



**Employee Handbook
For Employees of
Donegal Local Sports Partnership
(CLG)**

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EMPLOYEE HANDBOOK POLICY UPDATES

Pages updated	Issue No.	Date
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WELCOME

The handbook is designed to give clear advice to employees and to create a culture where issues are dealt with fairly and consistently. This is a guide to your terms and conditions of employment and should be read in conjunction with your individual contract of employment.

Adhering to the policies described in this handbook is considered a condition of continued employment. Failure to do so may result in the disciplinary procedures being invoked.

Donegal Local Sports Partnership (CLG) (hereafter referred to as DSP) reserves the right to make reasonable changes to the information contained within this Handbook. These changes may be made to comply with legislative changes or where changes are necessary in response to business considerations. Employees will be notified of any such changes at the earliest opportunity or any event no more than one month after such change has taken place.

You must confirm receipt of this handbook by return email. You are responsible for reading, understanding and complying with the provisions of this handbook as it forms part of your Terms and Conditions of Employment with DSP. (Should you have any queries on this please refer to the DSP coordinator)

The information contained in this Handbook applies to all our employees.

We wish you every success in your career with **Donegal Local Sports Partnership**.

GENERAL COMPANY INFORMATION

Recruitment

DSP will select those suitable for employment solely on the basis of merit. Any job advertisements, job applications, and publicity material will encourage applications from all suitable candidates and will not discriminate against any group or individual on unjustifiable grounds.

Where possible and practicable, efforts will be made to ensure that interview panels are balanced and interviewers are trained to conduct interviews in a non-discriminatory way and that questions will relate to the requirements of the job.

Equality of opportunity will also include accommodating, where possible, the special needs of individuals to facilitate their participation in the recruitment and selection process.

Induction

All new employees will receive a short induction which will include the provision of information on HR policies, GDPR, and Health & Safety requirements

Probationary Period

All new employees are required to complete a satisfactory probationary period as set out in their Statement of Terms and Conditions of Employment/Contract of Employment.

Time Off in Lieu (TOIL)

Overtime is not paid for hours worked in excess of employment contract. However, DSP allows time off in lieu (TOIL) for hours worked above the normal contracted week and this must be approved in advance by the coordinator.

It is recommended that employees use any TOIL accrued as soon as possible and preferably within one month of accruing it. DSP does not pay for any unused TOIL.

Performance Appraisals

Performance appraisals have many uses and perhaps the most important is that it provides employees with feedback on their job role and allows them an opportunity to give DSP feedback.

Performance Appraisals also provides opportunities for employees to identify training and development needs and to discuss career progression. DSP is committed to providing a fair performance management system for all employees.

Dress Code

Employees should ensure that they adhere to the highest standards of personal appearance at all times and dress in clothes that are suitable for the work situation. Any requirements for Health and Safety are mandatory and should be adhered to at all times.

Health and Safety

DSP is committed to fulfilling its obligations under the Safety, Health and Welfare at Work Acts 2005 and 2010, in order to do everything that is reasonably practicable to provide a safe place of work for its employees.

While DSP will, as far as practicable, ensure a safe and healthy work environment, responsibility for ensuring health, safety and welfare at work also rests with each employee. Employees should carry out their duties and responsibilities taking due care regarding health, safety and welfare without putting at risk the health of themselves, their colleagues and members of the public.

You must make yourself available to attend all relevant work-related training and/or online e-learning training and familiarise yourself with the General Health and Safety Statement which is available on the premises.

Please also refer to the Safety Statement for DSP which can be accessed online via the Staff Dashboard.

POLICIES AND PROCEDURES

Dignity at Work Policy & Procedures

DSP is committed to providing all of its employees with an environment free from bullying or harassment/sexual harassment. All employees will be expected to comply with this policy and management will take appropriate measures to ensure that any employee who violates this policy is dealt with in the appropriate manner.

The policy applies to employees both in the workplace and at work associated events such as meetings, conferences and office parties, whether on DSP premises or off site. Bullying behaviour applies to all employments in Ireland irrespective of whether employees work at a fixed location, at home or are mobile. The policy applies to bullying or harassment/sexual harassment not only by fellow employees but also by a client, customer or other business contacts to which an employee might reasonably expect to come into contact within the course of their employment.

In line with Code of Conduct practices, this policy sets out separate procedures for dealing with Bullying complaints and for dealing with Harassment/Sexual harassment complaints.

BULLYING

The Task Force on the Prevention of Workplace Bullying defines bullying as:

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

Bullying can include conduct offensive to a reasonable person e.g., oral or written slurs, physical contact, gestures, jokes, displaying pictures, flags/emblems, graffiti or other material which state/imply prejudicial attitudes which are offensive to fellow employees. Bullying activities involve actions and behavioural patterns, directly or indirectly, spoken and/or written and could include the use of cyber or digital means for the goal of bullying. Other examples of bullying behaviour include:

Verbal

- Shouting or using aggressive or obscene language, in public or in private, to humiliate or intimidate;
- Making offensive comments about the same person regularly;

- Ridiculing the employee in front of other employees and individuals;
- Spreading false or malicious information about the individual around the Company etc.;
- Personal insults, name calling;
- Continuously refusing reasonable requests without good reasons;
- Intimidation and threats in general;
- Persistent unjustified criticism and sarcasm;
- Threatening job loss for trivial errors.

Non-Verbal

- Setting up a person to fail by overloading them with work or setting impossible deadlines;
- Withholding information and blaming the person for being ignorant;
- Ignoring, excluding and isolating a person;
- Blocking promotion;
- Threatening body language;
- Damaging personal belongings;
- Excessive monitoring;
- Setting impossible deadlines;
- Unnecessary work interference;
- Sneering;
- Making offensive/inappropriate comments via text messaging, email or via social networking sites.

Physical

- Hitting;
- Bodily contact that is abusive in nature.

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 or
- 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)
- Workplace conflict where people disagree or disregard the others' point of view

Please note the above list is not exhaustive

Procedure for dealing with bullying complaints

There is both an informal and formal procedure to deal with the issue of bullying at work. Any issue arising should be dealt with as quickly as possible.

Bullying - Initial Informal process

It is often preferable for all concerned that complaints of bullying are dealt with informally whenever possible. This is likely to produce solutions, which are speedy, effective and minimise embarrassment and the risk of breaching confidentiality.

The focus of the informal process 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.

In smaller organisations, the employer, or person heading the organisation should not try to informally resolve a complaint personally but should instead refer the matter for resolution/management to a senior manager or other such persons as may be agreed. (This is to prevent any duplication of roles, should the issue be later referred to them for a judgment/appeal).

There may be value in appointing a Designated Support Contact person as a first point of contact to those reporting a bullying case.

The Role of the Designated Support Contact Person

The role of the contact person is a supportive one, to listen and to offer guidance on options in line with the company policy and procedures. All discussions with the designated support contact person are highly confidential, non- judgmental and are “off the record”.

The designated support contact person provides the complainant with a copy of the policy, outlines the routes available and explains the roles of personnel involved but does not get involved in any way in the complaints procedure and is not an advocate for either party.

Their function is to help the employee to clarify what s/he is experiencing and to empower the employee to decide what course of action, if any, s/he may wish to take.

The role can be summarised as follows:

- Helping employees in circumstances where they need information, support, and clarification about the policy;
- Providing the appropriate ‘next step’ information to the employee seeking support;
- Helping the employee to clarify what they are experiencing and to empower them to decide what course of action, if any, they may wish to take;

- Treating discussions with employees as completely confidential and not disclosing information to a third party.
- Not dealing with any other forms of workplace grievance or personal problems;
- Not approaching the alleged respondent/complainant on behalf of the person they are supporting; and
- Not acting as an advocate or representative on behalf of the person they are supporting, nor can they direct the person as to the best course of action to take.

The Designated Support Contact Person may offer support to the individual against whom the complaint of bullying has been made but cannot act as a Support Contact for both.

Recommended steps in an informal process are:

- In the first instance, the unacceptable behaviour/acts should be raised by the target employee (the person who feels bullied) 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 the person who feels bullied finds it difficult to approach the alleged perpetrator directly then they should seek help and advice on a confidential basis from their Line Manager or a member of the Management Team.
- 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.
- 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/board level.
- The employee may wish to avail of the support of a Support Contact Person, where applicable, for guidance and to get a copy of the Bullying Policy document.
- A brief written record, in line with relevant data protection legislation should be kept of the matter and agreed outcomes and dates noted by the relevant person responsible for managing the complaint.

Bullying - Secondary Informal Process

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

- The employer 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. This person should not be the Designated Contact Person. They may be a supervisor/manager or someone in authority within the company.
- The complaint may be verbal or written. If verbal, a written note of what is complained of should be taken by the nominated person and a copy given to the complainant.

- This nominated person (who may be a 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 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 being a factor.
- If the behaviour complained of does not concern alleged bullying 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 of as they have no recourse to repudiating an accusation that does not 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 monitor 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 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 detail of discussions, is to provide evidence of the complaint having been met with a company response and attempt at resolution. Records should be kept in accordance with relevant Data Protection Legislation (section 2 (1) governing retention), within an agreed Human Resources system and be available only to that legislation.
- 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 formal stage.
- Confidentiality is crucial for this stage to be effective and breaches of confidentiality, where exposed, will be met with sanctions highlighted in advance.

Bullying - Closure of Informal Stage

- To 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;
- Where a complaint has been assessed as vexatious, the matter should be progressed through other relevant procedures;

- In many situations, with the co-operation of all parties, the matter can rest here.

Bullying - Formal Procedure

It is good practice that all informal resolution avenues - as set out- should be contemplated and where appropriate, exhausted before a formal process is invoked.

Proceeding to a formal procedure should not be viewed as automatic and it is important that it is recognised that is the reasonable evidence- based decision of management. Escalating a complaint to a formal process should only be done following a review of all aspects of the circumstances surrounding matters complained of. This process includes a formal complaint and a formal investigation.

Formal Complaint

Where formal complaints have been made, then the employee should contact their Line Manager or a member of the Management Team/Board member as soon as possible. The complainant should make a formal complaint in writing that should be signed and dated. Where this is not possible, a written record will be taken of the complaint by the assigned person and signed by the complainant and dated.

The complaint should be confined to the precise details of alleged incidents of bullying, including their dates, and names of witnesses where possible.

Formal Investigation

The investigation should be governed by terms of reference which should include the following:

- The investigation will be conducted in accordance with the employers Dignity at Work Policy.
- An indicative time scale for its completion - this timeframe should be proposed, and its rationale explained.
- The scope of the investigation, sets out the procedures to be adopted for findings of fact related to the complaint and a statement that the investigator will consider, based on the facts before them whether the behaviour(s) complained of, on the balance of probabilities occurred.
- Confidentiality of the process should be emphasised to all concerned.

All parties to the process have a responsibility to participate without undue delay in any investigation initiated in response to an allegation of bullying.

The scope of the investigation should indicate that the investigator will decide on the facts before them whether the behaviour complained of may on the balance of probabilities, have occurred. The investigator should not uphold or dismiss the allegations and/or suggest or impose sanctions.

- The investigation will be carried out by a designated member of the Management Team or an external Human Resource Consultant, as is deemed appropriate in the given situation. It will be conducted with sensitivity and respect for the rights of the complainant and the alleged bully.
- In the interests of natural justice, the alleged bully or harasser will be made aware of the nature of the complaint, his or her right to representation and will be given every opportunity to rebut the detailed allegations made.
- Whilst it is desirable to maintain utmost confidentiality, once an investigation of an issue begins, it may be necessary to interview other employees. If this is so, the importance of confidentiality will be stressed to them. Any statements taken from witnesses will be circulated to the person making the complaint and the alleged harasser(s) for their comments before any conclusion is reached in the investigation.
- Strict confidentiality and proper discretion will be maintained, as far as possible, in any necessary consultation to safeguard both parties from innuendo and harmful gossip. A record of all relevant discussions, which take place during the course of the investigation, will be maintained by management.
- The person investigating the complaints will make every effort to carry out and complete the investigation as quickly as possible. When the investigation is complete, a written report will be submitted to Management which will contain the findings of the investigation.
- When the investigation has been completed both parties will be informed as to whether or not the complaint has been upheld. Both parties will be given the opportunity to comment on the findings before any action is decided upon by management. All complaints received will be treated seriously, confidentially and dealt with as soon as is practicable.
- Both parties will be given a copy, in writing, of the conclusions of the investigation, along with the opportunity to comment on the conclusions.

Bullying - Action Post Investigation

Where a complaint is upheld, a disciplinary hearing will take place. The disciplinary action to be taken will be in line with DSP's Disciplinary Procedure. This may include appropriate action up to and including dismissal. Records of any warnings for bullying/harassment will remain in the employee's file and will be used if any further allegations or offences of the same or similar nature occur in the future.

Regular checks will be made by the individual investigating the complaint to ensure that the bullying/harassment has stopped, and that there is no victimisation. Retaliation of any kind against an employee for complaining or taking part in an investigation concerning bullying or harassment at work, is a serious disciplinary offence.

Bullying - Right of Appeal

Both the complainant and the alleged wrongdoer have the right to appeal any course of action determined as a result of the investigation and subsequent finding, whether the finding was that bullying did take place or not.

The complainant and the alleged wrongdoer may appeal to (appeal should be heard by another party of at least the same level of seniority as -but preferably more senior than the original investigator) in writing within 10 working days of the conclusion of the investigation. The (person who is conducting the appeal) may authorise a designee to assist/and or advise on this matter. The decision on the appeal will be notified to the appellant within a further 10 working days.

Bullying - Malicious Complaints

If a complaint is found to be malicious, then the appropriate corrective action, up to and including dismissal, will be imposed.

HARASSMENT/SEXUAL HARASSMENT

Definition of harassment/sexual harassment

Harassment on the grounds of gender, civil status, family status, sexual orientation, religious belief, age, disability, race, or membership of the traveller community is defined as any unwanted conduct that has the purpose or effect of violating a person's dignity and creating an intimidating hostile, degrading, humiliating or offensive environment for the person. The unwanted conduct may consist of acts, request, spoken words, gestures, or the production, display or circulation of written words, pictures or other material. Personal harassment is unwanted behaviour by one employee towards another and examples of harassment include:

- Insensitive jokes and pranks;
- Lewd or abusive comments about appearance;
- Deliberate exclusion from conversations;
- Displaying abusive or offensive writing or material;
- Unwelcome touching;
- Abusive, threatening or insulting words or behaviour;
- The use of a mobile phone or other electronic devices to harass, bully or intimidate.

Sexual harassment is defined as any form of verbal, non-verbal or physical conduct of a sexual nature which has the purpose or effect of violating a person's dignity and creating an intimidating, hostile, degrading, humiliating or offensive environment for the person. The unwanted conduct may consist of acts, requests, spoken words, gestures, or the production, display, or circulation of written words, pictures or other material.

Examples of sexual harassment include:

- Sexual gestures;
- Displaying sexually suggestive objects, pictures, calendars;
- Sending suggestive and pornographic correspondence, including e-mails or text messages;
- Unwelcome sexual comments and jokes;

- Unwelcome physical conduct, such as pinching, unnecessary touching, etc.

The examples stated in this policy are not an exhaustive list and The Company reserves the right to take action against these and other inappropriate behaviours.

Harassment /Sexual Harassment - Informal procedure

It is often preferable for all concerned that complaints of harassment/sexual harassment are dealt with informally whenever possible. This is likely to produce solutions, which are speedy, effective and minimise embarrassment and the risk of breaching confidentiality. Thus, in the first instance a person who believes that they are the subject of harassment/sexual harassment should ask the person responsible to stop the offensive behaviour. If a person finds it difficult to approach the alleged perpetrator directly then a person should seek help and advice on a confidential basis from their Line Manager or a member of the Management Team. A complainant may decide, for whatever reason, to bypass the informal procedure. Choosing not to use the informal procedure should not reflect negatively on a complainant in the formal procedure.

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

Harassment/Sexual Harassment - Formal Procedure

Where formal complaints have been made, then the employee should contact their Line Manager or a member of the Management Team/Board Member as soon as possible. The person making the complaint will be required to put their allegation in writing.

The investigation will be carried out by a designated member of the Management Team or an external Human Resource Consultant, as is deemed appropriate in the given situation. It will be conducted with sensitivity and respect for the rights of the complainant and the alleged bully. Where practicable the company will ensure that at least two people investigate a complaint and will ensure that for sexual harassment investigations the investigating team will be gender balanced. In the interests of natural justice, the alleged harasser will be made aware of the nature of the complaint, his or her right to representation and will be given every opportunity to rebut the detailed allegations made.

Whilst it is desirable to maintain utmost confidentiality, once an investigation of an issue begins, it may be necessary to interview other employees. If this is so, the importance of confidentiality will be stressed to them. Any statements taken from witnesses will be circulated to the person making the complaint and the alleged harasser(s) for their comments before any conclusion is reached in the investigation.

Strict confidentiality and proper discretion will be maintained, as far as possible, in any necessary consultation to safeguard both parties from innuendo and harmful gossip. A record of all relevant discussions, which take place during the course of the investigation, will be maintained by management. The person investigating the complaints will make every effort to carry out and complete the investigation as quickly as possible. When the investigation is complete, a written report will be submitted to Management which will contain the findings of the investigation.

When the investigation has been completed both parties will be informed as to whether or not the complaint has been upheld. Both parties will be given the opportunity to comment on the findings before any action is decided upon by management. All complaints received will be treated seriously, confidentially and dealt with as soon as is practicable. Both parties will be given a copy, in writing, of the conclusions of the investigation, along with the opportunity to comment on the conclusions.

Harassment/Sexual Harassment - Action Post Investigation

Where a complaint is upheld, a disciplinary hearing will take place. The disciplinary action to be taken will be in line with DSP's Disciplinary Procedure. This may include appropriate action up to and including dismissal. Records of any warnings for harassment will remain in the employee's file and will be used if any further allegations or offences of the same or similar nature occur in the future.

Regular checks will be made by the individual investigating the complaint to ensure that the bullying/harassment has stopped, and that there is no victimisation. Retaliation of any kind against an employee for complaining or taking part in an investigation concerning bullying or harassment at work, is a serious disciplinary offence.

Harassment/Sexual Harassment - Right of Appeal

Both the complainant and the alleged wrongdoer have the right to appeal any course of action determined as a result of the investigation and subsequent finding, whether the finding was that harassment/sexual harassment did take place or not. The complainant and the alleged wrongdoer may appeal to (appeal should be heard by another party of at least the same level of seniority as - but preferably more senior than – the original investigator) in writing within 10 working days of the conclusion of the investigation. The (person who is conducting the appeal) may authorise a designee to assist/and or advise on this matter. The decision on the appeal will be notified to the appellant within a further 10 working days.

Harassment/Sexual Harassment - Malicious Complaints

If a complaint is found to be malicious, then the appropriate corrective action, up to and including dismissal, will be imposed.

Policy Version No	Date signed off by Board	Description/Reason for Policy update	Lead Person Policy/Policy Changes
1.0	July 2019	New Policy	MO'D
2.0	December 2021	Updated Code of Practice on Bullying introduced Dec 2020	MO'D

Disciplinary Policy

1. Introduction

The aim of this policy is to provide guidance to employees in Donegal Local Sports Partnership CLG (DSP) on what constitutes disciplinary proceedings and the process by which this is handled.

2. Scope

This policy applies to all employees in DSP, once a probationary period is completed.

3. Policy Statement

- DSP expects a consistently high standard of behaviour, work performance, attendance, commitment, competence, integrity and honesty from all employees.
- We are committed to treating everyone fairly and equitably and to helping employees, tutors, facilitators and volunteers perform effectively. However, there may be occasions where it will be necessary to invoke disciplinary procedures and these are designed to protect both the interests of relevant individuals and DSP.
- The policy has been drafted having regard to Section 42 of the industrial Relations Act 1990, Code of Practice on Disciplinary Procedures [S.I. No 146 of 2000. Industrial Relations Act 1990 Code of Practice on Grievance and Disciplinary Procedures (Declaration) order 2000].

4. Operation of the Policy

- Our disciplinary process complies with the principles of natural justice. In all cases employees will be given the opportunity to provide their version of events with any mitigating circumstances to be taken into account. Any disciplinary allegation will be thoroughly investigated and a disciplinary hearing will be held before a decision in relation to disciplinary action is made.
- Recognising that circumstances vary, each situation involving discipline will be handled on an individual basis. While the stages in the disciplinary procedure will normally be progressive, the appropriate form of disciplinary action will depend on the nature of the conduct, attendance, performance or capability issue and may not always begin at the first stage of the process.
- Depending on the circumstances DSP may suspend an employee while an investigation/disciplinary process is taking place, pending the outcome. Where this occurs suspension will be on full pay and is not a disciplinary sanction. In such cases an investigation will be held within a reasonable time frame.
- For more serious breaches or gross misconduct, DSP reserves the right to take more serious action including dismissal at an early stage. Where this happens, the relevant individual will be made aware of the seriousness of the situation and whether dismissal is an issue.

- At all stages of the disciplinary procedure the employee has the right to be accompanied by either a work colleague or a trade union representative to disciplinary meeting/hearing.
- The employee has the right to appeal a disciplinary decision.

5. Disciplinary Matters

Offences/Issues which are liable to be considered as disciplinary matters usually come under three categories:

- Gross Misconduct/ Minor Misconduct
- Attendance at work. (Prolonged or sporadic absences, continued lateness)
- Performance/Capability (which includes inability to meet work requirements and issues of competence where the employee consistently fails to meet reasonable performance expectations).

For the purposes of the Disciplinary Policy, it is important to distinguish between Gross Misconduct and Minor Misconduct.

5A. Gross Misconduct

Gross Misconduct is misconduct deemed to be sufficiently serious to warrant summary dismissal, i.e., without notice. Examples of *Gross Misconduct* are outlined below (*this list includes but **is not limited to the following** and all cases will be treated individually*):

- Falsifying or neglecting to complete any records, such as accident reports, time sheets, employment applications including CV's, references, or expense reports.
- Disregard of DSP Safety Rules and Regulations, the contents of our safety statement or specific instructions given.
- Negligence resulting in injury or possible injury to others, destruction/damage to DSP property or goods.
- Physical violence, threatening or intimidating behaviour; indecent conduct.
- Divulging or misusing confidential information about DSP or the individuals it deals with.
- Theft or unauthorised possession of any property or facilities of the company.
- Embezzlement to include but not limited to Fraud, Forgery and Falsification of records (not only accounts).
- Aiding others in dishonest conduct either before or after the event.
- Serious insubordination e.g., refusal to obey reasonable instructions given by those with authority to give such instructions, except where the employees safety may reasonably be endangered by carrying out the instruction.
- Attending work while under the influence of alcohol/non-prescription drugs.
- Serious breaches of DSP Sick leave policy.
- Serious incapability to work.
- Serious breaches or failure to observe DSP practices, rules and procedures including (but not limited) to those on:
 - Electronic Communication,
 - Bullying & Harassment (including sexual harassment),

- Health & Safety and
- Child Protection standards.
- Serious misuse of the company's email or internet facilities;
- Smoking in prohibited areas;
- Conviction for, or failure to disclose any criminal offence which may render the employee unsuitable for employment.
- Falsification of a qualification essential for one's job.
- Unethical or criminal conduct.
- Bringing DSP into serious disrepute.

5B. Minor Misconduct

Minor Misconduct will normally merit consideration of disciplinary action. Examples are outlined below (*this list includes but **is not limited to the following** and all cases will be treated individually*):

- Inefficiency or negligence in carrying out duties.
- Standard of work that falls below the expected standard.
- Breach or failure to observe DSP rules, practices or procedures.
- Poor time keeping.
- Unauthorised absence(s).
- Regular unreasonable and/or unexplained absences.
- Unacceptable behaviour towards fellow employees.
- Where an employee does not follow a reasonable or legitimate instruction or insubordination.
- Unauthorised use of company assets/equipment.
- Conflict of interests.
- Unacceptable standards of dress or hygiene.
- Prejudicing the interest or the reputation of the company.
- Failure to report or escalate an issue of which an employee is aware within their areas of responsibility.

These listings are intended as a guideline as to the acts or omissions which lead to disciplinary proceedings and are not intended to be exhaustive.

6. Informal/Formal Disciplinary Process

6A. Dealing with matters informally

- Minor breaches, minor misconduct or poor performance will normally be dealt with in the first instance through a discussion with the employee's line manager. The line manager will discuss the nature of the issue and the employee will be provided with feedback, coaching/training or advice on how to improve.
- The employee will be requested and encouraged to agree a course of action to achieve the improvements, and a timeframe for this will be agreed. During this period conduct, attendance or performance (as appropriate) will be monitored.

6B. Where the informal process does not achieve an outcome

- If the informal process fails to produce an acceptable level of improvement within the agreed timeframe or if it is alleged that a more serious instance of misconduct has occurred, it will be necessary to deal with it through the formal disciplinary procedure.

7. Disciplinary procedures

Where an employee's conduct, attendance, or performance warrants disciplinary actions the following disciplinary stages will apply. It should be noted that all cases of alleged gross misconduct will result in the immediate initiation of disciplinary procedures and in such cases, DSP reserves the right to skip the progressive disciplinary stages (Stages 1-4) outlined below.

7A. Disciplinary Stages

Stage One: Formal Verbal Warning

Where it is found that an employee's behaviour, attendance or performance does not meet acceptable standards a verbal warning will be issued. At the meeting the employee will be advised what the issue is and invited to respond. A note of the verbal warning will be recorded on the HR record for 6 months and the relevant individual will be given a copy of the note.

Stage Two: First Written Warning

A first written warning will be issued in instances of a more serious nature or for further misconduct or in the event of failure to achieve the necessary improvement in behaviour, attendance or performance following the previous verbal warning. The written warning will state the reason for the warning, the improvement required and the consequences of failure to achieve improvement or if there is repetition of the behaviour. A first written warning will be placed on the HR record for 12 months, and the employee will be given a copy.

Stage Three: Final Written Warning:

For serious instances of misconduct or in the event of failure to achieve the necessary level of behaviour attendance or performance following previous warnings the employee may receive a final written warning. The warning will state the reason for the warning, the improvement required and the consequences of failing to achieve such improvement or if there is repetition of the behaviour that the employment may be suspended. A copy will be held on the employees HR record.

Stage Four: Disciplinary Hearing:

In cases of serious breaches and for all cases of alleged gross misconduct Stage One to Stage Three will be bypassed. A formal disciplinary hearing will be held, and the employee will be given at least 5 working days' notice of this hearing.

Where it is decided to adopt the formal disciplinary hearing procedure to deal with an issue the following applies:

- The employee will be informed (in writing in advance of any disciplinary hearing) of the allegations and will be advised whether disciplinary action up to and including dismissal could be considered if the allegation(s) are established.
- The employee will be given the opportunity to respond in writing or in person to the allegations prior to any disciplinary decision being made.
- At the disciplinary hearing the employee will have the opportunity to present their case, and this will be considered prior to any disciplinary action being taken. The employee is entitled to name relevant witnesses to give evidence to support their case. The employee may challenge the evidence of any witness called by DSP. Except with the express written permission of DSP investigations and hearings must not be recorded by any electronic device.
- The employee has the right to be accompanied by a work colleague or a trade union representative at the hearing.
- A fair and impartial determination of the issues concerned will be made, which takes into account any representations made by, or on behalf of the employee and any other relevant or appropriate evidence, factors or circumstances.
- The allegation/complaint will be thoroughly investigated and a copy of any investigation report will be compiled. The investigation report together with any other evidence relating to the allegation/complaint will be provided to the employee.
- The DSP coordinator or an appointed decision maker will consider the matter in a fair and impartial way.
- The case will be considered and the decision maker will communicate the decision within 10 working days of the disciplinary hearing or as soon as possible thereafter. The employee will be notified in writing of the decision reached, including any proposed disciplinary action to be taken.

7B. Disciplinary Sanctions

DSP may enforce any of the following disciplinary sanctions, depending on the outcome of the formal investigation process:

- Suspension without pay for a period of time. (During the period of suspension, the employee will not be entitled to access to any of DSP premises except with the prior written consent of DSP and subject to such conditions as DSP may impose);
- Demotion;
- Deferral of pay increases;
- Transfer to another role or location;
- Withdrawal/reduction of privileges or benefits;
- Dismissal.

7C. Basis of Sanctions

Decisions regarding any sanction imposed will be based on the following:

- The gravity of the offence;
- The penalty for similar cases applied in the past;
- The individual's previous disciplinary record;
- Any mitigating circumstances;
- That the proposed penalty is reasonable in all circumstances.

7D. Informing the employee

Once a decision has been reached after an investigation and disciplinary hearing a follow up meeting will be held with the employee to:

- Inform the employee of the decision and disciplinary penalty if any;
- Explain the employees right of appeal;
- In the case of a warning, explain what improvement is expected, how long it will last and what the consequences of failure to improve may be;
- The decision will be confirmed to the employee in writing. If an improved level of conduct, attendance, or performance is expected over a particular timescale, the arrangements for monitoring and reviewing this will be made clear to the employee.

7E. Appeal Process

Should the employee wish to appeal the disciplinary outcome she/he can chose to appeal to the Chairperson of the Board, (except where the Chairperson of the Board was involved in the original Disciplinary Hearing) and in this case the Appeal will be heard by a nominated independent third party under the conditions of the appeal outlined below:

- The intention to appeal must be made in writing to the DSP coordinator or appointed person who heard the case, within 10 working days of being notified of the disciplinary decision. The letter must clearly set out the grounds of appeal.
- The Chairperson of the Board or nominee (the Chairperson may appoint an internal nominee or a suitably qualified external person) will make arrangements to hear the appeal as soon as possible.

The appeal will be conducted as follows:

- The employee will present her/his appeal.
- DSP coordinator or chairperson or nominated person will respond to that appeal.
- Where possible the decision on the appeal shall be given within 10 working days of the appeal hearing.
- Pending the outcome of the appeal hearing, disciplinary action will not be taken.

The decision of the Chairman or nominee shall be final and concludes the company's Disciplinary Procedure

Appendix: Disciplinary Policy - Principles of Natural Justice and Fair Procedures

The principles of natural justice represent the basic requirements of fair procedure. The minimum requirements are:

- An individual is made fully aware of any formal allegation made against them.
- They are afforded the opportunity to reply to any formal allegation made against them.
- They are afforded the right to representation throughout the process.
- They receive the right to a full and objective investigation of the allegation.
- An unbiased consideration of the individual's explanation in the sense that consideration must be free from pre-determination and uninfluenced by irrelevant considerations.
- They receive the right of appeal.

Policy Version No	Date signed off by Board	Description/Reason for Policy update	Author of Policy/Policy Changes
1.0	July 20219	New Policy	MO'D

Electronic Communications Policy

1. Introduction

The purpose of this policy is to provide information on what is expected of employees when using all forms of electronic communication and the implications of not acting responsibly.

2. Scope

This policy applies to employees who are authorised to use the electronic resources of Donegal Sports Partnership CLG (DSP) and in certain instances applies to employees when using their personal electronic devices.

3. Policy Statement

- DSP is committed to the correct and proper use of its electronic communications, email, internet and Intranet services in support of its administrative and service functions. The inappropriate use of DSP's electronic communications, email, internet or intranet services could expose DSP to risks ranging from virus attacks, theft and disclosure of information and disruption of network systems and services.
- When using electronic resources employees are expected to act responsibly and compliantly, in the best interests of DSP and other employees, and to escalate or notify breaches at the earliest opportunity.
- Electronic communications are continually evolving and the principles of this policy apply to the use of both current and future electronic communication resources. This policy must be read in conjunction with the Dignity at Work Policy, Disciplinary Policy, General Data Protection Policy and Social Media Policy.
- The standards of behaviour outlined in this policy apply to employees when using electronic communications in both a professional and a personal capacity.

4. Type of Electronic Communication Resources

The electronic resources of DSP may include but are not limited to Desktop (e.g., internet, intranet, email, data storage device, and telephone) Mobile (laptop, tablet, phone or other mobile device, remote access devices, digital photography) and other evolving technology resources.

5. General Restrictions of Use

You must not use DSP's electronic resources for:

- Private business activity.
- Downloading computer programmes unless expressly authorised.
- Accessing inappropriate sites e.g., porn sites.
- Playing games.
- Gambling.
- Electronic Chain Letters.
- Subscribing to e mail lists or newsgroups except where this has been approved by the DSP Coordinator.

- Downloading, storing, forwarding materials for entertainment purposes (e.g., YouTube videos, jpegs, music).
- Using third party e mail systems (e.g., Google, Yahoo, Hotmail, AOL) from DSP computer.
- Participation on personal social networking sites (Face book, Twitter, LinkedIn, YouTube etc) except where authorised (Please refer to the Social Media Policy for further information).

6. Principles

6A. DSP Equipment/Devices

- The electronic equipment and the data passing through the DSP communications infrastructure, remains the property of DSP at all times.
- DSP reserves the right to monitor, review, analyse and log all aspects of employee use of DSP electronic communication resources. DSP employees should not expect any privacy in anything created, stored, sent or received through these channels.
- All data created, stored, received or sent through DSP communications infrastructure is discoverable in the event of litigation and may be used as evidence in a court of law during internal investigations.
- You should note that even 'deleted' or 'erased' electronic messages may still be retrieved, recreated and/or read and that from a legal standpoint 'e-mail lasts forever'.
- We recognise that there may be times when you need to make use of DSP's electronic resources for personal use and this is permitted on a limited basis where it does not interfere with job performance or breach any of our policies and standards.
- You are personally responsible for the security of any devices and information within your control and you should always protect and secure (e.g., password protect/encrypt) data and devices especially if leaving any devices unattended.

6B. Use of DSP Laptop

- When using a DSP laptop, you must ensure that your internet account settings does not allow for automatic login i.e., a password is required to be entered on DSP laptops at all times.
- Where you have been issued with a laptop, or Personal Access Device (PAD) you must ensure that it is kept secure at all times especially when travelling. In the event of any loss of any DSP laptops you must immediately contact the DSP Coordinator.

6C. USB Drive

If your work requires you to transfer data to a USB drive you must use an official, Donegal Sports Partnership encrypted USB drive.

6D. Viewing/Storing of Information

- You must never view/display, forward, or store material that is defamatory, illegal, likely to constitute any form of bullying, or has a destructive code (e.g., virus, self-replicating programs etc.).
- You must never view/display, forward or store sexually explicit images, messages or cartoons, communications that harass demean or offend any individual or group (e.g., communications that might be construed as racist, sexist, relate to sexual orientation, age, disability, religious or political beliefs).
- Should you unintentionally or in error receive, download or view any materials that are in breach of this policy you must immediately inform the DSP coordinator.
- At all times you should use common sense and good judgment when using electronic communication resources and exercise the same care as you would when issuing information in printed correspondence of any kind.
- Information retained by DSP is not to be used or shared by DSP employees including part-time/temporary employees, for non-work-related purposes. Please refer to GDPR Guidelines.

6E. Data Breaches

- You must report immediately any suspected or detected data breach to the DSP Coordinator.
- Where an investigation by DSP confirms that a data breach has occurred it must be reported to the Data Protection Commissioner within 72 hours of the actual breach occurring.

7. General Guidelines for electronic communication

- You should always take care when communicating electronically as incorrect or improper statements can give rise to claims for bullying, discrimination, harassment, Defamation, breach of confidentiality or breach of contract.
- If you have a question as to whether the content in a communication should be restricted, ask yourself the following:
 - Would I be comfortable having the telephone conversation, e-mail or email attachment published in a newspaper or a magazine?
 - Would I be comfortable sharing this communication with my line manager, spouse, parents or child?

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

Policy Version No	Date signed off by Board	Description/Reason for Policy update	Lead Person Policy/Policy Changes
1.0	July 2019	New Policy	MO'D

Equality Policy

1. Introduction

The purpose of this policy is to provide information on equality, fairness and respect for all in Donegal Sports Partnership CLG (DSP) employment whether temporary, part time or full time.

2. Scope

This policy is relevant to all employees, prospective employees, tutors, facilitators, volunteers and Board members.

This policy is in line with the Employment Equality Acts 1998-2015

3. Policy Statement

- Donegal Local Sports Partnership CLG (DSP) is committed to creating an environment that promotes equality.
- We are committed to treating all employees, potential employees, tutors, facilitators, volunteers and board members equally, regardless of gender, civil status, family status, sexual orientation, religious belief, age, disability, race or membership of the travelling community (see Appendix for definitions).
- As an equal opportunity employer we oppose all forms of unlawful or unfair discrimination, and strive to create a supportive environment in which all employees can flourish and reach their full potential, regardless of differences, experience or education.
- This policy must be read in conjunction with Dignity at Work policy and Grievance policy.

4. What is Discrimination?

Discrimination in employment occurs as a result of prejudice, misconception and stereotyping that may prevent full consideration of the individual's abilities, talents, skills, potential and experience. Discrimination can be direct, indirect, intentional or unintentional.

- Direct discrimination occurs when a person is less favourably treated than someone in similar circumstances was, or might have been treated, due to sex, age, marital status, family status, disability, sexual orientation, race, colour, religious belief, ethnic/cultural/natural origin or membership of the travelling community.
- Indirect discrimination is less obvious and occurs when a requirement or condition is applied equally to all groups, but has a disproportionately adverse effect on one particular group and cannot be objectively justified. (An example of indirect discrimination is minimum height requirements for a particular job, for which there is no apparent reason for this requirement).

5. Principles

- Employees are obliged and expected to demonstrate the highest standards of behaviour (courtesy, dignity and respect) in their dealings with other individuals and should expect the highest standards from others.
- If an employee member feels they have been treated unfairly or inequitably they have the right to raise a complaint under the Grievance policy
- Bullying and/or sexual harassment/harassment of any kind, of any employee by another, irrespective of status (i.e., rank, grade, service, contract etc) is unacceptable behaviour. If an employee member believes they are being subjected to such behaviour they should refer to the Dignity at Work Policy for procedures to follow.
- Acts that are in breach of this policy/Grievance policy/Dignity at Work policy will be taken seriously, be fully investigated and may lead to disciplinary action up to and including dismissal.
- Employees should be aware that an individual may find themselves personally liable in law for actions which are found to be discriminatory.

6. Our Commitment to Equality

- All processes and internal systems involving employees will be designed to ensure that there is no bias against candidates on the grounds of gender, civil status, family status, sexual orientation, religious belief, age, disability, race or membership of the travelling community.
- Every possible step will be taken to ensure that all individuals are treated equally and fairly and that decisions on recruitment, selection, pay, terms & conditions, training & development, promotion, access to benefits and termination of employment are based solely on objective and job-related criteria.
- All employees will be given an equal opportunity to develop and demonstrate their capabilities and skills in order to progress their career. It will be based solely on merit and will come from a personal work ethic that clearly evidences high standards, fair play and commitment. It will not be based on subjective, biased or discriminatory practice.
- All employment documents, agreements, practices and procedures will be regularly reviewed and updated in the light of changes in employment and equality legislation.

7. Our Approach to Working Arrangements

- Existing work arrangements will be regularly reviewed and evaluated in the light of changing employment practices, and the criteria applied in evaluating applications for changing working arrangements will be fair and will be seen to be fair.
- We will make every effort to enable each employee achieve an acceptable balance between work related and personal priorities, subject to our capacity to meet such needs.

8. Training & Development

- We aim to ensure that training & development opportunities will be designed to assist all employees develop the skills to meet current and future work requirements.

- Training and development initiatives will be provided to support the maintenance and development of an equal opportunity environment.

9. Job Advertising & Selection

- We will draw up job specifications in a manner that is consistent with our Equality policy. We aim to encourage job applications from the widest possible range of suitably qualified candidates.
- All our recruitment and promotion decisions will be made solely on merit i.e., on objective, non-discriminatory work-related criteria.
- Relevant experience as well as a track record of performance will be critical factors in the selection process. Education or professional qualifications will be sought where these are considered necessary and will be recognised and valued appropriately.
- Training will be provided in equal opportunities to all those involved in the selection process.

Appendix: Equality Policy- Nine grounds for discrimination

1. Gender: this means man, woman or transgender
2. Civil status: includes single, married, separated, divorced, widowed people, civil partners and former civil partners
3. Family Status: this refers to the parent of a person under 18 years or the resident primary carer or parent of a person with a disability.
4. Sexual orientation: includes gay, lesbian, bisexual and heterosexual.
5. Religion: means religious belief, background, outlook or none.
6. Age: this does not apply to a person aged under 16.
7. Disability: includes people with physical, intellectual, learning, cognitive or emotional disabilities and a range of medical conditions.
8. Race: includes race, skin colour, nationality or ethnic origin.
9. Membership of the Traveller Community

Policy Version No	Date signed off by Board	Description/Reason for Policy update	Lead Person Policy/Policy Changes
1.0	July 2019	New Policy	MO'D

Grievance Policy

1. Introduction

The aim of this policy is to provide guidance to employees, tutors, facilitators, volunteers and board members of Donegal Local Sports Partnership CLG (DSP) on the definition of a grievance and to outline the process for dealing with grievances.

2. Scope

This policy applies to DSP employees, tutors, facilitators, volunteers and board members.

3. Policy Statement

- It is recognised that there may be instances in work, or work- related environments where internal disputes arise and where employees, tutors, facilitators, volunteers and board members may wish to seek redress. As a matter of best practice every attempt should be made to resolve such disputes before they are likely to develop further into grievances. Where this is not possible DSP is committed to providing a mechanism for dealing with grievances in a quick, fair and consistent way.
- A grievance may be defined as a complaint which an employee, tutor, facilitator, volunteer or Board Member has concerning his/her terms and conditions of employment, working environment or working relationship.
- This policy complies with the general principles of natural justice and fair procedures. (See Appendix 3).

4. Principles

- You should first try and resolve the dispute informally and in practice many routine complaints can be resolved in this way.
- Where the grievance is unable to be resolved informally you may then proceed through the formal mechanisms (*please see below - Process and Procedures for further details*).
- You must submit your grievance within a reasonable timescale of the last incident or issue in question occurring, except where highly exceptional circumstances prevent this.
- During the stages of the grievance process, it is expected that the current working arrangements of all parties will continue as is (under protest if necessary). Employees are required to carry out any legitimate instructions, provided such instructions are not contrary to health and Safety requirements and if aggrieved by such instructions to subsequently pursue the grievance under the DSP's Grievance Policy. Failure to comply with this will be considered a breach of discipline and the disciplinary procedures will be applied.
- The grievance process is confidential and this confidentiality will be maintained to the highest extent possible. Under 'due process' certain documentation will be required to be exchanged between the relevant parties e.g., formal grievance document, supporting documentation responses and investigation report.
- Once you have raised a grievance in good faith, you will not suffer any adverse treatment, even if the grievance is not substantiated. However, where a grievance is

deemed to be vexatious through formal procedures, the disciplinary process is applicable.

- You have the right to appeal the formal decision (*please see below - Process and Procedures for further details*).
- Grievances relating to bullying, harassment, sexual harassment, or discrimination will be dealt with under Dignity at Work Policy.
- Concerns about possible wrongdoing in the workplace should be addressed through the Protected Disclosures policy.
- You are obliged to comply and co-operate with the Grievance Policy and Procedures. Failure to do so will be considered under the disciplinary procedure.

5. Guidelines

- You may be accompanied to a meeting under the grievance procedure by a work colleague or a trade union official. In very exceptional circumstances (as determined by the Chairperson of the Board of Directors) you may be represented by an external person the name of whom you should notify in advance to us.
- It is not permitted to bring any recording device to meetings or hearings related to the grievance process.

6. Grievance Process and Procedures

- The following procedures are designed to resolve your grievance in a fair and consistent manner. It may be necessary on occasions to provide other supports for a particular case e.g., facilitation or mediation resources. If appropriate this will be done at the request of both the employee(s) and line manager and in line with DSP authorisation.
- The grievance process can involve both informal and formal stages. However, it is expected that every effort will be made by both sides to resolve the grievance through an informal approach.
- Each stage of the process must be exhausted before proceeding to the next stage.
- After a determination is made through informal/formal procedures or following the appeal process decision, the parties involved may be given support or periodic reviews, insofar as is reasonable, which, if necessary, could include, mediation, counselling or other appropriate interventions.

6A. Informal Stage

- You should first try and resolve any grievance directly with the other party (parties) involved. Generally, grievances can be resolved through talking and clarifying the issues involved.
- It may be necessary to seek additional assistance to resolve the issue even at informal level. If appropriate, mediation can be utilised to assist with the resolution. (See Appendix 4).
- Where this is not possible or is unsatisfactory, you should discuss the nature of the grievance and any proposed solution with DSP Coordinator or Chairperson and/or Member of the Board where appropriate.
- The DSP Coordinator (Chairperson of the Board/Member of the Board) will then investigate all aspects of the situation in order to determine what action if any is necessary.
- The DSP Coordinator (Chairperson of the Board/Member of the board) will respond to you within 5 working days to advise his/her decision.
- It is anticipated that the informal grievance process should be brought to a conclusion within 10 working days, however this may be extended by agreement between you and the DSP Coordinator (Chairperson of the Board/Member of the board).

6B. Formal Stage

- Where you have been unable to resolve the issue at the informal stage you should put your grievance in writing to DSP Coordinator (Chairperson of the Board of Directors/Member of the Board of Directors).
- You should detail in writing the specific circumstance/circumstances which constitute the grievance with dates, times, witnesses etc as applicable. You should stick to the facts and avoid using insulting or abusive language.
- Following receipt of the formal written grievance, separate hearings will be held with all parties involved. You may be accompanied to any such hearings by a work colleague or trade union official.
- Following the hearings, it may be appropriate for further investigations to be conducted with other individuals e.g., other potential witnesses involved.
- The DSP Coordinator's (Chairperson of the Board of Directors/Member of the Board of Directors) decision will be communicated to you in writing within 5 working days following the end of the hearings. Where exceptional circumstances exist (the specific reasons will be outlined to you) this decision will be communicated no later than 1 month following the end of the hearings.
- The Decision will set out what action DSP intends to take to resolve the grievance or if the grievance is not upheld will explain the reasons.
- The DSP may request the parties to use mediation, facilitation, conciliation etc.

6C. Appeal Process

- You have a right to appeal the decision and if doing so you must appeal the decision within 10 working days (of being advised of the decision) in writing to the

Chairperson of the Board of Directors or Nominee (who may be a suitably qualified external person) You should outline the reasons for the appeal and any documents submitted in support of the appeal must be attached.

- The appeal may be heard directly by the Chairperson of the Board of Directors or where the Chairperson of the Board was involved in the original decision making referred to a Nominee (who may be a suitably qualified external person).
- You will be notified of the date for the hearing of the appeal within 10 working days of being informed of who is hearing the appeal.
- You have a right to be accompanied to the appeal by a work colleague or a trade union official.
- The Chairperson of the Board of Directors or Nominee may also nominate an appropriate individual to conduct an investigation to review or clarify matters from the original decision.
- You will be communicated of the appeal decision as soon as possible following the completion of the hearing process.

6D. Appeal Decision

The responsibility for the Appeal decision remains with the Chairperson or Nominee. The appeal decision may be as follows:

- Uphold the original decision;
- Uphold the appeal

The Appeal decision is final and is the last stage of Donegal Sports Partnership's Grievance Process.

6E. Post Appeal

- Should you remain dissatisfied with the internal determination you may refer the matter to the Workplace Relations Commission. Any such referral shall not suspend or defer any action DSP may be required to implement following the internal determination of the grievance.

7. Review

This policy will be reviewed on a regular basis and within three years of publication. It may be amended from time to time and any changes will be communicated.

Appendix: Grievance Policy Principles of Natural Justice and Fair Procedures

The principles of natural justice represent the basic requirements of fair procedure.

- That employee grievances are fairly examined and processed.
- That details of any allegations or complaints are put to the employee concerned.
- That the employee concerned is given the opportunity to respond fully to any such allegations or complaints.
- That the employee concerned is given the opportunity to avail of the right to be represented during the procedure.
- That the employee concerned has the right to a fair and impartial determination of the issues concerned, taking into account any representations made by, or on behalf of the employee and any other relevant or appropriate evidence, factors, circumstances.
- There is a right of appeal.

Appendix: Grievance Policy - Mediation

If both parties agree to resolve the issue by mediation at the informal stage of the Grievance procedure the DSP Coordinator will arrange the mediation process.

- Workplace mediation is an informal process through which a trained mediator helps the parties in a dispute to talk about the issues between them and if they wish, to reach an agreement which is acceptable to both sides.
- It is confidential, is conducted in private and is directly between the parties concerned. Either party/parties may withdraw from the process at any time by notifying the Mediator, in writing, that they wish to do so.
- Mediation is private and confidential - no-one involved can publicise the fact of or details of the Mediation.
- You've got nothing to lose - if Mediation doesn't work you still have all other options open to you.
- By agreeing an outcome, you can find a solution that will work in practice.
- Negotiating and agreeing a resolution improves greatly the chances that you and other parties will abide by and comply with the outcome.

Policy Version No	Date signed off by Board	Description/Reason for Policy update	Lead Person Policy/Policy Changes
1.0	July 2019	New Policy	MO'D

General Data Protection Regulations (HR) Policy

1. Introduction

This Data Protection Policy sets out the responsibilities of DSP, its employees, volunteers, contractors, agents and third parties associated with DSP with respect to compliance with the GDPR and data protection acts.

2. Scope

This policy applies to all employees, tutors/volunteers/contractors associated with DSP, all items of personal data that are created, collected, stored and/or processed through any activity of DSP across all its services.

Unless specifically stated otherwise, personal data and sensitive data will be referred to equally as personal data in this policy.

3. Policy Statement

This policy and associated policies and procedures, forms the framework from which employees, volunteers, and tutors should operate to ensure compliance with GDPR and data protection legislation.

Data Protection is an important part of DSP's overall information security arrangements. All information must be handled safely and securely in accordance with our policies and procedures. In addition, some data sets are subject to external regulation/legislation and it is important that employees/tutors/volunteers recognise both categories when handling the company's information and data.

This policy must be read in conjunction with the Data Management Breach policy. (This policy is located in the GDPR section in the Staff Dashboard)

4. Data Protection Principles

All personal employee data obtained and held by DSP will:

- Be processed fairly, lawfully and in a transparent manner
- Be collected for specific, explicit, and legitimate purposes
- Be adequate, relevant and limited to what is necessary for the purpose of processing
- Be kept accurate and up to date. Every reasonable effort will be made to ensure that inaccurate data is rectified or erased without delay
- Not be kept for longer than is necessary for its given purpose
- Be processed in a manner that ensures appropriate security of personal data including protection against unauthorised or unlawful processing, accidental loss, destruction or damage by using appropriate technical or organisation measures

- Comply with the relevant GDPR procedures for international transferring of personal data

In addition, personal data will be processed in recognition of an individuals' data protection rights, as follows:

- ❖ Right to withdraw consent for data processing
- ❖ Right of access
- ❖ Right for any inaccuracies to be corrected (rectification)
- ❖ Right to be forgotten (Erasure)
- ❖ Right not to be subject to decision based solely on automated processing.
- ❖ Right to data portability
- ❖ The right to object to the inclusion of any information
- ❖ The right to restrict processing of data

5. Collection and storage of data

DSP processes certain data relevant to the nature of the employment regarding its employees and, where necessary, to protect its legitimate business interests. We will ensure that personal data will be processed in accordance with the principles of data protection, as described in section 4.

Personal data is normally obtained directly from the employee concerned. In certain circumstances, it will, however, be necessary to obtain data from third parties, e.g., references from previous employers. Where relevant to the nature of the work, DSP may make an application to the Garda Vetting Bureau for Garda clearance of an employee.

Personal data collected by DSP is used for ordinary human resource management purposes. Where there is a need to collect data for another purpose, DSP will inform you of this.

Employees are responsible for ensuring that they inform their line manager of any changes in their personal details e.g., change of address. Managers must ensure all changes are made to an employee's personal details e.g., pay increases.

DSP is under a legal obligation to keep certain data for a specified period of time.

6. Security and disclosure of data

DSP will take all reasonable steps to ensure that appropriate security measures are in place to protect the confidentiality of both electronic and manual data. Security measures will be reviewed from time to time, having regard to the technology available, the cost and the risk of unauthorised access. Employees must implement all DSP security policies and procedures e.g., use of computer passwords, locking filing cabinets, clear desk policy.

HR data will only be processed for employment-related purposes, and in general, will not be disclosed to third parties, except our designated payroll provider, or where required or authorised by law or with agreement with the employee. HR files are normally stored securely on our database.

All employees will have access to a certain amount of personal data relating to colleagues, and other third parties. Employees must play their part in ensuring its confidentiality. They must adhere to the data protection principles and must not disclose such data, except where necessary in the course of their employment, or in accordance with law. They must not remove or destroy personal data except for lawful reasons.

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

Medical Data

Occasionally, it may be necessary to refer employees to DSP's doctor for a medical opinion e.g., in the case of proposed return from long term sickness for health and safety reasons. All employees are required by their contract of employment to attend a medical practitioner if requested by DSP. Where DSP requests medical information from a medical practitioner it will do so with the informed and written consent of the employee.

All medical information will be stored in a secure manner with the utmost regard for the confidentiality of the document.

Employees are required to submit sick certificates in accordance with the Sick Leave policy.

7. Subject Access Requests and Subject Rights

The GDPR and data protection acts give individuals the right to access information held about them by DSP. DSP will respond to all requests for personal information and will normally provide information free of charge. Individuals may request to see any personal information. DSP will manage requests in a timely manner within the timelines stipulated by the GDPR and Data Protection Act 2018.

You can make a subject access request by completing DSP's form for making a subject access request. Please email info@activedonegal.com and request a subject access request form to be forwarded to you.

8. Photographs and Video

Images of employees, beneficiaries and clients may be captured at appropriate times as part of its service delivery activities. Unless prior consent has been obtained from employees,

beneficiaries and clients, DSP will not use such images for publication or communication to external sources.

It is DSP policy that external parties (including family members and friends associated with employees, beneficiaries and clients) may not capture images of employees, beneficiaries, clients and other participants attending DSP events without prior consent.

9. Data Breach Notification

DSP treat data breaches very seriously. Any employee or volunteer who becomes aware of a likely data breach and fails to notify the Data Protection Officer may be subject to DSP's disciplinary procedures depending on the severity of the breach.

Please refer to the Data Breach Management Policy for further information. (This policy is located in the GDPR section in the Staff Dashboard)

10. Policy Implementation

DSP ensures that any individual or entity that processes personal data on its behalf does so in a GDPR compliant manner. Failure of a data processor to process and manage DSP's personal data in a GDPR compliant manner will be viewed as a breach of contract. Failure of employees and volunteers of DSP to process and manage personal data in compliance with this Data Protection Policy may result in disciplinary proceedings.

11. Data Protection Liaison Contact

The contact details for DSP's designated Data Protection liaison are

Name: Myles Sweeney

Company Postal Address: River Front House, Pearse Road, Letterkenny, Co Donegal, F92 T68V

Telephone: 074 9116077/9116078

Email: Myles@activedonegal.com

Policy Version No	Date signed off by Board	Description/Reason for Policy update	Lead Person Policy/Policy Changes
1.0	September 2021	New Policy	MO'D

Organisation of Working Time Act

Under the Organisation of Working Time Act, 1997 employees are entitled to the following:

- A daily rest period of 11 consecutive hours per 24 hours;
- A weekly rest period of 24 consecutive hours per 7 days; following a daily rest period;
- A 15-minute break if working 4.5 hours
- A 30-minute break if working 6 hours (which may include the first break). Please note DSP exceeds this requirement by providing a one- hour unpaid lunch break.

If an employee has not received any rest period which they are entitled to under the Organisation of Working Time Act, they should inform the co-ordinator in writing that he/she has not received their entitlement as above. This notification must be made within one week of an employee not receiving their entitlement.

The maximum number of hours that employees can work in a working week is 48 hours which is averaged out over a reference period of 17 weeks. This does not mean a working week can never exceed 48 hours, it is the average over the reference period which is important.

Other employment

Under Section 33 of the Organisation of Working Time Act 1997, employers are prohibited from employing employees to work on any day or during any week where the employee has worked for another employer or other employers and where the aggregate of the periods worked exceeds that permitted by the legislation.

To ensure that both the employer and the employee are in compliance with the legal requirements, it is necessary for all employees to provide DSP with details of any other employment that the employee is engaged in. Employees who are self-employed are not covered by this provision. Also excluded are employees who are working for a relative and are members of that relative's household and whose place of employment is a private dwelling house or farm, in or on, which they and the relative reside.

In order to ensure that DSP and you are not in breach of this Act, if you are in other employment please download and complete the 'Double Employment' form from the Staff Dashboard. (This does not apply if your other employment is self-employment or in the family business).

Please note that should a situation arise where the combined hours worked for DSP and other employment place DSP in breach of the legislation, then the employee concerned must change/reduce the hours worked in the other employment in order to prevent such a breach occurring.

Protected Disclosures Policy

1. Introduction and Aims of Policy

The purpose of this Policy is to provide information on the law in regard to the disclosure of information relating to wrongdoing which comes to the attention of workers in the workplace. Protected disclosures may sometimes be referred to as 'Whistleblowing'.

The aims of policy are:

- a) To encourage you to feel confident and safe in raising concerns and disclosing information.
- b) To provide avenues for you to raise concerns in confidence and receive feedback on any action taken.
- c) To ensure that you receive a response where possible to your concerns and information disclosed.
- d) To reassure you that you will be protected from penalisation or any threat of penalisation.

2. Scope

The Protected Disclosures Act 2014 aims to protect workers who raise concerns about possible wrongdoing in the workplace. It provides for redress for workers who are dismissed or otherwise penalised for having reported possible wrongdoing in the workplace.

The Act's definition of the term worker includes:

- Employees or former employees.
- Trainees.
- People working under a contract for services.
- Independent contractors.
- Agency workers.
- People on work experience and the Gardaí.
- The legislation does not specifically cover volunteers.

3. Policy Statement

Donegal Sports Partnership CLG (DSP) is committed to meeting its legal, ethical and moral obligations. Our protected disclosures policy is intended to encourage and enable workers to raise concerns rather than overlooking them.

Under this policy a worker can make a disclosure without fear of penalisation or threat of less favourable treatment, subsequent discrimination or disadvantage.

This policy complies with the Protected Disclosures Act 2014.

4. What is a protected disclosure?

Under the Act, a worker can make a protected disclosure of *relevant information* in a particular way.

Information is relevant if it came to your attention in connection with your work and you reasonably believe that it tends to show *wrongdoing*.

Wrongdoing is widely defined in the Act and includes:

- Commission of criminal offences
- Failure to comply with legal obligations
- Endangering the health and safety of individuals
- Damaging the environment
- Miscarriage of justice,
- Misuse of public funds
- Oppressive, discriminatory, grossly negligent or grossly mismanaged acts or omissions by a public body

A disclosure is assumed to be protected until it is proved that it is not protected. Under the Protected Disclosures Act, the employer has to prove that the disclosure is not protected within the meaning of the Act.

Where a worker seeks to raise an issue other than that of wrongdoing, these procedures do not apply and such matters should be brought up in the ordinary course with the DSP co-ordinator under the applicable grievance or other procedures.

A grievance is a concern an employee has about their terms and conditions of employment, working procedures or working conditions. Generally, grievance is dealt with through our internal grievance procedure. However, some grievances may also be protected disclosures and therefore are more appropriately dealt with in accordance with the act.

5. Channels of Disclosure

There are a number of ways to make a disclosure. Different standards apply depending on the person or body to whom the worker discloses. The Act sets out a tiered disclosure system to ensure that most reports are made to the employer. There may be circumstances where this is not appropriate.

6. Disclosure to Employer (DSP)

The disclosure of information relating to wrongdoing in the workplace is best dealt with in the first instance at workplace level. The earlier you express the concern the easier it will be for us to deal with the matter quickly. In this case all that is required is that you have a

reasonable belief that the information disclosed shows or tends to show that the wrongdoing is occurring.

The disclosure may be made to:

Designated Officer, DSP Coordinator **OR** *Alternate Designated Officer(s)

*Chairperson of the DSP Board/any member of the DSP Board.

DSP commits to examining all protected disclosures through a special committee made up of DSP Co-ordinator and DSP executive committee members and/or DSP board members. Should the disclosure refer to or relate to either the Designated Officer or Alternate Designated Officer (s), under the principles of fair procedures the person or persons will be excluded from the special committee. You can be assured that disclosure made to either or any of the above will be dealt with in accordance with the principles of the Protected Disclosures Act.

7. Disclosure to a prescribed person

You may choose to report to a prescribed person. In general, these persons have regulatory functions in the area which are the subject of the allegations. Examples of such persons are the Central Bank, The Health and Safety Authority and the Data Protection Commission.

A disclosure you make to a prescribed person is a protected disclosure if:

- You reasonably believe that the relevant wrongdoing is within the remit of the prescribed person and
- The information you disclose and any allegation in it are substantially true (this is a higher standard than is required for disclosure to your employer)

8. Disclosure to a Minister of the Government

If the worker is or was employed in a public body, they may make a protected disclosure to the Minister who has statutory functions in relation to that body.

9. Disclosure to a Legal Advisor

This covers disclosures made in the course of getting legal advice from a barrister, solicitor, trade union official or an official from an excepted body (an excepted body is a body which negotiates pay and conditions with an employer but is not a trade union as defined in section 6 of the Trade Union Act 1941).

10. Disclosure to Other Persons

The evidential qualifying criteria are set at a higher level for making a disclosure to other persons, for example, a journalist. It may be a protected disclosure if it meets a number of conditions:

- You must reasonably believe that the information disclosed, and any allegation contained in it, are substantially true.
- You must not make the disclosure for personal gain.
- The making of the disclosure in public is in all the circumstances, reasonable.

In addition, one or more of the following conditions must be met:

- At the time you make the disclosure you must reasonably believe that you will be penalised if you make the disclosure to your employer, a prescribed person or a Minister.
- Where there is no relevant prescribed person, (Regulatory Body) you reasonably believe that it is likely that the evidence will be concealed or destroyed if you make the disclosure directly to your employer.
- No action was taken in regard to a previous disclosure of the same nature.
- The wrongdoing is of an exceptionally serious nature.
- The assessment of what is reasonable takes account of, among other things, the person the disclosure is made to, the seriousness of the wrongdoing, and whether any action was taken in cases where a previous disclosure was made.

11. Procedure for Making a Disclosure

- a. A worker must make a disclosure in the manner set out in the Act to gain the protections provided under the same.
- b. A worker who has a reasonable belief in relation to one or more wrongdoings should disclose the information directly to a Designated Officer/Alternate Designated Officer(s).
- c. Where the discloser is the DSP coordinator, he/she should make the disclosure to the Chairperson of the Board of DSP or a member of the DSP Board.
- d. The disclosure under this policy should be made in writing or verbally to the Designated Officer/Alternate Designated Officer (s). In the event of a verbal disclosure, it will be recorded by the Designated Officer/Alternate Designated Officer (s) and signed by the discloser as an accurate record of their disclosure.
- e. The discloser should communicate all relevant information relating to the concern. This will facilitate the assessment as to whether the disclosure warrants investigation. The specific nature of the potential wrongdoing should be communicated at the time

the disclosure is made under the Act and if the discloser expects or does not expect confidentiality in relation to his identity.

- f. Where the discloser indicates that she/he expects/requires confidentiality in respect of his identity but the DSP ultimately concludes for reasons referred to in Section 16 (2) of the Act that this will not be possible, further consultations will take place with the discloser. The object of this will be to seek to gain her/his informed consent in those circumstances or otherwise to at least inform her/him in advance that his identity will have to be disclosed and should she/he require it (prior to disclosure of her/his identity) the facility of a review of the decision will be offered to her/him.

The circumstances in which the discloser's identity may have to be divulged as detailed in Section 16(2) of the Act are as follows:

- Where the DSP has taken all reasonable steps to avoid so disclosing the information but disclosure was still required;
- The discloser has not objected to the release of the information;
- The DSP believes that disclosing the information is necessary for:
- The effective investigation of the relevant wrongdoing
- The prevention of serious risk to the security of the State, public health, public safety or the environment or
- The prevention of crime or the prosecution of a criminal offence or
- Where the disclosure is otherwise necessary in the public interest or is required by law.

There is a distinction between on the one hand confidential disclosures where the DSP seeks to protect the identity of the discloser in accordance with Section 16 of the Act and on the other hand anonymous disclosures where the discloser withholds his identity.

Anonymous disclosures are not specifically prohibited by the Act. However, as disclosures can only be made by a worker it is clearly impossible to establish this fact in the case of an anonymous complaint. Hence it is arguably no open to a worker to make a protected disclosure anonymously. However, where made, the DSP will still seek to act on same to the extent that this is possible. However, it will be restricted in its ability to investigate the matter in the absence of knowledge of the identity of the discloser. However particularly where the discloser provides evidence (documentary or otherwise) which supports any allegations made in the disclosure, the DSP will as stated seek to still act on the disclosure. It should be noted however that a worker cannot obtain redress under the Act without identifying herself/himself.

A worker intending to raise a concern should not carry out an investigation outside of the normal scope of her/his duties with a view to seeking to confirm relevant wrong doing. Workers considering making an internal disclosure should not endeavour to find proof of their concern/suspicion or delay making the disclosure in order to gather evidence to support the disclosure first.

12. Information to be included in the making of a disclosure

The disclosure should include the following:

- a. Discloser's name, place of work and contact details
- b. The date of the alleged wrongdoing (if known) or the date the alleged wrongdoing is believed to have commenced or was identified;
- c. Whether or not the alleged wrongdoing is still ongoing;
- d. If the wrongdoing concerned has not yet occurred but the discloser believes that it is likely to be committed, state this and the basis for that belief.
- e. Whether the alleged wrongdoing has already been disclosed to the DSP Coordinator or any member of Board of Donegal Sports Partnership, and if so, to whom, when and what action was taken;
- f. Information in respect of the alleged wrongdoing, what is occurring/has occurred and how, and supporting information;
- g. The name of any person(s) allegedly involved in the alleged wrongdoing (if any name is known and the worker considers that the naming of the individual is necessary to expose the wrongdoing disclosed);
- h. Any other relevant information

Please see HR Forms in Staff Dashboard re '*Form for Making a Disclosure*'.

13. Procedure for receiving a Disclosure

- a. Except where the discloser does not object to his identify being made known, a Designated Officer/Alternate Designated Officer (s) to whom the disclosure is referred in the performance of employee duties, must take all reasonable steps to avoid disclosing to another person any information that might identify the discloser.
- b. The Designated Officer/Alternate Designated Officer (s) on receipt of a disclosure will undertake a screening assessment of same. This will seek to determine whether or not it should be treated as a protected disclosure under the Act. If it is unclear whether the disclosure qualifies as a protected disclosure, the Designated Officer/Alternate

Designated Officer (s) will treat same as a protected disclosure unless and until satisfied that the information is not a protected disclosure.

- c. As part of the screening process, it may be necessary to differentiate between protected disclosures on the one hand and personal employment complaints on the other. In some cases, the information provided may involve both a personal employment complaint and a protected disclosure. For example, a worker may allege that a colleague is bullying him and also allege that the colleague is defrauding the DSP. The disclosure will be assessed to determine the nature of the information provided and the procedure or procedures that are most appropriate to be used to investigate the matter.
- d. On separating out the different elements of the disclosure a determination will be made if relevant wrongdoing is involved and if so whether the matter proceeds as a protected disclosure.
- e. However, if having assessed the disclosure it is deemed to relate solely to a personal employment complaint the discloser will be encouraged to utilise other procedures (e.g., grievance or dignity at work policies) so that the complaint can be dealt with in an appropriate manner. On the other hand, should there be a mix of different issues then as already alluded to in (c), appropriate processes will be applied to deal with those issues. Those processes may differ from case to case.
- f. The screening/assessment process should consider whether the alleged wrongdoing is something than can or should be investigated or not (See No 9 Procedure for Investigation of a Disclosure). If an investigation is required, the Designated Officer/Alternate Designated Officer (s) will consider the nature and extent of the investigation.
- g. In the event that the Designated Officer/Alternate Designated Officer (s) is of the view that further investigation is not required, the Designated Officer/Alternate Designated Officer will keep a written record of his actions, including timelines.
- h. Workers will be advised by the Designated Officer/Alternate Designated Officer(s) that the following conditions apply to a worker's disclosure:
 - i. It must have come to her/his attention in connection with his employment and

- j. She/He must have a reasonable belief that the information disclosed tends to show a relevant wrongdoing.

14. Procedure for Investigation of a Disclosure

- a. Whether the Designated/Alternate Designated Officer (s) forms the view that an investigation is required the matter should be referred to the Board for examination and/or investigation or to an external person at the Boards discretion
- b. The Designated Officer/Alternate Designated Officer (s) should be updated by the Board on any investigation and the outcome. The fact of such an investigation taking place will be reported to Sport Ireland who will also be advised of the outcome and any recommendations arising.
- c. An investigation may consist of an informal approach for less serious wrongdoings, a detailed and extensive investigation of serious wrongdoings, or an external investigation by another body. It is important to note that some matters may be of such seriousness that the investigation may have to be carried out externally, such as by subject matter experts or may need to be reported to and investigated by An Garda Siochana or another body with the statutory power and function of investigation of particular matters.
- d. DSP investigations carried out will be impartial and conducted in a manner fully consistent with due process and the procedures will commit to this standard.
- e. In addition, the confidentiality of both the worker making the report of possible wrongdoing and the person against whom the allegation of wrongdoing has been made will be protected in the former case in accordance with the relevant legal provisions in the case of a protected disclosure and in the latter consistent with the principles of natural justice.

15. Redress for employees

The Act provides for redress for employees who are penalised because they made a protected disclosure. You are penalised if there is any act or omission that is detrimental to you, for example, dismissal, unfair treatment or threats of reprisal.

16. Dismissal after making a protected disclosure

If you are dismissed from your employment because you made a protected disclosure, that dismissal is regarded as unfair. You may make a claim for unfair dismissal and if your claim succeeds, you may be awarded compensation of up to 5 years' pay. (Generally, the maximum compensation in unfair dismissal cases is 2 years' pay).

Unfair dismissal protection does not generally apply to employees with less than 1 year service. These restrictions do not apply where the dismissal is because of making a protected disclosure.

17. Penalties other than dismissal

If you make a protected disclosure, your employer is prohibited from penalising or threatening to penalise you or causing or permitting anyone else to do so. If you are penalised or threatened, you may make a complaint to the Workplace Relations Commission using the online complaint form available on workplacerelations.ie. You should make a complaint within 6 months (although this time can be extended to 12 months if there is a valid reason for the delay).

The adjudicator's decision on your complaint may require your employer to take a specific course of action and may award you compensation.

18. Appeals

You or your employer may appeal the adjudicator's decision to the Labour Court. The Labour Court may refer a question of law arising in the case to the High Court. The High Court's decision on the matter is final. You or your employer can appeal the Labour Court's decision on a point of law to the High Court. Again, the decision of the High Court is final.

19. Civil Actions

The Act provides for immunity from most civil actions for damages – in effect, you cannot be successfully sued for making a protected disclosure. You can sue a person who causes detriment to you because you made a protected disclosure.

However, you cannot do this and also look for redress under the unfair dismissals legislation or make a complaint to the Workplace Relations Commission. If you are charged with unlawfully disclosing information, it is a defence that you were making what you reasonably thought to be a protected disclosure.

The Transparency Legal Advice Centre (TLAC) provides free legal advice to anyone who wishes to disclose wrongdoing, particularly under the Protected Disclosures Act. You can access this via the Speak Up helpline on 1800 844 866.

Policy Version No	Date signed off by Board	Description/Reason for Policy update	Lead Person Policy/Policy Changes
1.0	Feb 2020	New Policy	MO'D

Public Holiday Policy

1. Introduction

The purpose of this policy is to provide employees of Donegal Sports Partnership with information on their entitlement to Public Holiday Benefit.

2. Policy Scope

This policy applies to all full- time employees and to those part time employees who have worked a minimum of 40 hours in the five weeks ending on the day before the public holiday.

3. Policy Statement

Entitlement to public holidays is set out in the Organisation of Working Time Act 1997. There are ten annual public holidays in relation to which employees are entitled to benefits.

The following are public holidays in Rep of Ireland:

- 1st January
- First Monday in February except where St Brigid's Day (1 February) happens to fall on a Friday and in this case the public holiday will be on that Friday
- St Patricks Day
- Easter Monday
- First Monday in May
- First Monday in June
- First Monday in August
- Last Monday in October
- Christmas Day
- St Stephens Day
 - (Please note *Good Friday* is not a Public Holiday)

4. Public Holiday Benefits

Under the terms of the Organisation of Working Time Act eligible employees are entitled to ONE of the following in respect of a public holiday:

- a) A paid day off on that day **OR**
- b) A paid day off within a month of that day **OR**
- c) An additional day of annual leave **OR**
- d) An additional day's pay

Donegal Sports Partnership normally give a paid day off on a public holiday

5. Part Time Employees: *(this applies only to employees who have worked at least 40 hours in the five weeks on the day ending before the Public Holiday).*

- If the public holiday falls on a day the part time employee normally works, they are entitled to a paid days leave for the public holiday.

- If the employee is required to work on the day of the public holiday, they are entitled to an additional day's pay for the hours worked**
- If the employee does not normally work on the day the public holiday falls, they are entitled to be paid one-fifth of their normal weekly pay. (This applies even if the employee may never be rostered to work on a public holiday)
- If the employee does not have normal, daily or weekly working hours an average of their day's pay or one-fifth of their weekly pay will be calculated over the 13 weeks worked before the public holiday

6. Policy Principles

- If an employee is on Maternity, Additional Maternity, Adoptive, Additional Adoptive, Parental, Paternity, Parent's Leave and Force Majeure leave they retain their public holiday entitlement for the duration of the leave
- If an employee is on Carers Leave, they retain their public holiday entitlement for the first 13 weeks of leave
- If an employee is on sick leave due to a work-related injury, they retain their public holiday entitlement for the first 52 weeks of absence
- If an employee is on sick leave due to illness or injury which is non-work-related, they retain their public holiday entitlement for the first 26 weeks of absence
- If an employee is on health and safety leave there is no entitlement to public holiday benefits
- If a employee ceases to be employed during the week ending on the day before a public holiday and they have worked at least 4 weeks preceding that week, they are entitled to be paid an amount equal to an additional day's pay
- Where a public holiday falls on a day which is not a normal working day for that business (e.g., Saturday or Sunday) employees still have an entitlement to benefit

Policy Version No	Date signed off by Board	Description/Reason for Policy update	Lead Person of Policy/Policy Changes
1.0	Feb 2020	New Policy	MO'D
2.0	Jan 2022	Additional public holiday introduced	MO'D

Right to Disconnect Policy

1. Introduction

The purpose of this policy is to provide you with clear information on the 'Right to Disconnect' from work, in line with the Code of Practice.

2. Scope

The Code of Practice for Employers and Employees on the Right to Disconnect was introduced in April 2021. This Code applies to all employment, whether working remotely, in a fixed location, at home or are mobile

3. Policy Statement

The Health and Wellbeing of our employees is of the utmost importance to us, and we encourage and support our employees to prioritise their own wellbeing. Disconnecting from work is vital for achieving a healthy and sustainable work-life balance.

4. Principles

The Right to Disconnect has three main elements:

- a. The right of an employee not to have to routinely perform work outside their normal working hours.
- b. The right not to be penalised for refusing to attend to work matters outside of their normal working hours.
- c. The duty to respect another person's right to disconnect (by not routinely emailing or calling outside an individual's normal working hours)

We are committed to supporting our employees' right to disconnect and in line with the Code of Practice for Employers and Employees, recognise that *occasionally* legitimate reasons may arise where it is necessary to contact an employee outside their normal working hours. Such occasional situations can include but are not limited to for example ascertaining availability for rosters, to fill in for a sick colleague, where an emergency may arise, or where business/operational reasons require contact outside of the employee's normal working hours.

5. Employer Obligations

We are fully compliant with our statutory duties under employment legislation. As required under the Code of Practice for Employers and Employees on the Right to Disconnect, we confirm that all employees

- Received detailed written information on their working time, in accordance with the Terms of Employment Act 1994 -2021.
- Are informed of what their normal working hours are reasonably expected to be under the Employment (Miscellaneous Provisions) Act 2018.

- Must take rest periods, in accordance with the Organisation of Working Time Act 1997.

In addition, as an organisation we:

- ensure a safe workplace, including reviewing our risk assessment and, where necessary the Safety, Health and Welfare at Work Act 2005 and take account of our obligations under section 8(2) (b) of Safety Health and Welfare at Work Act 2002 which extends to ‘managing and conducting work activities in such a way as to prevent as is reasonably practicable, any improper conduct or behaviour likely to put the safety, health and welfare at work
- do not penalise an employee for acting in compliance with any relevant provision or performing any duty or exercising any right under section 27 of the safety health and welfare at work act.

6. Employee obligations

As an employee, you also have certain statutory duties to comply with during the course of your work. You must:

- ensure that you manage your own working time and consider your obligations as an employee, while at work, to take reasonable care to protect the safety, health and welfare, and the health and safety of co-workers
- co-operate fully with any appropriate mechanism utilised by an employer to record working time including when working remotely
- be mindful of colleagues’, clients and all other people’s right to disconnect (e.g., by not routinely emailing or calling outside normal work hours)
- notify your manger in writing of any statutory rest period or break to which you are entitled to and were not able to avail of on a particular occasion and the reason for not availing of such rest period or break, and
- be conscious of your work pattern and aware of your work-related wellbeing and taking remedial action if necessary

7. Role of Management

Management plays a central role in ensuring that the terms of this policy are put into practice. If you have any issues around your working time or switching off from work, your first point of contact is your line manager.

8. Communications

Where possible e-mails should only be checked or sent during normal working hours. Due to differing/non-standard patterns of work in the company some employees may send communications at times which are inopportune for other employees e.g., weekends or evenings. In such instances the sender should give due consideration to the timing of their communication and potential for disturbances, and the recipient should understand that they will not be expected to respond until their working time commences.

Employees should not feel that they must respond to social communications from colleagues outside of their working hours.

If a manager sends communications outside agreed working hours, unless business and operational needs dictate that an immediate response is required, a statement will be attached to out of hours emails tempering the expectation of an immediate response. Managers will speak to any team members if they notice that employees are sending emails at odd hours or logging in excessively.

Template e-mail out of office messages

“My normal working hours are from X to Y. I will respond to you when I am back at work”

“I am currently working flexibly so while it suits me to send this email now, I do not expect a response or action outside your own working hours”

9. Remote Working

Employees who are working from home are encouraged to schedule post work leisure activity in order to create some separation from the end of their workday and the beginning of their personal time.

10. Raising concerns

If you do experience difficulties in asserting your right to disconnect, you should first raise the matter with your line manager and seek to resolve the matter informally. If you cannot reach an agreement, you will need to raise a formal grievance in line with the procedures set out in the grievance policy.

Policy Version No	Date signed off by Board	Description/Reason for Policy update	Lead Person of Policy/Policy Changes
1.0	September 2021	New Policy- WRC Code of Practice	MO'D

Smoke-free Workplace Policy

1. Introduction

It is the policy of Donegal Sports Partnership (DSP) that its workplace is smokefree, to protect its staff from the risks of smoking whilst they're at work and that all employees have the right to work in a smoke free environment.

2. Policy Statement

The Public Health (Tobacco) Acts 2002 and 2004 prohibit smoking in indoor places of work. Section 47 of the Acts, is designed to protect third parties, such as workers from the ill effects of exposure to second hand smoke.

3. Scope of Policy

This policy applies to all employees, board members, tutors, volunteers and visitors.

4. Definitions

- DSP's smoke free workplace extends to the use of e-cigarettes, vaporisers, herbal cigarettes, tobacco and any derivatives of these.
- The workplace relates to all premises/facilities where DSP business is conducted.
- A company vehicle is a 'place of work' as specified in the Safety, Health and Welfare at Work Act 2005.

5. Principles

- Smoking is prohibited in DSP workplace including all entrances and doorways of the premises so that employees are not exposed to passive smoke whilst accessing or leaving these premises.
- All employees, board members, tutors, volunteers and visitors have an obligation to adhere to, and facilitate the implementation of this policy.
- A person guilty of an offence under the Public Health (Tobacco) Acts is liable on summary conviction of a fine up to €3,000

6. Responsibilities

- Responsibility for the implementation of this policy rests with the Co-ordinator.
- All employees have an obligation to adhere to, and facilitate the implementation of this policy. Infringements by staff will be dealt with under DSPs disciplinary procedures.

7. Support

Smoking seriously harms you and others around you. If you don't smoke, don't start. If you do, please stop. Information on how to obtain support in stopping smoking is available from the National Smokers' Quitline on 1850 201 203, www.quit.ie.

Policy Version No	Date signed off by Board	Description/Reason for Policy update	Lead Person Policy/Policy Changes
1.0	25 March 2022	New Policy	MO'D

Social Media Policy

1. Introduction

The purpose of this policy is to ensure Donegal Sports Partnership CLG's (DSP) employees value the significance of using social media in a responsible manner and in a way which will not adversely impact on DSP.

2. Scope

This policy applies to employees, volunteers, facilitators, tutors and board members (hereafter referred to as relevant individuals). Its scope goes beyond the workplace to include the use of social media channels in a private capacity.

3. Policy Statement

We recognise that all relevant individuals use social media tools as part of their daily lives.

This policy is designed to help relevant individuals recognise how the usage of social media networks may impact either directly or indirectly on DSP employees, volunteers, facilitators, tutors and board members.

The world of social media is continually evolving and this policy extends to all current and any future social media channels. This policy must be read in conjunction with other employee policies. Particular attention is drawn to the Dignity at Work policy, Equality policy, General Data Protection Regulations policy, Electronic Communications policy and Disciplinary policy.

4. What is social media?

This policy deals with all forms of social media, including 'Facebook', 'Instagram', 'YouTube', 'Twitter' and all other social networking sites, all other internet postings, including blogs. It refers to all types of electronic media where people are talking, participating, sharing and networking (both personally and professionally).

In online social networks the lines between public and private, personal and professional are blurred. Therefore, it is important to apply common sense and good judgement when using social media channels. Inappropriate use of social media can pose risks to our confidentiality and reputation and we want to protect our good name.

5. Principles

5A. DSP & social media

- Only those who are authorised to do so may post comments etc on behalf of DSP.
- DSP does not specifically monitor social media sites for employee content on an ongoing basis, however employees should not expect privacy in this regard.
- DSP will investigate any complaints received arising as a result of inappropriate use of any social media channel.

- DSP reserves the right to utilise for disciplinary purposes any information that could have a negative effect on DSP or its employees, which they come across in regular internet monitoring, or is brought to DSP attention by employees, members of the public or others.

5B. Cyber Bullying

- Cyber bullying can happen in a number of ways; inappropriate photographs may be published, offensive or threatening comments might be made, or sensitive information could be revealed.
- DSP reserves the right to utilise for disciplinary purposes any information which constitutes cyber bullying, which they come across in internet monitoring, or where it is brought to DSP attention by employees, members of the public or others.

5C. Use of personal Devices

- Employees may access social media channels on their own personal electronic device (i.e., mobile phone/tablet/pc) during break times at work but the same principles of the policy apply.

5D. General Data Protection Regulations (GDPR)

- Be aware of Data Protection rules - colleague's details or pictures may not be posted online without their individual permission.
- DSP does not permit 'tagging' of vulnerable adults or anyone under the age of 18 in any social media platform.

5E. Photography/Video

- Where an individual is authorised by DSP to take photographic/video images at a DSP event signed consent must be received to publish the images. .
- Personal digital or analogue devices such as phones/tablets etc. may not be used to take photographs at DSP events, except in exceptional circumstances and must always be authorised in advance by the DSP Coordinator.
- Where exceptional circumstances occur work related images must be deleted as soon as possible from personal digital or analogue devices and no later than 24 hours following the event. Failure to do so may result in disciplinary action.
- Photographs of DSP events should never be posted online without permission from the DSP coordinator.

5F. Use of Personal Social Media Channels

- Employees shouldn't use their work email address when signing up to any social media network in a personal capacity.
- Employees may have a LinkedIn account which will highlight the fact that they work for DSP and their role within it. No commercially sensitive or confidential DSP details should be disclosed.
- If you disclose your affiliation to DSP on any social media channels you must write in the first person and state clearly that the views expressed are your own,

anything you publish is your personal opinion and not necessarily the opinions of DSP.

5G. Posting on Social Media Channels

- Employees must never publish comments that might be construed as racist, sexist, relate to sexual orientation, age, disability, religious or political beliefs.
- Employees should never publish information on any social media sites that could be seen to have a negative effect on DSP or our employees.
- Remember that you are personally accountable for what you post on social media and the posting of any material that is defamatory, abusive or offensive may lead to disciplinary action up to and including dismissal.
- At all times respect copyright and intellectual property rights of information you encounter on the internet. This may require obtaining appropriate permission to make use of the information before you post such information. You must always give proper credit to the source of the information used.
- Remember that the internet and external social media sites are all public and once you've made a statement or comment in a public domain, it's almost impossible to retract it. Therefore, always take time to review your content in an objective manner before uploading.
- Be respectful at all times in both the content and tone of what you say. Show respect to your audience and colleagues.

Policy Version No	Date signed off by Board	Description/Reason for Policy update	Lead Person of Policy/Policy Changes
1.0	July 2019	New Policy	MO'D

Travelling & Subsistence Policy

Donegal Sports Partnership pays travelling and subsistence in respect of necessary authorised journey/absences.

Travel rates are advised as per individual employee contract. Subsistence rates are in line with Local Authority rates and payments are in accordance with procedures,

Journeys shall be planned to reduce the total cost of expenses to the minimum consistent with efficiency and economy. It shall be the responsibility of employees using their vehicle in the performance of official duties to ensure:

1. *Economies are maximised*

- *Mileage allowance are only payable where public transport is not practical, available or does not represent economy*
- *The shortest and most economical route and method shall be used*
- *Expenses shall not be paid in respect of any portion of a journey which covers all or part of an employee's usual route between home and DSP office.*
- *Where more than one employee is travelling to the same area, arrangements should, where feasible, be made to avoid duplication of the use of employees own cars*
- *Where an employee proceeds on an official journey direct from home or returns home direct, the travel and subsistence allowance payable will be calculated by reference to the distance from home or DSP office whichever is the lesser.*
- *A Travel Allowance is not payable in respect of any journey which is within 4.8kms (3 miles) of a person's home or headquarters.*

2. *Legal compliance in respect of Motor Insurance, Driving and Vehicle Licences*

- *Evidence of such compliance shall be made available on request by the co-ordinator*
- *Motor Insurance Policies in respect of employees likely to exceed 1.250kms per calendar year must cover official use of the Vehicle and provide an Indemnity to Donegal ETB. It is the responsibility of the individual to explain to his/her Insurers the extent of use of the vehicle*
- *Motor Insurance Policies in respect of employees doing less than 1.250kms per calendar year must include cover for Business/limited Business use.*

3. *Overnight & Day Subsistence is only claimed where there is necessary absence:*

- *Claims shall be adjusted for meals and/or appropriate hospitality provided*
- *A Day Subsistence Allowance is not payable for an absence at any place within 4.8km (3 miles) of a person's home or headquarters*
- *An overnight allowance covers up to 24 hours from the time of departure as well as any further period not exceeding 5 hours*

4. Retention of Documentation

- *Official Journey should be approved in advance by the DSP Coordinator*
- *A personal diary record should be maintained to include departure & return times, duties discharged, locations visited, mileage & expenses incurred, names of passengers and details of car used.*
- *Original documentary evidence of other relevant Out of Pocket Expenses such as Bus/Train/Car Park/Road Tolls/Ferry/Flights etc shall be forwarded to the Co-ordinator to facilitate the approval process. Such documentation must be retained for Audit purposes.*

5. Application to attend Conferences/Seminars

Applications to attend above should be submitted to the co-ordinator and must include information in support of the application.

6. Foreign Travel

Applications to undertake Foreign Travel must be submitted to the co-ordinator for approval in advance of any such travel being undertaken.

Such applications must specify the purpose of the journey, proposed dates, number of persons travelling, costs including flights, accommodation, conference/seminar fees, together with details of benefits accruing etc.

7. Claims Process

Official journeys should be approved in advance by the co-ordinator. Travel and Subsistence Expenses claims must be fully and properly completed and submitted no later than monthly in arrears. Claims which are not completed in full will be returned to the Claimant for full details and DSP will not accept responsibility for any resultant delays in the processing of same.

Policy Version No	Date signed off by Board	Description/Reason for Policy update	Lead Person Policy/Policy Changes
1.0		Policy	MO'D

TYPES OF LEAVE

Adoptive Leave Policy

1. Introduction

The purpose of this policy is to provide clear information around your entitlement to adoptive leave.

2. Scope

This policy applies to qualifying adopters. A qualified adopter is either;

- The sole adopter, in the case of a parent who is adopting a child on their own, or
- The nominated parent in the case of an adopting couple

The adopting couple can choose who should take the adoptive leave, that is who will be the nominated parent. An adopting couple means a married couple, a couple who are in civil partnership or a cohabiting couple adopting a child.

The parent who does not avail of adoptive leave is entitled to Paternity Leave. Please refer to our Paternity Leave policy.

3. Policy Statement

Donegal Sports Partnership CLG (DSP) is committed to supporting your entitlement to take adoptive leave in line with the Adoptive Leave Acts 1995, 2005 and 2021.

During adoptive leave and additional adoptive leave, you are deemed to be in employment and your employment rights with the exception of remuneration and pension will be preserved as though you were in employment.

4. Principles

- You are entitled to 24 consecutive week's adoptive leave beginning on the day of the placement of the child.
- DSP does not pay salary during adoptive leave; however, you may qualify for Adoptive Benefit and you should contact the Department of Employment Affairs & Social Protection to obtain information on this (Lo call 1890 690 690)
- You must give DSP at least 4 weeks' notice of your intention to take adoptive leave.
- If the expected date of placement of adoption is postponed the period of adoptive leave can also be postponed provided you advise us of the new expected date of placement as soon as reasonably practicable.
- You are also entitled to take additional unpaid adoptive leave of up to 16 weeks. Additional adoptive leave must be taken *immediately* after adoptive leave *except* in

the case of foreign adoptions where some or all of it may be taken prior to the date of placement

- You must give at least four weeks' notice of your intention to take additional adoptive leave
- You may take paid time off to attend (within the state) preparation classes and pre adoption meetings with social workers etc. You must advise us no later than two weeks before the date of the meetings and provide supporting documentation
- You may postpone the period of adoptive leave/additional adoptive leave in the event of the hospitalisation of the adopted child, subject to agreement with the DSP Co-ordinator.
- If you become ill during the period of additional unpaid adoptive leave you may request in writing to terminate this leave and commence sick leave. In this case your illness must be medically certified. This termination is subject to agreement in writing by the DSP Co-ordinator and you will no longer be entitled to avail of any further unpaid additional adoptive leave.
- You are entitled to retain your full entitlement to annual leave and public holidays and you should agree with the DSP coordinator when these are taken.
- If you take adoptive leave while employed on a fixed term contract which is due to expire during the adoptive leave, your adoptive leave will end on the last day of that contract.
- If any part of your adoptive leave occurs during a probationary or training period it will be suspended for the duration of the leave and will recommence on return to work.
- You must give four weeks written notice of your intention to return to work.

5. Guidelines

- If the placement is terminated after a period of less than 24 weeks (excluding where the child has died) you should notify us no later than 7 days of the termination date of placement. In this case the DSP coordinator will agree your return date which will be no later than when the original ordinary adoptive or additional adoptive leave date would have ended.
- In the unfortunate event of an adopting mother's death, the adopting father will be entitled to adoptive leave. Should the mother die before the date of placement the adopting father will be entitled to 20 week's leave.
- If the adopting mother dies on or after the date of placement the adopting father is entitled to the remainder of the adopting mother's leave and to additional adoptive leave. The employee should notify the DSP coordinator as soon as is reasonably practicable, but the leave will commence within 7 days of the death of the adopting mother or on the day of the placement, whichever is later. If intending to take additional adoptive leave he should notify the DSP coordinator of his intention to do so 4 weeks before he is expected to return to work.

6. Irish Adoption

An adopting parent who is taking adoptive leave must give his/her employer a Certificate of Placement.

The certificate may be obtained by the employee from the Health Service Executive or the adoption society which arranged the placement. An Bord Uchtála will issue the Certificate of Placement in other Irish placement cases.

7. Foreign Adoption

An eligible employee must give her/his employer a copy of the Declaration of Eligibility and Suitability before beginning adoptive leave or additional adoptive leave (whichever is the earlier). He or she must give the employer details of the placement as soon as is reasonably practicable.

8. Notification & Application Process (Please read in conjunction with the application form)

- You must give us at least **4 weeks** written notice before the date of placement of your intention to take adoptive leave and provide a declaration of eligibility and Certificate of Placement.
- You must inform us in writing of your intention to take additional adoptive leave no later than **4 weeks** before the end of your normal adoptive leave. In the case of foreign adoption where additional adoptive leave is being taken before the placement date you must give **4 weeks** written notice prior to commencement date
- You must give us at least **4 weeks'** notice in writing of your intention to return to work

Policy Version No	Date signed off by Board	Description/Reason for Policy update	Author of Policy/Policy Changes
1.0	July 2019	New Policy	MO'D
2.0	September 2021	Legislative change - 'Qualifying Adopters' eligibility definition updated	MO'D

Annual Leave Policy

1. Introduction

The DSP's overall aim as an employer is to ensure a working environment which both protects and promotes health and safety and encourages a caring, responsible and supportive work culture. As a responsible employer, the DSP must ensure that employees' take their full annual leave entitlement within the prescribed leave year and enjoy the terms and conditions to which they are entitled to maintain employee's wellbeing and to ensure employees are able to perform at an optimum level in their role within the organisation.

The purpose of this policy is to provide clear information around the granting of annual leave in Donegal Sports Partnership (DSP).

2. Scope

This policy applies to all full-time and part time employees.

3. Policy Statement

It is important that employees get the opportunity to take regular breaks and rest from work across the year. This policy is designed to ensure that everyone gets the opportunity to do this in an organised way.

This Annual Leave policy is in line with the Organisation of Working Time Act 1997 which sets out statutory annual leave entitlements:

- 4 working weeks in a leave year in which the employee works at least 1,365 hours (unless it is a leave year in which he or she changes employment) OR
- 1/3 of a working week per calendar month that the employee works at least 117 hours OR
- 8% of the hours an employee works in a leave year (but subject to a maximum of 4 working weeks)

The method of calculation used will be the calculation which gives the employee the greatest Annual Leave entitlement. DSP's annual leave entitlement is set out in individual employee contracts.

4. Principles

- Annual Leave accumulates from the first day of employment and is paid leave

- The annual leave year normally runs from 1 January to 31 December for full time employees.
- For fixed term contract employees, the annual leave year runs from the contract start date.
- If you work on a part-time basis, your leave entitlement will be on a pro-rata basis.
- A working week is your normal working week. For example, if you are working three days per week your annual leave of 4 weeks will be 12 days.
- **Notification of Annual Leave Entitlements:** Individual annual leave entitlements are noted in the contract of employment and will be subject to recording on Leave Dates recording system.
- **Requesting Annual Leave:** Annual Leave should be requested and approved by the DSP Coordinator. Employees should make every effort to provide as much notice as possible, however in any event the following notice is required:

Leave Period	Corresponding Notice Period
1 - 3 days	1 week
3-5 days	2 weeks
Over 5 days	1 month

- DSP will attempt to meet the needs of employees and grant annual leave on a first request basis. However, the DSP reserve the right to approve or refuse annual leave requests based on our overall working requirements.
- It may be necessary, in exceptional circumstances, to restrict annual leave due to the priority needs of the DSP.
- The DSP reserves the right to nominate certain days to be taken as part of employee's annual leave e.g., closure days over the Christmas holiday period. These will be advised in good time during the year.
- Employees should not book holidays until annual leave has been requested and approved.
- Once annual leave is approved, the internal calendar should be updated.
- Where your annual leave period coincides with a public holiday you are entitled to take an additional day's leave by arrangement with the DSP Coordinator.
- As far as possible you should take all leave within the leave year. Where this is not possible a maximum of 5 leave days may be carried forward with written approval of the DSP coordinator. The 5 days carryover is to be cleared within the first six months of the Leave Year in which it is carried.
- In exceptional circumstances an additional 5 days may be carried forward, with the approval of the DSP coordinator.

- If you leave the DSP, any accrued annual leave will be paid to you and appropriate deductions will be made if you have taken leave in excess of your entitlement from your final salary.

5. Guidelines

- Your full leave entitlement should be planned and requested from the DSP Coordinator.
- Annual leave requests are subject to the approval of the DSP Coordinator.
- If you are ill while on annual leave you can reclaim the days by sending in a medical certificate. You should make sure to contact the DSP Coordinator on the first day of sickness or if unable to do so then, as early as possible.
- Absences from work due to Maternity Leave, Adoptive Leave, Parental Leave, Paternity, Parents Leave, Health & Safety Leave or Force Majeure Leave will not reduce your annual leave entitlement.
- When on Carer’s Leave, annual leave entitlement accrues for the first thirteen weeks of leave.
- Absences from work due to long term illness will not reduce your annual leave entitlement but leave accrued in this way is subject to a maximum “carry over” period of up to 15 months from the end of the leave year in which it was accrued.

6. Cancelling Annual Leave

- In the event that an employee wishes to cancel annual leave previously approved, they should advise the Co-ordinator by way of telephone call or face to face discussion.
- This must be followed up by email to the Co-ordinator setting out the date(s) and reason(s) for cancelling annual leave.
- Employees must amend their annual leave record accordingly by cancelling in ‘Leave Dates’

Policy Version No	Date signed off by Board	Description/Reason for Policy update	Lead Person Policy/Policy Changes
1.0	March 2022	New Policy	MO’D

Bereavement/Compassionate Leave Policy

1. Introduction

The purpose of this policy is to provide clear information on bereavement leave.

2. Scope

This policy is applicable to all employees.

3. Policy Statement

DSP understands the deep impact that death can have on an individual or a family. While there is no statutory legislation which covers bereavement leave in Ireland the leave outlined in this policy reflects the norm for such leave in Ireland.

4. Principles

- Up to 3 working days paid leave may be granted on the death of an immediate relative (brother, sister, grand-parent, aunt, uncle or parent-in-law).
- On the death of a spouse, child or parent up to 5 paid leave days will be granted.
- In exceptional circumstances (e.g., where the employee has lived in the same house as the deceased or has to take charge of funeral arrangements) an employee may be granted 3 paid working days leave on the death of a more distant relative.
- Extra days may be allowed depending on individual circumstances and is at the discretion of the DSP Co-ordinator.
- Additional unpaid leave may be granted at the discretion of the DSP Co-ordinator.

Policy Version No	Date signed off by Board	Description/Reason for Policy update	Lead Person of Policy/Policy Changes
1.0	Feb 2020	New Policy	MO'D

Carer's Leave Policy

1. Introduction

The purpose of this policy is to provide clear information around the granting of Carers leave.

2. Scope

This policy applies to all employees with twelve months continuous service who have received approval from the Department of Employment Affairs & Social Protection to give full time care and attention to a 'relevant person' (A relevant person is defined as someone who needs continual assistance and frequent supervision throughout the day)

3. Policy Statement

- We recognise that there may be time(s) during your employment where you are personally required to give full time care and attention to an individual. We are committed to supporting all employees who want to avail of carers leave as laid out in the Carers Leave Act 2001.
- Carers leave allows you to leave your employment temporarily to provide full time care and attention for an individual who is need of full-time care and attention.
- During carers leave you are deemed to be in employment except you will not be paid. Your annual leave and public holiday entitlement applies for the first 13 weeks only.

4. Principles

- You must have 12 months continuous service to qualify for carers leave.
- You must provide us with confirmation from a deciding officer of the Department of Employment Affairs & Social Protection that the person you wish to look after is a 'relevant person' i.e., requires full time care and attention.
- You may be entitled to Carers Benefit (contact Department of Employment Affairs & Social Protection for further information at Lo-call 1890 92 77 70) but this is not a prerequisite for carers leave.
- The statutory entitlement is for a minimum of 13 weeks carers leave and where you apply for less, we may not be able to accommodate you. In such cases we will specify in writing the reason for the refusal.
- You may take up to a maximum of 104 weeks which can be taken either as continuous block or in separate unit periods of 13 weeks. There must be at least a 6 week break between each block period during which time you must return to work.

- During carers leave you are entitled to undertake educational/training courses, voluntary/community work and work outside the home, provided any of these do not exceed a maximum of 18.5 hours per week. (Increased from 15 hours in January 2020) If you intend to work you should obtain permission from Department of Employment Affairs & Social Protection and also from the DSP Coordinator.
- Annual leave and public holidays accrue for the first 13 weeks of absence on carers leave.
- If you are on probation this will be suspended until you return from carers leave.
- Your right to return to work is conditional on you providing at least 4 weeks' notice in writing before the due date of return.
- You should contact the Department of Employment Affairs & Social Protection for information on your PRSI contributions during this time (Lo-call 1890 92 77 70)
- In circumstances where the dependent person dies during the period of carers leave, the leave will end either six weeks after the date of death or on the original date specified on the confirmation document, whichever is the earlier.
- You must notify us of any change in circumstances which affect your entitlement to Carers Leave as soon as is practicable i.e., where the responsibility for care is transferred to another person or where the dependent person recovers and no longer requires care.

5. Guidelines

- If two employees are considered to be carers for the same relevant person, only one person is entitled to the leave at any one time.
- If your carers leave in respect of one person has finished you may not take carers leave to look after a second relevant person until six months have elapsed after the previous period of leave.
- In general, you can only be on carers leave for one person in need of full- time care at any one time. However, if two people live together and both are in need of full-time care and attention you can get carers leave for both of them. In this case the total amount of leave is 208 weeks. Once your application for the second relevant person is approved by the Department of Employment Affairs & Social Protection the leave can begin on the date after the deciding officer's final decision. You do not have to make another request for carers leave to the DSP Coordinator. However, you must inform the DSP coordinator of this change, your expected return to work date and enclose a copy of the confirmation second entitlement.
- In exceptional or emergency circumstances where it is not reasonably practicable to give notice in accordance with the provisions of the Carers Leave Act 2001, you should give us notice as soon as possible.

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6. Termination of Carers Leave

Carers Leave can be terminated in certain circumstances.

- Where the person being cared for no longer needs full time care and attention
- Where the employee is no longer in a position to provide full time care and attention.
- Where the person being cared for dies.
- Where the employer is of the opinion that the employee or the person receiving the care no longer meets the criteria for carers leave. In such a situation the DSP may refer the matter to the Department of Employment Affairs and Social Protection for a decision.
- At a date agreed by DSP and employee.
- Carers Leave is granted solely for taking care of a 'relevant person (s)' as approved by the Department of Employment Affairs & Social Protection. The leave may be terminated if it is not used for this purpose and the employee may be subject to disciplinary action up to and including dismissal

7. Notification & Application Process

- At least **8 weeks** prior to the proposed date of carers leave you should apply to the Department of Employment Affairs and Social Protection (Lo-call 1890 92 77 70 for the Carers form) for a decision from the deciding officer regarding 'relevant person'. You will need to obtain a Carers Benefit form from the Department of Employment Affairs & Social Protection and this form also needs to be completed by the DSP Coordinator, the care recipient and care recipient's doctor. (CARB 1)
- At least **6 weeks** prior to the proposed date you should complete the Notification of Intention to take carers leave form and give it to DSP Coordinator.
- As soon as you receive an approval decision from the Department of Employment Affairs & Social Protection you should provide the DSP Coordinator- with this document which is required before you can take carers leave.
- No less than **2 weeks** before you are due to commence the carers leave a Confirmation document must be signed by both you and the DSP Coordinator.
- Your right to return to work is conditional on you providing at least **4 weeks'** notice in writing before the due date of return.
- In emergency circumstances where it is not reasonably practicable to give the standard notice requirements, you can apply for carers leave as soon as reasonably practicable.

8. Employer Obligation – Donegal Sports Partnership

Following the ending of the carer's leave, the employer must give notice of this fact, (including the date of return) in writing to the Department of Employment Affairs and Social Protection

Policy Version No	Date signed off by Board	Description/Reason for Policy update	Lead Person of Policy/Policy Changes
1.0	Feb 2020	New Policy	MO'D

Force Majeure Leave Policy

1. Introduction

The purpose of this policy is to provide clear information on force majeure leave.

2. Scope

This policy applies to all employees.

3. Policy Statement

We understand that there may be times when your presence is required elsewhere due to urgent family reasons e.g., the sudden illness or injury of an immediate family member. Force majeure leave is paid leave where you are entitled to take time off for immediate family emergencies.

Force majeure Leave comes under the Parental Leave Acts 1998-2019 and this policy complies with the provisions of these Acts.

4. Principles

- Force Majeure leave is paid leave which an employee can request in the event that an immediate family member has suffered an illness or injury and their urgent presence is indispensable.
- Force Majeure leave applies to leave taken for immediate family members and for the purposes of the Act this is defined as:
 - The husband, wife or partner of the employee
 - A child or adopted child of the employee
 - Parent or grandparent of the employee
 - Brother or sister of the employee
 - A person to whom the employee is acting in 'loco parentis' (acting as a natural parent)
 - Any other person who is living with the employee and with whom they have a domestic dependency and reliance on in situations of illness and injury.
- An employee may not take more than 3 days of force majeure leave in any 12 consecutive months or 5 days in any 36 consecutive months.
- After 5 days force majeure leave in a period of 36 months any further leave requests will be considered under the annual leave policy.
- Absence for part of a day on force majeure leave is counted as one day of force majeure leave
- Employees retain all their employment rights whilst on force majeure Leave.
- Where an employee is unable to attend work due to non-illness of a family member (e.g., non-availability of baby sitter etc.) this will be treated as annual leave.
- As soon as is reasonably practicable on return to work a 'Force Majeure Notification Form' should be completed

Policy Version No	Date signed off by Board	Description/Reason for Policy update	Lead Person of Policy/Policy Changes
1.0	Feb 2020	New Policy	MO'D

Jury Service Leave Policy

1. Introduction

The purpose of this policy is to provide you with clear information on the granting of leave for jury service.

2. Scope

This policy is applicable to all employees.

3. Policy Statement

Donegal Local Sports Partnership CLG (DSP) recognises that if you are called for jury service you are obliged to attend. Our policy complies with the Juries Act 1976.

4. Principles

- You are entitled to paid leave off to attend for jury service, where you have been officially summonsed to do so.
- During jury service leave you retain all other employee entitlements including annual leave and public holiday benefit.
- Where you are only required to attend court for part of a working day, you must return to work immediately after you have been released from court.
- For the days you attend jury service, you must provide DSP with a certificate of attendance from the County Registrar evidencing the dates and times of your jury service.

5. Guidelines

- Where you feel your work commitments make it impractical for you to carry out duty service you may apply to the County Register to be excused.
- If you need to provide evidence to be excused, please contact the DSP Coordinator who will provide a letter detailing your current work commitments.

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Policy Version No	Date signed off by Board	Description/Reason for Policy update	Lead Person of Policy/Policy Changes
1.0	Feb 2020	New Policy	MO'D

Maternity Leave Policy

1. Introduction

The purpose of this policy is to provide clear principles and procedures to be followed when taking maternity leave.

2. Scope

All pregnant female employees in our employment are entitled to take maternity leave. This leave entitlement is covered under the Maternity Protection Acts 1994 and 2004. In certain circumstances male employees are also covered by this legislation.

3. Policy Statement

We undertake to support your statutory entitlement to maternity leave and to ensure you are protected from any health and safety risks at work during your pregnancy.

During maternity leave and additional maternity leave you are deemed to be in employment and your employment rights with the exception of remuneration and pension are preserved as though you were in employment i.e., you will receive your full entitlement to annual leave and public holiday benefits.

This policy complies with the Maternity Protection Acts 1994 and 2004.

4. Principles

- It is important that you inform the DSP coordinator of your pregnancy as soon as possible in order for a pregnancy risk assessment to be carried out. If a risk is identified and the Donegal Sports Partnership CLG (DSP) are unable to ensure you are not exposed to it (either by changing working hours/ work conditions or transfer to another work place) then you may be given Health and Safety leave. DSP will pay 21 days of this leave and thereafter a social welfare benefit may apply.
- You are entitled to paid time off to attend medical/antenatal or post-natal care appointments and you must give the DSP coordinator at least two weeks written notice of the relevant appointment.
- You are entitled to 26 consecutive weeks maternity leave of which at least two weeks must be taken before the birth and at least four weeks after the birth of your child. If you so wish you may take up to 4 weeks before the estimated date of birth.
- DSP does not pay salary during maternity leave; however, you may qualify for Maternity Benefit and you should contact the Department of Employment Affairs and Social Protection. (Lo call 1890 690 690)

- You must give the DSP at least 4 weeks written notice of your intention to take maternity leave and provide a medical certificate confirming the pregnancy and the expected date of birth.
- You are also entitled to take additional maternity leave of up to 16 weeks unpaid, **immediately** after the end of your ordinary maternity leave. If you avail of this, please contact the Department of Social Protection for advice on your PRSI during this period (Lo-call 1890 690 690).
- You must give at least 4 weeks' notice of your intention to take additional maternity leave
- If you have already taken at least 14 weeks of your maternity leave (at least 4 of these must be after the birth) and your child is hospitalised then you may postpone your maternity leave/additional maternity leave by applying in writing to the DSP coordinator. You are entitled to take the remainder of the leave in one continuous block commencing no later than 7 days after your child has been discharged from hospital. You must provide a letter from the hospital confirming the date of discharge.
- If you become ill while on additional maternity leave you can choose to terminate this leave and transfer to sick leave. You should contact the DSP Coordinator on the first day of sickness and forward a medical cert as early as possible. This means that the remainder of the additional maternity leave cannot be taken at a later date.
- Where a miscarriage occurs after the 24th week of pregnancy the full entitlement to maternity leave remains.
- If you take maternity leave while employed on a fixed term contract and the fixed term contract is due to end before the last day of maternity leave, the last day of the contract counts as the last day of maternity leave and the contract of employment terminates on that date. This does affect entitlement to the full 26 week of Maternity Benefit if applicable.
- If any part of your maternity leave occurs during a probationary period it will be suspended for the duration of the leave and will recommence on return to work.
- Your entitlement to annual leave and public holidays remains and you should agree with DSP coordinator when these are to be taken.
- Your right to return to work is conditional on a written notification from yourself at least four weeks before the due return date.
- You are entitled to return to work to your usual job so far as it is reasonable and practicable under terms and conditions which are no less favourable than those which would have applied if you had not been absent.

5. Guidelines

- You have a **once off** entitlement to paid time off for ante natal classes (except for the last three classes). An expectant partner is entitled on a one-off basis to paid time

off to attend the last two classes before birth. The DSP coordinator must be notified in writing at least two weeks before classes commence.

- If you are breastfeeding, we will provide a break of one hour each day where suitable facilities are provided in the workplace, or where no facilities are provided a reduction in working time of one hour (without loss of pay) for up to 26 weeks after giving birth. You may agree a different format for taking this daily break with the DSP coordinator.

6. Exceptional Circumstances

- Where the birth takes place 4 weeks or earlier than the expected date you are entitled to take 26 weeks ordinary maternity leave from the date of the birth. In this case you must notify us within 14 days of the birth.
- If the baby is born later than expected you are entitled to receive your minimum entitlement of 4 weeks leave after the birth.
- Where a mother who has a living child dies at any time during maternity leave the father of the child is entitled to the remainder of the ordinary maternity leave and/or the additional maternity leave.

7. Notification & Application Process (Please use this in conjunction with the Application form)

- You should contact the Department of Social Protection to complete an MB10 form, which must be sent back to the Department no later than **6 weeks** before the start of maternity leave (Lo-call 1890 690 690 for further information).
- The DSP Coordinator must complete Section 3 of the MB10 form prior to your returning it to the Department of Social Protection.
- You must give the DSP coordinator at least **4 weeks** written notice of your intention to take maternity leave and provide a medical certificate confirming your pregnancy and specifying the expected date of the birth of your child e.g.

Calculation of leave:

An example of calculating the last permitted date is:

Baby due on Tuesday, the 27th of the Month

Count back two weeks

In this case, Monday 12th is the last date you can work. However, if you so wish you may take up to 4 weeks before the birth date.

- You must inform the DSP coordinator in writing of your attention to take additional maternity leave no later than **4 weeks** before the end of your ordinary maternity leave. Where you are not availing of additional maternity leave, please comply with the return-to-work notification period.
- Your right to return to work is conditional on a written notification from yourself at least **4 weeks** before the due date to return.

Policy Version No	Date signed off by Board	Description/Reason for Policy update	Lead Person of Policy/Policy Changes
1.0	Feb 2020	New Policy	MO'D

Paternity Leave and Benefits Policy

1. Introduction

The purpose of this policy is to provide employees with information on entitlement to Paternity Leave.

2. Policy Scope

This policy applies to all relevant parents (other than the mother of the child) who are entitled to paternity leave following the birth of a child.

A relevant parent for the purposes of paternity leave entitlement includes:

- The father of the child
- The spouse, civil partner or cohabitant of the mother of the child
- The parent of a donor conceived child
- In the case of an adopted child the relevant parent is the parent who is not the qualifying adopter (the qualifying adopter is the parent nominated by the couple to take adoptive leave). A person adopting alone can avail of paternity leave where they are not availing of adoptive leave.

3. Policy Statement

Donegal Sports Partnership (CLG) are committed to ensuring eligible employees are granted leave following the birth or adoption of a child. The legislation aims to let relevant parent spend time with their baby or adopted child in the first 26 weeks.

This policy is in line with the Paternity and Benefit Act 2016.

4. Principles

- Eligible employees are entitled to take 2 weeks of paternity leave regardless of the length of service
- Eligible employees can choose to take paternity leave at any time in the 26 weeks following the birth or adoption of a child
- You can postpone the leave for example if the birth is later than expected or if the date of placement of an adopted child is postponed
- You must advise in writing four weeks prior to the intended date of leave, and provide a doctor's certificate confirming when the baby is due or confirmation of the actual date of the baby's birth if you are applying after the birth has occurred.
- In the case of adoption, you must provide confirmation of the date of the child's placement.
- DSP does not pay paternity leave, but you may qualify for Paternity Benefit, if you have sufficient PRSI contributions. (Department of Social Welfare: Telephone 01 471 5898 or Lo Call 1890 690 690). However, where the weekly social welfare benefit amount is less than employees weekly wage DSP will cover the difference.

- If you are sick before the paternity leave begins, you may postpone the paternity leave until you recover

5. Guidelines

- Apart from pay and superannuation time spent on Paternity leave is treated as though you have been in employment and annual leave and public holiday entitlement continue to accumulate.
- Please use the Paternity Leave Notification form to apply for this leave.

Policy Version No	Date signed off by Board	Description/Reason for Policy update	Lead Person of Policy/Policy Changes
1.0	July 2019	New Policy	MO'D
2.0	September 2021	Updated Code due to legislative changes	MO'D

Parental Leave Policy

1. Introduction

The purpose of this policy is to provide clear principles and procedures to be followed when taking parental leave.

2. Scope

This policy applies to all parents (natural, adoptive or acting in loco parentis), who have children under 12 years of age or 16 years of age if the child is disabled or suffering from a long-term illness.

Our parental leave policy allows employees who have been in continuous employment for twelve months to take temporary unpaid leave from work to care for their children. For employees who have more than three months employment but less than 12 months, where the child is about to reach the age threshold, they are entitled to 1 weeks leave for each month of continuous employment.

3. Policy Statement

The purpose of Parental Leave is to provide unpaid leave for both parents of children. Parental Leave is granted solely for taking care of the child/children concerned. The leave may be terminated if it is not used for this purpose and you may be subject to disciplinary action up to and including dismissal.

This policy is in compliance with Parental Leave Acts 1998 and Parental Leave Amendment Act 2019.

4. Principles

- As a parent (natural, adoptive or acting in loco parentis) if you have more than one year's continuous service you are entitled to 26 working weeks unpaid parental leave. If you have more than three months service, and your child is about to reach the age threshold you are entitled to 1 weeks leave for each month of continuous service.
- You must take parental leave before your child reaches 12 years of age or the leave will be forfeited (unless it was subject to postponement). In the case of a child with a disability or a long-term illness the leave can be taken up until the child reaches 16 years of age.
- You are entitled to apply for parental leave in one continuous block or for a minimum of 6-week blocks provided there is a 10-week gap between each block period. DSP also allows parental leave to be taken in smaller blocks and you should discuss this with the DSP Coordinator. Once Parental Leave has been granted a confirmation document will be issued to be signed by DSP and yourself.

- If we are unable to grant your leave request, we will inform you in writing no later than 4 weeks before the requested date of leave, and we will specify the reason. Parental Leave will be postponed for no longer than six months.
- If you have adopted your child between the age of 10 and 12 you can take parental leave for them up to 2 years after the date of the adoption order.
- Where you qualify for parental leave in respect of more than one child (excluding cases of multiple births e.g., twins' triplets etc) you cannot take more than 18 weeks parental leave in any 12 months period unless by agreement with the DSP Coordinator, or where a child is due to reach the maximum age by the end of the year.
- If you become ill just before you are due to take parental leave, the start date of the leave will be postponed until after you recover. In such circumstances you should contact DSP Coordinator and provide them with a medical certificate.
- If you become ill during your parental leave and as a result are unable to care for your child you can choose to end the parental leave and avail of sick leave instead (sick leave must be medically certified). On recovery from your illness, you can then resume the period of parental leave.
- If any part of your parental leave occurs during a probationary period it will be suspended for the duration of the leave and will recommence on return to work.
- You are entitled to any public holidays which occur while you are on parental leave and these can be added at the end of the parental leave.
- You are entitled to return to your job, and where this is not possible you will be offered a suitable alternative role on no less favourable terms and conditions.
- On return from parental leave you have the right to make a request for a change to working hours or working patterns, however granting of this is solely at the discretion of DSP.

5. Guidelines

- You can withdraw your application any time up until the issue of the confirmation notice. Once a written confirmation document has been signed by the employer and employee the leave will not be postponed.
- Each parent has a separate entitlement to parental leave and 14 of the 22 weeks may be transferred between parents working in the same company. This transfer is solely at the discretion of the employer.
- When you return to work following parental leave you will not be treated any less favourably as a result of taking parental leave.

6. Notification and Application Process (Please use in conjunction with the Application form)

- You must submit an application form at least 6 weeks before the start of parental leave

- If you wish to revoke your intention to take parental leave you must do so in writing at least 4 weeks before the commencement of the leave and before the confirmation document is signed.
- We will respond to your request no later than 4 weeks before the date given as the first day of requested parental leave.
- Where your initial request for parental leave cannot be granted a postponement document will be completed detailing the reason for such postponement. This leave can be postponed for a maximum of six months and only in exceptional circumstances (seasonal variations impacting on business needs) can it be extended for a further six months.
- Once parental leave has been granted, we will complete a confirmation document which you will also be asked to sign. When the confirmation document is signed, we undertake not to postpone the period of parental leave.

7. Parental Leave

Up to August 2019	From 1 September 2019	From 01 September 2020
<ul style="list-style-type: none"> • Full time - 18 weeks unpaid leave. 	<ul style="list-style-type: none"> • Full time - 22 weeks unpaid leave. 	<ul style="list-style-type: none"> • Full time - 26 weeks unpaid leave.
<ul style="list-style-type: none"> • Part time – 18 weeks unpaid leave based on the normal length of working week 	<ul style="list-style-type: none"> • Part time – 22 weeks unpaid leave based on the normal length of working week 	<ul style="list-style-type: none"> • Part time – 26 weeks unpaid leave based on the normal length of working week
<ul style="list-style-type: none"> • Must be taken before child's 8th birthday. 	<ul style="list-style-type: none"> • Must be taken before child's 12th birthday. 	<ul style="list-style-type: none"> • Must be taken before child's 12th birthday.
<ul style="list-style-type: none"> • Disability/Long term illness – up to child's 16th birthday. 	<ul style="list-style-type: none"> • Disability/Long term illness – up to child's 16th birthday. 	<ul style="list-style-type: none"> • Disability/Long term illness – up to 16th birthday.
<ul style="list-style-type: none"> • Adopted child between ages of 6 and 8 parents can take parental leave up to 2 years after date of adoption order 	<ul style="list-style-type: none"> • Adopted child between ages of 10 and 12 parents can take parental leave up to 2 years after date of adoption order 	<ul style="list-style-type: none"> • Adopted child between aged of 10 and 12 parents can take parental leave up to 2 years after date of adoption order

Policy Version No	Date signed off by Board	Description/Reason for Policy update	Lead Person of Policy/Policy Changes
1.0	July 2019	New Policy	MO'D
2.0	September 2021	Legislative change - 2020	MO'D

Parents Leave & Benefit Policy

1. Introduction

The purpose of this policy is to provide you with clear information on the granting of parents leave.

2. Scope

This policy is applicable to all employees who are *relevant* parents of children under 2 years of age or in the case of adoption within the first two years of placement of the child with the family. A *relevant* parent is one of the following:

- A parent of the child.
- A spouse, civil partner, or cohabitant of the parent of the child.
- A parent of a donor conceived child as provided for under Section 5 of the Children and Family Relationships Act 2015.
- The adopting parent or parents of the child.
- The spouse, civil partner or cohabitant of the adopting parent of the child (if the parents have not adopted jointly).

3. Policy Statement

Donegal Local Sports Partnership (DSP) aims to comply with the Parents Leave and Benefit Act 2019 and 2021

This legislation aims to let working parents enjoy meaningful quality time with their new-born baby or adopted child during the first two years.

4. Principles

- From 01 July 2022 Parents leave increased from five weeks to seven weeks for parents of children born or adopted after 01 July 2022. Parents Benefit if applicable has increased to seven weeks.
- If your child is under the age of 2 on 01 July 2022 or your adopted child has been placed with your family less than 2 years on 01 July 2022 you can claim the additional two weeks leave. These additional two weeks must be completed before the child's second birthday or within 2 years of the adoption placement.
- Parents Leave can be taken one week at a time or in a block of more than one week until leave entitlement is used.
- You must advise DSP in writing 6 weeks prior to the intended date of your intention to take Parents Leave.
- DSP does not pay Parents Leave, but you may qualify for Parents Benefit, if you have sufficient PRSI contributions. (Department of Social Welfare: Telephone 01 471 5898 or Lo Call 1890 690 690).

5. Guidelines

- Parents Benefit, if applicable is paid once for both single and multiple births.
- There is no entitlement to transfer this leave from one parent to another (except in specified circumstances such as the death of one of the parents).
- DSP reserves the right to postpone the commencement of parent's leave for up to 12 weeks for business reasons.
- All employment rights are protected when you are on parents leave.
- Please use the Parents Leave Notification form to apply for this leave.

Policy Version No	Date signed off by Board	Description/Reason for Policy update	Author of Policy/Policy Changes
1.0	July 2019	New Policy	MO'D
2.0	September 2021	Updated due to legislative changes	MO'D
3.0	September 2022	Updated due to legislative changes	MO'D

Sick Leave Policy

1. Introduction

The purpose of this policy is to provide employees with clear information on Donegal Sports Partnership CLG (DSP) sick leave policy.

2. Scope

This policy applies to all full time and fixed term employees

3. Policy Statement

We recognise that there may be times when employees are unable to attend work due to illness. We are committed to supporting employees' wellbeing and health and in order to do so it is important for us to be advised of any underlying health issues which individual employees may have.

The granting of sick leave to an employee who is ill is intended to provide an adequate opportunity for that employee to recover from the illness and its effects

Sick leave may be granted to employees who are unable to perform his/her duties because of illness or injury.

4. Sick Leave Payment

Donegal Sports Partnership CLG's sick leave pay is in line with the Education and Training Board (ETB) sick leave policy. An employee must have 1 year's continuous service in order to be eligible for DSP's sick pay scheme. The Sick Pay Scheme is as follows:

- A maximum of 3 months (92 days) on full pay in a year.
- Followed by a maximum of 3 months (91 days) on half pay.
- Subject to a maximum of 6 months (183 days) paid sick leave in a rolling four-year period.

Sick leave periods are calculated retrospectively and include weekends, closures and days on which an employee is not rostered for attendance (e.g., jobsharers) occurring withing the period of absence.

Sick leave provisions for an employee employed on a part-time basis will be adjusted pro-rata to his/her agreed attendance pattern and are subject to the normal provisions governing the granting of sick leave.

5. Entitlement to Critical Illness Leave Provisions

An employee who becomes incapacitated as a result of a critical illness or serious physical injury may be granted extended paid sick leave, in exceptional circumstance of:

- A maximum of 6 months (183 days) on full pay in a year
- Followed by a maximum of 6 month (182 days) on half pay
- Subject to a maximum of 12 months (365 days) paid sick leave in a rolling four-year period

Extended sick leave for critical illness or serious physical injury is a decision for DSP on receipt of medical advice.

6. Principles

- If you are unable to attend work due to sickness, you must notify the DSP Coordinator (or if unavailable the Senior Administrator) by telephoning them directly at latest one hour after the expected start time on the first day of absence. Text messages and e mail are not acceptable methods of notification.
- In exceptional circumstances due to serious incapacity where you are not able to make direct contact you must ensure that the DSP coordinator is made aware of the absence by a family member or friend. This should then be followed by a telephone call from you at the earliest opportunity.
- Where illness exceeds one day you must keep the DSP Coordinator informed daily unless other arrangements have been made.
- You must provide medical certificates if you are sick for more than 2 consecutive days. If a sickness absence extends from Friday to Monday inclusive, then a medical certificate must be provided. Failure to provide medical certificates will be deemed as being absent without leave and you may be subject to disciplinary action.
- Medical certificates should state the nature of the illness and must not normally cover an absence of more than one week. However, certification for periods of one month may be permitted at the discretion of the DSP Coordinator.
- In the case of longer-term sickness, you must contact the DSP Coordinator by phone on a weekly basis to update him/her on your illness and your possible return to work date.
- An employee may apply for illness benefit if they have enough social contributions. Social Welfare illness benefits are made after first 3 days (known as waiting days). You can contact the Department of Social Protection for further information on your illness benefit entitlement (Lo call 1890 928 400)
- Absences for up to two days may be self-certified and a self- certification form is available to download in the Staff Dashboard. The maximum entitlement to self-certified sick leave over a rolling period of 2 consecutive years is 7 days. Any absence in excess of this must be certified.

- You cannot undertake any other employment while on either short term or long-term sick leave except with the written agreement of the DSP Coordinator. (This agreement may be given where the work is considered a therapeutic aid to your rehabilitation and the advice of an occupational health medical advisor may be sought).
- After return from all sick leave (including part day sickness) you are required to complete a "Return to Work" form and have a return to-work discussion with the DSP Coordinator. In cases of longer-term absences, the discussion allows the opportunity to discuss any needs on returning to work and for briefing on issues that have occurred during your absence
- In cases of long- term illness, you will be required to provide a letter from your doctor confirming you are fit to return to work.
- If you are absent due to long term sickness and a Public/Bank Holiday falls within that period you will receive your statutory entitlement of a day's pay, during the first 26 weeks of your absence (where sickness is not work related) or 52 weeks where absence is work related.
- Employees who are on long term sick leave can retain the annual leave they could not take due to illness for up to 15 months after the end of the leave year in which it is accrued. Employees who leave employment within 15 months of the end of year in which this leave was accrued are entitled to payment in lieu of this untaken leave due to illness

7. Unauthorised Absence

Unauthorised absence is any absence which is not supported by a doctor's certificate, not authorised by the DSP co-ordinator, or not communicated using the correct procedures. Any unauthorised absence may result in disciplinary proceedings up to and including dismissal.

8. Guidelines

- While on sick leave or on return to work we reserve the right to refer you to an independent medical practitioner nominated by and paid for by DSP. Any out of-pocket expenses will be reimbursed. You should agree expenses in advance with the DSP Co Ordinator. Failure to attend an arranged independent medical examination will be considered a disciplinary matter.
- Should you require time off to attend on-going treatment for an illness you should notify the DSP Coordinator, and provide a letter from a medical consultant advising of the need for the treatment
- You should try and arrange medical appointments in your own time. Where this is not possible you must submit a request in writing at least one week prior to the appointment and provide a letter stating the time and date of appointment

- Where you become ill on **annual leave**, you should notify your Line Manager on the first day of sickness and obtain a medical certificate. Where you provide a medical certificate on your return to work, the period covered by this certificate won't be counted as part of annual leave and you can take the annual leave at a later date.
- Where you are ill during any portion of **parental leave** you should provide a medical certificate and the period covered by the certificate may be taken as parental leave at a later date.
- If you are on **additional maternity leave** or **additional adoptive leave** and become ill, you are entitled to terminate the unpaid option and avail of sick leave benefits, if applicable. You will need to immediately notify your Line Manager and provide a medical certificate. You will no longer be able to avail of the untaken period of additional maternity leave or additional adoptive leave
- If you are ill while on **Carers leave** you are not entitled to have it considered as sick leave, and your carers leave period cannot be extended in this case.
- If sickness occurs while you are on **Force Majeure** leave there is no entitlement to then avail of the untaken force majeure leave
- You are not entitled to claim sick leave when a family member is ill, and in such cases annual leave, unpaid leave, or carers leave may be applicable. You should discuss this with the DSP coordinator.

9. Process for claiming Social Welfare Illness Benefit

You should apply for Illness Benefit **within 4 days of becoming ill**. No social welfare payment is made for the first 3 days of illness. For more information, log on to www.welfare.ie.

Social Welfare payments should be paid directly to employees own Bank account. DSP will advise HR in Donegal ETB to enable payroll make the deduction.

NB ****Whether you qualify for payment or not you should always submit a claim for illness benefit when you are certified unfit for work. You may be entitled to PRSI credited contributions for each week you are ill, and these could help you qualify for future social welfare payments.**

Policy Version No	Date signed off by Board	Description/Reason for Policy update	Author of Policy/Policy Changes
1.0	Sept 2022	New Policy	MO'D

Leaving the Company

Resignations

All resignations by employees must be provided in writing, stating the date and reason for resigning.

Minimum period of notice

Under the terms of the employment contract employees are normally obliged to give the DSP a minimum of one month's notice, and DSP will give one month's notice (*except under the Terms of Employment Act exceptions noted below or where, agreed by both parties that the notice period may be reduced).

*Under the Notice and Terms of Employment Acts 1973 to 2005 the following is the minimum amount of notice the employer must give:

Duration of Employment	Minimum Notice for Employer
13 weeks to 2 years	1 week
2 years to 5 years	2 weeks
5 years to 10 years	4 weeks
10 years to 15 years *	6 weeks
15 years or more *	8 weeks

Return of Company property

You must return to the Company upon request and, in any event, upon the termination of your employment, all documents and items belonging to the Company or which contain or refer to any confidential information and which are in your possession or under your control.

Repayment of outstanding monies

On the termination of your employment, we have the right to deduct from any termination pay due to you, any monies collected by you on our behalf and any advances of wages or any loan which we may have made to you.

Exit Interviews

When you resign from the Company you may be asked to complete an exit interview with the Co-ordinator. This information helps us to identify areas where we can improve employee relations and/or the arrangement of work and will be treated confidentially.

Acknowledge Receipt of Employee Handbook

I have received/or it has been made available for me to access DSP's Employee Handbook online.

This Handbook outlines the policies, practices and benefit guidelines of the Company.

Since the information in the Employee Handbook is subject to change as situations warrant, it is understood that changes in the Handbook may supersede, revise or eliminate one or more of the policies in this handbook. These changes will be communicated to employees by email and the updated Employee Handbook will be available on DSP Staff Dashboard. I accept responsibility for keeping informed of these changes.

Please direct any questions on the Employee Handbook to HR.

Signed: _____

Date: ____ / ____ / ____

(Employee)