation and where individuals are confident enough to report complaints of sexual harassment without fear of ridicule or reprisal.

The Employment Equality Act, 1998-2004 and the Equal Status Act 2004 prohibits discrimination on the grounds of one's civil status, family status, sexual orientation, disability, age, race, religion, membership of the travelling community and/or gender. Please note that while the first eight grounds in this list relate to harassment, the last one relates specifically to sexual harassment.

Harassment is an "act or conduct, including spoken words, gestures or the production, display or circulation of written words, pictures or other materials if the action is unwelcome to the Employee and could reasonably be regarded given the characteristic of the person as offensive, humiliating or intimidating" (Employment Equality Act 1998-2004).

Harassment is defined in section 14A (7) of the S14A (7) Employment Equality Act as any form of Equality Act. Unwanted conduct related to any of the discriminatory grounds 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. Bullying that is not linked to one of the discriminatory grounds is not covered by the Employment Equality Act.

The following forms of behaviour, in relation to the specific grounds listed in the Employment Equality Act 1998-2004, may constitute harassment (Note this is not an exhaustive list):

- Verbal harassment- jokes, comments, ridicule or songs.
- Written harassment - including faxes, text messages, e-mails or notices.
- Physical harassment - jostling, shoving or any form of assault.
- Intimidatory harassment - gestures, posturing or threatening behaviour.
- Visual displays such as posters, emblems or badges.
- Excessive monitoring of work
- Isolation or exclusion from social activities.
- Unreasonably changing a person's job content or targets

Sexual Harassment is defined as "any act of physical intimacy, request for sexual favours, or other act or conduct including spoken words, gestures or the production, display or circulation of written words, pictures or other material that is unwelcome and could reasonably be regarded as sexually offensive, humiliating or intimidating" (Employment Equality Act 1998-2004).

Sexual harassment is defined in section 14A(7) of harassment- S14A(7) the Employment Equality Act as any form of Employment Equality unwanted verbal, non-verbal or physical conduct of a sexual nature which has the purpose or effect of violating a person's dignity and creating an intimidating, hostile, degrading, humiliating or offensive environment for the person.

Sexual harassment is unwanted conduct of a sexual nature, or other conduct affecting the dignity of men and women at work. Essentially sexual harassment is any unwelcome verbal or physical advance, sexually derogatory statements or sexually discriminatory remarks or jokes made by someone that is offensive to the recipient, or which causes the recipient discomfort, or interferes with their job performance.

Many forms of behaviour can constitute sexual harassment. It includes examples like those contained in the following list although it must be emphasised that the list is illustrative rather than exhaustive. A single incident may constitute sexual harassment.

Physical conduct of a sexual nature — this may include unwanted physical contact such as unnecessary touching, patting or pinching or brushing against another Employee's body, assault and coercive sexual intercourse.

Verbal conduct of a sexual nature — this includes unwelcome sexual advances, propositions or pressure for sexual activity, continued suggestions for social activity outside the workplace after it has been made clear that such suggestions are unwelcome, unwanted or offensive flirtations, suggestive remarks, innuendos or lewd comments.

Non-verbal conduct of a sexual nature — this may include the display of pornographic or sexually suggestive pictures, objects, written materials, emails, text-messages or faxes. It may also include leering, whistling or making sexually suggestive gestures.

Gender-based conduct — this includes conduct that denigrates or ridicules or is intimidatory or physically abusive of an Employee because of his or her sex such as derogatory or degrading abuse or insults which are gender-related.

It is important to distinguish forms of harassment from sexual relationships freely entered into, and acceptable to those involved. Sexual harassment can be defined as conduct towards another person, which is sexual in nature, or has a sexual dimension, and is unwelcome to the recipient.

Bullying and harassment may be directed at one person or many people and may arise from one or more people conducting this form of behaviour. It may occur within peer groups (among colleagues). It may be directed at those who are being supervised or vice versa. It may occur between clients and Employees, or between suppliers and Employees, etc.

Any complaints in this area should be taken up with the Line Managers/EDI Centre Coordinators/Staff Representatives.

Please contact the person you feel most comfortable with.

ANTI-BULLYING POLICY

Introduction

The EDI Centre is committed to ensuring that all its employees are able to work without the fear of being bullied or harassed. The EDI Centre is of the view that Board of Management officials should also come within the scope of this policy as they could potentially be victims or perpetrators of bullying. The purpose of this document is to give an overview of workplace bullying, outline the legal position and provide procedures for management and victims of bullying to deal with the situation should it arise.

Definition

Bullying may be defined as:

“any persistent or abusive act or conduct which is offensive, humiliating or intimidating, conducted by an individual or group either directly or indirectly, which makes the recipient feel upset, threatened, humiliated or vulnerable or undermines self confidence”.

Harassment and bullying can include verbal bullying, physical bullying, exclusion or extortion. It can be sexist, ageist, sectarian or racial in its undertone or it can offend because of a person's disability or sexuality. Virtually any member of staff can be involved in bullying and harassment. It can occur at any level in an organisation and the bully can intimidate his/her colleagues or supervisor as well as those he/she is responsible for.

It is important to note, however, that isolated incidents of aggressive behaviour, while to be condemned, should not always be described as bullying as in any workplace environment there can often be conflicts and interpersonal difficulties. On the other hand, aggressive behaviour which is systematic and ongoing should be regarded as bullying.

There are certain behaviours which characterise bullying behaviour and which can be grouped into five dimensions:

- Manipulation of the victim's reputation through rumours, gossip and ridicule.
- Victim not being let to speak or express him/herself. Loud voiced criticism.
- Isolation and the exclusion of the victim from social events and activities.
- Manipulating the nature of or possibility to perform one's work through the allocation of meaningless tasks or by not giving work.
- Physical abuse or threats of physical abuse.

Effects of Bullying

The effects of bullying on the person can be manifested by any or all of the following:

- Emotional effects e.g. severe anxiety.
- Cognitive effects e.g. making mistakes or having accidents.
- Behavioural effects e.g. excessive drinking, overeating.
- Physiological effects e.g. raised blood pressure, heart disease.
- Reduced resistance to infection, stomach or skin problems.

The most serious effects are fear, anxiety and depression coupled with a general loss of confidence and low self esteem. The effects on the organisation can include increased absenteeism, reduced productivity, low motivation and poor morale.

What is NOT Bullying at Work

It is important to distinguish bullying from other inappropriate behaviours or indeed appropriate workplace engagement.

As set out in the definition above, a once-off incident of bullying behaviour may be an affront to dignity at work and may be unsettling, but does not of itself make for an adequate level of distress as to fall within the definition of bullying, and **other remedies should be sought for these scenarios**. As a once-off, such behaviours cannot be presumed to be done in a targeted, purposeful and unremitting way.

Apart from once-off behaviours, other on-going behaviours which may upset or unsettle a person may not come within the bullying definition either. Behaviour considered bullying by one person may be considered routine interaction by another, so the 'reasonableness' of behaviours over time must be considered. Disrespectful behaviour, while not ideal, is not of itself bullying. Conflicts and disagreements do not, of themselves, make for a bullying pattern either. There are various workplace behavioural issues and relationship breakdowns which are troubling, upsetting and unsettling but are not of an adequate level of destructiveness to meet the criteria required for a bullying case.

Objective criticism and corrections that are intended to provide constructive feedback to an employee are not usually considered bullying, but rather are intended to assist the employee with their work.

Bullying does not include:

- expressing differences of opinion strongly,
- offering constructive feedback, guidance, or advice about work-related behaviour which is not of itself welcome,
- ordinary performance management,
- reasonable corrective action taken by an employer or supervisor relating to the management and direction of employees (for example managing a worker's performance, taking reasonable disciplinary actions, or assigning work), or
- workplace conflict where people disagree with or disregard the others' point of view.

This list is not exhaustive.

The Legal Position

The Safety, Health and Welfare at Work Act 2010 places a duty of care on employers to ensure that appropriate safeguards are in place to protect employees' welfare within the workplace.

Every employer owes a duty of care to his/her employees under common law. In determining whether an employer has complied with this duty, the courts will enquire as to whether the employer has acted as a

reasonable employer would have acted in the circumstances of a particular case. The courts may award damages if it is established that the employer failed to take reasonable steps to ensure the employee's safety.

An employee may claim constructive dismissal for experiencing continued and unchecked bullying.

The Employment Equality Act 1998-2015 defines harassment as *"any act or conduct which is offensive of intimidating on a discriminatory ground including spoken words, gestures or the production, display or circulation of written words, pictures or other material"*.

The act also identifies nine areas of potential discrimination – Gender, age (18-65), marital status, family status, sexual orientation, disability, race, religion or membership of the travelling community.

The Act also specifies a Vicarious Liability being – *anything done by a person in the course of his/her employment shall be treated for the purposes of the act as done also by the person's employer, whether or not it was done with the employer's knowledge or approval.*

EDI Centre Procedures for dealing with Bullying in the Workplace

The EDI Centre recognises that bullying can have a detrimental effect on the organisation as a whole as people who work in a climate of fear and resentment do not give of their best. The Centre is committed to ensuring that appropriate structures are in place to protect and assist any member of staff or Board of Management who believes he/she is a victim of bullying.

All complaints of bullying will be treated seriously and with due regard to the sensitivities of the complainant and to the rights of the staff member against whom the allegations have been made.

The Centre provides for both an informal and formal procedure for raising a complaint in relation to bullying and harassment thereby ensuring that each case will be handled effectively, efficiently, fairly and in a confidential and sensitive manner.

Employees are encouraged to consider carefully their course of action and to preferably exhaust all options of the informal procedure (including mediation) before considering formal action. The informal route is the most successful at resolving issues of bullying and harassment.

Informal Procedure

In the case where an offensive incident occurs, and you feel that your right to respect and dignity at work has been infringed, you should:

In the first instance, the unacceptable behaviour/acts should be raised by the recipient employee (the person who feels bullied or harassed) with the person involved but only if they feel comfortable in doing so. This should be done quickly and calmly, focusing on the facts regarding acts done and their consequences.

If it is more suitable, the individual who perceives that they are the recipient of unacceptable behaviour should put their concerns in writing, again focusing on the offending acts and their effects on them. Approach the person that is causing the issue directly and request him/her to stop, if you can.

Where you are not confident about approaching the person directly or feel that you would like support or where a direct approach has not resolved the matter, you should talk to , your Manager, or another member of the Senior Management Team and request that he or she approach the person with you or on your behalf. The work colleague, Manager, or other member of the Senior Management Team will attempt to resolve the matter in an informal, low-key and non-confrontational manner. Obviously, a person who is acting in this situation cannot 'take sides' and must allow each person the space to say their part and try to bring about a resolution without taking sides.

In all instances where you feel your right to respect and dignity has been undermined or you are unsure whether the behaviour that you experienced constitutes a form of bullying or harassment or you are unable to approach the person yourself, you may discuss it with your Manager and seek support through the informal procedure.

Where an employee perceives that the concerns relate to an immediate manager, the employee may wish to discuss the matter informally with their manager's manager or a person at the next level of management.

Moreover, where the above does not resolve the issue, you and/or your Manager, may request the intervention of HR who will endeavour to resolve your concerns.

The focus of the above is to seek to resolve the matter informally by agreement without recourse to any other step. An informal discussion is often sufficient to alert the person concerned to the effects of the behaviour alleged and can lead to a greater understanding and an agreement that the behaviour will stop. It can also lead to an explanation of the original intention of the behaviour and/or an agreement to modify the behaviour. On the other hand, it may be that the behaviour is valid and reasonable and the reaction of the offended party is at odds with the generally accepted understanding of the behaviour.

A prompt and informal problem-solving approach offers the best potential for addressing allegations of bullying or harassment effectively. This collaborative and non-adversarial approach is particularly important in situations where people must continue to work together into the future.

There are several elements to a good informal process:

- People being confident that they will be listened to, will be taken seriously and that their issues will be assessed fairly, quickly and effectively.
- Managers having the confidence and capacity to engage on such issues and to respond and consult appropriately.
- Confidentiality to be respected by all.
- A focus always, by all concerned, on the future workplace relationship and a problem-solving orientation.

An informal approach may effectively address the unwanted behaviour without recourse to any other action. Sometimes the person who is alleged to be engaging in the behaviour is genuinely unaware that the behaviour being complained of is disrespectful or unwelcome or undermining and/or causing distress.

A brief written record of the matter should be kept, in line with relevant data protection legislation, and agreed outcomes and dates noted by the relevant person responsible for managing the concern or complaint.

Secondary Informal Process

If the above is unsuccessful or if the complainant or the employer deem it inappropriate for the seriousness of the issues, this more protracted secondary informal process (still informal) can be put in place.

- The company may nominate a separate person who has had appropriate training and experience and who is familiar with the procedures involved to deal with the complaint on behalf of the company. They may be a Line Manager or someone in authority within the organisation.
- For each complaint that arises, such a person should be assigned to deal with that particular case.
- The complaint may be verbal or written.
- If verbal, a written note of what is being complained about should be taken by the nominated person and a copy given to the complainant.
- This nominated person (who may be a line manager), managing the complaint, should then establish the facts, the context and then the next course of action in dealing with the matter under the informal procedure.
- If the complaint concerns alleged bullying or harassment as defined and includes concrete examples of inappropriate behaviour, the person complained against should be presented with the complaint and their response established.
- Thereafter a method should be agreed to progress the issue to resolution so that both parties can return to a harmonious working environment without bullying or harassment being a factor.
- If the behaviour complained about does not concern alleged bullying or harassment as defined, an alternative approach should be put in place and a rationale recorded.
- If there are no concrete examples given, it must be deemed that there is no complaint to be answered by the person complained about as they have no recourse to repudiating an accusation that doesn't give any specifics.
- Line managers should be kept informed, as appropriate, about the process in train.
- Steps to stop the bullying behaviour, where it has been partly or fully identified, and monitoring of the situation along specified lines should be implemented with both parties.
- This may involve a direct or indirect approach and possible resolution through a programme to change behaviour.
- It may also involve mediation by an agreed mediator who is practised in dealing with alleged bullying or harassment at work.
- Enough time needs to be allowed for the mediation or on-going monitoring process to be successful and behaviour change to be realistically achieved over the longer term.
- It may be necessary to consider if other working arrangements are required or feasible during this short-term phase. A proposal should be made, considered, and an action and time frame established, signed and dated, preferably by both parties.
- The nominated person who was responsible for managing the complaint should keep a nominal record of all stages; the complaint, the first meeting, action agreed and signed records of the final meeting.

- The purpose of the records, which do not include the detail of discussions, is to provide evidence of the complaint having been met with an organisational response and attempt at resolution. Records should be kept in accordance with relevant Data Protection.
- Information disclosed in the course of mediation must remain within the mediation process and must not be given by the mediator to anyone or to an investigator if there is a subsequent investigation at a formal stage.
- Confidentiality is crucial for this stage to be effective and breaches of confidentiality, where it is exposed, should be met with sanctions highlighted in advance.

Facilitated Dialogue and Other Interventions

As part of the secondary informal resolution process, the company reserves the right to seek to resolve matters through other forms of facilitated dialogue and interventions that may resolve the concerns. This could mean that parties engage in dialogue with an internal or external third party, not through mediation which is voluntary, but the company requires them to do so as it deems the matter could be resolved through dialogue. It could also include the use of personality or psychometric tools which aid conflict resolution or which support productive conflict in the workplace. Other options may be utilised by the company.

Mediation

As part of the secondary informal resolution process, mediation may be sought.

Mediation is the preferred method for the resolution of concerns of inappropriate behaviour, bullying and harassment, which could not be resolved through other informal means such as those mentioned above or other proposed informal options.

The objective of mediation is to resolve the matter speedily and confidentially without the recourse to a formal investigation and with the minimum of conflict and stress for the individuals involved.

Mediation requires the voluntary participation and co-operation of all parties in order to work effectively.

An (internal or external) mediator assigned by the company will meet with both parties - usually separately to begin with - to discuss the concerns that have been raised. Eventually, the mediator will bring both parties together with the aim of reaching a common understanding and agreement on acceptable future behaviour. A mediated agreement seeks to restore harmonious working relationships and will not result in the issues being dealt with under the disciplinary policy. In addition, this process facilitates the minimum of documentation and records.

Please note that any information that emerges during the course of the mediation process remains strictly confidential and cannot be disclosed as part of the formal investigation, should one be pursued.

Closure of Informal Stage

The following are some of the steps that may be used to close off informal proceedings, ensuring that both parties have their rights met:

- Obtain closure after a resolution is found through informal procedures. Both parties should be given support or periodical reviews, insofar as is reasonable, which, if necessary, could include counselling or other appropriate interventions or support services.
- In many situations, with the co-operation of all parties, the matter can rest here.

- Where a complaint has been assessed as **vexatious**, the matter should be progressed through other relevant procedure.

Formal Procedure

In the event that the informal procedure or mediation has failed or where it is not appropriate to resort to the informal procedure, the target of the bullying / harassment should progress to the formal procedure. When this occurs, the matter will be treated with the utmost sensitivity and every effort will be made to expedite the process as speedily and confidentially as possible.

The steps of the process are as outlined;

1. The complaint should be clearly documented in writing to the Manager and contain:
 - Name(s) of alleged perpetrator(s)
 - Clear factual description of each incident including precise details of the offending behaviour (including dates, times, witnesses and direct quotes where possible and context in which this behaviour occurred (for each incident)).
 - Indication of how each incident made the person feel
 - Details of the action taken by the complainant, a work colleague, the complainant's Manager, another Manager or others to resolve the matter informally (Please note that any information that emerges during the course of a mediation process remains strictly confidential and cannot be disclosed as part of the formal investigation).

If the complaint is regarding the Manager, please forward your complaint to the Chairperson of the Board of Management directly.

2. On receipt of a formal complaint, the Manager will inform the Board of Management of the complaint. Once this is done, an Investigation Panel is established, the perpetrator(s) are informed of the bullying and harassment allegation and both the complainant and the perpetrator(s) are asked if they are satisfied with all members on the panel. The Investigation Panel will consist of Centre representatives at least one level above the complainant and the alleged perpetrator. However, please note that the Investigation Panel may include independent external parties chosen by the Centre if necessary. In addition, please note that if the Manager has been involved previously at the informal stages, he / she will not be involved.
3. The parties to the complaint are interviewed separately by the Investigation Panel with detailed statements taken. All the parties involved have the right to be accompanied to any interview held during the investigation by a work colleague.
4. In the interview, the perpetrator(s) will be:
 - Advised of the allegations against him/ her/ them;
 - Be given a copy of the complaint and, in the interest of natural justice, invited to respond to the allegations;
 - Given an opportunity to be heard;
 - Have the right to defend his / her/ their case;
 - Given an unbiased hearing;
 - Be fully informed of the decision as a result of the investigation;
 - Assured of confidentiality at all the different stages.
5. All material received will be treated with the highest sensitivity and confidentiality will be afforded to all concerned
6. Where necessary, individuals/ groups may be sent home and / or suspended with pay to enable the complaint to be investigated. Please note that if the perpetrator(s) is suspended with pay, this will not be seen as a sign of their guilt (i.e. it may not be viable for the perpetrator(s) to continue working within their role while the investigation is ongoing).

7. Witnesses and other parties may be interviewed, and any statements taken from witnesses/ parties will be circulated to the complainant and the alleged perpetrator(s) for their comments in writing before any conclusion is reached in the investigation. Whilst it is desirable to maintain utmost confidentiality, once an investigation begins it may be necessary to interview other staff/ parties to form an opinion as to whether an incident or incidents of bullying/ harassment have occurred. If this is the case, the importance of confidentiality will be stressed to them.

8. The investigation should, except in exceptional circumstances, be completed within 10 working days of the appointment of the Investigating Panel.

9. When the investigation has been completed, both parties will be given a written copy of the conclusions reached by the Investigation Panel, and are given an opportunity to comment in writing on the conclusions, before any action is decided upon by the Investigation Panel.

10. If, following a thorough investigation, the Centre can reasonably conclude that bullying or harassment has occurred, appropriate action may be taken under the disciplinary procedure up to and including dismissal. Therefore, where a complaint is upheld, a disciplinary hearing will take place in line with the Centre's disciplinary policy.

11. If on the other hand, it is found that the perpetrator(s) behaviour has been misinterpreted and he / she was genuinely unaware of the effect of his / her actions as highlighted by the investigations and the incidents have come to an end, further disciplinary procedures may not be necessary. In either case, the complainant is formally informed of any action taken against the bully or harasser. In this event, the complaint will not be entered onto the perpetrator(s) personnel file.

12. In all cases, the ongoing relationship of the parties will be monitored for a 3/6 month period (or longer) to ensure that the issue has been resolved in full.

Support/Counselling

The EDI Centre recognises that the victims of bullying in the workplace may benefit from professional support/counselling. The EDI Centre will where practicable and subject to available financial resources arrange for any victims of bullying in the organisation to have access to such support/counselling where requested. Whilst the EDI Centre primary concern is for the victim of bullying, we also recognise that the bully may need or benefit from counselling. In the circumstances, the EDI Centre will, in consultation with the victim of bullying, seek to encourage the perpetrator to avail of appropriate counselling to help overcome bullying tendencies.

Commented [SO4]: Is there an EAP Programme in place??

Relocation

Please note that the Centre reserves the right to relocate the complainant or the alleged perpetrator(s) if that is possible within the organisation.

Representation at Formal Investigation Meetings

All the parties involved may be accompanied by a work colleague or union representative at any interviews held during the formal investigation process.

Appeals

Should either the Complainant or the Respondent be unhappy with the outcome of the investigation, he or she may submit a written appeal to a member of the Board within 5 working days.

Appeals can only be made in the following circumstances:

- There was procedural irregularity in terms of the conduct of the investigation.
- Significant new information relevant to the original complaint is available that could not have been or was not made available to the investigation.
- The decision was made without due regard to the facts, evidence or circumstances.

In the event that an appeal does not fall within one of the above grounds (as determined by the person(s) in receipt of the appeal), your request for an appeal will not be granted and you will be notified of this within ten working days of the request for appeal being received.

In the event that your request for an appeal does fall within the grounds set out above (as determined by the person(s) in receipt of your request for an appeal), you will be informed of this along with details of the process for hearing your appeal (which will be dictated by the circumstances of the appeal) within ten working days of receiving your request for an appeal.

It should be noted that an appeal is not a re-hearing of the original issue(s).

Please note that this appeal will be heard by a relevant person who has not been involved in the investigation previously. The appeal may be handled by a Board/External Consultant (or a combination of the above as appropriate) as determined by the Centre. In addition, please note that if appealed, the decision of the appeal is absolute and final.

The person(s) hearing the appeal may request to meet you or may determine that the appeal will be a 'paper-based' appeal conducted on the basis of all the documentation and evidence that has been previously gathered with reference to your grounds for appeal.

Where the person(s) hearing the appeal request to meet with you, you will be given 24 hours' notice of the meeting, informed of your rights to a fair process and will be given the option to be accompanied to the meeting by a work colleague. Please note that you are not automatically entitled to be accompanied by a legal representative to investigatory and / or appeal meetings.

Depending on the circumstances of the appeal, additional steps may be warranted which will be communicated to you as part of the details of the process referred to above.

The person(s) hearing the appeal will communicate the outcome of the appeal, both verbally and in writing, to you and the Manager within 10 working days of hearing the appeal. In addition, a copy of this will be placed on your personnel file.

The outcome of the appeal is the final step in the process.

Malicious Complaints

If, following a thorough investigation, the Investigator can reasonably conclude that bullying or harassment has not occurred, but the complaint was vexatious or malicious, action may be taken under the disciplinary procedure up to and including dismissal against the Complainant. Therefore, a disciplinary hearing will take place in line with the Centre's disciplinary policy.

A malicious complaint can be described as an allegation being made without foundation, and with malicious intent, where a person knowingly or without regard to whether it is true or not, accuses another person of allegedly bullying or harassing them.

This could also apply to where one person maliciously complains of someone allegedly bullying or harassing a third party, without fully exploring the veracity of the claim.

A malicious complaint has the power to disrupt another person's life to a significant extent and the potential damage should not be underestimated.

Being accused of bullying can have a serious impact on any person and reduce his/her reputation in the eyes of others, even if later shown to not have been proven.

Those making complaints should always be mindful of the context and situational aspects of the event and accept the different perspectives and points of view different people bring to the same event.

Making a malicious complaint, if proven, can have serious implications for the employment of the person making such a complaint and this includes disciplinary action, up to and including dismissal, where established.

General

It is your responsibility to familiarise yourself with the Respect and Dignity at Work Procedure.

Respect and Dignity at Work complaints that do not follow the correct procedural steps will not be considered.

The Centre will not participate in any Respect and Dignity at Work complaints raised on behalf of third parties.

Anonymous complaints will not be considered.

Unreasonable Complaints

In some circumstances persisting with a complaint that has already been processed or initiating or persisting with a complaint in a manner that infringes the rights of others, may be considered to be unreasonable behaviour. Unreasonable behaviour includes, but is not confined to:

- Persistence in pursuing an argument that has already been addressed or re-framing a complaint that has already been processed to present it as a fresh complaint.
- Making demands –examples include seeking an alternative decision on a complaint that has already been decided, demanding that a complaint be dealt with or not dealt with by a particular staff member.
- Lack of co-operation –examples include not making oneself reasonably available to the Respect and Dignity at Work process, issuing multiple queries in relation to the same issue and/or demanding an immediate response to correspondence.
- Presenting irrelevant arguments and/or insisting that your interpretation of legal or other issues should be accepted as fact.
- Threatening behaviour including threats of violence, verbal abuse, and rude or aggressive conduct.

In the event of unreasonable behaviour by an employee who has raised a Respect and Dignity at Work complaint, the Centre on will not process the complaint any further and disciplinary action may be taken against the employee acting unreasonably.

Victimisation / Retaliation

Victimisation or retaliation of any kind against an employee for raising a concern, making a complaint or for taking part in an investigation concerning bullying or harassment is a serious matter and disciplinary action, up to and including dismissal, may be taken.

Breach of Policy

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

If the complaint is upheld against a non-Employee, the report should recommend appropriate sanctions against the non-Employee or his/her employer which could extend where appropriate to:

- exclusion of the individual from the premises
- suspension or termination of service
- suspension or termination of a supply service or other contract

Review

This policy will be reviewed in the light of working experience or at the request of SIPTU.

ELECTRONIC COMMUNICATION POLICY

Purpose of the Policy

The purpose of this policy is to define the way in which computer usage and electronic communications are managed in the Centre and the rights and responsibilities of the management and employees.

Scope of the Policy

This policy applies to all employees of the EDI Centre. The rules regarding information and Communication systems cover computer, internet and e-mail and social media usage. The EDI Centre reserves the right to monitor all electronic communication and files.

Computer Usage

In making acceptable use of the EDI Centre's computer resources, users must;

1. Use resources only for authorised purposes.
2. Access only information that is one's own, that is publicly available, or to which the user has been given authorised access.

System Administration/IT Support

Please note that the EDI Centre are contracted to an IT Company and no other IT Company or individual shall be employed by any member of staff or board member without 1st receiving written permission from the Board of Management.

This IT Company must not be called in to deal with any issue until said issue has been first looked at by the Systems Administrator/IT Support.

EDI Server

With the exception of training PCs/laptops all computers used by Staff in the EDI Centre, must be linked to the EDI Server. Use of personal PCs/laptops must not be used for EDI related business. All staff must only use server based email accounts and use these accounts through Microsoft Outlook /Outlook Express. Server based email accounts end with @edilongford.ie and under no circumstances should be used through web based email accounts such as Google mail.

Internet

The internet is a valuable business tool, which gives access to an array of information. In order to prevent it becoming a time-consuming distraction from business activities, employees are not permitted to use it except for business related reasons during working hours.

Access to appropriate websites for business purposes is generally unrestricted. Access to any inappropriate, pornographic or obscene websites, or sites with the risk of such material, or sites with the risk of such material, is prohibited at all times. The EDI Centre will monitor all Internet traffic.

Care must be taken in the use of information accessed through the Internet. Most information is unregulated, and such there is no guarantee of accuracy. Employees should take every reasonable

precaution not to download files from the Internet unless they are sure the information is from a trusted/reliable source. This is to protect the EDI business systems, reduce the risk of viruses and ensure that large amounts of storage space are not taken up with unnecessary files.

1. Employees' Responsibilities

The Company has provided access to the internet where it will assist you to do your job. You are responsible and fully accountable for how you use the internet.

The internet should be used for:

- Completing job duties
- Seeking out information to assist in work
- To manage company social media and online platforms.

Any use of the internet for work purposes should be conducted responsibly and following GDPR guidelines.

Inappropriate use of the internet is strictly forbidden.

Employees must not use company internet to:

- Download inappropriate or illegal content.
- Share confidential information
- Visit dangerous websites
- Open dangerous links/ attachments.

Non-compliance with this policy may result in disciplinary action, up to and including dismissal.

2. Managers' Responsibilities

As a Manager, you are also responsible for:

- Communicating the policy to Employees who report to you;
- Informing Employees who report to you of their obligation to comply fully with this policy;
- Addressing any failure to comply with the policy;
- Addressing any abuse of using the internet for personal purposes;
- Immediately reporting all non-adherences to this policy to the Senior Management Team, and agreeing appropriate action to be taken, including disciplinary action;
- Recommending changes to this policy on an ongoing basis to ensure it reflects technological and other advances and continues to reflect the needs of the business (recommendations should be made to the Senior Management Team).

Harassment

The EDI Centre provides access to the internet for business purposes. The practice of downloading text, pictures, jokes, video clips, graphics, games etc. from the Internet and / or distributing them via e-mail to other employees or persons outside the company is strictly prohibited. The content of these downloads may also be found offensive by certain employees or others. Employees that are proved to have engaged in such practices will be subject to the disciplinary process and risk possible prosecution.

Employees accessing or storing any form of electronic file, record or communication, which could be deemed to harass or discriminate based on age, gender, race, religion, disability, marital status, family status, sexual orientation or membership of the travelling community is unacceptable, and will be subject to the disciplinary process.

Virus Protection

The EDI Centre has virus protection software installed on all organisation hardware but there is still a high risk of viruses being received from external electronic communications, in particular from unknown sources. All files entering the EDI office via the Internet must be virus checked prior to their transfer for use to any office machine.

If an employee receives an external e-mail or message from an unknown source, which they feel is wrongly delivered, the e-mail should not be opened and the employee should make immediate contact with the systems administrator/IT Support. In certain cases files that are required for legitimate EDI business may also be filtered. In such circumstances the message recipient should contact the systems administrator/IT Support and quote the corresponding reference number contained in the e-mail message.

Only USBs from a reliable source may be used in computers. If in any doubt, USBs must be virus checked by the systems administrator/IT Support before use.

Telephone / Mobile and Fax usage

In line with the policies for Electronic Communications, employees should ensure that the **Telephone and fax** are used for the benefit of the EDI Centre and are never used in a manner likely to reflect adversely upon the EDI Centre.

Commented [S05]: Is there a fax in use?

Office phones are primarily for business use with some limited use **for personal calls/ only for business use with no personal calls allowed.**

The Centre reserves the right to charge the user for any costs arising from the misuse or neglect of an office phone.

Business calls to local and national destinations may only be made. International calls may not be made without the express permission of your Manager in advance.

All personal mobile phones must be switched off during work hours. During business hours the use of personal mobile phones is prohibited except for work related calls. This includes **sending/receiving text messages, retrieving voice mail messages etc. This excludes lunch and other breaks.**

Or

Reasonable use of your own personal mobile phone during working hours is acceptable to the Company. However, all personal mobile phones must be put on silent during work hours and calls / texts must not disturb your work colleagues in any way. Furthermore, talking to and sending/ receiving texts from your friends or family should be strictly limited to a few calls or texts in your working day and should in no way interfere with your work duties. In particular, your work with clients must in no way be interfered with by your mobile phone use – it is your duty of care to your client to focus all your attention on their needs. Finally, your mobile phone should be switched off during meetings, when working with clients and at other important times as appropriate.

The Company reserves the right to monitor the use of office phones and Company mobile telephones (calls, text messaging, internet use, etc. – all areas of mobile phone use) by Employees for non-compliance with this policy. If requested by a Manager or a HR representative, an Employee must hand over their Company mobile telephone (including any PIN necessary to access it).

E-mail and Contents

The primary purpose of the EDI Centre's e-mail system is to promote effective communication on business matters. Employees may have access to an e-mail account subject to the requirement of the position / role. Personal e-mails shall not be permitted.

While e-mail is a fast and efficient method of business communication, employees must not overlook the fact that it has the same legal effect as written communications. Due to the permanent nature of e-mails and the legal implications to both the company and employees, messages should be written and formatted in the same manner as standard EDI Centre written communications. The wording, tone and language should be concise and carefully prepared by employees in order to avoid ambiguity, inaccuracy, claims of defamation, breach of confidentiality and the possibility of offending anyone. In particular employees should not use e-mail for the communication of discussion of sensitive, controversial or disputed issues.

EDI strictly forbids the practice of flaming, which is sending offensive or malicious e-mails, and also forbids the sending of chain mail. No form of discriminatory comment, aggression, harassment or bullying is permitted through e-mails.

1. Employees Responsibilities

EDI has provided access to e-mail to assist Employees to do their job. Employees are responsible and fully accountable for how they use e-mail. Inappropriate or excessive personal use of e-mail is strictly forbidden. Non-compliance with this policy may result in disciplinary action, up to and including dismissal.

Employees are also responsible for protecting valuable EDI assets, as well as the Centre, third-party confidential and proprietary information, by:

- Sharing information in accordance with the EDI's reporting requirements only and otherwise on a strict need-to-know basis;
- Storing documents and electronic mail securely;
- Making hard copies of e-mails which Employees need to retain for record keeping purposes;
- Taking care to ensure that emails and attachments are sent to the correct recipients;
- Not opening any e-mails which look suspicious or clicking on any links or attachments within e-mails unless you take all reasonable precautions to ensure that they are from a credible source and work-related;
- Utilising confidential waste bins or shredders for the disposal of confidential, proprietary and trade secret information; and
- Using virus protection and password protection on computer systems as directed by IT and keeping all software up to date.
- Taking all other security steps advised by the Centre from time to time and undergoing training as required.

- Not send email messages that might reasonably be considered by recipients to be bullying, harassing, abusive, malicious, discriminatory, defamatory, and libellous or contain illegal or offensive material, or foul language.
- Must not use email for the creation, retention or distribution of disruptive or offensive messages, images, materials or software.
- Ensure your personalised email signature is active and appears professional.

If you receive inappropriate e-mail, you must inform your Manager.

2. Managers' Responsibilities

As a Manager, you are also responsible for:

- Communicating the policy to the Employees who report to you;
- Informing Employees who report to you of their obligation to comply fully with this policy;
- Addressing any failure to comply with the policy;
- Addressing any abuse of the privilege of sending personal e-mails;
- Immediately reporting all non-adherences to this policy to the Senior Management Team/Manager, and agreeing appropriate action to be taken, including disciplinary action;
- Recommending changes to this policy on an ongoing basis to ensure it reflects technological and other advances and continues to reflect the needs of the business (recommendations should be made to the Senior Management Team)

Please also note that:

- E-mails are not fully confidential. Emails may be read by others. Do not say anything in an e-mail that you would not want to be made public or may embarrass you or the Centre.
- E-mails, however confidential or damaging, may have to be disclosed in court proceedings or in investigations by competition authorities/ regulatory bodies.
- E-mails can form binding contracts, so do not make any commitments in an e-mail that you are not authorised to make.

As e-mail can contractually bind EDI or a client, Employees must always have internal authority prior to sending e-mail messages and should observe the appropriate formats for sending such messages.

The Centre operates an open access policy for e-mail accounts. Employees should put passwords in place and change such passwords as directed by the Senior Management Team and must not share this password with anyone. If necessary, the Centre may access an Employee's e-mail account through resetting the account password using the global administration user account. Employees must ensure that all PCs are secure and should be shut down or locked before leaving the building or finishing work if working remotely. Employees should also ensure that personal or confidential data is not readily accessible to unauthorised persons.

The Directors reserve the right to review and read all e-mail messages on the EDI's computers (or to authorise a member of the Senior Management Team to do this)

Please beware of “phishing” emails which are electronic communications used by cyber criminals to trick you into paying money, revealing sensitive information or installing malware. Phishing e-mails may mimic communications from credible organisations to trick you into clicking on links or attachments.

Vehicles for Phishing Attempts

- Email attachments and links
- Pop-up windows or messages
- Phone calls
- Instant messages (IMs)
- Text messages
- Fake system notifications (impersonating Dropbox, UBbox, etc.)

The following signs can suggest that the contact is a phishing attempt:

- Has a deceptive email header. Check message headers carefully to see who the sender really is. Phishers use colours, logos and phrasing from companies and universities to make their communication seem genuine and mimic a legitimate email address.
- Directs you to a website that looks legitimate, but is not. Sometimes the phisher uses a URL that appears similar to a genuine source’s URL in order to trick you. To avoid being fooled:
 - Make sure the URL for any form matches the trusted place you intend to go.
 - Hover your mouse over a link without clicking it to see the link’s destination.
 - Do an Internet search for the actual company URL.
- Asks you to give, update, validate or confirm your account information.
- Requires an immediate response such as, “You must respond within 24 hours”.
- Threatens dire consequences if you do not respond.
- Contains forms or dialogue boxes that prompt you to enter your Personally Identifiable Information.
- Is not a secure page. Before entering any Personally Identifiable Information, be sure a page is security enabled (starts with https, not http). Never fill in forms you receive in email, or ones you were directed to by an unsolicited message, pop-up or text.
- Contains spelling and grammatical errors.
- Fails to address you by your name and instead addresses you as “Client,” “User” or “Customer”.
- Appears to be from a reliable source. Phishers disguise themselves as reliable, familiar sources like a bank, telephone or computer companies.
- Promises services or rewards that are too good to be true like offers on coupons or promises to remove computer viruses. This is often a way of gaining access to your email address or computer itself.
- Tries to entice you by offering you the latest technology. Phishers will often use products like iPads, phones, laptops, and flat screen televisions to get your email address or phone number.
- Looks like a suspicious update by a friend on a social media network. Scammers target popular social media sites and use messages or updates from friends as a way to lure you to sites requesting your Personally Identifiable Information.
- Contains link or attachment files ending in .pdf, .msi and .exe. .msi and .exe are the most dangerous by far as they are complete programs and should not be in an email. Always raise the alarm if you see one

What to Do If You Receive a Suspicious Email

A suspicious email could be a phishing attempt. You need to Identify and react to a phishing attempt in a way that protects yourself and your colleagues.

Online Messages

If you suspect that an email or text message you received is a phishing attempt:

- Do not open it. In some cases, the act of opening the phishing email may cause you to compromise the security of your Personally Identifiable Information.
- Do not download any attachments accompanying the message. Attachments may contain malware such as viruses, worms or spyware.
- Never click links that appear in the message. Links embedded within phishing messages direct you to fraudulent websites.
- Do not reply to the sender. Ignore any requests the sender may solicit and do not call phone numbers provided in the message.
- Report it internally to the IT Manager. Attach the unopened mail message with its mail headers in your message.
- Report it internally to your Manager but do not attach or forward the suspicious mail in your message.
- Delete the message immediately after reporting it to prevent yourself from accidentally opening the message in the future.
- Do not click on any link or attachment files ending in .pdf, .msi and.exe. .mis and.exe are the most dangerous by far as they are complete programs and should not be in an email. Always raise the alarm if you see one. These are to be treated as follows.
 - .PDF: Check the senders address exactly to your address book expectations
 - .MSI: Call the person who sent it or is supposed to have sent it or send them a fresh email. DO NOT USE REPLY/FORWARD
 - .EXE: Call the person who sent it or is supposed to have sent it or send them a fresh email. DO NOT USE REPLY/FORWARD

Use of Social Network Sites

- If an employee's personal internet presence does not make any reference to the EDI Centre and the Centre cannot be identified, the content is unlikely to be of concern to the centre. If employment at the Centre is referred to then the information posted would need to comply with the employment conditions outlined below.
- If an employee wishes to initiate a social networking site or already has one in place, please use a disclaimer that protects the Centre e.g. 'These are my personal views and not those of the EDI Centre'.
- An individual is free to talk about the EDI Centre. However instances where the Centre is brought into disrepute may constitute misconduct or gross misconduct and disciplinary action will be applied. Please refer to the Disciplinary Policy.
- An employee should not disclose confidential information relating to his/her employment at the Centre.
- Sites should not be used to verbally abuse staff or trainees. Privacy and feelings of others should be respected at all times. Employees should obtain the permission of individuals before posting

contact details or pictures. Care should be taken to avoid using language which could be deemed as offensive to others.

- If information on the site raises a cause for concern with regard to conflict of interest, employees should raise the issue with the coordinator/line manager.
- If approached by a media contact about content on a site relating to the EDI Centre, employees should advise their Line Manager/EDI Centre Coordinator before taking any action.
- Viewing and updating personal sites should not take place during working times.
- No pictures or images relating to the centre shall be displayed on personal or other networking sites without the express permission of the coordinator/line manager.
- Sites should not be used for accessing or sharing illegal content.
- Any serious misuse of Social Networking sites that has a negative impact on the Centre may be regarded as a disciplinary offence.
- This Policy may be read in conjunction with the Centre's I.T. Policy.

Legal Implications

All electronic documentation is now recognised for legal purposes, similar to paper based documentation. This includes internal records as well as external communications. Data contained in e-mails could be accessible under Data Protection or Freedom of Information legislation. All electronic information is also covered by defamatory legislation and inappropriate material could result in individual liability to prosecution, hence the importance of staff using PCs and laptops which are linked to the EDI Server.

All external communications with customers, associates and suppliers must be considered for the relevance of content, accuracy, and potential to commit the company to business transactions or expose to liability. Therefore, employees should clearly evaluate such communication before it is sent, and if in doubt, consult with the coordinator.

Employees should be aware that any files or attachments received via electronic communications from third parties (customers, associates, suppliers etc.) may be copyright protected. Prior to forwarding or distributing any information contained in the files or attachments, employees should refer to the coordinator for advice.

Security

The EDI Centre needs to ensure that any information transmitted from its computer system to other systems is secure. This is essential, as much of the information could be highly confidential. Employees should note that e-mail is not a secure medium and in addition there is a risk that outgoing messages may not go to the intended recipient.

The following are examples where information should not be transmitted by e-mail unnecessarily:

- Personal records
- Any information received under a duty of professional confidence
- Any information confidential to the EDI Centre

PCs may be accessed by authorised users only.

Disclaimers

It is the EDI Centre's policy to have the defined disclaimer attached to every external e-mail communication. Details of this disclaimer are provided to each employee by the systems administrator/IT Support and are installed on all email accounts. This provides protection to the Board in relation to organisational matters and distinguishes personal views.

Confidentiality

The EDI Centre's confidentiality policy, as described in all employees' contracts of employment, applies to all electronic communication and data. Employees are not permitted to register with websites or electronic services in the EDI Centre's name without prior permission from the Coordinator/Line Manager.

Employees are not permitted to reveal internal EDI information to any sites, be it confidential or otherwise, or comment on EDI matters, even if this is during after-hours or personal use.

Software / Hardware

All software / hardware used by the EDI Centre are the property of the EDI Centre. All software installations will be made by the computer support services / systems administrator/IT Support, who will ensure that the EDI Centre is fully compliant with all software license agreements. No software is to be installed on any machine by any other employee. No copy of any EDI Centre software is to be loaded onto hardware not owned by the EDI Centre.

Employees are prohibited from making or using illegal copies of software, storing such copies on the systems or transmitting or downloading them over the network.

The display of screen savers is no different to the display of paper notices or pictures. Accordingly any such display in the work place must not cause offence and must not interfere with work.

Monitoring

The Systems Administrator/IT Support is authorized to monitor and record the activities of all users on the system. Such monitoring will not be required on an on-going basis but will be occasionally used to audit practices. However, the EDI Centre retains the right to monitor (intercept and read) each individual's e-mail, Internet and PC activity to ensure the protection of all employees, the Board of Management and the Centre and to ensure that there is no abuse of privilege.

Employees should note that the EDI Centre's security system is capable of recording every e-mail and file transfer, Internet site accessed, use of chat rooms and newsgroups, for every user. No employee should have an expectation of privacy in relation to electronic records or communications.

If the Coordinator/Line Manager or Systems Administrator/IT Support believes that access to an individual's computer is required for the conduct of the organisation's business and the individual is not available, or there is reason to believe the individual is engaged in inappropriate usage the following procedure shall be followed:

The employee whose computer has been accessed will be advised as soon as possible.

Media Policy

Staff Members and Board Members of the EDI Centre may not give interviews, issue press releases, statements or other materials for publication about the organisation or its work without the consent of the Coordinator/Line Manager and of the Board of Management. This policy will be subject to periodic review.

Conflict of Interest

Staff members are required to discuss with the Coordinator/Line Manager on any private consultancy work prior to its being undertaken. Staff are not entitled to take on private paid consultancy work with any organization with whom the organisation is contracted to provide support and training. Staff are not entitled to take on private paid consultancy work with organisations/individuals whose ethos or beliefs are in conflict with those of the EDI Centre.

The EDI Centre's resources such as computers, photocopier, fax, phone etc. should not be used in undertaking of private work. All private consultancy work is to be undertaken outside of staff working hours and the hours involved in such work must be notified to the Coordinator/Line Manager and HR Committee.

Abuse and the Disciplinary Procedure

Employees found to be abusing the EDI Centre's computer systems, including e-mail and Internet use, attempting to circumvent system security, including firewalls put in place to protect or not operating in line with this policy; will be subject to the EDI Centre's disciplinary procedures.

All employees should report any suspicion or evidence of abuse.

Examples of Violations of this policy:

- Accessing another person's computer, computer account, files, or data without permission
- Using the EDI Centre's network to gain unauthorized access to any computer system
- Engaging in any activity that might be purposefully harmful to systems such as creating or propagating viruses, disrupting service, damaging files
- Performing any act that will interfere with the normal operation of computers, terminals, peripherals, or networks
- Using the EDI Centre's systems or networks for personal gain
- Creating, displaying, printing, downloading or transmitting information which violates the EDI Centre's bullying and harassment policy. This includes, but is not limited to, displaying sexually explicit, graphically disturbing, offensive or sexually harassing images or text on screensavers
- Engaging in any other activity that does not comply with the general principals presented above

This is not an exhaustive list of violations of the policy. Other violations may occur. This policy will be subject to periodic review.

CCTV Policy

Check comments by Stella O'Sullivan for information to be included

The purpose of the CCTV System Policy of the EDI Centre is to regulate the management, operation and use of the closed-circuit television (CCTV) systems at the EDI Centre and Revamp 3RStore. CCTV is also used for:

- Security purposes on its premises
- To prevent/monitor burglary, pick pocketing, theft, etc.
- To monitor damage to property etc.
- To monitor adherence to operating procedures in relation to Security
- Health and safety of its Employees, customers and visitors
- To monitor Employee conduct, behaviour or performance

The system comprises a number of fixed and dome cameras located around the company site. Care has been taken to ensure that areas which have a reasonable expectation of privacy are not monitored (including the kitchen area and all toilets).

Commented [S06]: What is the retention period on the data? ie how long are the recordings kept for, where is it stored etc.

Cameras have been located in such a way to monitor only those areas intended to be covered.

Additionally, care has been taken with external cameras to minimise the recording of persons not visiting the company.

A total of XX cameras are installed at the premises (insert Company address).

Signage on CCTV is positioned on (insert areas of signage) and can be seen by all Employees, Clients and Visitors.

For the avoidance of any doubt, signage indicating the presence and use of CCTV cameras refers to the uses of CCTV footage/images as indicated above in this policy.

There are XX external cameras located at -

- 1.
- 2.
- 3.
- 4.
- 5.

There are XX internal cameras located at -

- 1.
- 2.
- 3.
- 4.
- 5.

The Policy follows the Data Protection Commissioner's published guidelines and is in accordance with the Data Protection Acts, 1988 - 2003, ("the Acts").

The System is wholly owned by the Centre.

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

The Company will use CCTV footage for all matters related to security, break-ins, damage to property, etc. and where it concerns theft, burglary, etc., as outlined above.

For Security Personnel employed by the Company, CCTV footage will be used to ensure that such personnel are carrying out their role in accordance with the Standard Operating Procedures and best-practices applicable to that role and job function.

For all other Employees, the Company may use CCTV footage where there are breaches of the Company's policies and procedures which have been recorded on CCTV. Where necessary, CCTV footage may be used as evidence in any informal or formal disciplinary procedures and actions being taken against an Employee, up to and including dismissal.

Where necessary, and when requested, the company may supply such footage to An Garda Síochána.

Van policy

It is the policy of the EDI Centre/Revamp 3RStore to provide a company van for work use.

All drivers must comply with the Road Traffic Act and act in a manner that represents the Centre's Image

This policy outlines the procedures to be followed when using a company vehicle.

This policy applies to all employees instructed by Management to drive the vehicle

1. Recommended Safe Driving "Best Practice"
 - Employees must exercise reasonable care when driving
 - It will be incumbent on the Employee in their use of Company vehicles to ensure that all motoring regulations and conditions are strictly adhered to.
 - It is the responsibility of all Employees using Company vehicles to ensure they are familiar with the penalty points system and Road Traffic Act, 2002
 - All regulations covered under the Road Traffic Act, 2002, should be strictly adhered to. Offences under this Act include failure to produce a driving license, failure to be in possession of motor insurance, driving when unfit, driving without wearing a seatbelt, driving while using a mobile phone, breaking the speed limit/speed restrictions, failure to obey traffic lights and driving while disqualified. It must be noted that this list is by no means exhaustive.

2. Employee Guidelines

The following outlines some guidelines and responsibilities which Employees should note when using Company vehicles:

- Only authorised Employees may use Company vehicles.

• Although Company vehicles are supplied to individuals, it should be noted that these vehicles are for intended for pool use. Therefore, if the designated driver of a vehicle is working on office work their vehicle may be required to go on site for that day. However, in this case, Company vehicles must be back in the office at 5.30pm. If this is the case, please phone the designated driver of the vehicle to inform them of your expected arrival time.

- You must have a valid driver's license to use Company vehicles, and we expect that you will drive in a safe and courteous manner.
- If you receive any tickets/fines for parking violations or moving violations, you are responsible for taking care of them, as you are for any legal or court costs associated with them.
- Easy pass sensors must not be transferred between vehicles
- If you have been assigned a Company vehicle, it is your responsibility to keep the vehicle in good condition and repair. At a minimum, this means keeping the vehicle clean, bringing it in for scheduled maintenance by an authorised service provider and checking the oil regularly.
- You should routinely conduct safety checks such as lights and bulbs, tyres and wheel fixings, water for windscreen washer, windows, tyre-pressure etc. Periodically, the Company may inform you of other ways in which you must care for the vehicle.
- You may not use Company vehicles while under the influence of drugs or alcohol or while otherwise impaired.
- Accidents, mechanical problems or other problems should be immediately reported to your Manager. We will try to have Company vehicles repaired or serviced as soon as possible.

DATA PROTECTION POLICY

The purpose of this policy is to set out that personnel information relating to your employment is subject to the terms of the Data Protection and General Data Protection Regulations (GDPR), and how this will be handled in compliance with the aforementioned legislation.

What is Data Protection and GDPR?

Data Protection is the safeguarding of the privacy rights of individuals, in this case employees, in relation to the processing of personal data, in both paper and electronic format.

The Data Protection and GDPR regulations lay down strict rules about the way in which personal data is collected, accessed, used, and disclosed.

Data Protection, Data Controller and Data Processor

EDI collects your personal data for the purposes of administering your employment and has a duty to keep these details private and safe.

The process of collecting personal data and safeguarding the information obtained is known as data protection.

EDI as your employer is the known as the data controller.

The people nominated by the Centre who use your personal information are known as data processors e.g. pension fund administrator, payroll processor, HR, your line manager, etc.

Your Employer – the Data Controller

As your employer, EDI is the Data Controller who holds information about you. The Data Controller must:

- Obtain and use the information fairly
- Keep it for only one or more clearly stated and lawful purposes
- Use and make known this information only in ways that are in keeping with these purposes
- Keep the information safe
- Make sure that the information is factually correct, complete, and up to date
- Make sure that there is enough information – but not too much - and that it is relevant
- Keep the information for no longer than is needed for the reason stated; and
- Give you a copy of your personal information when you ask for it

What is Personal Data?

It should be remembered that employee personal data extends far beyond the mere content of an employee's HR file.

Personal data includes all data relating to an identifiable living employee or former employee.

Records generated which directly concern you as an employee are obviously personal data. This could include:

- Payroll information
- Induction records
- Performance reviews
- Probation reviews
- Training records
- Leave records etc.

However, other information held by an employer might relate to an employee, or ex-employee, and thus also fall within the scope of this definition.

For example, emails or memos written and/or signed by an employee may constitute his or her personal data.

Retention Periods - How long are employee records held?

The legislation and regulations state that ‘data shall not be kept for longer than is necessary’ for the specified, explicit, and legitimate purpose for which they were obtained.

To adopt best practice, the retention periods described below are informed by the statutory retention periods for which the data must be retained.

If your data is to be retained for an extended period of time, or in excess of the statutory periods set out below, the reasons for such retention will be documented in writing.

For employee data, employment legislation dictates retention periods for certain data. Some of these statutory retention periods are shown in the following table.

Employee Data	Statutory Retention Period
Terms of Employment	Duration of employee’s contract plus one year following cessation of employment
Annual Leave and Public Holiday records	3 years from date of creation
Carer’s Leave records	8 years
Parental Leave records	8 years
Force Majeure Leave records	8 years
Hours Worked and related information such as breaks, annual leave, and public holidays	3 years from date of creation
Payslips	6 years
Employment Permit records	5 years or duration of employee’s contract
Collective redundancy information	3 years
Taxation Records	6 years
Accidents	10 years from date of an accident

Other data may need to be retained to defend any actions against the Centre. In this regard, there is a 6-year limitation period to take a breach of contract and a 2-year limitation period to take a personal injuries claim.

It may be necessary to retain certain communications e.g. for the purposes of defending any future claim; data of this nature will be kept up to the limitation period described in statute. It is important to note that if litigation is specifically threatened or commenced, the relevant files will not be destroyed at the end of the limitation period, but will usually be handed over to outside counsel, to defend the proceedings. It should be remembered that, once a dispute starts, the relevant employee records may amount to evidence in the proceedings, and their destruction at this stage could have very serious consequences.

Secure Storage of employee Personal Data

EDI will take all reasonable steps to ensure that appropriate security measures are in place to protect the confidentiality of both electronic and manual information.

Physical employee records or HR files are kept in a locked cabinet accessible only by nominated personnel such as HR and your Line Manager.

Medical certificates are kept securely by your Manager / HR / the Accounts department for payroll adjustment purposes.

Other records are stored electronically e.g., payroll data, and all electronic data is stored safely and securely in accordance with the Data Protection and GDPR regulations.

HR files are stored securely and nominated employees who have access to these files must ensure that they treat them confidentially and observe the relevant security measures and data protection rules and regulations at all times.

Security measures, physical and electronic, will be reviewed from time to time having regard to the cost and the risk of unauthorised access.

Employees must implement all EDI security policies and procedures e.g. use of computer passwords, locking filing cabinets etc.

Disclosure of Personal Data

HR information will only be processed for employment related purposes and in general will not be disclosed to third parties except where required or authorised by law or with the agreement of the employee.

When providing EDI services to you, we may share information with:

- Your authorised representatives
- Service providers who provide us with support services
- Healthcare professionals and medical consultants
- Business or joint venture partners

Employees working in the HR, payroll and other departments and Line Managers must treat all personal information they receive confidentially and must not disclose it to a colleague or a third party, except in the course of their employment or as required by law.

All employees will have access to a certain amount of personal information relating to colleagues, members and other third parties. employees must play their part in ensuring the confidentiality of this information. They must adhere to the data protection and GDPR principles, as well as confidentiality, and must not disclose such information, except where necessary in the course of their employment, or in accordance with law.

You must not remove or destroy personal information except for lawful reasons.

Data Protection Contact

Details of the Data Protection Contact person is available at **xxxxxxx**.

The Data Protection Contact Person is responsible for:

- Raising awareness and monitoring the training of staff involved in the processing of personal data
- Acting as a point of contact for data subjects with regard to all issues related to the processing of their personal data and the exercise of their rights

If you are in any doubt regarding your obligations, you should contact the Data Protection Contact person or a member of the Senior Management team.

Governance

Managers at all levels are responsible for ensuring that employees observe the provisions of this policy.

If anyone considers that this policy has not been followed, they should raise the matter through their line management and/or with the Data Protection Contact person.

Responsibilities of employees

Employees who, as part of their responsibilities, process personal information about employees, must comply with this policy and GDPR requirements at all times.

Therefore, you must,

1. Obtain and process information fairly
2. Keep it only for one or more specified, explicit, and lawful purposes
3. Use and disclose it only in ways compatible with these purposes
4. Keep it safe and secure
5. Keep it accurate, complete and up-to-date
6. Ensure that it is adequate, relevant, and not excessive
7. Retain it for no longer than is necessary for the purpose or purposes
8. Refer to the Data Protection Contact where you have been asked to provide personal data

Any information about another employee, which you may come into contact within the course of your employment, must be kept confidential and where appropriate, it must be destroyed securely.

How to Prevent Data Breaches

The following is a non-exhaustive list of actions to take to prevent data breaches.

Training

- Participate in ongoing training about data protection

Vigilance

- Maintain a data protection mind set and vigilance
- Be sceptical of urgent requests that do not follow typical EDI procedures and policies.
- Be vigilant for hackers and phishing (see below)
- Keep paper records safely and secured away and not left on an open desk

IT

- Follow the EDI policies with respect to passwords
- Never reveal your online login information to anyone other than your manager
- Always logout completely from your computer when unattended
- Ensure you are not being overlooked when entering passwords

Passwords

- Protect sensitive documents with passwords
- Never share a password on email
- Let the receiver of the password protected documents know the password verbally or by text

Email

- Be suspicious of unsolicited emails. Listen to your instincts. If something doesn't feel right, then stop and question it.
- Phone numbers quoted in a suspicious email should not be trusted; verify the contact internally before making any payment.
- Check links in emails are legitimate by 'hovering' your mouse over the link to view the web address (URL) without clicking. If it is different to what you were expecting, do not click on it.

Phishing

- Fraudsters sometimes send emails pretending to be from a reputable company in an attempt to acquire information (e.g. username, PIN, credit card number etc.). This is known as phishing. Some email scams have become very sophisticated and are very personalised and appear authentic, be vigilant
- Double check the email to whom you are sending to ensure it is correct and not just similar
- Always be cautious when sending or receiving emails, particularly if you are sending any personal details or arranging financial transactions.
- Always verify that the email is from the real sender. Call them before acting on the request where it relates to bank details, credit card details, usernames etc.

Report

- Report any suspicious activities to the Data Protection contact person immediately

What to do when there is a data breach or a suspected data breach

Data Controllers are under a specific obligation to protect the security of personal data. Where, personal data has been put at risk of unauthorised disclosure, loss, destruction or alteration, the GDPR requires Data Controllers to notify any Personal Data Breach to the Data Protection Commissioner (DPC) and in certain instances, the Data Subject.

The following is a non-exhaustive list of actions to take measures to take in the event that there is or maybe a data breach.

In the event that you do become aware of or have a suspicion about a data breach or what you believe may be a data breach;

- Report the data breach/ suspected data breach to the Data Protection Contact straight away
- Co-operate with any follow-on containment measures
- Co-operate with any investigation

Anyone disclosing personal data or using it for their own purposes without the authority of the Centre, may commit a criminal offence unless there is some other legal justification for its disclosure. Their actions may also lead to disciplinary action, and in serious instances, dismissal.

Training

The GDPR requires that appropriate data protection training be given to *“personnel having permanent or regular access to personal data”*.

Therefore all employees of the company will undertake annual Data Protection training. A record of the training will be made in accordance with the Training & Development Policy.

Responsibilities of third parties

Anyone who processes personal data on behalf of the Centre has responsibility to ensure that the GDPR requirements and data protection principles are observed.

Others working on behalf of the Centre, usually called third parties, who handle personal data in connection with the Centre must operate in accordance with the GDPR requirements and details of such processing will be the subject of written agreements between the Centre and the third party.

Transfers outside the European Economic Area

EDI may transfer your personal data outside the European Economic Area. These countries do not always afford an equivalent level of privacy protection and, in such circumstances, EDI will take specific steps, in accordance with data protection and GDPR regulations to protect your personal information.

In particular, for transfers of personal data, outside the EEA where there is no adequacy decision by the European Commission EDI may rely on contractual protection approved by the European Commission.

Right to Access your Personal Data

As an employee of EDI, you are entitled to request information held about you on computer or in files.

Requests for information should be made in writing to the Data Contact Person stating the exact information required.

The Centre will provide this information within 30 days unless it is complex information that requires longer. There is no charge for requesting this information.

You are only entitled to information about yourself and will not be provided with information relating to other employees or third parties.

Employees who express opinions about other employees in the course of their employment, should bear in mind that their opinion may be disclosed in an access request, e.g. performance appraisals.

Information that is classified as the opinion of another person will be provided, unless it was given on the understanding that it would be treated confidentially.

An employee who is dissatisfied with the outcome of an access request has the option of using the Centre Grievance policy.

If you are in receipt of a formal request for information from a staff member or client, you should bring this to the attention of your Manager, immediately who will liaise directly with the Data Protection Contact Person.

Your Rights

With the introduction of GDPR, from May 25th, 2018, you will have enhanced rights in relation to how the Centre uses your personal data, including the right to:

- Find out if the Centre use your information, access your information, and receive copies of your information
- Have inaccurate and incomplete information corrected and updated
- Object to particular use of your personal data for our legitimate business interests
- In certain circumstances to have your information deleted or the Centre's use of the employee's data restricted
- Exercise the right of data portability (i.e. obtain a transferable copy of your information to transfer to another party) and
- Withdraw consent at any time where processing is based on consent

How we use your personal information and the legal basis

EDI uses and share your data where:

- Use is necessary because we have to comply with a legal obligation
- Use is necessary in relation to the employment contract you have entered into with the Centre
- You have agreed or explicitly consented to the using of your data in a specific way
- Use is necessary to protect your vital interests in exception circumstances

- Use is necessary for the Centre’s legitimate interests such as defending a personal injuries or breach of contract case

Where we process your information for our legitimate interests, we ensure that there is a fair balance between our legitimate interest and your fundamental rights and freedoms.

In certain circumstances where EDI relies on your explicit consent to process your personal data, including, sensitive personal data, this consent can be withdrawn by you at any time by contacting the Data Protection Officer.

You can exercise any of your data rights by writing to the Data Protection Officer stating what you require.

Queries

If you have any questions in relation to your responsibilities under the Data Protection and GDPR legislation, please contact your Manager.

If you are in any doubt regarding your obligations, you should contact the Data Protection Contact Person.

Breach of Policy

Employees who breach this policy, or improperly disclose sensitive or personal information, to anyone outside EDI or anyone inside the Centre not so authorised to receive such information will face disciplinary action up to and including dismissal.

Furthermore, if an ex-employee is found to be in breach of this policy, the Centre will seek legal remedies on behalf of itself or its client(s).

PROTECTED DISCLOSURES POLICY

The organisation is committed to conducting business ethically and in compliance with legislation. It encourages “workers” to report suspected wrongdoings as soon as possible in the knowledge that your concerns will be taken seriously and reviewed or investigated as appropriate. In so doing, the organisation will continue to build its strongly ethical culture and it will ensure that employees who raise concerns about suspected wrongdoings are afforded the protections available to them under legislation.

If you have a reasonable suspicion related to a suspected wrongdoing affecting any of the organisation’s activities, you should report it under this policy. You will not be penalised for the making of a protected disclosure, if it transpires that you were incorrect in your belief, so long as you had a reasonable belief that the information disclosed showed or tended to show a wrongdoing. You are not required or entitled to investigate such matters yourself to find proof of your suspicion.

This policy should not be used for complaints relating to your own personal circumstances such as your terms and conditions of employment, working conditions, etc. or the way you have been treated at work. In those cases you should use either the grievance procedure or the bullying and harassment/respect and dignity at work policy and procedure.

Whistleblowing or making a protected disclosure is when a “worker” reports alleged wrongdoings such as corrupt, illegal, irregular, hazardous, dangerous, or unethical practices by the organisation. The alleged wrongdoings can be perceived or potential wrongdoings. It is the reporting or disclosing of these alleged wrongdoings to persons in the organisation or other “prescribed” organisations or persons who are empowered to act. It can be considered as sounding an alarm to bring about change to prevent such wrongdoings occurring or the likelihood that they will occur or to prevent harm to others or to the planet, for example. This information about an alleged wrongdoing is obtained in a work-related context and has a public-interest dimension.

Characteristics common to a protected disclosure according to the legal definition includes:

- They are connected to the discloser’s workplace
- There is a public-interest dimension as opposed to it is a personal grievance of the discloser e.g. it relates to unethical practices, illegal actions of the organisation and so on
- The reporting is through designated channels i.e. to designated persons or to prescribed organisations

The protected disclosure is a disclosure of:

- “relevant information” which, in the reasonable belief of the “worker”, tends to show one or more relevant wrongdoings,
- that came to the worker’s attention in connection with their employment, and
- is disclosed through the designated channels.

A protected disclosure contains “information” which tends to show wrongdoing. The information must come to the attention of the “worker” in connection with their employment.

“Relevant wrongdoing” include:

- The commission of an offence
- The failure of a person to comply with any legal obligation, other than one arising under the worker’s contract of employment or other contract whereby the worker undertakes to do or personally perform any work or services
- A miscarriage of justice
- A danger to the health and safety of any individual
- Damage to the environment
- 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
- An act or omission by or on behalf of a public body that is oppressive, discriminatory, or grossly negligent or constitutes gross mismanagement, and
- Information tending to show any matter falling within one of the preceding paragraphs has been, is being, or is likely to be concealed or destroyed.

“Relevant wrongdoings” must be in the public interest i.e. it is not a personal grievance.

Section 5 (3) (a) to (h) of the Protected Disclosure Act 2014 define “relevant wrongdoing” as:

- (a) that an offence has been, is being or is likely to be committed,
- (b) that a person has failed, is failing or is likely to fail to comply with any legal obligation, other than one arising under the worker’s contract of employment or other contract whereby the worker undertakes to do or personally perform any work or services,
- (c) that a miscarriage of justice has occurred, is occurring or is likely to occur,
- (d) that the health or safety of any individual has been, is being or is likely to be endangered,
- (e) that the environment has been, is being or is likely to be damaged,
- (f) 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,
- (g) that an act or omission by or on behalf of a public body is oppressive, discriminatory, or grossly negligent or constitutes gross mismanagement, or
- (h) that information tending to show any matter falling within any of the preceding paragraphs has been, is being or is likely to be concealed or destroyed.

The meaning of “likely” is that in the reasonable belief of the worker that it is more probable than not that the employer does not meet a legal obligation.

Section 5 (5) of the Protected Disclosure Act 2014 states that:

“A matter is not a relevant wrongdoing if it is a matter which it is the function of the worker or the worker’s employer to detect, investigate or prosecute and does not consist of or involve an act or omission on the part of the employer.”

“Relevant wrongdoings” have a public-interest dimension i.e. they are likely to be of interest to more people than the “worker”. It is not a personal grievance, for example, about the “workers” terms and conditions of

employment, their duties, etc. A grievance will be processed under the organisation's grievance procedure. SI 464/2015, the statutory code on protected disclosures, gives clear guidance to assist in appreciating the difference between a grievance and a protected disclosure. A grievance is a matter personal to the worker e.g. their terms and conditions of employments, their working conditions. A protected disclosure is where a worker has information about a relevant wrongdoing. A complaint of bullying, harassment or sexual harassment will be processed under the organisations respect and dignity at work procedure.

Arising from the Protected Disclosures (Amendment) Bill 2021, the concept of "relevant wrongdoing" is also being widened to include breaches of EU law in certain areas such as financial services, product safety, food safety and public health.

The organisation has established formal channels and procedures for our employees to make whistleblowing complaints.

1. Raising a protected disclosure – first step disclosure

We hope that in most cases you will be able to raise any concerns directly with your line manager (or any other person appointed to act with such authority). You may tell them in person or put the matter in writing if you prefer. They may be able to agree a way of resolving your concerns quickly and effectively. In some cases, they may refer the matter to the Protected Disclosures Officer.

However, where you reasonably believe that the relevant wrongdoing relates to your line managers conduct or it is something for which they have legal responsibility, then you should raise your concerns with another person or the Protected Disclosures Officer. Another person could, for example, include your line managers manager or another manager in the organisation. You can also raise your concern with the Protected Disclosures Officer.

[Public body – you may also raise your concern with the Minister for the Minister who has the function relating to the public body]

You may also disclose your concerns to a legal adviser which can mean a Barrister or Solicitor or a Trade Union representative.

2. Raising a protected disclosure – second step disclosure

You may raise the protected disclosure with other prescribed persons outside our organisation as a second step.

The aim of this policy is to provide an internal mechanism for reporting, investigating and remedying wrongdoings in the workplace. Internal disclosures will be taken seriously and the "worker" making the disclosure will receive appropriate protection. In most cases you should not find it necessary to alert anyone externally.

However, we recognise that in some circumstances it may be appropriate for you to report your concern to people external to the organisation. It would be very rare, if ever, appropriate for you to alert the media. We strongly advise that you seek advice before reporting a concern to anyone external. If you wish to proceed to make your Protected Disclosure externally, you should refer to part 2 of the Protected Disclosures Act 2014 sections 6-10.

Once you go outside our organisation, there are additional layers of responsibility on you. You can raise the protected disclosure with prescribed persons outside the organisation where you reasonably believe that the

information and any allegations contained in it are substantially true. The relevant wrongdoing must fall within the remit of the prescribed persons to whom you make the protected disclosure.

The prescribed person to whom you can make the protected disclosure is provided below.

3. Raising a protected disclosure – third step disclosure

You may raise the protected disclosure with others outside our organisation, not a prescribed person and not the Minister, as a third step disclosure where you reasonably believe that:

- You will be subjected to penalisation if you disclose to our organisation, a prescribed person, or the Minister
- If there is no prescribed person, that the evidence relating to the relevant wrongdoing will be concealed or destroyed by our organisation
- You had previously made a disclosure of substantially the same information to our organisation, a prescribed person, or the Minister in compliance with the Protected Disclosure Act 2014
- The relevant wrongdoing is of an exceptionally serious nature

How we will deal with a protected disclosure

1. Initial Screening

Once you have raised a concern, we will carry out an initial assessment or screening process to determine whether the disclosure itself should be treated as a Protected Disclosure for the purpose of the Protected Disclosures Act 2014 and if so, the scope of any investigation.

2. Review or Investigation

This may consist of a more informal approach for less serious wrongdoings, and a more detailed extensive investigation of serious wrongdoings or an external investigation, if appropriate. We will inform you of the outcome of our assessment. You may be required to attend additional meetings to provide further information.

In some cases, we may appoint an investigator or team of investigators including persons with relevant experience of investigations or specialist knowledge on the subject matter. The investigator may make a recommendation for change to enable us to minimise the risk of future wrongdoings.

3. Keeping you Informed

Arising from the Protected Disclosures (Amendment) Bill 2021, we will:

- acknowledge receipt of the protected disclosure within 7 days
- have an impartial person follow up diligently on your disclosure, and
- provide feedback to you on the actions taken or envisaged to be taken as follow-up within 3 months.

We will aim to keep you informed of the progress of the investigation. However, sometimes the need for confidentiality may prevent us from giving you specific details of the investigation or any disciplinary action taken as a result. You should treat any information about the investigation as confidential.

If we conclude that a discloser has made false allegations maliciously or with a view to personal gain, the discloser may be subject to disciplinary action.

Some matters raised may be of such a serious nature that the investigation may be more appropriately dealt with by an external authority, such as the Garda Síochána or other bodies with statutory power and function of investigation of such matters.

Safeguards and Penalisation

It is understandable that disclosers are sometimes worried about possible repercussions. We aim to encourage openness and support employees who raise concerns under this policy even if they turn out to be mistaken. Disclosers must not be penalised because of raising a concern.

The definition of “penalisation” is set out in section 3 (1) of the Protected Disclosures Act 2014 as follows:

“Penalisation” means any act or omission that affects a worker to the worker’s detriment, and includes:

1. suspension, lay-off or dismissal,
2. demotion or loss of opportunity for promotion,
3. transfer of duties, change of location of place of work, reduction in wages or change in working hours,
4. the imposition or administering of any discipline, reprimand, or other penalty (including a financial penalty),
5. unfair treatment,
6. coercion, intimidation, or harassment,
7. discrimination, disadvantage, or unfair treatment,
8. injury, damage, or loss, and
9. threat of reprisal.

The EU Directive extends the prohibitions on retaliation and includes:

- Suspension, lay-off, dismissal or equivalent measures
- Demotion or withholding of promotion
- Transfer of duties, change of location of place of work, reduction in wages or change in working hours
- Withholding of training
- Negative performance assessment or employment reference
- Imposition/administration of any disciplinary measure, reprimand, or other penalty (including a financial penalty)
- Coercion, intimidation, harassment, or ostracism
- Discrimination, disadvantageous or unfair treatment
- Failure to convert a temporary employment contract into a permanent one, where the worker had a legitimate expectation that he or she would be offered permanent employment
- Failure to renew (or early termination of) a temporary employment contract

- Harm to one's reputation (particularly in social media) or financial loss, including loss of business and income
- Blacklisting based on a sector or industry-wide informal or formal agreement
- Early termination or cancellation of a contract for goods or services
- Cancellation of a license or permit; and
- Psychiatric or medical referrals

The Protected Disclosures (Amendment) Bill 2021 extends the prohibitions on retaliation and includes:

- Suspension, lay-off, dismissal or equivalent measures
- Demotion or withholding of promotion
- Transfer of duties, change of location of place of work, reduction in wages or change in working hours
- Withholding of training
- Negative performance assessment or employment reference
- Imposition/administration of any disciplinary measure, reprimand, or other penalty (including a financial penalty)
- Coercion, intimidation, harassment, or ostracism
- Discrimination, disadvantageous or unfair treatment
- Failure to convert a temporary employment contract into a permanent one, where the worker had a legitimate expectation that he or she would be offered permanent employment
- Failure to renew (or early termination of) a temporary employment contract
- Harm to one's reputation (particularly in social media) or financial loss, including loss of business and income
- Blacklisting based on a sector or industry-wide informal or formal agreement
- Early termination or cancellation of a contract for goods or services
- Cancellation of a license or permit; and
- Psychiatric or medical referrals

If you believe that you have suffered any such treatment, you should inform the Protected Disclosure Officer immediately. If the matter is not remedied, you should raise it formally using our Grievance procedure.

Breaches of this policy and procedure

Breaches of this policy will be dealt with under the disciplinary policy and procedure of the organisation.

LEAVING EMPLOYMENT

Purpose

The purpose of this policy is to inform you of how the Company will handle the practical concerns that may arise when an employee leaves the Company, such as final pay packages, holidays, pension, references, etc. and to help you understand your obligations in relation to giving notice, exit interviews, etc.

Resignation Notice

You are expected to give the minimum notice, as stipulated in your contract of employment, of your intention to resign from the Company's employment direct to your Manager.

You must work out your notice period unless it is otherwise agreed between you and the Company. In certain cases, you may not be required to work your entire notice period for business reasons, and you will be provided with payment in lieu of notice according to the terms of your contract of employment or you may be released from your employment at an agreed earlier date.

Annual Leave

Annual leave entitlements will be calculated. You may be due annual leave which should be taken during your notice period. If you have taken more annual leave you're your entitlement, please note that the Company reserves the right to deduct overpayment of annual leave from your last pay.

Pension Entitlements

You should consult with HR regarding your pension and obtain pensions advice to determine your options and the course of action you wish to take with regard to your pension contributions.

Commented [SO7]: Is there a HR person in EDI?

Company Property

You should return all Company property to your Manager on/before your leave date.

This would include, but is not limited to, Company car/vehicle, mobile phones and their accessories, SIM cards, laptops, video and audio equipment, ID, tools, equipment, PPE, etc.

This also includes, but is not limited to, Company files, documentation, work diaries, work notebooks, etc. and anything else that belongs to the Company which you have in your possession.

Exit Interviews

You will be asked by HR to participate in an exit interview so that we can continuously gain feedback to improve how we operate as a Company and engage with our employees.

References

Our policy is to provide a written statement of employment to you upon leaving the Company.

Retirement

If you are planning to retire, you should consult with your Manager initially and with HR to determine your options and course of action you wish to take, etc.

Please note that you will be required to return company property and to participate in exit interviews, and annual leave entitlements will be calculated, as outlined above.

Death in Service

In the unfortunate event of the death of an employee while in service with the Company, the Company will assist in so far as possible and will contact the next-of-kin. Please ensure the Company has your up-to-date next-of-kin details.

If you have been contributing to the pension scheme, the Company will inform the pension Company who will then handle pension matters with your next-of-kin and/or legal representative.

Voluntary Severance & Redundancies

The Company may from time to time need to re-configure staffing and the structure of the organisation to best meet the needs of [the company current members](#), to attract future members, to deal with competition, to implement technological change for the long-term benefit of the Company, to address the economic realities, to deal with legislation and regulations, etc.

The Company may seek interest in voluntary severance from time to time and support people with a voluntary severance package and various other supports to transition to another career or organisation and to leave the Company. The voluntary severance package will comprise a payment to include the statutory redundancy amount and an ex-gratia payment aligned with previous ex-gratia payments in so far as possible, however, the Company reserves the right to alter the method of calculation to reflect current economic realities for the business. This may increase or decrease the ex-gratia calculation method used on previous occasions to reflect current times and needs.

In the unfortunate situation where the Company has no option but to implement redundancies, a redundancy package and supports will be put in place.

Review of Policy

The company will review this policy from time to time and all new updates will be communicated to you.

POLICIES AND PROCEDURES

All relevant Policies and procedures are available in the Revamp 3RStore Line Managers Office or the EDI Centre Coordinators Office.

Commented [S08]: Are these policies available in the coordinators office?

These include but are not limited to:

- Grievance Procedures
- Disciplinary Procedures
- Health and Safety Policy
- Child Protection Policy and Garda Vetting Policy
- Electronic Communication Policy
- Dignity and Respect at Work
- Confidentiality Policy
- CCTV Policy
- Energy Management
- Garda Vetting
- Inclusion Strategy
- Alcohol and substance policy
- Van Policy