

NewLink

Policies and Procedures

2003



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Appendices

1. Recruitment Policy

1.1 Purpose

The purpose of this policy is to ensure that NewLink hires quality employees in a fair and consistent manner.

1.2 Scope

This policy covers all current and prospective employees.

1.3 Policy

NewLink is committed to ensuring that there is no discrimination on the grounds of gender, marital or family status, sexual orientation, religious belief, age, disability, race at any stage of the recruitment process or in the terms and conditions offered.

NewLink will monitor the composition of its workforce, in order to identify areas that may need positive action to promote equal opportunity and diversity.

1.4 Job Requirements

When specifying requirements, qualifications or experience for any position, only characteristics essential to the performance of the job will be used.

No position will be classified by reference to gender, marital or family status, sexual orientation, religious belief, age, disability or race.

All job descriptions must be written before the recruitment process proceeds.

1.5 Advertising

Advertising will be carried out internally and/or externally in the following manner:

- Advertisements will make clear, in both wording and illustration, that the positions are open to all suitably qualified candidates, regardless of gender, marital or family status, sexual orientation, religious belief, age, disability or race.
- Details will be fully circulated in order to ensure access to all suitable applicants.
- All advertisements will carry the statement “NewLink is an equal opportunities employer”.

1.6 Application Forms

Application forms will contain the following:

- Only relevant questions needed for selection.
- No questions relating to gender, marital or family status, sexual orientation, religious belief, age, disability or race.

If these questions are necessary for monitoring, they will be asked for on a separate form, sealed in an envelope and opened only after a decision has been made.

1.7 Screening

Screening will be carried out by matching details of applicants to the requirements of the job. The screening criteria will be applied consistently to all applicants.

1.8 Testing

If it is necessary to use selection tests for a job, they will only relate to non-biased, genuine requirements of the job.

1.9 Interviewing

The interviewing process will be carried out in the following way:

- No assumptions will be made on the grounds of gender, marital or family status, sexual orientation, religious belief, age, disability or race.
- Questions will relate to the requirements of the job.
- Interviews will be carried out by more than one person and the interview panel will preferably be comprised of different genders.
- Applicants will be assessed at the end of interviewing against pre-defined criteria.
- Interviewers will complete Interview Evaluation Forms for each candidate.

1.10 Promotion

All employees will be aware of the promotional and career opportunities available to them from details circulated by e-mail and notices posted within NewLink centres.

Training and job experience needed for promotional opportunities will be open to all employees. Promotion will be determined by merit and performance against objective criteria.

Unsuccessful internal candidates will be given feedback to facilitate improvement.

No employee will be overlooked in relation to a promotion or experience opportunity because of his or her reluctance to apply or accept on a previous occasion.

1.11 Training

All staff will have equal access to training opportunities, where training is relevant to current job or to enhance promotional opportunities.

1.12 Records

NewLink will retain, for at least one year, all records arising through the recruitment process.

The forms in Appendix A, *Diversity Monitoring*, may be modified and used during the recruitment process.

2 Absence Due to Sickness Policy

2.1 Purpose of the Policy

The purpose of this policy is to detail NewLink's policy on sick leave.

2.2 Scope of the Policy

All employees are covered by NewLink's sickness policy.

2.3 Policy

The following policy outlines the benefits to which an employee is entitled should he/she become ill. Terms are for sickness in any one 12-month period. Different benefits and conditions will be applicable, depending on the length of the illness. To be eligible to receive Sickness Pay the employee must fit the following criteria:

For those with less than 6 months service

Statutory Sick Pay (SSP) only, which can be paid for up to 28 weeks

- ◆ The employee must earn at least the amount required for Statutory Sick Pay and have made sufficient National Insurance Contributions.
- ◆ The employee must be under 65.

For those with 6 months or more service:

- ◆ 6-12 months 2 weeks full pay, in any 12 month period (less SSP)
- ◆ 12-24 months 4 weeks full pay, in any 12 month period (less SSP)
- ◆ 2-5 years 6 weeks full pay, 6 weeks half pay, in any 12 month period (less SSP)
- ◆ 5+ years 13 weeks full pay (less SSP), followed by 13 weeks half pay, in any 12-month period, after which the contract of employment may be reviewed.

In each case the current terms and conditions for SSP will be applied after the end of the prescribed period.

For calculation purposes, recurrent illness within eight weeks of returning to work will be linked to the previous Sick absence and treated as one period.

2.4 Short Term Illness

An employee who is absent from work, or late arriving for work, must notify his/her supervisor within one hour of the time he/she was expected to start work. This is not the responsibility of a relative, friend or spouse, unless circumstances dictate otherwise. An employee must inform his/her supervisor directly of the reason for the absence and the expected date of return. If the supervisor is unavailable employees can leave a message at the NewLink main office.

2.5 Absence for 3 Days or More

If an employee is absent due to illness for more than three days, a self-certificate must be sent to the NewLink Office so that it is received no later than the seventh day of absence.

(See Appendix B *Self certification for Sickness and Return to Work* form)

2.7 Ongoing Absence (In Excess of 7 days)

In the case of ongoing illness (in excess of 7 days), the employee must telephone his/her supervisor, or the NewLink main office within one hour of his/her normal start time on the first day of each week in which he/she is absent, advising that the absence is continuing. Medical certificates should be submitted each week to cover the period of absence. An employee must provide a medical certificate on his/her return to work.

Failure to produce a medical certificate or failure to sign the self-certification form may lead to the instigation of disciplinary procedures. Any misrepresentation on either a medical certificate or a self-certificate may also lead to the instigation of disciplinary procedures. In cases where employees are frequently absent and where such absence clearly shows an unacceptable pattern and/or a failure to meet contractual obligations i.e. to attend work, the disciplinary procedures may apply. All medical information will be treated confidentially.

2.8 Long Term Illness (28 calendar days or more)

It is Company policy to treat all employees who are seriously ill for a prolonged period of time with sensitivity and care. Each case will be dealt with individually. An employee is required to maintain regular contact by telephone or in writing with the employer every five working days for the duration of the illness. Supervisors will support employees by keeping in touch by telephone, in writing or visits.

2.9 Returning to Work

If the employee is capable of returning to work but not to the same job or same conditions, NewLink will assess the situation with a view to finding suitable alternative employment for the employee, where possible.

Depending on the circumstances of each individual case and the effects on business requirements, NewLink may be forced to terminate employment in appropriate circumstances.

Reasonable adjustments to this policy will be made for absence directly attributable to disability, in each individual case.

3 Compassionate Leave/Time off for Dependants Policy

3.1 Purpose of the Policy

The purpose of NewLink's compassionate leave/time off for dependant's policy is to provide time off for employees in the event of a personal or family crisis, which may be unpaid.

3.2 Scope of Policy

All employees are covered by NewLink's Compassionate Leave/Time off for Dependants Policy.

3.3 Policy

NewLink understands that, from time to time, employees require time off in the event of a personal/family crisis such as serious illness or bereavement. NewLink will consider an employee's request for reasonable periods of paid or unpaid leave. In such circumstances however, compassionate leave/time off for dependants will always be granted at the discretion of NewLink.

An employee who requires compassionate leave/time off for dependants should approach the NewLink Chief Executive and explain the circumstances initially. All requests should be followed up in writing.

3.4 Bereavement

NewLink may grant time off with pay for bereavement. Approval of bereavement leave rests with the NewLink Chief Executive. The following are guidelines only:

- In the case of a spouse, parent, child, brother or sister, up to 3 days bereavement leave **may** be given
- In the case of grandparents, in-laws, up to 2 days bereavement leave **may** be given.

In all circumstances the Chief Executive will have discretion to authorise an extension or longer period depending on the individual circumstances.

Reasonable adjustments to this policy may be made in each individual case.

4. Maternity Leave Policy (including Health and Safety Leave)

4.1 Purpose of the Policy

The purpose of the Maternity Policy is to provide time off for female employees, who are pregnant, have recently given birth or who are breast feeding up to the 26th week after the birth of a child. The policy will follow the current policy for statutory Maternity leave.

4.2 Scope of the Policy

The policy covers all female employees, who are pregnant, have recently given birth or who are breast-feeding. It covers part-time and full-time employees.

4.3 Ante Natal and Post Natal Care

An employee is entitled to paid leave for antenatal and post-natal care. An employee will receive paid leave for any antenatal medical appointments before the birth and post-natal medical appointments for the first fourteen weeks following the birth. Where possible, an employee must give her supervisor two weeks written notice of any appointment and must be able to produce a certificate/record that the visit took place. If an employee needs urgent medical attention, she must give a written notice of the appointment within one week after the appointment having taken place.

4.4 Maternity Leave

On or before the 15th week before the Expected Week of Confinement (EWC), an employee must notify the NewLink office, in writing, of her pregnancy, her EWC and the date on which she intends to start her Ordinary Maternity Leave. In the event of wishing to amend these dates, the employee must give notice 28 days before the amended start dates. The employee must produce a medical certificate confirming the pregnancy. A pregnant employee is entitled to twenty-six weeks Ordinary Maternity Leave, irrespective of her length of service. The employee may take leave from eleven weeks before the EWC and must take no less than two weeks after the birth of the baby. Within these parameters, the employee can choose how to divide her maternity leave before and after the birth of the baby. NewLink understands that in the case of a premature birth, the employee's twenty-six weeks maternity leave begins immediately and dates from the day of the birth.

If an employee has been continuously employed for twenty six weeks at the beginning of the fifteenth week before the EWC she will be entitled to unpaid Additional Maternity Leave (AML) of up to twenty six weeks after the last day of OML. Thus, if an employee is entitled to AML and chooses to take it, she may be absent from work for a period of one year.

Maternity leave taken under these provisions will not be included as sick leave, and sick provision may commence from the day after maternity provision ceases, subject to otherwise specified conditions (Absence due to Sickness policy). The exception to this is if the employee has a pregnancy-related sickness in the last four weeks of OML. If this happens the employee may be moved straight onto additional maternity leave. This will only happen if the sickness is wholly or partially pregnancy-related.

4.5 Maternity Pay

The employee will be paid Statutory Maternity Pay if the conditions of entitlement are met. Women who do not qualify for SMP may be entitled to Maternity Allowance from the Department for Work and Pensions.

4.6 Returning to Work

An employee must notify the Chief Executive in writing of her intention to return to work and of the intended date of return, not later than twenty-one days before her intended return. This notification requirement is essential and should be brought to the employee's attention. When Maternity Leave ends, an employee will be entitled to return to her usual job so far as it is reasonably practical. However, if this is not possible, the employee will be offered suitable alternative work, with terms and conditions not substantially less favourable than those she had in her original job.

NewLink will give consideration to requests for an extension of unpaid leave.

Employees whose babies are stillborn or who miscarry after the 24th week of pregnancy still qualify for all the rights described above.

4.7 Health and Safety

An employee, who is pregnant, has recently given birth or who is breast-feeding, will not be placed in any job that is a risk to her health and safety or the health and safety of her child.

5 Parental and Paternal Leave Policy

5.1 Purpose

To define the parental and paternal leave available to parents from the date of birth or adoption of a child.

5.2 Scope for Parental Leave

All employees of NewLink, both mothers and fathers, who have been employed for at least twelve months.

5.3 Policy

NewLink is aware that it may be necessary for an employee to take time off to care for children.

5.4 Procedure

An employee who is the parent of a child born or adopted after 15/12/94 and who has been employed by NewLink for at least twelve months, will be entitled to take up to thirteen weeks per child of unpaid parental leave to care for the children.

The leave may be taken any time up to the child's fifth birthday or until five years after placement in the case of adoption, (or until the child's eighteenth birthday, if that comes first). Parents of disabled children who are entitled to Disability Living Allowance, can take parental leave until the child's eighteenth birthday.

Leave requests must be made twenty-one days before the period requested, and must be taken in week-long blocks. Shorter periods may be requested if the child is entitled to Disability Living Allowance. No more than four weeks may be taken in any one year for any one child. However, if there is more than one eligible child, four weeks may be taken for each child.

Employers are able to postpone the employee's parental leave if they think it would disrupt the Business, and must give seven days notice in writing, stating the reason for postponement.

In addition to Parental leave, men may be entitled to paid **Statutory Paternity Leave (SPL), up to two weeks.**

5.6 Scope for Paternal Leave (applies equally for the birth of a child or a child placed for adoption)

- The employee must have been employed for at least 26 weeks by the beginning of the 14th week prior to EWC.
- The employee must be the father of the child or the mother's husband or partner. (A partner is someone who lives with the mother of the baby in an enduring relationship.)
- The employee must have responsibility for the upbringing of the child or, if not the child's father, have the main responsibility for the child's upbringing, meaning second only to the mother.
- The employee must be taking time off only to care for the new baby or support the mother of the baby.

5.7 Procedure

The employee must notify the Chief Executive of his intention to take paternity leave by the 15th week before the Expected Week of Confinement, unless this is not reasonably practical.

A self-certificate must be produced as evidence to entitlement to paternity leave. The certificate must include

- a declaration that the eligibility conditions above are met
- the date of EWC
- how much leave is required (one or two weeks). The leave may be taken as two consecutive weeks or two separate weeks.
- when the leave is to start.

In the event of wishing to amend these dates, the employee must give notice 28 days before the amended start dates.

The leave must be taken within a period of 56 days, beginning either on the child's birth date, or the first day of the EWC. There is no extra Paternity Leave for multiple births.

5.8 Paternity Pay

The employee must earn at least the amount required for Statutory Paternity Pay and have made sufficient National Insurance Contributions.

Paternity Pay will be paid at the current statutory rate, for leave taken within 56 days of the birth of the child or the date the child is placed for adoption.

ALSO see Compassionate Leave/Time off for Dependants Policy.

6 Disciplinary Policy and Procedure

6.1 Purpose

Every company needs standards, rules and regulations to ensure smooth operation. If these rules are not upheld, it is important that a disciplinary procedure be in place to deal with the situation.

Employees should have access to procedures whereby alleged failures to comply with these standards may be fairly and sensitively addressed.

6.2 Scope

All present employees

6.3 Definitions

"Employee Representative"

When an employee faces disciplinary procedures he/she is entitled to be accompanied by a colleague or authorised trade union representative but not any other person or body unconnected with the organisation.

"Standards of Work"

These are the levels of performance that are expected from each employee whether working individually or in groups.

"Unacceptable Standards of Work"

This occurs when performance falls below an acceptable level and if it is continued, it may result in dismissal due to incompetence, incapacity or lack of qualifications.

"Standards of Behaviour"

All employees in NewLink are expected to act, behave and conduct themselves in an acceptable manner when carrying out their work, when on Company premises and when in any area that could directly influence the good of NewLink.

"Rules and Regulations"

These are NewLink rules and regulations put in place to ensure the operation of NewLink as desired. These regulations usually apply to procedures, handling of equipment safety measures or appearance. These are just examples, not an exhaustive list.

"Misconduct"

Misconduct refers to both of the following:

- Breaches of standards of behaviour - The failure to adhere to acceptable and appropriate levels of conduct.
- Breaches of rules and regulations - The failure to adhere to rules and regulations.

"Gross Misconduct"

Gross Misconduct may result in a summary dismissal. It refers to both of the following:

- Gross Breach of Rules and Regulations - This is when there is a deliberate and serious failure to adhere to rules and regulations.
- Gross Breach of Standards of Behaviour - This is when an employee deliberately carries out an action or conducts him/herself in a manner that is entirely unacceptable.

6.4 Policy

NewLink policy is as follows:

Certain rules, regulations, standards of work and behaviour must be upheld at all times by all employees. They enable NewLink to function correctly and in the desired way. If standards drop below an acceptable level or if there is any breach of rules or regulations, then everything will be done to improve the situation co-operatively.

All employees will be made aware of Company standards, rules and regulations, which are expected of them. If there are any questions the employee should approach their supervisor.

Within twenty-eight days of signing a contract of employment, all employees will be made aware in written form of the disciplinary procedure that is practised in this Company.

If the result of the disciplinary procedure is to dismiss an employee, NewLink will on request, issue to the employee within fourteen days, a written reason for the dismissal. The reasons given will be either:-

- Capability
- Competence
- Qualifications
- Conduct

When work falls below an acceptable standard, help will be given to the employee to improve. If standards of work continue to fall and there is a necessity for action, it will automatically begin with a pre-disciplinary informal discussion.

When an employee's behaviour is inappropriate and unacceptable, this is officially deemed misconduct and will mean the initiation of a pre-disciplinary informal discussion.

Official Reason for Dismissal	Caused by	Procedure normally commenced at
Capability Competence Qualifications	Unacceptable Standard of Work	Informal Discussion pre-disciplinary
Misconduct	Breach of Standards of Behaviour or Breach of Rules or Regulations	Informal Discussion pre-disciplinary* Stage 1 of the Formal procedure*
Gross Misconduct	Gross Breach of Standards of Behaviour and/or Gross Breach of Rules and Regulations	Stage 4 or stage 5 of formal procedure whichever is appropriate

This is the recommended starting point but more serious circumstances may warrant the starting point of the procedure at a later stage.

Breaches of rules and regulations are also officially referred to as misconduct and in these circumstances, will mean the initiation of Stage 1 of the formal disciplinary procedure.

Gross misconduct comprises a gross breach of rules or regulations or a gross breach of standards of behaviour. In most instances an employee guilty of gross misconduct will be subject to Stage 4 to facilitate an investigation. Alternatively, suspension may not be necessary to facilitate an investigation, in which case, the procedure will commence at stage 5.

The stage at which the procedure is initiated will depend on the relative seriousness and circumstances of the situation. However NewLink will always be cautious about accelerating the procedure and so ensuring procedural fairness.

From the first written warning stage of the disciplinary procedure there will be two members of the management team present. Employees are advised and have the option to have a colleague, or authorised trade union representative present.

An employee has the right to appeal a decision to dismiss which may be heard orally. An Appeals Board will hear appeals, if the case is brought to the attention of the Board of Trustees within twenty-eight working days of the dismissal. The Appeals Board will consist of a chairperson and two other members, either employees or Trustees. The employee will be advised to bring a colleague or an authorised trade union representative. This Appeals Board does not affect the employee's statutory rights under the Unfair Dismissal Acts 1977-1993.

An employee's natural rights will be upheld at all times.

- The employee will have the right to know the case against him/her
- The employee will have the right to reply
- The employee will have the right to due consideration
- The employee will have the right to representation
- The employee will have the right to appeal

Informal Discussion pre-disciplinary

If an employee's standard of work or behaviour falls below an acceptable level the immediate supervisor will informally make them aware that this is unacceptable and point out how it must be improved.

This shall be seen as a counselling session and the immediate supervisor will keep a record of the incident.

1. Stage 1 Verbal Warning

- (a) If the standard of work or behaviour continues to deteriorate or if there is a breach of regulations, the formal disciplinary procedure begins.
- (b) A full investigation is held.
- (c) A meeting will be held and the employee informed that the continuation of the breach is unacceptable. The problem will be discussed.
- (d) Employees will be made aware of the option to have a colleague or trade union representative present at the interview.
- (e) An action plan and a date for reappraisal will be set.
- (f) A record of this verbal warning will be retained on the personnel file and a copy given to the employee.
- (g) The verbal warning will be active on the personnel file of the employee for 6 months unless there is repetition within the agreed review period.
- (h) If there is no improvement in the situation, then there will be a re-evaluation and a progression to stage 2 or 3 depending on the seriousness of the offence.

2. Stage 2 First Written Warning

- (a) A full investigation is held.
- (b) Employee will be made aware of the option to have a colleague or trade union representative present at the interview.
- (c) A meeting will be held to establish what improvements must be shown and the time scale of the achievement.
- (d) A date for reappraisal and an improvement action plan will be set.

- (e) The employee will receive a written warning that will be active on the personnel file for 1 year unless there is repetition within the agreed review period.
- (f) If there is still no improvement in the situation, there will be a progression to stage 3.

3. Stage 3 Final Written Warning

- (a) A full investigation is held.
- (b) Employees will be made aware of the option to have a colleague or trade union representative present at the interview.
- (c) A meeting will be arranged for discussion and planning and a date will be set to reappraise the expected improved level of conduct or performance.
- (d) The employee will receive a final written warning, which will be active on his/her personnel file for 1 year unless there is repetition within the agreed review period.
- (e) The employee at this stage will be warned that unless improvement occurs, there is a possibility that he/she could be dismissed.
- (f) If there is still no improvement in the situation, there may be a progression to stage 4 or stage 5 as appropriate.

4. Stage 4 Suspension

- (a) A record of a suspension will be retained on an employee's personnel file for 1 year unless there is repetition within the agreed review period.
- (b) Depending on the situation, there are different forms of suspension available
 1. **Suspension with pay.** An employee may be suspended with pay to facilitate an investigation. In certain instances, an employee will go directly to this stage, i.e., for instances of alleged gross misconduct or alleged gross breaches of regulations. This form of suspension is known as a precautionary suspension and should be distinguished from a "suspension without pay", which follows at the end of an investigation which finds that the employee has a case to answer.
 2. **Suspension without pay.** This is a form of disciplinary action which, as a matter of good employment practice, should be expressly provided for in the disciplinary procedures and only arises at the end of an investigation which concludes with a finding that the employee has been guilty of a breach of his/her employment contract amounting to misconduct.

5. Stage 5 Dismissal

There will be two options available at stage 5. The option taken will depend on the situation.

Before the dismissal, a meeting will be held and employees will be made aware of the option to have a colleague or trade union representative present.

A full investigation will be held and the employee will then have received all possible support and opportunity to improve.

Option 1

- An employee will be dismissed if they have failed to improve during the previous stages.

Option 2

- An employee will be dismissed without going through the previous stages of procedure in an instance of gross misconduct.

7 Termination Policy and Procedure

7.1 Purpose of Policies

The purpose of these policies is to detail the procedure for the termination of employment. These policies will include procedures for the following:

- Dismissal.
- Termination of a Fixed Term or Fixed Purpose Employment Contract.
- Retirement.
- Redundancy.
- Resignation.

7.2 Scope of Policies

All employees will be covered by the termination policies.

7.3 Table of Statutory Minimum Notice

If NewLink terminates employment for any reason other than a summary dismissal the employee will be given the following statutory minimum periods of notice. If appropriate, employees will be given payment in lieu of notice.

Minimum Notice may be reduced in cases of Gross Misconduct

Length of Service	Minimum Period of Notice
13 weeks - 2 years	1 week
2 years - 5 years	4 weeks
5 years - 10 years	6 weeks
10 years – or more	12 weeks

Payment in lieu of Holidays

All employees who are due holidays when their employment is terminated will receive payment in lieu of Holidays.

Outstanding Payments

When there are outstanding loans or wages have been overpaid on termination of employment, the amount due may be deducted from the amount owed to the employee or vice versa.

P45 and References

All employees will receive a completed Form P. 45 and any references, if requested, as soon as possible after their last day of employment.

7.4 Dismissal Policy

An employee's employment will be terminated in any of the following circumstances:

- The employee's contract of employment is for a fixed term or purpose and the term has ended or the purpose for which the contract was created has been achieved or ceased to exist.
- The employee is dismissed for reasons of redundancy.
- The employee is dismissed as a result of a disciplinary offence.

Termination of Fixed Term or Fixed Purpose Contracts

Employees who are employed under a fixed term or purpose contract will have their employment terminated when the term specified in the contract has ended or the purpose of the contract has been achieved.

All employees dismissed in this manner will receive the statutory notice to which they are entitled under the Minimum Notice and Terms of Employment Act, 1973 or the notice specified in the employment contract, whichever is greater.

Dismissed for Reasons of Redundancy.

Selection for redundancy will be carried out in a fair manner. This would be subject to the retention of key skills, experience, knowledge and flexibility.

All other things being equal, redundancies would normally be selected on a 'last in, first out basis', although NewLink is not bound to the policy of 'last in, first out'.

Where possible, NewLink will offer employees voluntary redundancy and early retirement before selection begins. All employees will receive notice of dismissal in accordance with the 'Minimum Period of Notice'.

Before the date of dismissal, the employee's redundancy pay will be calculated. An employee who believes that his/her lump sum has been calculated incorrectly should contact the Chief Executive immediately.

On the date of dismissal, employees will receive a redundancy certificate and the lump sum payment to which he/she is entitled.

Dismissed as a Result of the Disciplinary Procedure

The Minimum Notice and Terms of Employment Act, 1973 states that employees who are dismissed due to misconduct are not entitled to notice. Common law treatment of the term "misconduct" indicates that the term relates to summary dismissal, e.g. gross misconduct.

NewLink will ensure that Company property is returned, access to the building is closed, final pay slips and P45 are received by employee. Employees will receive a written reason for dismissal within fourteen days of the dismissal date. The full dismissal policy is outlined in the Disciplinary Policy and Procedures.

7.5 Retirement and Resignation Policy

Retirement Policy

When an employee retires he/she will receive references if requested and a completed Form P45.

An employee who wishes to retire should inform the Chief Executive of the intended date of retirement as early as possible and confirm the decision in writing. One calendar month's notice is the minimum.

Resignation Policy

Should an employee wish to resign he/she must submit a written notice to his/her supervisor. One calendar month's notice is the minimum.

He/she will receive references if requested and a completed Form P45.

8 Equal Opportunities Policy

8.1 Purpose

The purpose of this policy is to demonstrate NewLink's commitment to equality of opportunity for existing and potential employees, volunteers and learners, by promoting and maintaining a work/training environment free from discrimination in the following areas: gender, marital status, family status, race, religion, sexual orientation, disability, age. NewLink values the contribution of all those involved in its activities.

8.2 Scope

- All present employees
- All potential employees
- All volunteers
- All learners
- All customers

8.3 Policy

NewLink is committed to equality of opportunity in employment and all employment and training decisions will be based on merit, qualifications, and abilities. All employment and training related decisions will not be influenced or affected by an employee, volunteer or learner's race, religion, sex, marital status, family status, sexual orientation, disability, or age. NewLink is committed to awarding fair and equal pay for like work.

NewLink promotes the principle that the reality of managing diversity is about being able to work effectively with people who do not share the employee's background, experience or self-identification. Dignity is about celebrating the individual differences and similarities that each person brings to the work/training place. It is not solely about different nationalities or genders working together, but embraces a mixture of people in age, education, ethnic origin, family status, type of work, cultures, religions, personal styles and sexual orientations.

NewLink fully endorses a working environment free from discrimination, behavioural or sexual harassment.

NewLink will strive for recruitment, employment, training and promotion practices and policies that are free of barriers, both systemic and deliberate, that directly or indirectly discriminate against people. Diversity Statistics will be maintained.

Training, experience and promotional opportunities are open to all employees of NewLink. All decisions made will be based on employees' existing skills, knowledge and attitude required to perform the job effectively and efficiently, to the standards required by NewLink.

All employees with similar job descriptions, or performing similar functions/roles within this company will be treated equally with regard to all aspects of their terms of employment, i.e. working conditions, selection for short term working, transfers, procedures for disciplinary measures and termination of employment.

It is the responsibility of every supervisor in this company to support and communicate the Equal Opportunities Policy. Supervisors must encourage open discussion with employees to identify and resolve problem areas. All employees in turn must accept their personal responsibility to comply with this policy. This includes maintaining an acceptable standard of behaviour at all times, towards all colleagues, learners and customers alike.

Employees and learners are encouraged to raise questions or concerns about discrimination in the workplace and are advised to bring these issues to the attention of their immediate supervisor or the Chief Executive. NewLink assures its employees that any concerns or reports made will be without fear of reprisal. An employee engaging in any form of discrimination will be subject to the disciplinary action up to and including termination.

8.4 Procedure

NewLink will always state: "NewLink is an Equal Opportunities Employer" in any form of advertising for a job, either internally or externally.

Diversity monitoring will take place on an annual basis. Sufficient details of employee and learner data will be maintained in order to ensure the maximum diversity. Under-represented groups will be actively targeted, as appropriate.

Where a traditional title or role for a job in NewLink implies either male or female, e.g. waiter, or warehouseman, NewLink will always expressly state that the position is open to both men and women.

NewLink will take appropriate disciplinary action towards an employee who fails to follow NewLink's Equal Opportunities Policy.

Any employee who feels that they have been treated unfairly in terms of access to employment, conditions of employment, training, work experience or promotion, regarding or reclassification of posts should follow and apply NewLink's Grievance Procedure.

NewLink will ensure that all employees involved in making employment-related decisions will be provided with training and guidance to ensure that they understand their position, NewLink policy and legal requirements.

When recruiting, full job specifications will be prepared, outlining requirements that are absolutely essential for the job in question. Non-essential qualifications/qualities will be described as "desirable".

9. Grievance Policy and Procedure

9.1 Purpose

The purpose of this policy and procedure is to enable employees, volunteers and learners to express any problems or concerns they may have and to have them resolved quickly and satisfactorily.

9.2 Scope

All employees, volunteers and learners.

9.3 Policy

NewLink understands that when people work together there are going to be issues or misunderstandings that need to be dealt with from time to time.

NewLink policy is that good communication, openness, and a willingness to cooperate and listen, help to resolve these issues efficiently and effectively.

NewLink recognises that problems left unresolved can become grievances.

NewLink wishes to ensure that all employees, volunteers and learners have the opportunity - and that procedures are in place - to discuss any problems or concerns they may have about their role within NewLink.

NewLink directs that it is the responsibility of all supervisors to listen and respond efficiently and effectively to all employees, volunteer and learner's concerns. Every case of grievance must be treated as an opportunity to improve the working environment and not viewed as a nuisance created by an employee, volunteer or learner.

NewLink's formal procedure can be enacted whenever an employee desires.

NewLink directs that all issues be dealt with in strictest confidence.

9.4 Procedure

Stage 1

Employees are encouraged to approach their immediate supervisor when they first have a grievance.

The employee is made aware that he/she has the option to have a colleague or trade union representative present.

The problem will be discussed and a prompt decision given. The solution must be documented for reference in future actions.

Stage 2

Should employees be dissatisfied with the response given, or feel that they cannot approach their immediate supervisor, they should appeal to or approach the Chief Executive.

This may be done verbally or in written form.

The employee is made aware that he/she has the option to have a colleague or trade union representative present.

A discussion will be held and again a prompt response will be given.

A summary of the meeting will be recorded and copies issued to those in attendance.

Stage 3

If the response from the Chief Executive is not adequate in resolving the issue, then the employee, volunteer or learner should appeal in writing to their centre's appointed member of the Board of Trustees. This final tier of grievance or appeal will be a sub-committee made up of two or more members of the Board of Trustees, whose decision will be made within twenty eight working days of all the facts being presented to them.

10. Flexible Working and Overtime Policy and Procedure

10.1 Purpose

The purpose of this policy and procedure is to ensure that all employees are fully aware of their obligations to NewLink in terms of contracted hours and the level of flexibility they may assume.

10.2 Scope

This policy applies to all employees.

10.3 Flexible Working Time Policy

Full time Contracts are for 7hrs 15 mins per working day, (36.25hrs/week)
For information regarding Holiday allowances and Public Bank Holidays see 'Holidays Policy'.

Break Times: 15 min (or equivalent) Break am (in paid time)
30 mins essential break at middle of the day, unpaid.
15 mins (or equivalent) Break pm (in paid time)

CORE hours 9.00-4.00 pm 30 mins essential break at middle of the day for lunch.

6hrs 30 mins each day in the workshop, or Normal place of work.

Time to **travel to work** may not be included in the working hours.

Business travel time may be included in the working hours.

A further 45 mins per day to be considered as Flexi time, to be completed on trust, wherever is most convenient for the individuals.

(This may be increased occasionally, such as times when centres are closed, fuel strikes, exceptional weather).

Those with additional teaching responsibilities of 60 hrs per year may spread the load across 47 non-holiday weeks, working 15 mins extra core hours per day.

Flexi time may **not** be accrued to calculate additional time away from the workplace, unless express permission is obtained from the Chief Executive, and will only be granted under exceptional circumstances.

Reasonable adjustments may be made by the Chief Executive and must be agreed in advance.

Staff are expected to complete their work within their scheduled hours. Any major variations will be monitored.

10.4 Overtime Policy

NewLink does not pay overtime. If any individual is asked to work more than their contracted hours, additional holiday days may be granted. This must be agreed before the additional work is undertaken.

10.5 Working from home Policy

Individual employees may be contracted to use their home as their 'Normal Place of Work'. Under these circumstances it is incumbent on that individual to ensure that they are available and contactable whenever they are working at home and that they make themselves available to attend meetings at other venues as requested.

Other members of staff who have reason to work at home must agree this in advance with their supervisor. Permission will only be given in exceptional circumstances.

11. Dignity and Respect at Work Policy and Procedure

11.1 Purpose

NewLink is committed to providing a work/training environment free from harassment of any kind.

NewLink promotes a work/training environment culture of dignity, respect and openness to diversity that should be reflected in the actions and behaviour of all employees, volunteers and learners, clients, customers or suppliers.

NewLink requires all employees, volunteers and learners to ensure that their behaviour towards others is respectful, professional and courteous at all times.

It is the duty of all employees, volunteers and learners to report any incidents of harassment, bullying or disrespectful behaviour to their supervisors immediately.

11.2 Scope

All employees, volunteers, learners, contractors, clients, customers etc. both inside and outside the work environment.

11.3 Policy

NewLink acknowledges the right of all to a working environment free from any form of harassment, bullying or disrespectful behaviour. All complaints of harassment will be taken seriously, will be held in strict confidence and will be investigated promptly and in an impartial manner. Only if these instances are reported can NewLink take action to correct the situation.

Harassment is defined as any form of repeated, unwelcome and unacceptable act or conduct that could be regarded as offensive, humiliating or intimidating, with a potential negative impact on the work environment. It is defined as follows:

- Non-verbal - looks, gestures, isolation, exclusion, refusing to listen to a point of view
- Verbal - spoken words, shouting, unfair and excessive criticism
- Physical - abusive behaviour, production, displaying or circulation of words, pictures, materials.

Sexual or gender based harassment is defined as any act of a sexual nature, or with a sexual dimension, that is unwelcome, unsolicited, unwanted or unacceptable. It can be:

- Non-verbal - looks, gestures, whistling, suggestive symbols, pictures
- Verbal - advances, propositions, suggestions, jokes, comments, innuendo
- Physical - groping, kissing, fondling, unnecessary touching, assault or rape

An individual will decide what behaviour is acceptable - not what the perpetrator, employer or another colleague finds acceptable.

Bullying is behaviour directed at an individual which causes them or is calculated to cause them to feel upset, threatened, humiliated or embarrassed, due to its persistent, offensive, abusive, intimidating or malicious content. It affects the dignity of people at work or in training and undermines self-confidence.

Lack of respect can be shown by direct comments, sarcasm, snide remarks, inappropriate jokes or banter directed at a colleague. It can arise where colleagues are ignored, overlooked, avoided or shunned without good reason and in a manner likely to be hurtful or disrespectful. Respect should be shown at all times to all colleagues. Respect may also be earned. By showing respect to others and honouring their personal dignity, an individual will earn their respect.

11.4 Procedure

If an individual feels that he/she is the victim of bullying or harassment, the following actions should be taken:

- ◆ Remain as calm and collected as possible.
- ◆ Record the incidents including the days, dates, times and what was said during the alleged incidents and if there were any witnesses.
- ◆ Write down what effect the incident of bullying had on you.
- ◆ Confront the perpetrator and inform he/her that the behaviour is unacceptable and that it must stop immediately.
- ◆ Talk to a colleague, your supervisor or a Trade union representative.
- ◆ Keep copies of any materials that have been received from the perpetrator.
- ◆ Read NewLink Bullying Policy.

The policy adopts a two-tiered approach (the informal and formal procedures) to the issue of bullying and harassment in the work/training place.

11.4.1 Informal Procedure

The purpose of the informal procedure is to ensure that the majority of cases of this nature will be handled effectively, efficiently and in a confidential and sensitive manner.

The informal procedure is used in a situation where an offensive incident has occurred and the victim approaches the perpetrator directly and requests him/her to stop. The victim should inform the perpetrator of NewLink's bullying policy and advise him/her that a second occurrence of this nature will result in a formal complaint.

In instances where there is doubt about whether or not the behaviour constitutes a form of bullying, individuals are encouraged to discuss the case with their supervisor or a colleague.

11.4.2 Formal Procedure

In the event that the informal complaint has failed and the bullying/harassment is repeated, the victim will progress to the formal procedure. These are the steps that must followed in this case:

- ◆ The victim will make the initial complaint in writing to his/her supervisor.
- ◆ If the supervisor is involved in the incident the complaint will be made to the next supervisor in succession.
- ◆ All complaints will be treated in the strictest confidence.
- ◆ An investigation will be undertaken by the Branch manager and Chief Executive as sensitively, quickly and confidentially as possible while ensuring fairness to all parties involved. Results will be recorded.
- ◆ The investigation will begin within seven days of the date of receipt on an employee's formal complaint, unless exceptional circumstances cause delay.
- ◆ Investigations will be carried out having due regard to employees' rights to information of complaints against them, representation and the facility to make statements, submissions or comments on the allegations before any decision is made.
- ◆ If, having made a complaint, an employee wishes to know what stage the investigation has reached, he/she may have a confidential discussion with the investigator. However, the employee may not be entitled to all the information relevant to the investigation where issues of particular sensitivity or confidentiality arise.
- ◆ When the investigation has been completed all the facts will be summarised and where possible a decision made as to whether bullying or harassment has taken place.
- ◆ An interview to discuss the findings will be held with the perpetrator, who has the right to defend him/herself and to appeal against the decision. The perpetrator has the right to have a colleague or trade union representative present at this interview.
- ◆ The outcome of the investigation and the action to be taken will be conveyed to the complainant, the perpetrator and any other person with significant involvement in the case.
- ◆ NewLink reserves the right to re-locate the complainant or perpetrator, where it is necessary for the effective running of NewLink.
- ◆ If, following the investigation, the complaint is considered to be substantiated, NewLink's discipline procedure will be invoked.
- ◆ If, following the investigation, a complaint is found to be untrue, reckless or malicious, or an employee has made a false accusation against another employee the disciplinary procedure will be invoked and may result in a gross misconduct disciplinary hearing.
- ◆ An employee against whom a disciplinary finding is made has the right to appeal against the disciplinary action as provided for in the Grievance procedure.
- ◆ Any victimisation of, or retaliation against, a complainant or an employee who gives evidence regarding sexual harassment or bullying will be subject to disciplinary action up to and including dismissal.

12. Holiday Policy and Procedure

12.1 Purpose

The purpose of this policy is to ensure that all employees enjoy the benefit of their annual leave and Public Bank Holiday entitlement, reflecting NewLink’s commitment to the health and welfare of all its employees.

12.2 Policy

NewLink’s holiday entitlements are effective from September through to August each year. All full time, permanent and fixed term contract employees are entitled to Bank Holidays as defined below and holiday leave per Holiday Year as follows:

Year 1	20 days
Year 2	21 days
Year 3	22 days
Year 4	23 days
Year 5	24 days
Year 6 and thereafter	25 days

Part time or temporary employees will receive their holiday entitlements on a pro-rata basis. Temporary employees will take their holiday at the end of their contract period or may receive its equivalent in pay if their contract is terminating.

The timing and approval of all holiday entitlements has to be agreed with the Chief Executive, in line with training and customer requirements and wherever possible should fall outside standard term times.

NewLink encourages employees to take ten days holiday consecutively each Holiday year. A minimum of two weeks’ notice is required. Where possible NewLink will facilitate employees requesting above two weeks leave at one time. It is Company policy that all holiday entitlements should be taken in the Holiday year in which they fall. In cases where employees have not taken their full holiday entitlement for one Holiday year, up to five unused days may be carried forward into the new Holiday year and must be taken within the first six months.

For employees who commence employment during the Holiday year, annual leave entitlement will be calculated on a pro-rata basis to reflect the number of months they are with NewLink, (this will be indicated in the contract of employment).

If, during a holiday period, an employee is sick for more than four days, covered by a medical certificate, these days will not count as part of their holiday period.

12.3 Job Share

All job sharers are entitled to their normal holidays, which is calculated on a pro-rata basis.

12.4 Public/Bank Holidays

All full time permanent employees will be entitled to 8 statutory Public/Bank holidays, in line with current government regulations. Part-time employees will be entitled to Public/Bank holidays on a pro-rata basis.

(8 Bank Holidays: Christmas Day, Boxing Day, Jan 1st, Good Friday, Easter Monday, May Day being 1st Monday in May, Spring Bank Holiday, being last Monday in May, August Bank Holiday, being last Monday in August).

Should an employee be required to work on a Public/Bank holiday, they will be entitled to an additional day of annual leave.

Employees who do not follow the Christian faith may exchange Bank Holiday days to take time off to celebrate festivals such as Diwali, Chanukah, Eid, Kwanzaa, etc. NewLink appreciates that many of these festivals are “moveable feasts” and that their occurrence is governed by sightings of the moon. This means that it is not always possible to accurately predict when these festivals will take place, as there may be a variance of up to three days in moon cycles. Because of this, these faith holidays are not subject to NewLink’s usual holiday notice period. However NewLink does require that employees supply a rough estimate of when these holidays will take place.

12.5 Holiday Booking Procedure

Employees must request and have agreed in advance the dates for their holidays, by completing a Holiday Request Form and returning it to NewLink Office at least two weeks in advance of the required holiday date. Holiday request forms are available at each training centre. (Also see appendix D).

Holiday requests will not be unreasonably refused.

Holidays will be recorded in a Holiday Log maintained at NewLink office. Any cancellations should be notified to NewLink office immediately.

12.6 Leaving NewLink

Where an employee leaves NewLink and annual leave is due, NewLink will pay for leave not already taken. Where an employee leaves NewLink and has been overpaid annual leave, NewLink will claim back the amount owing from the last salary payment.

13 Health and Safety Policy and Procedures

13.1 Policy

NewLink accepts the aims and provisions of the Health and Safety at Work Act 1974 (HASAW 1974), and regulations under the Act.

The Board of Trustees will take all possible steps to ensure that all employees working for and on behalf of NewLink will maintain a safe and healthy working environment for its learners and to provide such training and supervision as they need for this purpose.

NewLink considers the health and safety of all employees to be of paramount importance and recognises that one of its foremost duties and responsibilities is to provide and maintain a healthy and safe place of work. NewLink also recognises its duties and responsibilities to learners, visitors, contractors and people other than employees who are affected by NewLink's activities.

NewLink considers that both Management and employees should share this responsibility. Everyone has a responsibility to ensure that NewLink's safety rules and practices are observed and to cooperate in maintaining high standards of Health and Safety. It is the duty of each individual to take reasonable care for the health and safety of him/herself and other people who may be affected by his/her acts or omissions at work. Failure of any employee to observe correct and adequate health and safety practices will result in disciplinary action as set out in the Disciplinary Policy.

The Chief Executive is ultimately responsible for the implementation of the Health and Safety Policy. Branch managers are responsible for the overall safety of employees, volunteers and learners at their location.

NewLink will subscribe to Employer's liability insurance and to Public liability insurance policies.

13.2 Scope

The Health and Safety policy applies equally to all members of staff, volunteers and learners who take part in Company activities.

13.3 Procedures

The Branch manager will become the Safety Officer with responsibility for local Health and Safety issues. The responsibility of the Branch manager include the following:

- ◆ To ensure that the Health and Safety requirements imposed by the local authority in whose region the centre is based, are understood and followed by all NewLink employees, volunteers and learners.

- ◆ To ensure that all employees, volunteers and learners are briefed and trained in necessary health and safety measures and precautions, (for example the safe use of VDUs, Display Screen Regulation 1992). If training needs are identified, the Branch manager should contact the Chief Executive so that appropriate training may be arranged.
- ◆ To undertake and record an annual risk assessment of the NewLink premises and to act to make safe identified hazards. Where a hazard cannot be made completely safe, a safe system of working will be identified and made known to all NewLink personnel.
- ◆ To ensure that all electrical appliances are regularly tested to ensure they are safe to use. Any faults visual or otherwise must be immediately reported to technical staff and the equipment not used until repairs have been carried out. Employees must not attempt repairs or service the equipment unless properly trained to do so.
- ◆ To appoint an individual with responsibility for First Aid. To ensure that the Health and Safety Poster is clearly visible including the details of the appointed person. If training needs are identified, the Branch manager should contact the Chief Executive so that appropriate training may be arranged. First Aid materials and an accident book are to be provided at each location. (see Appendix E). All incidents must be recorded in the Accident book as soon as possible after the event. Employees of NewLink are also required to report a near miss or an occurrence that was a potential danger without causing injury, in order that remedial action can be taken to continually improve NewLink's safety culture. More serious accidents must be recorded and reported to Management as required by RIDDOR.
- ◆ To ensure the procedures for Fire Emergencies are known to all personnel. All employees, volunteers and learners MUST be made aware of the procedures observed at their centre in the case of a Fire. Fire exits should be made known to all and maintained as clear passage out of the building. Each group of learners must have a Fire Drill once a year. This should be recorded and any difficulties in evacuating the building should be noted and remedial actions set in place.
- ◆ To ensure that all fire fighting equipment is thoroughly examined by a competent person within the time scales specified on each piece of fire fighting equipment and the findings entered in the Fire Log Book.
- ◆ To ensure that all Personnel sign in/out of the NewLink Diary as a requirement of the fire regulations. This procedure must be carried out by all visitors to the Centre to ensure the safety of all in the event of a fire.

14 Pension Scheme

NewLink has a designated Stakeholder pension scheme but employees are free to select a pension company of their choice.

These policies and procedures were adopted at the meeting of the Board of Trustees on 24/6/03, and signed on behalf of the members of the Board of Trustees

Signed

Signed

Cilla Lamerton
NewLink Chief Executive

Francis Chapman-King
Chair of the Board of Trustees

List of Appendices

- A Diversity form
- B Self certification for Sick leave and Return to Work form
- C Paternal Leave application form.
- D Holiday request form
- E Accident report form

NewLink
Appendix B
Self-certification for Sickness and Return to Work
Notification Form – Confidential

This form is to be completed and returned to NewLink Office, in the absence of a doctor’s certificate for:

- 1) Sickness lasting for up to seven calendar days, covering the whole period of sickness (including weekend); or
- 2) The first seven days of a longer period of sickness (including weekend)

Please note that if your sickness continues for more than seven calendar days then a doctor’s certificate MUST be submitted to the NewLink office.

Name.....

NewLink Centre.....

Contact Telephone Number.....

First day of sickness
(Including Saturday/Sunday) Day/Date.....

*Last day of sickness /or first date covered by doctors certificate (*delete as appropriate)
Day/Date.....

Please state reason for absence.

.....
.....

The following questions must be clearly answered.

1) Do you claim the sickness was due to a work related incident YES / NO

2) If the answer to 1 is yes, when did you report the incident and to whom.

.....

3) Are you fit to resume work? YES / NO

Employee’s signature

I certify that the above answers are made to the best of my knowledge and are correct.

Signed.....Date.....

Supervisor’s name and signature

I have noted the above and in the case of work related incidents I am taking appropriate action.

Name.....Signature.....Date.....

NewLink
Appendix C
Request for Paternal Leave

Name:

Date:

I confirm that I am eligible for Paternal Leave according to the following Criteria:

I have been employed for at least 26 weeks by the beginning of the 14th week prior to the Expected week of Confinement (EWC).

I am the father of the child/ the mother's husband/ partner.*

(*Delete as applicable.)

(A partner is someone who lives with the mother of the baby in an enduring relationship.)

I have responsibility for the upbringing of the child or, if not the child's father, have the main responsibility for the child's upbringing, meaning second only to the mother.

I shall be taking time off only to care for the new baby or support the mother of the baby.

Date of Expected week of Confinement (EWC):

Length of leave required (one or two weeks):

The leave may be taken as two consecutive weeks or two separate weeks.

Date the leave will begin:

Signed:

Authorised by:

Date:

NewLink
Appendix D
Request for Annual Leave

Holiday Request Form, to be sent to NewLink Office at least two weeks before the holiday is due to start.

Name:

Date sent:

Place of Work:

Date of Holiday requested: From:

To:

Number of holidays days taken:

If you have not heard to the contrary within 5 working days, your request has been granted.

Date received at the NewLink Office:

Authorised by :

Comments:

NewLink

Appendix E

Accident Report Form

Name of Casualty

NewLink Centre Address.....

Date and Time accident occurred.....

Nature of accident.....

Brief description of how the accident happened
.....
.....
.....

Action taken.....
.....

First Aid given? Yes or No

By whom?

What happened to the person after the accident? (eg went home)
.....

Witness statement
.....
.....
.....
.....

Name of person completing this form:

Signature: