

HUMAN RESOURCE POLICY

JCO SOUTH SUDAN

JAMNEL CARE ORGANIZATION TONGPING ALONG CATHOLIC UNIVERSITY WAY

Introduction

Jamnel Care Organization

HRM Policy Manual

This Human Resources Policy Manual is provided as a central reference for all managers, supervisors and employees and applies to staff across all locations where the Organization carries out its work. The specific policies that follow promote the philosophy of Jamnel Care Organization with regard to standards of excellence; terms of employment; employee development; and employee services. It is necessary to change these policies from time to time to reflect changes in the workforce, employment trends, economic conditions and South Sudan legislation. However, any changes in policy will be consistent with the Organisation's approach to:

- Employing talented individuals whose creativity and imagination will support and contribute to achieving the Organization's objectives;
- Communicating organization standards and expectations in all aspects of employment including performance;
- Valuing diversity, and assure equal employment opportunity and a workplace where relationships are based on mutual respect;
- Treating all staff, workers, contractors and program beneficiaries in a professional, non- discriminatory manner;
- providing safe, effective working conditions, and;
- providing competitive terms and conditions in our workplace market

Any Policy changes will be fully consulted on and communicated to all staff through normal communication channels. This Policy Manual will also be updated as necessary. This Policy Manual should be read in conjunction with the organisation Staff Handbook.

Board Approval

Following deliberation by the board on the Finance, Procurement, HR and other related policy manuals held on this day 26/08/2023.

I the chair of the board of Directors for Jamnel Care Organization do here by approve the above policy documents on behalf of the board members.

Signature

Date

TABLE OF CONTENTS

DEFINITIONS	4
ACRONYMS.....	5
1.0 EMPLOYING STAFF.....	6
1.1 Employment.....	6
1.2 Employment Contracts.....	7
1.3 Recruitment and Selection	9
1.4 Exceptions to The Recruitment Process.....	12
1.5 Appointment procedure and signing of contract.....	13
1.6 Induction Policy and JCO checklist.....	14
1.7 Probationary Period.....	17
1.8 Recruitment Monitoring	18
1.9 Exit Interviews.....	18
2.0 EMPLOYEE COMPENSATION/REWARDS, BENEFITS AND.....	18
2.1 Introduction	18
2.2 Salary and wages payment Appendix 2.....	19
2.4 Employee welfare.....	21
3.0 STAFF LEAVE POLICY:	22
3.1 Introduction	22
3.2 Types of leaves available to staff	22
4.0 STANDARD OF CONDUCT	24
4.1 General Code of conduct.....	24
4.2 Prevention of Bullying and Harassment at Work	25
5.0 MANAGING EMPLOYEE PERFORMANCE.....	33
5.1 Performance Appraisal Policy.....	33
5.2 Controlling Absence Policy	35
5.3 Disciplinary Procedure.....	39
5.4 Capability Procedure.....	44
6.0 DEALING WITH EMPLOYEE CONCERNS	47
6.1 Grievance Procedure	47
7.0 SUPPORTING OUR STAFF IN THE WORKPLACE:.....	49
7.1 Equality Policy.....	49
7.2 Health and safety	52
7.3 Workplace Violence Prevention Policy.....	58
7.4 Drug and Alcohol Abuse Policy	59

8.0 GENERAL GUIDELINES	64
8.1 Staff Identity cards	64
8.2 Politics' and Religion	64
8.3 Loss or damage of organization property	65
APPENDICES	69
Appendix 1 Induction Template for New Staff	69
Appendix 3 Structure of the per diem allowances	73
Appendix 4 Standard of Conduct Required by the Organization	74



DEFINITIONS

- Board of Directors (BoD):** Means the supreme governing body of JCO as established by the Constitution of JCO.
- Executive Director (ED):** Means the Executive Director as appointed and serving under JCO's Constitution and includes any person appointed to act in that position.
- Program (PM):** Means the Program Manager as appointed and serving under JCO's Constitution and includes any person appointed to act in that position.
- Employee:** Means a person in full time service of JCO or on contract terms for a specified period.
- Volunteer:** Volunteers are individuals who work at JCO out of their own choice or have been seconded at JCO by other organizations or institutions. They are assigned tasks from time to time as deemed necessary by the organization for a period not more than three months. JCO maintains limited contract with volunteers and will not provide any compensation. Volunteers shall not be considered as full-time or part-time employees of JCO. International Volunteer are expected to meet their personal upkeep cost while volunteering at JCO.
- Consultant:** Consultants are professional experts hired by JCO on short-term basis only for completion of specific tasks and assignments related to JCO. Separate and limited contracts, defining their job description, timeline, deliverables, reporting procedures and payment details shall be issued to consultants. They shall not be considered as full-time or part-time employees of the JCO.
- Management:** Means the Executive Director, the Finance Manager, Program Manager, the Human Resource Manager and Administration Manager, the M&E & Project Coordinator Manager and the Program Managers at the head office level.
- Head of Department (HOD):** Means a person appointed by JCO as Head of a Department and includes any person appointed to act in that position.
- Regulations:** Means the provisions of this Human Resources Policies Manual of JCO.
- Working hours:** Schedule times of JCO for the working periods.
- JCO:** Unless otherwise stated shall mean Mobile Humanitarian Agency

ACRONYMS

Abbreviation:	Meaning
BoD:	Board of Directors
ED:	Executive Director
HOD:	Head of Department
PIT:	Personal Income Tax
R&R:	Rest and Recuperation
RSS:	Republic of South Sudan
JCO:	Jamnel Care Organization



1.0 EMPLOYING STAFF

Employing staff fairly and expertly, ensuring they are properly inducted, and ensuring they are aware of the required standards of business conduct including use of email and the internet.

1.1 Employment

The Organization's primary goal when recruiting new employees is to fill vacancies with persons who have the best available skills, abilities, or experience needed to perform the work. Decisions regarding the recruitment, selection, and placement of employees are made on the basis of job-related criteria. When positions become available, qualified current employees are encouraged and are welcome to apply for the position. As openings occur, notices relating general information about the position are posted. The manager of the department with the opening will arrange interviews with employees who apply. Where a qualified person could not be identified internally, an external advert shall be run using the different modes to attract qualified applicant's externally to apply for the job. Qualified applicants are then shortlisted and scheduled for interviews with the recruitment committee. Applicants shall be taken through the entire recruitment process to select the most qualified candidate to fill the position. Refer to the recruitment process within this HR manual for details.

The following terms will be used to describe employment classifications and status:

Full-Time Employees

Full-time employees are those who are regularly scheduled to work at least 40 hours per week that are hired on a fixed term contract usually of 12 months. These employees are entitled to full benefits offered by the organization.

Part-Time Employees

Part-time employees are those who are regularly scheduled to work fewer than 40 hours per week that are not hired on a temporary basis and not entitled to any benefits

Temporary Employees

Employees hired for an interim period of time, usually to fill in for vacations, leaves of absence, or projects of a limited duration. Temporary employees are not eligible for Organization paid benefits, except as required by law.

Casual employees/workers

This are employees hired to do casual work for the organization and shall be paid casual labour rate on daily basis.

Volunteers

This include individuals who wish to render their services to further the objectives of the organization. they are hired on voluntary basis and not entitled to any benefits offered by the organization unless otherwise agreed between the individual and the organization.

1.2 Employment Contracts

- a. Subject to this section, an employment contract must be written and may be for: a definite period; an appropriate period or the performance of a specific task.
- b. If, upon the expiration of a contract for a definite period, an employee continues working without the express dissent of the employer, the contract shall be deemed to be renewed on the same terms and conditions as the expired contract.
- c. Where an employee's employment continues in accordance with sub-section (2) of this section for a total period of two years, the employee shall be deemed to be employed under an employment contract for an indefinite period.
- d. Terms of Employment Established by Employment Contracts
- e. The employment contract shall contain all particulars as necessary to define the rights and obligations of the parties including: name of the employee, place of employment and, place of origin and any other particulars necessary for identification; nature of the employment and position to be held;
- f. Appropriate period of notice to be given by the party wishing to terminate the contract, which shall not be less than the minimum period of notice provided for.
- g. The manner and periodicity of payment of wages and advances of wages, if any and the manner of payment of any such advances;
- h. Measures to be taken to provide for the welfare of the employee and any member of family accompanying the employee under the terms of contract; conditions of repatriation, where applicable; and any special conditions of the contract.

The employer shall ensure that written contracts is issued to all of its employees irrespective of the type of employment discussed above. Given the nature of business Jamnel Care Organization shall issue different types of contracts. These are listed as below

Fixed term (FT) contracts: The organization shall issue fixed term contract to its administrative staffs and especially those positions that form the management team of the organization. The contract shall be for a period of 12 months renewed after every one year. This is exception of Executive Director whose tenure shall be decided by the board and may not be less than 3 years. Employees with fixed term contract are eligible for all benefit packages offered by the organization.

Temporary Fixed term (TFT): This contract shall apply particularly to all project staffs who shall be employed on temporary basis but on fixed term for the duration of the project. At the end of the projects such staff may be laid off if there are no funds for the project. Such employees may be eligible to certain benefits offered by the organization. the length of the contact is dependent on the duration of each project but must be issued for a year with possibility of renewal depending on project duration, fund and performance.

Temporary Contracts: Temporary employees are hired for an interim period of time, usually to fill in for vacations, leaves of absence, or individuals'

hire for consultancy services. Temporary employees are not eligible for Organization paid benefits, except as required by law.

Volunteer contracts: Volunteers are individuals who wish to render their services to further the objectives of the organization. They are hired on voluntary basis and issued volunteer contracts and are not entitled to any benefits offered by the organization unless otherwise agreed between the individual and the organization.

Casual Contracts: This contract is given to employees who shall be engaged to work on casual basis and shall be paid a certain fixed casual labour rate on a daily basis. Casual employees are not entitled to any benefits offered by the organization.

Intern contracts: This type of contract shall be given to graduate employees who are joining the employment industry. The opportunity is usually for them to gain the relevant experience needed to perform on their jobs. The organization shall issue internship contracts for interns for a period from 2 months and not exceeding 4 months. Under this contract employee shall not be entitled to salary and or the any benefits. The intern shall however be reimbursed for any expenses they may incur in doing the organization's work.

NOTE

An employment contract shall not be transferred from one employer to another or from one employee to another without prior written consent of the employee.

1.3 Recruitment and Selection

Introduction

Effective recruitment and selection is central and crucial to the successful functioning of Jamnel Care Organization. It depends on finding people with the necessary skills, expertise and qualifications to deliver the strategic Organization's objectives and the ability to make a positive contribution to the values and aims of the organisation. Recruitment shall be done by formal procedures, starting from identifying the need to fill a post to reaching the stage of official appointment. The finally responsible person within the organization for the proper execution of the recruitment process is the "Effective recruitment and selection is central and crucial to the successful functioning of Jamnel Care Organization. It depends on finding people with the necessary skills, expertise and qualifications to deliver the Organization's strategic objectives and the ability to make a positive contribution to the values and aims of the organization" Human Resource Manager. He/she is responsible to control all the entire process to ensure that tasks are properly and timely executed by the involved persons.

Vacancy identification

A vacancy may arise after an employee has left the job or new tasks for the organization arise which may require a new post. Most JCO vacancies shall be project based. The need for filling such vacancies shall be discussed in the monthly management meetings. In such a meeting issues to be discussed include expectations of the post, recruitment planning, internal recruitment if applicable, mode of vacancy announcement, type of contract etc. If the planned recruitment procedure differs notably from the policy procedure, then this shall be approved by the Board of Directors of the organization or written exception by the Executive Director before recruitment process starts.

Advertisements

- Vacancies will generally be advertised in an appropriate Manner (Job boards, job advertisement sites (relief web and NGO Forum, and the organization's website online job board), and will not be confined to those means which, because of their particular source of applicants, provide only or mainly applicants of a particular group.
- All vacancies will also be posted on the Organisation's internal notice board. Jamnel Care Organization is keen to facilitate internal promotions wherever possible as development opportunities for its staff.
- Jamnel Care Organization may, on some occasions, decide to restrict advertisement to internal candidates only. Furthermore, junior posts will always be advertised internally in the first instance, to provide continuous development of existing members of staff unless the Management team agrees that this is not appropriate due to the specialist skills required for the post involved.
- Vacancies which are restricted to internal candidates only will be clearly indicated on the advertisement. All internal candidates will be selected for interview on the same criteria as external candidates.
- Employees on leave will receive all advertisements for posts advertised in the Organization during their period of maternity leave.

- All advertisements shall run for 14 working days in accordance with the South Sudan Labour law. Upon expiry of 14 days after posting an advert, the recruitment panel shall, based on merit select from the application forms the candidates most suited for the position.

Application Form

Candidates for all posts will, except on some occasions when a vacancy is restricted to internal recruitment, be asked to complete a standard application form, in order that they can be judged on the basis of comparable information.

- In applying for posts, all candidates will be provided with a job description, details of the appropriate conditions of service and details about the Organization. A brief statement about the appointment procedure will also be provided and, if possible, an indication of the date (or week) when interviews will be held. The job description will include a list of the main duties and responsibilities of the post, together with an outline of the qualifications and experience which candidates are expected to possess
- In drawing up the job description and conditions of service the organization will ensure that no job applicant receives less favourable treatment than another on the grounds of disability, gender, race, religion or belief, age, sexual orientation, marital status, parental status, caring responsibilities or hours of work, and that no applicant is placed at a disadvantage unjustifiably by requirements or conditions which have a disproportionately adverse effect on a particular group.
- However, for some specific position's priority shall be given to qualified female applicants for all job vacancies unless the nature of the job is such that only male applicants are favoured?
- Applicants will be asked to specify whether they have any disabilities, as defined in the Disability Discrimination Act 1995, and whether there are any reasonable adjustments needed for them to attend an interview. All applicants with a disability who meet the essential criteria for a job will be interviewed, and considered on their merits
- Applicants will be required to supply the names and addresses of at least three people from whom references can be obtained, one of which should normally be the applicant's current or most recent employer.
- Only references for short listed candidates for interview will be obtained. References will normally be sought prior to interview, unless the candidate indicates otherwise in their application letter and Curriculum Vitae
- References should normally be made in writing or email, but those received by telephone will be accepted, provided that a note of the conversation is recorded and placed on file.
- All candidates will be asked to declare on the application form whether they have ever been convicted of any criminal offence which cannot be regarded as 'spent' in terms of the Rehabilitation of Offenders.
- Applicants will also be required to declare if they are related to any member of staff within the Organization. Canvassing of members of the Organization is not permitted.

No manager should be put into a position where he or she is asked to interview a person to whom they are related.

- It is the Organization's policy not to communicate further with applicants other than those who are shortlisted. A note to this effect is included in the details sent out to applicants.
- Applicant's details will be recorded at the point of receipt. All information relating to the data collected in the equality and diversity recruitment monitoring form will be hidden from all those involved in the recruitment and selection process. The information collected will be solely used for the purposes of equality monitoring.
- All completed applications form and letters are private and confidential and should only be made available to those directly involved in the recruitment and selection process.
- All application forms and letters will be collated by Human Resources Department and supplied to the appointing manager and interview panel for short listing purposes.
- A shortlist of candidates will be drawn up for interview, based entirely on merit and suitability for the post but taking account of the organization's responsibilities in relation to the Disability Discrimination and Equalities Acts. Other than in exceptional circumstances, reasonable notice will be given to ensure that candidates have sufficient time in order to prepare for and make the necessary arrangements to attend the interview.

Selection Methods

- Interviews will be held by a panel comprising of ideally four persons, but a minimum of two persons, gender balanced wherever possible. The interviewers will encourage candidates to be at ease during the interview, in order that they can give a fair and accurate impression of themselves.
- A representative from Human Resources preferably the Human resources Director/Manager will be present on all interviews for posts below Director Level. The Organisation's HR Adviser/hired HR consultant will be present on interview panels for posts of Director and above.
- The selection and appointment of the Executive Director will be made by members of the Board and the panel will be chaired by the Board chairman.
- The board of directors can head hunt for specific senior positions that are strategic in nature and promote the organisation strategic objective.
- The short-listed candidates shall be informed well in advance (7 days) about venue, date and time for the interview in order to allow them to prepare themselves adequately. The interviewing panel shall be constituted in such a way that a professional and fair interview is ensured. No undue pressures or vested interests shall be allowed to interfere in the interviewing process. The role of each panel member shall be agreed upon before the interview starts
- A set of questions will be agreed by the interview panel in advance and will be developed from the current job description for the post. The panel will seek to develop

questions which ask the candidates to give examples of their previous relevant experience

- All candidates will be asked the same questions in the same order, and their responses rated. The panel will each have a copy of the questions and will score independently of each other during the interview. Time is allocated between interviews for the panel to discuss each candidate and to award a total point's score. Additional notes may be made by the panel during the interview; however, it should be noted that candidates will have access to all information should they request it.
- It should be remembered that an interview is a two-way process, and candidates will be given every opportunity to view the offices where they will work and ask questions about the Organization, to ensure that they have a full understanding of the post for which they are applying and the way the Organization operates.
- In addition to interviews, a range of other selection techniques may be used. In such circumstances reasonable notice and relevant information will be given to ensure that candidates have sufficient time and information to prepare.
- Candidates attending an interview will not be reimbursed any expenses incurred during the interview process especially transport expenses.
- All appointments will be made strictly on merit and related to the requirements of the job.
- All interviewed candidates will be notified of the outcome of the selection process as soon as possible, either by telephone or letter.
- All unsuccessful candidates' application forms and interview notes will be retained for one year from the date of interviews taking place. After this date they will be destroyed.

Relevant checks

All offers of employment will be made conditional upon satisfactory results from the following:

- two satisfactory references
- confirmation of the right to work in this country (if appropriate)
- Criminal Records Disclosure (if appropriate).

1.4 Exceptions to the Recruitment Process

Jamnel Care Organization, in accordance with labour laws, is committed to providing equal opportunity in employment through non-discriminatory open recruitment and hiring practices. Occasionally, such factors as financial constraints, program continuity, the unavailability of a reasonable number of qualified applicants, or the existence of highly specialized qualifications and requirements for a particular position, require making an exception to the JCO's normal employee recruitment and selection procedures.

Waiver - Types of Exceptions:

Organizational Necessity

- Conducting a full recruitment effort would have a seriously negative impact on the operational effectiveness of a department/unit or would delay the implementation of

projects. The waiver request must specify the business necessity reasons and the qualifications of the recommended candidate.

Internal Recruitment Only

- Under certain circumstances, a department/unit may desire to limit a recruitment effort to qualified applicants within the organization. Internal recruitment efforts will be open to all fixed term employees. Positions restricted to internal recruitment shall follow the same recruitment, referral and selection process as an external recruitment effort.

Qualified, Diverse Applicant Pool (from a previous posting)

- HR department has recently conducted a full search that yielded a diverse applicant pool. A second opening in the same job title within a 120-day period would allow the department to make a selection from the original applicant pool. The Department of Human Resources Management will review the demographic profile of the interview pool from the prior search and the qualifications of the recommended candidate.

Diversity Opportunities

- A waiver to achieve diversity may be granted to a department /unit based upon its capacity to recruit qualified people e.g., women candidates, where there is under-representation of such group in the department/unit workforce profile.

Appointment to a Permanent Position without a Search

- Appointment of an employee in an Interim Position or other temporary role to a permanent position without a search.

Waive Minimum Qualifications

- Department is requesting permission to fill a position with a candidate who doesn't meet the minimum qualifications as stated in the advertisement.

Other

- Other reason not listed (must include reason for the waiver in the justification).

Procedure:

- Requests must be made by submitting through the appropriate channels. This includes the highest administrative authority. The hiring Manager must have the individual apply for the position prior to this.
- All required attachments will be submitted for approval to include: justification for the request (title/rank/classification of the position, identity of the candidate, information detailing the length and terms of the appointment and how the candidate was identified), job description, application for employment, resume/curriculum vitae, etc.

1.5 Appointment procedure and signing of contract

After final selection of a candidate, the Human Resource Department, with agreement from the relevant Departmental Head, will write and send to the candidate a job offer letter. The job offer letter shall in brief detail the conditions of employment including start date, working hours, compensation packages. The candidate will have to respond to the job offer letter within three working days by signing the job acceptance letter attached together with the Offer letter. If the candidate shows interest in the job offer, an appointment letter shall be prepared by the Human resources department and issued to the candidate.

1.6 Induction Policy and checklist

General Policy Statement

Jannel Care Organization believes that all new employees MUST be given timely induction training. This training is regarded as a vital part of staff recruitment and integration into the working environment. This policy, associated procedures and guidelines define the Organization's commitment to ensure that all staffs are supported during the period of induction, to the benefit of the employee and Organization alike.

Aim

It is the aim of the Organization to ensure that staff induction is dealt with in an organised and consistent manner, to enable staff to be introduced into a new post and working environment quickly, so that they can contribute effectively as soon as possible. This induction policy, associated procedures and guidelines aim to set out general steps for managers and staff to follow during the induction process. It is expected that all managers and staff will adhere to this policy. Jannel Care Organization believes its employees are its greatest asset and recognises its responsibility to ensure they are afforded appropriate development throughout their employment. This development begins at the Induction stage when a new employee join." The Organization expects that the implementation of good induction practice by managers/supervisors will:

- Enable new employees to settle into the Organization quickly and become productive and efficient members of staff within a short period of time.
- Ensure that new entrants are highly motivated and that this motivation is reinforced.
- Assist in reducing staff turnover, lateness, absenteeism and poor performance generally.
- Assist in developing a management style where the emphasis is on leadership.
- Ensure that employees operate in a safe working environment.
- Will reduce costs associated with repeated recruitment, training and lost production.

The Organization's Commitment

The organization's Human Resources Department / Head Office will:

- Issue guidelines to familiarise managers and staff with the induction process.
- Maintain and update the Induction Policy.
- Provide a checklist for managers and staff to follow during the induction/orientation period.
- Ensure there is effective monitoring of the induction process particularly in the first three months
- Deal with any problems promptly providing an efficient service for both managers and staff.
- Review all policy, procedure and guideline documents on a regular basis.
- Provide relevant formal training courses necessary to assist the induction process.

Guidelines for Officers/ Managers/ Supervisors

Starting a new job is a demanding and often stressful experience. Quite apart from the obvious challenge of tackling new tasks, there is also the need to become accustomed to a new organisation, a new environment and new colleagues. The purpose of induction is to support new employees during this difficult period and to help them become fully integrated into the Organization as quickly and as easily as possible. Induction has benefits for all involved in the process. Employees who settle quickly into the Organization will become productive and efficient at an early stage and in turn will experience feelings of worth and satisfaction. It is generally recognised that new employees are highly motivated and an effective induction process will ensure that this motivation is reinforced.

Benefits of Induction

The advantages of an effective and systematic induction process are as follows:

- To enable new employees to settle into the Organization quickly and become productive and efficient members of staff within a short period of time.
- To ensure that new entrants are highly motivated and that this motivation is reinforced.
- To assist in reducing staff turnover, lateness, absenteeism and poor performance generally.
- To assist in developing a management style where the emphasis is on leadership.
- To ensure that new employees operate in a safe working environment.
- To reduce costs associated with repeated recruitment, training and lost production.

Induction/ Orientation checklist

The Induction checklist is a very useful way of ensuring that information is imparted to new employees when they are likely to be most receptive. It avoids overloading employees with information during the first weeks whilst ensuring that all areas are covered. Managers/supervisors should ensure that these matters have been properly understood whilst the checklist is being completed, perhaps in the form of a weekly chat with the new entrant. Arrangements should also be made for the employee to visit any relevant departments with which they have regular contact in the course of their duties. At the end of the process the induction checklist should be signed by the relevant parties and placed in the member of staff's personnel file.

First Day of Employment

Preparations should be made for the arrival of the new entrant well in advance, for example, arrangements should be made to provide desk, equipment and lockers etc. Most new employees tend to be concerned primarily with two matters:

- a) Whether they can do the job and
- b) How they will get on with their new colleagues.

It is therefore important to introduce them to their new workplace and colleagues at the earliest opportunity. An introductory talk will be appropriate at this time and can be combined with the provision of general information and exchanging any necessary documentation. This talk should be as brief as possible, because the employee is unlikely to be receptive to detailed information at this stage, and should be conducted by someone who is well prepared and has sufficient time available. Managers/supervisors should refer to the Induction checklist and use it as a basis for discussion thus ensuring all documentation is complete.

A tour of the workplace should be arranged for the new entrant allowing the Organization to be viewed as a whole and the recruit to see where he/she fits into the organisation. The new entrant will want to get to know his/her colleagues and quickly become part of the team and time should be made for this process. Colleagues should be briefed on the new entrant's arrival. If possible one of the new entrants' colleagues should be nominated to ensure that he/she has every assistance in settling in quickly.

Induction Programmes

Induction programmes must be geared to the individual's needs. Some of the more obvious new members of staff requiring special attention are as follows:

School Leavers

For most new employees, induction is concerned with getting accustomed to a new job. For school leavers, however, it is about adjusting to a whole new way of life - the world of work. Consequently, School leavers are likely to need more support than other groups. Wherever possible, induction and subsequent training should relate to knowledge and skills which go beyond the employee's own particular job. School leavers will need guidance on wider issues, such as career planning, acquiring qualifications, coping with the routine and discipline of work and managing money. It would also be helpful for school leavers to be introduced to an approachable person to whom they could take any queries they might have.

Graduates

Graduates tend to have a high-level knowledge but may not have the skills relevant to the job. They will want to feel that they are making a contribution from early on and to understand the organisation and their role within it. Also, they will want to have a clear picture of future career prospects and to gain broad experience with this in mind. The Trust should provide the graduate recruit with an adviser - such as a senior manager - who can organise the necessary breadth of experience and offer advice and support in relation to career progression

Managers

Whilst many of the points in the checklist apply equally to all new managerial staff, in most cases individual induction programmes will be necessary. These should be drawn up in consultation with new managers, taking into account their backgrounds and experience and the nature of their new roles. Priority should be given to helping new managers establish and

maintain relationships with management colleagues and opportunities should be provided for them to spend time in other relevant departments to facilitate this process. This will help managers quickly to gain an understanding of the Organization's philosophies, strategic plans and business plans.

Ethnic Minorities

In some cases, it may be necessary to design induction programmes with the special needs of ethnic minorities in mind. Language problems and attitudes amongst existing staff may be areas requiring particular attention. This is preparation that should be completed before any member of staff joins the Organization. The Organization will not tolerate racist or prejudiced behaviour in any form.

Long-term Unemployed

Previously long-term unemployed people who have been recruited may have been absent from the working environment for some time so it will be helpful to recap on some of the issues relating to school leavers. These should, of course, be adapted to suit older workers, who may need to build up confidence and the induction process can be used to update knowledge of basic office technology (photocopiers, fax machines, telephone systems, etc. as well as computers).

Other Groups

Other groups that may need particular consideration include disabled employees and women returning to work after having raised a family. These groups will also require the induction procedure as women returning to work may, like the long-term unemployed, be out of touch and lacking in confidence. Disabled employees may have all or a combination of induction needs, but these needs may be compounded by their disabilities. Part of the induction process for disabled employees will involve checking such things as wheelchair access to parts of the workplace, toilets and lifts etc. The necessary reasonable adjustments to the workplace required to accommodate the disabled individual should be completed prior to them commencing, and carried out in discussion with the individual or their adviser.

Completing the Induction Process

Induction can be said to end when the individual becomes fully integrated into the organisation. Of course, there is no set timescale within which this will happen and follow up is essential. Giving new employees the opportunity to ask questions several weeks into employment can be useful, and the induction checklist will provide this opportunity. In some areas, such as understanding wider aspects of the organisation follow up after a number of months may be appropriate.

1.7 Probationary Period

All appointments into the Organization for period one year will be made subject to a probationary period of three calendar months. After three months a review meeting will take place between the post holder and their line manager to discuss progress. At the end of the probationary period, and subject to a satisfactory report by the appropriate head of section or

line manager, employees will be notified in writing that they have successfully completed their probationary period. The probationary period can be extended by a further 3 months should the individual's line manager consider this appropriate. For appointments for a period of six months or less, the probationary period shall be on month.

1.8 Recruitment Monitoring

The organization seeks to recruit employees on the basis of their ability and the requirements of the post. The organization wants to ensure that no applicant receives less favourable treatment than another on the grounds of disability, gender, race, religion or belief, age, sexual orientation, marital status, parental status, caring responsibilities or hours of work. In order to meet this commitment, all candidates are asked to complete a recruitment monitoring form enclosed with the application form. All completed monitoring forms will be treated as confidential. The form will be separated from the application form on receipt and those involved in the selection process will not have access to it. The information given by candidates will be solely used for the purpose of monitoring the recruitment process.

1.9 Exit Interviews

All employees who leave the employment of the Organization voluntarily will have an exit interview with their manager before their last day of employment. Exit interviews provide the opportunity for departing employees to discuss their reasons for leaving. The information provided is useful in identifying trends, learning and development and evaluating the effectiveness of HR policies and practices. The appropriate line manager should receive all appropriate information, such as recommendations made for change, or significant issues raised in the questionnaire, whilst bearing in mind confidentiality issues. The exit interview questionnaire will be retained on the employee's personal file.

2.0 EMPLOYEE COMPENSATION/REWARDS, BENEFITS AND

2.1 Introduction

Through this policy Jamnel Care Organization intends to ensure that all Employees are rewarded equitably. The policy details the organizations' reward packages including salary and wages, incentives, allowances and benefits to promote employee welfare. Salary means payment for work, made to an employee with an employment contract, usually done in the form of monthly cash or cheque payment. Wages means remuneration or earnings, capable of being expressed in terms of money, which are payable to an employee under a contract of service and includes cost of living allowance paid to an employee. The salary/wage system of the organization is bound to centrally agreed hard currency amounts and is to be followed by the organization.

2.2 Salary and wages payment Appendix 2

The amount of salary is paid according to the employment contract of the employee. This may be cash or by cheque. The salary will be paid on 25th of each month. In event that the 25th day fall on a weekend; salary will be paid on an earlier date. The organization shall deduct and submit Personal Income Tax (PIT) or any other similar wage tax for each employee. The organization will also pay other obligatory taxes. All obligatory taxes payments by the organization shall follow exactly the rules of payment as set by the involved authorities in South Sudan.

Salary Advances

All staff must plan their finances properly including putting in place contingency plans for any emergency. Jamnel Care Organization do not offer salary advance. In very rare and exceptional cases, salary advances shall be made to staff under special circumstances, emergency situations that cannot wait and only determined by the Executive Director. All advances will be approved by executive director.

Salary scales

JCO is a donor-funded organization, which is the basis for salary scales. The salaries are determined by donor allocation and on-contract basis. JCO shall have salary and wage scales, containing grades and steps applying to all various categories of employees. Salaries and wages differentials shall be influenced by:

- Amount of funds JCO raises from donors which determine salaries of individuals on contract
- Scope of responsibility and duties involved in the position
- Level of education and skill required for the job
- The level of experience

The above scales shall be reviewed based on availability of funds and market rates. Such changes should reflect changes in the cost of living, legal requirements such as the minimum wage and the ability of JCO to sustainably meet the revised salary and wage levels. The Board of Directors shall be the body to sanction the changes.

Salary increase (performance related)

After each year of employment, a performance appraisal is done with the employees. When the conclusion is that performance has been acceptable this results in to an Upgrade to a next step in the salary grading system of the organization. Each step increase will be confirmed in writing. Employees with unsatisfactory performance will attract no promotion/ salary increment. It should be noted due to funding shortfalls, good performance might not necessarily lead to an increase in salary.

2.3 Benefits

The table below summarizes the benefit package offered by the organization. Not all employees may be eligible to all the benefits. The table below shows the benefits offered by the organization and the category of employees eligible to these benefits.

Fixed term Employees

- SSF contribution from the employer 17% of the Basic pay.
- Medical cover 50\$ month
- Annual Bonus (13th month salary). Equivalent of the last salary of the month (dependence on availability of fund at the close of the year and at discretion of executive Director)
- Gratuity 1-month gross salary in respective to each year of service

Temporary Fixed Term Employees

- SSF contribution from the employer 17% of the Basic
- Medical cover 50\$

Temporary

- SSF contribution from the employer 17% of the Basic
- Medical cover 50\$

Casual employees, volunteers and interns are not entitled to benefits.

Social Security Fund

The organization shall contribute 17% of the employee's basic pay which will form part of the employee's provident fund. The provident fund constitutes the 8% withheld from the employee's basic pay and the 17% contributed to the employee by the employer on monthly basis. This amount shall be given to the employee together with the last salary on the month at the end of the contract. The organization shall maintain a separate bank account where this amount shall be deposited every month. At the time of exist or end of contract an employee shall be issued with a check equivalent of his/her benefit which he/she can cash at the bank.

Bonus

Employees may receive an annual bonus inform or the 13th month salary as will be decided by the management depending on the availability of funds to motivate the employees. The 13th month salary shall be an amount equivalent to the last salary of the month preceding the end of festival - especially on December holidays. Where funding allows, the Bonus is included in the monthly salary payment of that month

Gratuity

An employee who completes a period of not less than one year of continuous service shall be entitled to a gratuity pay calculated as follows

- If he/she has completed a period of not less than one year and not more than ten years, he/she shall be entitled to one-month gross salary in respect of each service year.

- If he/she has completed more than ten years he/she shall be entitled to one and half of month's gross salary in respect of each year
- If he/she has completed more than fifteen years, he/she shall be entitled to one month and three quarters of a month's gross salary in respect to each additional year of service provided that the gratuity shall not exceed 36 months' gross salary

Notwithstanding the sub section, (I) above, gratuities shall be calculated on the basis of the last month's gross salary. After the service, gratuity for the production employee shall be calculated on the basis of the average gross income during the last three years. Gratuity shall be paid to employees after the end of service with the organization

2.4 Employee welfare

Leisure

Depending on availability of resources JCO senior management shall arrange for staff get together party bringing together all for purposes of familiarization and planning once a calendar year (usually as end of your party). Venue and date shall always be decided and communicated by JCO management.

Allowances (per diem) Appendix 3

JCO shall pay per diem for staff working out of their duty station, this allowance shall depend on project, location and in-kind support received from the organization, these allowances shall therefore not be standardized.

Meals and Tea/coffee

Beverages (Tea or coffee) shall always be available to staff in the morning and afternoon for five days in a week to prepare their own drink while on duty Tea and coffee items shall be provided by the organization however, snacks, meals and extra drinks have to be paid for by the employees themselves. The organization shall not provide staff with meals; however, staffs shall contribute up to a certain amount to cater for lunch at both the head office and field locations with a base. These contributions are voluntary and staff members are at will to arrange their own meals or tea as suit them.

Work facilitation

Depending on the position and tasks of an employee, JCO shall try with every means to facilitate the employee in his/her work. This means that the employee can be allowed to use the organization's computers, transport (if stated in the employee's contract), stationary, calculators, and field equipment while on duty. Usually these items are not taken home, but left in office. Employees can request for equipment or items needed to be able to perform duties. These can be granted at the discretion of the management.

Flights-JCO shall only facilitate employees on work related travels and UNHAS, commercial flights and JCO vehicles shall be the main service provider unless otherwise, permission has to be granted by the Executive Director. Staff at duty station will organise their own transport when going on leave or travels not related to work of JCO.

3.0 STAFF LEAVE POLICY:

This policy highlights the different types of leaves that employees are entitled to. It also details how such leaves can be taken.

3.1 Introduction

Employees serving under organization's Terms and Conditions of Service shall be entitled to an annual leave totalling 24 days of every month worked. Employees may opt to take their leave in one single block or sets of blocks. Leaves have to be agreed upon by an employee's line manager. For each agreed leave, the Executive Director has to be informed for approval.

Planning of leave

A leave calendar should be drawn at the beginning of every year, updated quarterly and agreed upon by each departmental head and Executive Director; the plan shall then be forwarded to the Human Resource Department. Each line manager shall be responsible for inquiring with his/her team about the leave plans of employees working under him/her.

Leave Requests and authorization procedures

Amendment to the schedule will be at the discretion of the immediate supervisor in consultation with Executive Director. For each scheduled leave period, the employee shall submit a leave form to the Human Resource Department after agreement by the immediate supervisor who approves the leave form. This shall be done at least two weeks in advance except for sick leave and compassionate leave. Depending on the circumstances, the immediate supervisor may reschedule the leave (in consultation with the concerned employee). The Human Resource Department will verify the leave record and sign the leave form for approval. Final leave approval is done by the Executive Director's office. The Human Resource Department informs the employee about approval. An employee serving on probation shall not be allowed to take leave, only on the discretion of the Executive Director. Leave not taken within the contractual year shall automatically expire and cannot be transferred to the next contractual year.

3.2 Types of leaves available for staff

Annual Leave

All the staff are entitled to annual leave of 24 days per year. That is 2 days per month

Compassionate leave

In the event of death of real mother/father, first-degree sister/brother, father/mother in-law, spouse and children, **compassionate leave of a maximum of 5 working days shall be granted.** If the employee wishes a leave longer than five days, he/she shall propose the use of his/her annual leave entitlement. This needs to be agreed in advance following the procedures mentioned in above.

Maternity and paternity leave

A female employee shall be entitled a maximum of once every 2 years to 3 months' maternity leave on full pay. During probation and under temporary terms of service, there are no provisions for maternity and paternity leave. A maximum of 10 working days shall be given to a male employee once every two years for paternity leave. Employee is encouraged to inform her immediate supervisor of her pregnancy as early as possible; she will then be allowed time off for her antenatal visits. Similarly, same way, the nursing mother will be allowed time off during working hours for breast-feeding. The duration of absence shall be determined on case-by-case basis, but should not exceed a period of two hours per day for a maximum of six months after delivery. In circumstances whereby an expectant employee may be working under dangerous conditions, which could result, into serious health hazards, management may re-design her duties. This will have to be certified by the organization appointed medical doctor and approved by the Executive Director.

Sick leave

Sick leave shall be authorized when an employee is unable to work because of sickness or injury, or when an employee needs medical examination or treatment, which can be obtained only during JCO's normal working hours. Sick leave cannot be used for care of family members or treatment for a family member. Absence of such nature are subjected to normal disciplinary measures. Application for sick leave should be evidenced by a doctor's certificate delivered on the second day of sickness latest, with a written request from the employee, equally delivered on the second day latest. Duly filled and signed sick leave form should be filled in the employee's personal file. Immediate supervisor shall make approval of sick leave before forwarding it to the Executive Director's office. Sick leave shall always start from the first day of absence. Management has a right to visit the employee or send a doctor to visit the employee for the purpose of cross checking. Employees are entitled to a maximum of 12 calendar days in a year. The days may be extended at management's discretion by another 12 days if employee is hospitalized or with a recommendation by a qualified doctor from a registered medical hospital.

Public holidays

JCO respects all public holidays as defined by the national authorities of South Sudan. In the event of obligating an employee to work on such holidays and other declared holidays, the organization shall compensate these days in time. Public holidays falling within an employee's leave shall not be counted as leave days and as such shall not be deducted from the employee's leave record. A public holiday can only be taken after confirmation by the HR department that indeed the national authorities have officially denounced this day or these days as public holiday.

Rest and Recuperation (R&R)

R&R leave is granted to expatriate's employees working away from their families for entire working period. Such employee is entitled to 5 working days after every 3 working months. An employee granted R&R is encouraged to utilize the days to visit their families or homes. JCO shall not compensate employee who voluntarily wish not to go for R&R.

Leave without pay

Leave without pay shall only be granted in exceptional cases to permanent employees who have been employed with the organization for a minimum of 18 months. A maximum of 12 months leave shall be granted during which JCO shall not be responsible

For the employee's expenses and wages whatsoever. Should an employee fail to report on duty upon expiry of the stated period, h/she automatically ceases to be JCO employee and served with a summary dismissal letter? The leave shall be requested two months in advance.

Study Leave

Employees shall be entitled to 10 days in a year for study leave. This leave is applicable to both national and international staffs who are pursuing studies at different levels for furtherance of their careers.

4.0 STANDARD OF CONDUCT

This policy details standards of Behaviour's. Expected of employees as they engage in their daily activities of the organization. It also highlights the consequences of UN wanted employee behaviour's in the organization

4.1 General Code of conduct

Introduction

Jamnel Care Organization expects its staff (including temporary, agency, interim, contractor or consultant staff) to be scrupulously impartial and honest in all affairs relating to the Organization and their job within it. All staff also bears a responsibility as employees to act as ambassadors for the Organization in terms of their general conduct both within and outside the organisation. This policy outlines the responsibilities of staff working for the Organization.

The duties of an employee are embodied in Common Law and built on by Statute e.g. the Equality Act 2010, The Health and Safety at work Act, The Prevention of Corruption Acts etc.

Staff should not, directly or indirectly, engage in, or have any interest, financial or otherwise, in any other business enterprise which interferes or is likely to interfere with your independent exercise of judgement in Jamnel Care Organization's best interest.

Under Common Law the duties of an employee are as follows:

- To be ready and willing to work;
- To offer their services personally: for example, must not subcontract the work for which they are employed
- To take reasonable care in the exercise of that service, including the duty to be competent at work and to take care of the Organization's property;
- To not wilfully disrupt the Organization's operations
- To obey reasonable orders as to the time, place, nature and method of service;
- To work only for the Organization in the Organization's time;
- To disclose information to the Organization relevant to the Organization's operation: for example, that they might know or discover

- To hold solely for the Organization, the benefit of any invention relevant to the business/operation on which the organization is engaged;
- To respect the Organization's secrets;
- In general, to be of good faith and do nothing to destroy the trust and confidence necessary for employment;
- To account for all benefits – monetary or in kind - received in the course of employment;
- To indemnify the employer for loss caused by the employee.
- South Sudan labour law places further responsibilities on individual employees in regards to their own behaviour and their behaviour towards other employees.

4.2 Prevention of Bullying and Harassment at Work

Statement of Policy

Jamnel Care Organization is committed to encouraging and maintaining good employee relations within a working environment which fosters team working and encourages employees to give of their best. Everyone in the Organization and those who have dealings with the Organization has a responsibility to maintain good working relationships and not use words or deeds that may harm the wellbeing of others. In addition to the obligations placed upon both employers and employees by the Equality and Human Rights legislation, everyone has the right to be treated with consideration, fairness, dignity and respect. This contributes to a workplace environment in which individuals feel safe and can work effectively competently and confidently.

The Organization believes that the working environment should at all times be supportive of the dignity and respect of individuals. If a complaint of harassment is brought to the attention of management, it will be investigated promptly and appropriate action will be taken.

- The Organization's policy applies to all staff working within the organisation and to all employees working off the premises. It extends to include non-permanent workers such as contractors, agency, temporary staff, consultants and any other workers. The policy, in addition, covers the behaviour of staff outside working hours which may impact upon work or working relationships.
- The Organization has a "zero tolerance" policy and will investigate vigorously any allegations of bullying or harassment, regardless of whether the matter has been raised formally or informally.

Key Principles

The Organization will provide and sustain a safe working environment in which everyone is treated fairly and with respect. Those working or dealing with the Organization must not encounter harassment, intimidation or victimisation on the basis of gender, race, colour,

ethnic or national origin, sexual orientation, marital status, religion or belief, age, trade union membership, disability, offending background or any other personal characteristic.

Everyone carries a personal responsibility for their own behaviour and for ensuring that their conduct is in accordance with the principles set out in this policy. In addition, each person has a responsibility to report any instance of bullying or harassment which they witness or which comes to their attention. Employees have a responsibility to act as role models, proactively addressing instances of bullying and harassment. Managers should also make themselves aware of their responsibility.

Harassment may be defined as any conduct which is: -

- unwanted by the recipient
- is considered objectionable
- Causes humiliation, offence, distress or other detrimental effect.

Harassment may be an isolated occurrence or repetitive: it may occur against one or more individuals. Harassment may be, but is not limited to:

- Physical contact – ranging from touching to serious assault, gestures, intimidation, aggressive behaviour.
- Verbal – unwelcome remarks, suggestions and propositions, malicious gossip, jokes and banter, offensive language
- Non-verbal – offensive literature or pictures, graffiti and computer imagery, isolation or non-co-operation and exclusion or isolation from social activities.

Bullying is unlikely to be a single or isolated instance. It is usually, but not exclusively repeated and persistent behaviour which is offensive, abusive, intimidating, malicious or insulting. Bullying includes but is not limited to:

- Conduct which is intimidating, physically abusive or threatening
- Conduct that denigrates, ridicules or humiliates an individual, especially in front of colleagues
- Humiliating an individual in front of colleagues
- Picking on one person when there is a common problem
- Shouting at an individual to get things done
- Consistently undermining someone and their ability to do the job
- Setting unrealistic targets or excessive workloads
- “Cyber bullying” i.e. bullying via e-mail. (This should be borne in mind where employees are working remotely and are managed by e-mail. Care and sensitivity should be practised with regard to the choice of context and language)
- Setting an individual up to fail e.g. By giving inadequate instructions or unreasonable deadlines.

Harassment and Bullying may be summarised as any behaviour that is unwanted by the person to whom it is directed. It is the impact of the behaviour rather than the intent of the perpetrator that is the determinant as to whether harassment or bullying has occurred.

Any employee who wishes to make a complaint of harassment or bullying is encouraged to first discuss matters informally with their line manager or with Human Resources, provided that they feel able to do so. Should the issues not be resolved at this stage, or the employee feels unable to raise the issue informally, then a formal resolution should be sought.

When a complaint of Harassment or Bullying is brought to the attention of a manager at any level, whether informally or formally, prompt action must be taken to investigate the matter. Corrective action must be taken where appropriate and this may require an investigation under the Organization's Disciplinary Policy and Procedure.

If it is considered that one of the parties concerned in harassment or bullying case should be moved from their current workplace, then as a matter of principle the Organization will normally remove the alleged perpetrator rather than the complainant. However, the final decision on who should be moved should reflect the particular circumstances of the case and advice from Human Resources to the relevant manager. It should be noted and explained to those concerned that the moving of either party is not an implication of guilt or culpability and no detriment to either party will be construed as a consequence.

All matters relating to the investigation of complaints of harassment or bullying will be treated in strict confidence. Any breach of confidentiality in this regard may render those responsible liable to disciplinary actions. However, it will be necessary that any alleged perpetrator is made aware of the allegations against them and the name(s) of those making the allegations together with the name(s) of any witnesses

No employee will be victimised or suffer detriment for making a complaint of harassment or bullying and no manager shall threaten either explicitly or implicitly that an employee's complaint will be used as the basis for decisions affecting that employee. Such conduct will be treated as a very serious disciplinary offence. Similarly, managers are required to act on any complaint of harassment or bullying. Failure to do so will be regarded as misconduct which if proven, will result in disciplinary action.

All complaints of harassment or bullying whether raised formally or informally must be notified by the recipient of the complaint to Human Resources for recording in accordance with the requirements of the Equality and Human Rights legislation. This legislation requires such records to be maintained and the incidence of bullying and harassment to be monitored.

This policy and procedure will be reviewed periodically giving due consideration to legislative changes.

Procedure for resolving harassment

Informal Resolution

- Very often people are not aware that their behaviour is unwelcome or misunderstood and an informal discussion can lead to greater understanding and agreement that the behaviour will cease.
- Complainants are therefore encouraged to try, if they feel able to do so, to resolve the problem informally by making it clear to the alleged harasser that his/her actions are

unwanted and should not be repeated. This may be done verbally or in writing in which case the complainant should keep a copy of the documentation and, where possible, the times and dates of incidents should be recorded.

- If the complainant feels unable to approach the alleged harasser, a work colleague, or Trade Union representative could be asked to speak to the alleged harasser on the complainant's behalf. A note should be made of the action taken and the matter notified to Human Resources.

An individual who is made aware that their behaviour is unacceptable should: -

- Listen carefully to the complaints and the particular concerns raised;
- Respect the other person's point of view: everyone has a right to work in an environment free from harassment/intimidation;
- Understand and acknowledge that it is the other person's reaction/perception to another's behaviour that is important;
- Agree the aspects of behaviour that will change;
- Review their general conduct/behaviour at work and with workplace colleagues.

Formal Resolution

- If the alleged harassment continues, the complainant feels unable or unwilling to deal with the matter informally, or the allegation is so serious as to prevent use of the informal procedure, a complaint should then be raised formally with the employer.
- Normally, the employer's representative will be the employee's line manager. However, if the employee feels unable to do this, they should submit the complaint in writing to a more senior manager within their Department or Directorate. In exceptional circumstances, allegations may be raised directly with the relevant Director/Human Resources Office, who will with other appropriate senior managers, arrange for the matter to be progressed in accordance with this policy and procedure.

When dealing with a complaint of harassment under the Formal Resolution Procedure, the relevant manager should:

- Take full details of the incidents in writing from the complainant and their representative (if appropriate);
- Take full details from any witnesses/other complainants who come forward and may have witnessed the alleged behaviour
- Inform the alleged harasser of the complaints against him/her, advise the alleged harasser to seek representation and invite him/her to a meeting in order that they can comment on the allegations against them.
- Keep all parties informed of expected timescales.
- Inform all parties in writing of the outcome and any action that may be required.

If the allegations and the working situation warrant it, the alleged harasser may be suspended during the investigation (in accordance with established disciplinary procedure) or transferred temporarily pending the outcome of the inquiry to another Department.

- Should there be a case to answer against the alleged harasser; the manager who has dealt with the complaint will communicate this to an impartial manager who will conduct a separate disciplinary investigation. The normal disciplinary procedure for misconduct/gross misconduct should then be followed. However, the following points should be taken into account: -
- The complainant will normally be required to attend the disciplinary hearing as a witness, unless there are exceptional circumstances which prevent them from doing so;
- If the complainant is required to attend, they are entitled to be accompanied by either a Trade Union representative or work colleague and have any questions directed through that person.
- If the complaint is upheld at the disciplinary stage, there are a number of possible outcomes for the harasser, depending on the evidence presented and the circumstances. These could include, but are not limited to: -Dismissal.

A formal warning

- A recommendation of redeployment of the harasser, either on a temporary or a permanent basis. This will not be on any less favourable terms and conditions of employment.
- Implementation of other sanctions as detailed in the Organization's Disciplinary Policy.
- Making arrangements for both parties to work as separately as possible within the same workplace.
- In addition to the above, the harasser may be required to attend any training courses as deemed necessary by the Organization
- It should also be noted that the complainant may wish to move Department/section depending upon the nature of the complaint and the people involved. Appropriate consideration should be given to this request and the outcome with reasons provided to the complainant.
- With any allegation, the need for a thorough and objective investigation is paramount.

Consequently, if through the course of the investigation evidence demonstrates that the allegation has been made frivolously, maliciously, or for personal gain, then the individual making the complaint will be subject to Disciplinary proceedings as outlined in the Organization's Disciplinary Policy.

Appeals

Appeals against decisions taken under the Bullying and Harassment at Work Policy and Procedure shall be dealt with as follows: - Appeals against a disciplinary sanction will be dealt with in accordance with the appeals process in the Disciplinary Procedure. Appeals by a complainant about the outcome of any inquiry will be dealt with in accordance with the appeal process in the Grievance Policy.

Records

Where the complaint is informal and resolved at this stage, no record will be kept on personal files. Following formal investigation, where the complaint is not substantiated, no records will be retained. Where a complaint is substantiated or partially substantiated but does not proceed to disciplinary, a letter confirming the outcome will be retained on the personal file and supporting documentation retained in a separate file for a period of 12 months. Where the matter proceeds to a disciplinary hearing then the storage of records should be in accordance with the disciplinary procedure.

4.4 Whistle blowing" Policy (Making a Disclosure in the Public Interest)

Introduction

Jamnel Care Organization is committed to the highest standards of openness, probity and accountability. An important aspect of accountability and transparency is a mechanism to enable staff and other members of the Organization to voice concerns in a responsible and effective manner. It is a fundamental term of every contract of employment that an employee will faithfully serve his or her employer and not disclose confidential information about the employer's affairs. Nevertheless, where an individual discovers information which they believe shows serious malpractice or wrongdoing within the organisation then this information should be disclosed internally without fear of reprisal, and there should be arrangements to "...this policy is intended to assist individuals who believe they have discovered malpractice or impropriety. It is not designed to question financial or business decisions taken by the Organization..." enable this to be done independently of line management (although in relatively minor instances the line manager would be the appropriate person to be told).

The Public Interest Disclosure Act, which came into effect in 1999, gives legal protection to employees against being dismissed or penalised by their employers as a result of publicly disclosing certain serious concerns. The Organization has endorsed the provisions set out below so as to ensure that no members of staff should feel at a disadvantage in raising legitimate concerns.

It should be emphasised that this policy is intended to assist individuals who believe they have discovered malpractice or impropriety. It is not designed to question financial or business decisions taken by the Organization nor should it be used to reconsider any matters which have already been addressed under harassment, complaint, disciplinary or other procedures. Once the "whistle blowing" procedures are in place, it is reasonable to expect staff to use them rather than air their complaints outside the Organization.

Scope of Policy

This policy is designed to enable employees of the Organization to raise concerns internally and at a high level and to disclose information which the individual believes shows malpractice or impropriety. This policy is intended to cover concerns which are in the Public or organization's interest and may at least initially be investigated separately but might then lead to the invocation of other procedures e.g. disciplinary. These concerns could include

- Financial malpractice or impropriety or fraud

- Failure to comply with a legal obligation or Statutes
- Dangers to Health & Safety or the environment
- Criminal activity
- Improper conduct or unethical behaviour
- Attempts to conceal any of these

Safeguards and Protection

This policy is designed to offer protection to those employees of the Organization who disclose such concerns provided the disclosure is made:

- In good faith in the reasonable belief of the individual making the disclosure that it tends to show malpractice or impropriety and if they make the disclosure to an appropriate person (see below). It is important to note that no protection from internal disciplinary procedures is offered to those who choose not to use the procedure. In an extreme case malicious or wild allegation could give rise to legal action on the part of the persons complained about.

Confidentiality

The Organization will treat all such disclosures in a confidential and sensitive manner. The identity of the individual making the allegation may be kept confidential so long as it does not hinder or frustrate any investigation. However, the investigation process may reveal the source of the information and the individual making the disclosure may need to provide a statement part of the evidence required.

Anonymous Allegations

This policy encourages individuals to put their name to any disclosures they make. Concerns expressed anonymously are much less credible, but they may be considered at the discretion of the Organization.

In exercising this discretion, the factors to be taken into account will include:

- The seriousness of the issues raised
- The credibility of the concern
- The likelihood of confirming the allegation from attributable sources

Untrue Allegations

If an individual makes an allegation in good faith, which is not confirmed by subsequent investigation, no action will be taken against that individual. In making a disclosure the individual should exercise due care to ensure the accuracy of the information. If, however, an individual makes malicious or vexatious allegations, and particularly if he or she persists with making them, disciplinary action may be taken against that individual.

Procedures for Making a Disclosure

On receipt of a complaint of malpractice, the member of staff who receives and takes note of the complaint, must pass this information as soon as is reasonably possible, to the appropriate designated investigating officer as follows:

- Complaints of malpractice will be investigated by the appropriate Director unless the complaint is against the Director/Line manager or is in any way related to the actions of the Line manager/Supervisor. In such cases, the complaint should be passed to the Line Managers Supervisor for referral.
- In the case of a complaint, which is any way connected with but not against the Director, the Executive Director will nominate a Senior Manager to act as the alternative investigating officer.
- Complaints against the Executive Director should be passed to the chairman who will nominate an appropriate investigating officer.
- The complainant has the right to bypass the line management structure and take their complaint direct to the Executive Director. The Executive Director has the right to refer the complaint back to management if he/she feels that the management without any conflict of interest can more appropriately investigate the complaint.

Should none of the above routes be suitable or acceptable to the complainant, then the complainant may approach one of the following individuals who have been designated and trained as independent points of contact under this procedure. They can advise the complainant on the implications of the legislation and the possible internal and external avenues of complaint open to them:

1. The Human resources manager/Director
2. Labour union

If there is evidence of criminal activity then the investigating officer should inform the police. The Organization will ensure that any internal investigation does not hinder a formal police investigation.

Timescales

Due to the varied nature of these sorts of complaints, which may involve internal investigators and / or the police, it is not possible to lay down precise timescales for such investigations. The investigating officer should ensure that the investigations are undertaken as quickly as possible without affecting the quality and depth of those investigations.

The investigating officer, should as soon as practically possible, send a written acknowledgement of the concern to the complainant and thereafter report back to them in writing the outcome of the investigation and on the action that is proposed. If the investigation is a prolonged one, the investigating officer should keep the complainant informed, in writing, as to the progress of the investigation and as to when it is likely to be concluded. All responses to the complainant should be in writing and sent to their home address.

Investigating Procedure

The investigating officer should follow these steps:

- Full details and clarifications of the complaint should be obtained
- The investigating officer should inform the member of staff against whom the complaint is made as soon as is practically possible. The member of staff will be informed of their right to be accompanied by a trade union or other representative at any future interview or hearing held under the provision of these procedures.
- The investigating officer should consider the involvement of the Organization auditors and the Police at this stage and should consult with the Executive Director.
- The allegations should be fully investigated by the investigating officer with the assistance where appropriate, of other individuals / bodies.
- A judgement concerning the complaint and validity of the complaint will be made by the investigating officer. This judgement will be detailed in a written report containing the findings of the investigations and reasons for the judgement. The report will be passed to the Executive Director as appropriate
- The Executive Director will decide what action to take. If the complaint is shown to be justified, then they will invoke the disciplinary or other appropriate Organization procedures.
- The complainant should be kept informed of the progress of the investigations and, if appropriate, of the final outcome.
- If appropriate, a copy of the outcomes will be passed to the Organization's

Auditors to enable a review of the procedures

If the complainant is not satisfied that their concern is being properly dealt with by the investigating officer, they have the right to raise it in confidence with the Executive Director, or one of the designated persons described above.

If the investigation finds the allegations unsubstantiated and all internal procedures have been exhausted, but the complainant is not satisfied with the outcome of the investigation, the Organization recognises the lawful rights of employees and ex-employees to make disclosures to prescribed persons (such as the Health and Safety Officers, the Audit Commission, or the utility regulators), or, where justified, elsewhere

5.0 MANAGING EMPLOYEE PERFORMANCE

5.1 Performance Appraisal Policy

Introduction

Jamnel Care Organization is committed to supporting every employee to reach their potential and achieve their personal goals, which in turn will assist the organisation to achieve its objectives. The performance appraisal policy supports the performance appraisal scheme. The scheme is a formal process centred on Bi annual meeting of each employee and their line manager to discuss his/her work. The purpose of the meeting is to review the previous achievements and to set objectives for the following appraisal period. These should align. "The appraisal process aims to improve the effectiveness of the organisation by contributing

to achieving a well-motivated and competent workforce” individual employees’ goals and objectives with organisational goals and objectives.

Core Principles of the Appraisal Policy

- The appraisal process aims to improve the effectiveness of the organisation by contributing to achieving a well-motivated and competent workforce.
- Appraisal is an ongoing process with Bi annual formal meeting to review progress.
- The appraisal discussion is a two-way communication exercise to ensure that both the needs of the individual and of the organisation are being met, and will be met in the Following months or year.
- The appraisal discussion will review the previous appraisal period’s achievement, and will set an agreed Personal Development Plan for the coming month/year for each member of staff.
- All directly employed employees who have completed their probationary period are required to participate in the appraisal process.
- The appraisal process will be used to identify the individual’s development needs and support the objectives of the Training and Development Policy.
- All staff will receive appraisal training as an appraisee, and where appropriate as an appraiser.
- The appraisal process will provide management with valuable data to assist succession planning.
- The appraisal process will be a fair and equitable process in line with our Equality

Performance Appraisal Implementation

Performance appraisal discussions will be held over a designated 2-week period on bi annual basis. They will be arranged by the appraisee’s line manager. Line managers are encouraged to provide the opportunity for an additional monthly verbal appraisal review, other informal reviews as necessary throughout the year. The discussion will be held in private. Information shared during the appraisal will be shared only with senior management. The exception is training needs, which will be provided to the HR / administration for action. Confidentiality of appraisal will be respected. The appraiser (usually the employee’s line manager) will be expected to have successfully completed appraiser training, and to be familiar with the appraisee’s work. All appraisal documents should be issued to both parties prior to the discussion, in order to allow time for both parties to reflect and prepare. These will provide a framework and focus for the discussion. A time and venue for the discussion will be advised at least one week before the meeting takes place.

The Appraisal Discussion

The appraisal discussion will allow an opportunity for both the appraisee, and the appraiser to reflect and comment on the previous year’s achievements. It will praise achievement and encourage the appraisee in his/her role. The appraiser is accountable for giving the employee constructive, timely and honest appraisals of their performance, which should take into account both the goals of the organisation and of the individual. The discussion should be a positive dialogue, and will focus on assisting the appraisee to acquire the relevant knowledge,

skills and competencies to perform his/her current role to the best of his/her abilities. The appropriate forms will be completed and signed by both parties. The appraisee will be given the opportunity to note any comments that he/she does not agree with and complete a self-assessment.

The appraisee and line manager should agree on a Personal Development plan (Appendix 5) for the appraisee for the following year. This will reflect the appraisee's aspirations and the organisation's requirements, and should align personal and organisational goals. The organisation and the line manager will support the individual to achieve these goals during the forthcoming year. Any training needs, future training requirements, planned qualifications, development opportunities and career planning should be discussed in the light of the Personal Development Plan.

Training and Monitoring

Senior Management is responsible for the appraisal process, and shall ensure that appraisers and appraisee's are adequately equipped and trained to undertake the performance appraisal

Promotions and Transfers

In an effort to match you with the job for which you are most suited and/or to meet the business and operational needs of the Organization, you may be transferred from your current job or job location. This may be either at your request or as a result of a decision by the Organization. Reasons for transfer may include, but are not necessarily limited to, fluctuations in department workloads or production flow; a desire for more efficient utilization of personnel; increased career opportunities; personality conflicts; health; other personal situations; or other business reasons. Most job openings that are intended to be filled from within the Company will be posted on the organization internal notice board. The management of the Organization does reserve the right, however, to transfer or promote an employee without posting the availability of that position. Temporary transfers may be made at the discretion of the Organization management.

You are eligible to request a transfer and to be considered for promotions upon completion of twelve (12) months of satisfactory performance in your current job. Your eligibility is also dependent, of course, on your having the needed skills, education, experience and other qualifications that are required for the job. However, a transfer/promotion may take place in the next financial year if the management of the Organization believes that it is in the best interest of the Organization to make this kind of decision

5.2 Controlling Absence Policy

Introduction

It is recognised by the Organization that from time to time staff may require to be absent from their place of work due to illness. The length of time lost by employees through illness must however be monitored to ensure that each member of staff is able to do their job, effectively and without putting themselves or others at risk. It is not the intention of the Organization to penalise the genuinely sick, however it must be recognised that an

employee who is medically unfit to carry out his/her contractual duties may not be able to continue in that employment.

Managers will consider cases of sickness absence on an individual basis and ensure the Jamnel Care Organization values good attendance at work and is committed to improving the general wellbeing of its employees to achieve this. Although we aim to secure regular attendance, we do not expect employees to attend when they are provision of appropriate support, advice and Occupational Health Officer input where appropriate. However, it is recognised that in some cases, patterns/levels of absence will be unacceptable and formal management action will be required.

Employees who become aware that they have an illness problem are encouraged to inform their manager at the earliest opportunity. All such requests will be dealt with as speedily and compassionately as possible.

Overview of Procedural Stages

On return from absence all employees must be interviewed by their immediate line manager. At this interview the employee and the line manager must complete a 'Return to work interview' form agreeing the reason for the absence, the period of absence and, where appropriate, what course of action is required as a result of the absence. This form must be signed by both parties before being forwarded to the employees' personnel file

Stage 1

In situations where an employee's sickness record is giving some cause for concern, then the employee's Line Manager will discuss those concerns with the employee, providing support and counselling where appropriate. It is essential that any message conveyed in this manner is clear and unambiguous.

Stage 2

If there is no obvious improvement in the health of the employee or any sign of patterns emerging in an employee's absence, then the line manager would arrange for the employee to meet the next-in-line manager who would 'formally' review the employee's case. At this formal stage the employee must be offered the opportunity for appropriate representation by a work colleague or trade union official. The employee must be given the outcome of this meeting in writing and where appropriate they must be given notice that their level of absence is unacceptable and a period of time to improve.

Stage 3

If the employee fails to improve in the given time scale then a formal second Review must be undertaken. If possible, a more senior manager should chair this meeting. The employee must be offered the opportunity for appropriate representation at this time.

Prior to the Meeting the employee must be seen by the Occupational Health Officer/Human resources Manager (of the organization) and Medical personnel who will give his/her opinion on the employee's health. The employee must be given the results of this meeting in writing.

Where appropriate they must be given notice that their level of absence is unacceptable and that they are given a period of time during which to reduce their level of absence. The employee must also be informed at this stage if any further absences may result in their employment being terminated due to incapacity.

Stage 4

If there is still no improvement within the laid down time scale a Review will be held with the appropriate Senior Manager / Director in the chair. The employee must be offered the opportunity for appropriate representation at this meeting. The Director will review all the available evidence including the Doctor's report.

If there are no special circumstances the employee will be dismissed on the grounds of incapacity and their inability to meet the acceptable standards of attendance required by the Organization.

Appeals

Every employee has the right to appeal against the outcome of any formal review stage of the absence procedure. The basis of an appeal should normally relate to one of the following

Areas:

- That the Policy had not been followed correctly. (ii) That the resulting action was inappropriate.
- That the need for action was not warranted.

Appeals against the formal stages of the Absence Procedure

An appeal should be put in writing to the appropriate Director / Senior Manager or the Human Resources Manager. The letter of appeal may be constructed by the employee or their representative. The letter should contain the grounds for appeal and should be lodged within 7 days of receipt of the issue of a formal letter. An appeal hearing should be arranged within 7 days of receipt of the appeal letter. An appeal against Dismissal will be considered in the same way, but should be heard by the Executive Director / senior manager who has not previously been involved in the case.

Procedures check List

Stage 1

Return to Work Interview

This is an informal part of the Procedure, however in order to give the process credibility the following rules should be followed: -

- Every employee should complete a 'Return to work interview' form with their immediate line manager.

- Interviews should be carried out in an area where there will be no interruptions and where both parties may feel at ease.
- The employee should always be informed of the reason for the meeting.
- The meeting should be prefaced by an indication of concern for the employee as well as the need for the Manager to be aware of the health of his/her employees.
- The employee should be encouraged to discuss any problems they may be having with their health and to actively contribute to the solution to the
- Any apparent problem or patterns of absence should be brought to the employee's attention.
- All relevant absence documentation must be recorded on the employee's personnel file.
- Counselling
- As the first step in procedure it is vital that the message conveyed is clear and unambiguous.
- Prior to counselling, full details of the employee's absence record along with reasons should be made available to both participants.
- The employee should be made aware of the date and location of the Meeting and the reasons for it.
- The employee should be given the opportunity to explain absence records and present any evidence required.

If there are medical problems it may be necessary to adjourn the Meeting for medical advice. The Manager/Supervisor will advise the employee of the outcome of the meeting and where appropriate of the need for improvement of their current absence level. Written confirmation of the outcome of the meeting will be given to the employee and a copy recorded on their personnel files.

Stage 2

Prior to calling a hearing, full details of absence record along with reasons should be made available to all participants.

- The employee should be made aware of the date and location of the Review and the reasons for it.
- In addition, they should be informed of the right to be represented at the Review.
- The employee should be given the opportunity to explain absence records and present any evidence required.
- If there are medical problems, it may be necessary to adjourn the Meeting
- The Manager should set out clearly the improvements expected and the time scale over which these improvements must be achieved.
- The employee should be informed in writing of the requirements and the time scale and advised if the warning is to be recorded on his record
- Any warning letter should be copied to the Trade Union Representative if present at the hearing. The employee must be informed of their right to appeal against this decision.

- Any warnings issued will remain on the record for 12 months.

Stage 3

- If there has been no improvement in the absence record in the period set at the first Review or there has been a further breach of policy during the lifetime of a written warning then the employee must be informed and asked to attend a Second Review. In addition, they should be informed of the right to be represented at the Review
- Medical reports must be sought prior to the date of the Meeting and results made available to both parties.
- The employee should be given the right to present any evidence in mitigation.
- The employee should be informed of the need to improve their record and the possibility of dismissal if they do not do so. The employee must be informed of their right to appeal against this decision. (See Appeals). This should be confirmed in writing to the employee and held on their personnel file for 18 months.

Stage 4

- The employee must be given full details of the case and the possible consequences prior to attendance. The employee must also be informed of their right to representation at this meeting.
- All medical evidence should be taken and considered before a final decision is taken.
- If the decision is taken to dismiss the employee, then this should be done by giving full entitlement to notice (even if sick pay is exhausted).
- The employee must be informed of their right to appeal against this decision. (See appeals)

5.3 Disciplinary Procedure

1. Scope

The Organization's Disciplinary Procedure will be used only when necessary and as a last resort. Where possible, informal and/or formal counselling or other good management practice will be used to resolve matters prior to any disciplinary action being taken. The procedure is intended to be positive rather than punitive but takes cognisance of the fact that sanctions may have to be applied in some circumstances. An employee can discuss any part of this policy with their Union Representative or their Line Manager. They can help clarify an employee's rights as well as give guidance and support where it may be needed. Every individual has the right to representation at any point during the disciplinary process. "The procedure is intended to be positive rather than punitive but takes cognisance of the fact that sanctions may have to be applied in some circumstances."

Suspension

Suspension is not disciplinary action. The purpose of suspension is manifold and can be used when it is necessary to remove a member of staff from the workplace pending an investigation for example, to allow time for a 'cooling down period' for both parties, for their own or others protection, to prevent them influencing or being influenced by others or to prevent possible

interference with evidence. Only the Manager in charge of that individual, at that time or their superior, has the authority to suspend an individual. An employee suspended from duty will receive written confirmation within three days of:

- the reason for the suspension
- The date and time from which the suspension will operate.
- the timescale of the ongoing investigation
- the right of appeal to the immediate manager of the suspending manager should the suspension last more than 7 days

Counselling

Counselling is an attempt to correct a situation and prevent it from getting worse without having to use the disciplinary procedure. Where improvement is required, the employee must be given clear guidelines as to:

- what is expected in terms of improving shortcomings in conduct or performance
- the time scales for improvement
- when this will be reviewed
- The employee must also be told, where appropriate, that failure to improve may result in formal disciplinary action.

A record of the counselling should be given to the employee and a copy retained in their personnel file. It is imperative that any counselling should be followed up and improvements recognised and recorded. Once the counselling objectives have been met, any record of the counselling will be removed from the employees' file. If during counselling it becomes clear that the matter is more serious, then the discussion should be adjourned, and pursued under the formal disciplinary procedure.

Procedure for Formal Investigation

Formal investigations should be carried out by the most appropriate manager who is not directly involved with the incident being investigated. This manager may involve others to assist with the investigation process. All the relevant facts should be gathered promptly as soon as is practicable after the incident. Statements should be taken from witnesses at the earliest opportunity. Any physical evidence should be preserved and/or photographed if reasonable to do so. A report should be prepared which outlines the facts of the case. This should be submitted to the appropriate senior manager / Director who will decide whether further action is required. Where appropriate, this report may be made available to the individual and their representative.

In most circumstances where misconduct or serious misconduct is suspected, it will be appropriate to set up an investigatory hearing. This would be chaired by the appropriate Senior Manager / Director, who would be accompanied by another manager. The investigating manager would be asked to present his/her findings in the presence of the employee who has been investigated. Witnesses should be called at this stage, and the employee (or their representative) allowed to question these witnesses. The employee has a right of representation at this hearing

Following the full presentation of the facts, and the opportunity afforded to the employee to state his side of the case, the hearing should be adjourned, and everyone would leave the room except the senior manager / Director Hearing the case, and the other manager. They would discuss the case and decide which of the following option was appropriate:

- take no further action against the employee
- recommend counselling for the employee
- proceed to a disciplinary hearing

All parties should be brought back, informed as to which option has been chosen. Should the decision be taken to proceed to a disciplinary hearing, then this may follow on immediately from the investigatory hearing if the following criteria have been met:

- the employee has been informed by letter that the investigation may turn into a disciplinary hearing, and that he has the right of representation
- he has been told in advance what the nature of the complaint is, and had time to consult with a representative
- All the facts have been produced at the investigatory hearing, and the manager / Director is in a position to decide on disciplinary action.
- The manager should inform the employee and their representative that the hearing would now become a formal disciplinary hearing, and invite them to say anything further in relation to the case.

It may be appropriate at this point to adjourn proceedings, whilst necessary arrangements are made for a representative to attend the hearing at the request of the employee.

Should anyone who is subject to disciplinary action resign during the course of it, the action will cease unless there are extenuating circumstances which require its continuance. The subject of the discipline may also request that the disciplinary action continue.

Warning

Examples of Minor Misconduct

Below are listed examples of misconduct which may warrant either a Verbal Warning or a First Written Warning. It is stressed however that this list is not exhaustive and that on all occasions a full and proper investigation must take place prior to the issue of a warning.

- Persistent lateness and poor time-keeping.
- Absence from work, including going absent during work, without valid reason, notification or authorisation.
- Smoking within unauthorised areas.
- Failure to work in accordance with prescribed procedures.
- Incompetence.
- Unreasonable standards of dress or personal hygiene.
- Failure to observe Company regulations and procedures.

Verbal Warning

A Verbal Warning is appropriate when it is necessary for the manager in charge to take action against an employee for any minor failing or minor misconduct.

First Written Warning

A First Written Warning is appropriate when:

- A verbal warning has not been heeded and the misconduct is either repeated or performance has not improved as previously agreed.
- An offence is of a more serious nature for which a written warning is more appropriate.
- The recurrence or accumulation of an offence/offences, if left, will lead to more severe disciplinary action.

Examples of Gross – Misconduct

Listed below are examples of misconduct which may be considered to be Gross Misconduct and may warrant a Final Warning, Demotion or Dismissal. It is stressed however that this list is not exhaustive and that on all occasions a full and proper investigation must take place prior to the issuing of a Final Warning, Demotion or Dismissal.

- Theft, including unauthorised possession of Organization property.
- Breaches of confidentiality, prejudicial to the interest of the Organization,
- Being unfit for duty because of the misuse/consumption of drugs or alcohol.
- Refusal to carry out a management instruction which is within the individual's capabilities and which would be seen to be in the interests of the Organization
- Breach of confidentiality / security procedures
- Physical assault, breach of the peace or verbal abuse.
- False declaration of qualifications or professional registration.
- Failure to observe Organization rules, regulations or procedures.
- Wilful damage of property at work.
- Incompetence or failure to apply sound professional judgement.

Final Written Warning

A Final Written Warning is appropriate when:

- An employee's offence is of a serious nature falling just short of one justifying dismissal.
- an employee persists in the misconduct which previously warranted a lesser warning

Downgrading or Transfer to another Post

This action is appropriate when:

- Previous attempts, via the disciplinary procedure, to rectify a problem have failed and this is a final attempt to solve a problem without having to dismiss an employee.

- An employee is considered by the Manager of the department to be incompetent or otherwise unfit to fulfil the duties for which he is employed but where dismissal is not thought to be appropriate.

Dismissal

Dismissal is appropriate when

- An employee's behaviour is considered to be Gross Misconduct.
- An employee's misconduct has persisted, exhausting all other lines of disciplinary procedure.

Time Scales for the expiry of Warnings

Warnings issued to employees shall be deemed to have expired after the following periods of time.

- Verbal Warnings: 1 months
- First Written Warnings: 1 months
- Final Written Warnings: 1 months (or as agreed and recorded at the hearing)

These time scales remain provided that during that period, no further warnings have been issued in respect of the employee's conduct.

Letter of Warning

All Warnings must contain the following information

- The letter must be issued within 7 days of the date of the disciplinary hearing.
- The nature of the offence and where appropriate, that if further misconduct occurs, more severe disciplinary action will be taken.
- The period of time given to the employee for improvement.
- The employee's right to appeal to the manager directly above that of the one issuing the warning.
- A copy of the warning and any supporting documentation must be attached to the individuals' personnel file.
- The employee must also receive a copy of the warning which in the case of any written warning will be sent to their home address by recorded delivery if not handed to them in person.
- In the case of a final written warning, reference must be made to the fact that any further misconduct will lead to dismissal, and that the employee has the right of appeal, and to who they can make that appeal.

The letter confirming dismissal will contain the following information:

- The reason for dismissal and any administrative matter arising from the termination of their employment.
- The employees right of appeal and to whom they should make that appeal

Appeals

Every employee has the right to appeal against the outcome of a disciplinary hearing. The basis of an appeal should normally relate to one of the following areas:

- That the Organization's Procedure had not been followed correctly.
- That the resulting disciplinary action was inappropriate.
- That the need for disciplinary action was not warranted.
- that new information regarding disciplinary action has arisen

An appeal should be put in writing to the HR Department / Head Office. The letter of appeal may be constructed by the employee or their representative. The letter should contain the grounds for appeal and should be lodged within 10 days of receipt of the warning / dismissal letter. An appeal will be arranged within 20 working days of receipt of the appeal letter.

Appeals against Verbal and First Warnings

In the case of verbal and first warnings, the appeal will be heard by the manager next in line to the one who issued the warning.

Appeals against Downgrading, Final Warnings and Dismissal

The hearing and determining of appeals against final warnings and dismissal will be heard by the appropriate Director or chief Executive. They may also involve another senior manager / Director not previously involved with the case. When dealing with an appeal against a Final Warning or Dismissal written statements of case may be submitted no later than 2 days prior to the date of Appeal Hearing. No additional written evidence will be admitted by the Appeal Committee on the date of the Hearing. Witnesses may be required by either party at an appeal hearing, dependent upon the circumstances and nature of the case. However, there is no specific obligation on either party to produce a witness. Either party must give 5 days prior notice that they intend to call specific persons involved or associated with the case under consideration.

It is the responsibility of the management representative and for the appellant to each arrange for the availability and attendance of any witness they wish to call.

5.4 Capability Procedure

Introduction

Jamnel Care Organization places great importance on maintaining levels of performance at an acceptable standard and the capability procedure provides a fair and objective process to enable managers to ensure that those standards are met in every aspect of the organization's operations.

Definition

For the purpose of this Capability Procedure, capability is defined as: "Where a member of staff is failing in a significant or persistent way to carry out their responsibilities or duties in a satisfactory manner, either due to a lack of ability, inadequate training or lack of experience, such failings will be identified by use of the following procedures and steps taken to improve

performance. Where such steps prove unsuccessful the member of Jamnel Care Organization places great importance on maintaining levels of performance at an acceptable standard and the capability procedure provides a fair and objective process to enable managers to ensure that those standards are met..." staff may have their employment terminated on the grounds of incapacity". The procedures set out in this document aim to ensure that there is:

1. A means of monitoring performance and establishing performance criteria.
2. A degree of consistency in how staffs with widely differing responsibilities and duties are given opportunities to attain satisfactory levels of performance.
3. Assistance in identifying the most appropriate form(s) of support and providing that support.
4. A member of staff fails to overcome their difficulties, any consequent action will be based on:
 - Adequate evidence that the member of staff is incapable of performing their duties satisfactorily.
 - A fair procedure.
 - The fact that the member of staff was given all reasonable assistance to overcome such failings.

Procedure

Stage 1 - Informal Procedure:

Where an employee of the Organization exhibits an inability to perform their duties satisfactorily, the Organization will attempt to resolve the matter informally via a meeting between the Line Manager and the member of staff. The nature and date of the meeting will be recorded and a letter sent to the member of staff indicating the nature of their unsatisfactory performance and how such performance can be improved to the satisfaction of the Line Manager. The member of staff should be informed that they may be accompanied at any meetings by a trade union representative or work colleague.

At this meeting, the line manager will agree performance standards with the member of staff, and a time period (normally one month) over which improvement will be expected. They will also agree how the individual's performance will be monitored. If the individual's performance improves adequately over the timescale, then the process will terminate at this stage. If performance remains unsatisfactory, then the formal procedure will be invoked by the Line Manager as set out in stage 2.

Stage 2 - Formal Procedure - Information Collection:

The Senior Manager / Director of the Line Manager concerned may call on the support of an external advisor or another member of the Management Team, to undertake collecting the necessary information. They would be expected to interview the member of staff concerned and the Line Manager, as well as any other appropriate individuals. The member of staff

should be informed that they may be accompanied at any meetings by a trade union representative or work colleague. A written report based on evidence gained e.g. by interviews and observation of performance will be prepared by the advisor / Manager. The report should be precise and specific in the observations and comments it makes and shall contain clear information on:

- areas where the member of staff is failing to perform adequately
- actions already taken by management to address these failings and whether these actions were adequate - i.e. were clear performance standards set and monitored
- whether the member of staff acknowledges a problem and shows a willingness to improve
- the impact of the individual's failings on colleagues and work output any other mitigating factors

The report should be given to the member of staff concerned and to the Line Manager. Both may record in writing any comments on the observations contained within the report. The Senior Manager / Director will consider the report, and may opt to take one of the following options:

- no further action
- Instruct the line manager to set reasonable performance standards for the individual and monitor these for a set period of time. (This option should be JCOosen if this has not previously been carried out adequately and at least one month given to improve)
- convene a formal capability hearing to consider the matter further

Stage 3 - Capability Hearing

The Senior Manager / Director will write to the member of staff informing them of the date of the hearing, attaching any relevant documentation. The letter shall contain:

- The performance deficits in sufficient detail to ensure that the member of staff fully comprehends their nature, extent and seriousness.
- The time, date and venue of the interview.
- The person who will conduct the interview, usually the Senior Manager
- A statement that all employees have the right to be accompanied by a trade union representative or work colleague at any interview or hearing held under the provision of these procedures.
- At least 5 days' notice of the hearing.

At the hearing, the member of staff will be given the opportunity to put forward a defence, to bring witnesses in support of their defence, to present mitigating circumstances and to make a full statement. A written copy of the procedure to be adhered to during the hearing should be made available to the member of staff before the hearing takes place. If the allegation is found to be justified, then a decision on the action to be taken must be made. Depending on the nature, frequency and seriousness of the allegation(s) it is expected that at this stage a Warning will be given and this will be confirmed in writing. A letter should be sent to the member of staff confirming the decision and the reason(s) why it was made. The letter will

also indicate that the member of staff's progress will continue to be monitored and how this will be carried out. A time scale for performance to improve and a review date(s) will be specified. If the failings are found to be not sufficiently serious to warrant a formal warning or where there are mitigating circumstances, then monitoring should be discontinued subject to a clear indication to the member of staff that it may be reintroduced if the problem(s) reappear.

Stage 4 - Second Capability Hearing:

If poor performance continues, the process set out in stage 3 should be repeated. The time scale for improvement will depend on the nature of the duties and responsibilities of the employee concerned and the seriousness of the complaint(s). If the conclusion of the second hearing is that performance has not sufficiently improved and that there is still evidence of incapability despite support and prior warnings, a final warning should be issued. The letter confirming the decision as well as covering the points made at Stage 3, should clearly state that if an improvement is not forthcoming, the Organization will convene a final meeting at which it will consider terminating the contract of the member of staff involved on the grounds of capability.

Stage 5 - Third Capability Hearing:

The appropriate Director will conduct the third hearing at which if previous advice, training and warnings have not had the desired effect, he/she will terminate the contract of the employee concerned. The procedures outlined in Stage 3 will be followed.

Appeals

An appeal against any decision to terminate the employee's contract of employment on the grounds of capability may be made in writing to the HR Department / Head Office within 14 days of the decision. The employee's appeal will be heard by the appropriate Director. Decisions made on appeal shall be final.

Long-Term/Persistent Illness

Where any shortfall in expected performance arises from long term or persistent illness the Organization shall refer to the Management of Absence policy.

6.0 DEALING WITH EMPLOYEE CONCERNS

6.1 Grievance Procedure

The grievance procedure is intended as the tool by which a member of staff may formally have a grievance, regarding any condition of their employment, heard by the management of the Organization. The aggrieved employee has the right to representation by a Trade Union Representative or a work colleague. In the event of a member of staff wishing to raise a grievance, it is preferable for the grievance to be satisfactorily resolved as close to the individual and their line manager as possible. It is understood however that this is not always possible and that a formal procedure is required to ensure the swift and fair resolution of matters which aggrieve the Organization's employees. Time scales have been fixed to ensure that grievances are dealt with quickly, however these may be extended if it is agreed

upon by both parties. This procedure is not intended to deal with: “The grievance procedure is intended as the tool by which a member of staff may formally have a grievance, regarding any condition of their employment, heard by management.”

- Dismissal or disciplinary matters which are dealt with in a separate procedure.
- Disputes, which are of a collective nature and which are dealt with in a separate procedure.

Stage 1

An employee who has a grievance, should raise the matter with his line manager / supervisor immediately either verbally or in writing. If the matter itself concerns the employee’s immediate manager, then the grievance should be taken to their superior. If the manager is unable to resolve the matter at that time then a formal written grievance form should be submitted (appendix 8). The manager should then respond within 2 working days (i.e. the manager’s normal working days) to the grievance unless an extended period of time is agreed upon by both parties. The response will give a full written explanation of the managers decision and who to appeal to if still aggrieved.

Stage 2

In most instances the Organization would expect the managers' decision to be final and for the matter to come to a close. However, in some circumstances the employee may remain aggrieved and can appeal against the decision of the manager concerned. The appeal, to the manager next in line, must be made within ten working days of the original response to the employee’s grievance. The appeal must be in writing (appendix 8) and contain the original formal Grievance form. This manager will attempt to resolve the grievance. A formal response and full explanation will be given in writing, as will the name of the person to whom they can appeal if still aggrieved, within 7 days. Where the 'next in line' manager at this stage is the Director with responsibility for the employees’ function, then the grievance should immediately progress to stage 3.

Stage 3

If the employee remains aggrieved there will be a final level of appeal to the Director responsible for the employees’ function. This appeal must be made in writing (see appendix 3), enclosing a copy of the original Formal Grievance form, to the Director within ten working days of receipt of the Stage 2 response. This Director will arrange and hear the appeal with another management representative and respond formally with a full explanation within 20 working days. Where a grievance is raised against a Director then the grievance will be heard by the Executive Director.

There is no further right of appeal. Where however both parties agree that there would be some merit in referring the matter to a third party for advice, conciliation or arbitration, arrangements will then be made to find a mutually acceptable third party.

Using mediation

An independent third party or mediator can sometimes help resolve grievance issues before it is necessary to invoke the formal procedure. Mediation is a voluntary process where the mediator helps two or more people in dispute to attempt to reach an agreement. Any agreement comes from those in dispute, not from the mediator. The mediator is not there to judge, to say one person is right and the other wrong, or to tell those involved in the mediation what they should do. The mediator is in charge of the process of seeking to resolve the problem but not the outcome. Jamnel Care Organization will seek to identify employees who have been trained and accredited by an external mediation service who can act as internal mediators in addition to their day jobs. When this is not appropriate the Organization will source an external mediation provider. Mediators will work individually or in pairs as co-mediators.

There are no hard-and-fast rules for when mediation is appropriate but it can be used:

- For conflict involving colleagues of a similar job or grade, or between a line manager and their staff
- At any stage in the conflict as long as any ongoing formal procedures are put in abeyance
- To rebuild relationships after a formal dispute has been resolved
- To address a range of issues, including relationship breakdown, personality clashes, communication problems and bullying and harassment.

Mediation is not part of JCO's formal grievance procedure. However, if both parties agree to mediation, then the grievance procedure can be suspended in an attempt to resolve the grievance through that route. If mediation is not successful, then the grievance procedure can be re-commenced.

7.0 SUPPORTING OUR STAFF IN THE WORKPLACE:

By ensuring Equality and Fairness in all aspects of Employment; dealing with Alcohol and Drug issues, and ensuring their Health & Safety is properly guarded.

7.1 Equality Policy Policy Statement

Coalition for Humanity recognises that discrimination and victimisation is unacceptable and that it is in the interests of the Organization and its employees to utilise the skills of the total workforce. It is the aim of the Organization to ensure that no employee or job applicant receives less favourable facilities or treatment (either directly or indirectly) in recruitment or employment on grounds of age, disability, gender / gender reassignment, marriage / civil partnership, pregnancy / maternity, race, religion or belief, sex, or sexual orientation (the protected characteristics). Our aim is that our workforce will be true representative of all sections of society and each employee feels respected and able to give of their best. "Our aim is that our workforce will be truly representative of all sections of society and each employee feels respected and able to give of their best." We oppose all forms of

unlawful and unfair discrimination or victimisation. To that end the purpose of this policy is to provide equality and fairness for all in our employment.

All employees, whether part-time, full-time or temporary, will be treated fairly and with respect. Selection for employment, promotion, training or any other benefit will be on the basis of aptitude and ability. All employees will be helped and encouraged to develop their full potential and the talents and resources of the workforce will be fully utilised to maximise the efficiency of the organisation.

Our staff will not discriminate directly or indirectly, or harass customers or clients because of age, disability, gender reassignment, pregnancy and maternity, race, religion or belief, sex, and sexual orientation in the provision of the Organization's services. This policy and the associated arrangements shall operate in accordance with statutory requirements. In addition, full account will be taken of any guidance or Codes of Practice issued by the Equality and Human Rights Commission, any Government Departments, and any other statutory bodies.

Our Commitment

- To create an environment in which individual differences and the contributions of all our staff are recognised and valued.
- Every employee is entitled to a working environment that promotes dignity and respect to all. No form of intimidation, bullying or harassment will be tolerated.
- Training, development and progression opportunities are available to all staff.
- To promote equality in the workplace which we believe is good management practice and makes sound business sense.
- We will review all our employment practices and procedures to ensure fairness.
- Breaches of our equality policy will be regarded as misconduct and could lead to disciplinary proceedings.
- This policy is fully supported by senior management and has been agreed with trade unions and/or employee representatives.
- The policy will be monitored and reviewed annually

Responsibilities of Management

Responsibility for ensuring the effective implementation and operation of the arrangements will rest with the Executive Director. Managers will ensure that they and their staff operate within this policy and arrangements, and that all reasonable and practical steps are taken to avoid discrimination. Each manager will ensure that:

- All their staff are aware of the policy and the arrangements, and the reasons for the policy
- Grievances concerning discrimination are dealt with properly, fairly and as quickly as possible;
- Proper records are maintained.
- Human Resources / Head Office will be responsible for monitoring the operation of the policy in respect of employees and job applicants, including periodic departmental audits.

Responsibilities of Staff

Responsibility for ensuring that there are no unlawful discrimination rests with all staff and the attitudes of staff are crucial to the successful operation of fair employment practices. In particular, all members of staff should:

- Comply with the policy and arrangements;
- Not discriminate in their day to day activities or induce others to do so;
- Not victimise, harass or intimidate other staff or groups who have, or are perceived to have one of the protected characteristics.
- Ensure no individual is discriminated against or harassed because of their association with another individual who has a protected characteristic.
- Inform their manager if they become aware of any discriminatory practice.

Third Parties

Third-party harassment occurs where the Organization employee is harassed, and the harassment is related to a protected characteristic, by third parties such as clients/beneficiaries. Jamnel Care Organization will not tolerate such actions against its staff, and the employee concerned should inform their manager / supervisor at once that this has occurred. Jamnel Care Organization will fully investigate and take all reasonable steps to ensure such harassment does not happen again.

Related Policies and Arrangements

All employment policies and arrangements have a bearing on equality of opportunity. The Organization policies will be reviewed regularly and any discriminatory elements removed.

Rights of Disabled People

The Organization attaches particular importance to the needs of disabled people. Under the terms of this policy, managers are required to:

- Make reasonable adjustment to maintain the services of an employee who becomes disabled, for example, training, and provision of special equipment, reduced working hours. (NB: managers are expected to seek advice on the availability of advice and guidance from external agencies to maintain disabled people in employment);
- include disabled people in training/development programmes;
- Give full and proper consideration to disabled people who apply for jobs, having regard to making reasonable adjustments for their particular aptitudes and abilities to allow them to be able to do the job.

Equality Training

A series of regular briefing sessions will be held for staff on equality issues. These will be repeated as necessary. Equality information is also included in induction programmes. Training will be provided for managers on this policy and the associated arrangements. All

managers who have an involvement in the recruitment and selection process will receive specialist training.

Monitoring

- The Organization deems it appropriate to state its intention not to discriminate and assumes that this will be translated into practice consistently across the organisation as a whole. Accordingly, a monitoring system will be introduced to measure the effectiveness of the policy and arrangements.
- The system will involve the routine collection and analysis of information on employees by gender, marital status, ethnic origin, sexual orientation, religion / beliefs, grade and length of service in current grade. Information regarding the number of staffs who declares themselves as disabled will also be maintained.
- There will also be regular assessments to measure the extent to which recruitment to first appointment, internal promotion and access to training/development opportunities affect equal opportunities for all groups.
- We will maintain information on staff who have been involved in certain key policies: Disciplinary, Grievance and Bullying & Harassment.
- Where appropriate equality impact assessments will be carried out on the results of monitoring to ascertain the effect of the Organization policies and our services may have on those who experience them.
- The information collected for monitoring purposes will be treated as confidential and it will not be used for any other purpose within the Organization, then an action plan will be developed to address these issues. This will include a review of recruitment and selection procedures, Organization policies and practices as well as consideration of taking legal Positive Action.

Grievances/Discipline

Employees have a right to pursue a complaint concerning discrimination or victimisation via the Organization Grievance or Harassment Procedures. Discrimination and victimisation will be treated as disciplinary offences and they will be dealt with under the Company Disciplinary Procedure.

Review

The effectiveness of this policy and associated arrangements will be reviewed annually under the direct supervision of the Organization Executive Director.

7.2 Health and safety

Statement of General Policy

The Organization fully accepts the obligations placed upon it by the various Acts of Parliament covering health and safety. The Organization requires its Executive Director to ensure that the following policy is implemented and to report annually on its effectiveness.

Management Organisation and Arrangements

This policy has been prepared and published under the requirements of Health & Safety at Work legislation. The purpose of the policy is to establish general standards for health and safety at work and to distribute responsibility for their achievement to all managers, supervisors, and other employees through the normal line management processes. Jamnel Care Organization recognizes and accepts its responsibility as an employer to maintain, so far as is reasonably practicable, the safety and health of its employees, and of other persons who may have affected by its' activities."

Management Responsibilities

Executive Director

The Executive Director has overall responsibility for the implementation of the Organization's policy. In particular he/she is responsible for ensuring that the policy is widely communicated and that its effectiveness is monitored.

Other Directors and Senior Managers

These managers are wholly accountable to the Executive Director for the implementation and monitoring of the policy within the area of their specified responsibility.

Safety Officer

The Safety Officer is a nominated manager responsible for co-ordinating effective health and safety policies and controls across the organisation.

The Safety Officer is responsible for:

- the production and maintenance of the Organization's policy and ensuring that
- Department Guidelines are consistent with policy; its application;
- monitoring and reporting on the effectiveness of the policy;
- the provision of general advice about the implication of the law;
- The identification of health and safety training needs. The safety officer also acts Health and Safety Director, Environment Health Departments and other external agencies;
- The production and maintenance of Health and Safety Codes of Practice for each aspect of the services within the Organization.

Health and Safety Management Process

The Organization believes that consideration of the health, safety and welfare of staff is an integral part of the management process. The provision of the Health and Safety at Work etc. Act, associated Codes of Practice will be adopted as required standards within the Organization. Responsibility for health and safety matters shall be explicitly stated in management job descriptions.

The Organization requires managers to approach health and safety in a systematic way, by identifying hazards and problems, planning improvements, taking executive action and

monitoring results so that the majority of health and safety needs will be met from locally held budgets as part of day-to-day management, although many health and safety problems can be rectified at little additional cost. For major additional expenditure, cases of need will be submitted by Managers to the Executive Director. If unpredictable health and safety issues arise during the year, the Executive Director must assess the degree of risk, in deciding the necessary resources and actions to commit to addressing these issues.

Health, Safety and Welfare Guidelines

It is the policy of the Organization to require departmental managers to produce appropriate health and safety policies or guidelines. These should embody the minimum standards for health and safety for the department and the work organised within it. It shall be the responsibility of the manager to bring to the attention of all members of his or her staff, the provisions of the guidelines, and to consult with appropriate Health and Safety Representatives about the updating of these guidelines. The model contents of a guideline

Are:

- A clear statement of the role of the department;
- Regulations governing the work of the department;
- Clear reference to safe methods of working, for example nursing procedures, process' manuals;
- Information about immediate matters of health and safety concern, such as fire drills, fire exits, first aid;
- Training standards;
- The role and identity of the Health and Safety Representative;
- Names of specialist advisers who can be approached about the work of the department;
- The manager responsible for organisation and control of work;
- Accident reporting procedures;
- departmental safety rules;
- fire procedures;
- Policies agreed by the Organization.

Identification of Health and Safety Hazards

Annual audit and regular risk assessments. It is the policy of the Organization to require a thorough examination of health and safety performance against established standards in each department, at least annually. The technique to be adopted for such examinations will be the 'Safety Audit'. The Audit requires review of:

- Standards laid down in the policy;
- Departmental guidelines;
- Relevant regulations;
- Environmental factors;
- Staff attitudes;
- Staff instructions;

- Methods of work;
- Contingency plans;
- Recording and provision of information about accidents and hazards and the assessment of risk.

The information obtained by the Audit will be used to form the basis of the plan for the department for the following year. Audits must be completed by February of each year. The responsibility for ensuring that audit activity is carried out as part of this policy rests with the Executive Director and will be carried out by the Safety Officer. Although the Audit remains a management responsibility, managers are required as part of this policy to seek the involvement of the appropriate Health and Safety Representative in the conduct of the Audit. It is the management's responsibility to ensure that any deficiencies highlighted in the Audit are dealt with as speedily as possible. In addition to carrying out Safety Audits, it is the responsibility of the department manager to check, at least quarterly, all portable equipment, including electrical appliances, in their area, and to ensure that all problems are immediately dealt with. Managers have a continual responsibility for the elimination of hazards in order to maintain a safe working environment and will also be expected to carry out regular risk assessments in line with the Health and Safety Guidelines; that is follow the 5 steps:

- Identify the hazards
- Decide who might be harmed and how
- Evaluate the Risks and decide on precautions
- Record the findings and implement the precautions
- Review the assessment and update when necessary

Safety Representatives

The Organization will support Safety Representatives in carrying out their role and give all reasonable assistance. Safety Representatives will be encouraged to discuss specific health and safety issues with the relevant Head of Department. They may also formally report hazardous or unsafe circumstances to the Head of Department and will be formally notified of the remedial action taken or be given a reason why the action cannot be taken.

Training

Health and Safety training shall be incorporated within annual training programmes, as part of the development of a systematic training plan. Health and Safety training needs will, therefore, be identified and planned for in the same manner as other training needs. Four areas of need shall be given special priority:

- Training for managers, to equip them with an understanding of the manager's responsibilities under this policy, and the role and purpose of safety representatives; training for safety representatives to enable them to discharge their function;
- Training for all members of staff to acquaint them with the main provisions of the law and its practical implication, the main features of this policy and key safety rules;
- Induction and in-service training for staff at all levels to acquaint them fully with new requirements and hazards.

Records, Statistics and Monitoring

The Organization will operate systems for recording, analysis and presentation of information about accidents, hazard situations and untoward occurrences. Advice on systems will be provided by the Safety Officer, in conjunction, where appropriate with specialist advisory bodies for example local Environmental Health Departments, and the responsibility for the operation of these systems rests with managers and supervisors at all levels. Information obtained from the analysis of accident statistics must be acted upon and, where necessary, bids for additional expenditure made to the Executive Director.

Reports to the Health and Safety Manager

The responsibility for meeting the requirements of the Reporting of Injuries, Diseases and Dangerous Occurrences Regulations 1985 to the Health and Safety Manager shall rest with the Safety Officer.

Specialist Advisory Bodies

Certain bodies and the individual members of those bodies have always had a Health and Safety role, most notably, the Health & Safety Manager, or local Environmental Health Departments. If further specialist advice is required, this may be obtained by Managers from expert individuals or bodies outside the Organization.

The Occupational Health Service

It is the policy of the Organization to provide Occupational Health Services. Such services are provided confidentially to the individual employee and include counselling on health and associated matters, investigation of hazards and accidents, environment studies, health interviews and employment medicals.

First Aid

It is the policy of the Organization to make provision for First Aid and the training of 'First Aiders' in accordance with the First Aid Regulations (1982). The Safety Officer is responsible. The organization shall put in place a first aid Kit to cater for emergencies at the work place.

Fire

The Executive Director is responsible for ensuring that the staff receive adequate fire training, and that nominated fire officers are designated in all Organization premises. The Executive Director delegates these responsibilities to the Managers. In addition, the Organization will nominate a Fire Officer (this may be the Safety Officer or someone external to the Organization)

- report and advise on the standard of fire safety in the Organization's premises and the standard of fire training of its staff;
- undertake overall responsibility for fire training;

- Assist in the investigation of all fires in the Organization's premises and to submit reports of such incidents.

Condemnation and Disposal of Equipment

Procedures for the, condemnation and disposal of equipment are set out in the Organization's Standing Financial Instructions. Managers introducing new equipment should have new equipment checked by the Safety Officer.

Food Hygiene

Those Managers who have responsibility for food acquisition, storage, processing and serving, and staff induction and training, are responsible for ensuring that these functions are undertaken to the necessary legal standards. Any suspected outbreak of food poisoning or other unexplained and possibly food related incidents must be reported to the Safety Officer.

Lifting and Handling

Managers are responsible for informing staff of safe lifting techniques. The Safety Officer will identify specific training needs. The HR Office / Head Office will ensure training in lifting and handling is provided to staff that require it.

Non-Smoking on Organization Premises

The Organization has agreed that there will be no smoking in its buildings. The overall aim is to reduce smoking and so save life, reduce risk of fire, prevent unnecessary illness and chronic disability. The rules relating to smoking on Organization premises are available from the HR Department / Head Office.

Control of Substances Hazardous to Health

The Control of Substances Hazardous to Health Regulations (COSHH) requires the Organization to identify those substances which are in use and which are hazardous to health (as legally defined) and to assess the risk of those substances. The Organization must also provide and use controls to prevent exposure to substances hazardous to health; maintain controls by monitoring exposure or by health surveillance of employees; and provide information, instruction and training for employees on all these matters. The Safety Officer is responsible for implementing these Regulations.

Computer Installations and Visual Display Units

All new computer installations must adhere to and comply with the Health and Safety Regulations. All new employees are issued with a copy of the Health and Safety Booklet.

Control of Working Time

The Organization is committed to the principles of the Working Time Regulations. No member of staff is expected to work more than 48 hours per week (including overtime) unless there are exceptional circumstances. Similarly, all other requirements of the regulations e.g. in relation to breaks, will be complied with.

7.3 Workplace Violence Prevention Policy

As stated above, the Organization is committed to the safety and security of our employees. Workplace violence presents a serious occupational safety hazard to our organization, staff, and clients. Workplace violence includes any physical assault or act of aggressive behaviour occurring where an employee performs any work-related duty in the course of his or her employment, including but not limited to an attempt or threat, whether verbal or physical, to inflict physical injury upon an employee; any intentional display of force which would give an employee reason to fear or expect bodily harm; intentional and wrongful physical contact with a person without his or her consent that entails some injury; or stalking an employee with the intent of causing fear of material harm to the physical safety and health of such employee when such stalking has arisen through and in the course of employment

Acts of violence by or against any of our employees where any work-related duty is performed will be thoroughly investigated and appropriate action will be taken, including involving law enforcement authorities when warranted. All employees are responsible for helping to create an environment of mutual respect for each other as well as clients and visitors, following all policies, procedures and practices, and for assisting in maintaining a safe and secure work environment.

Health and Safety and the Individual Employee

The Health and Safety at Work Act requires each employee 'to take reasonable care for the Health and Safety of himself and of other persons who may be affected by their acts and omissions' and co-operate with management to enable management to carry out their responsibilities under the Act. Employees have equal responsibility with the Organization for Health and Safety at Work

The refusal of any employee to meet their obligations will be regarded as a matter to be dealt with under the Disciplinary Procedure. In normal circumstances counselling of the employee should be sufficient. With a continuing problem, or where an employee leaves themselves or other employees open to risk or injury, it may be necessary to implement the formal stages of the Disciplinary Procedure.

People Working on Organization Premises Not Employed by the Organization

Persons working in the Organization premises who are employed by other organisations are expected to follow Organization Health and Safety Policies with regard to the safety of Organization employees, their own personal safety (and that of other parties such as the general public if appropriate) and their method of work. This responsibility will be included in contracts or working arrangements. Similarly, seconded Organization employees working in other host premises will be expected to follow the host employers Health and Safety Policy.

Visitors and Members of the Public

The Organization wishes to ensure that as far as is reasonably practicable, the Health, Safety and Welfare of visitors to Organization establishments will be of the highest standard. Any member of staff, who notices persons acting in a way which would endanger other staff, should normally inform their Head of Department. If the danger is immediate, common sense

must be used to give warning, call for assistance or give aid as necessary. It is equally important not to over-react to a situation

Contractors

The Organization wishes to ensure that as far as is reasonably practicable, the Health, Safety and Welfare of Contractors, service providers, consultants working in the Organization's establishments will be of the highest standards. In addition, Contractors, service providers, consultants and their employees have an obligation so far as is reasonably practicable to ensure all equipment, materials and premises under their control are safe and without risks to health.

Contractors, service providers, consultants must also observe the Organization's Fire Safety Procedures. These obligations will be drawn to the attention of the Contractors in the contract document issued to them. In addition, an Organization Manager will be identified in the contract as having authority to stop the work of Contractors, service providers, consultants who are placing themselves, other staff, or visitors at risk. Any member of staff, who judges there is a risk where contractors are working, should inform their Manager immediately.

In tendering, Contractors will be asked to confirm they have a written Health, Safety and Welfare Policy. The Organization Manager letting the Contract will be responsible for monitoring the Health and Safety performance of the Contractor and the Contractor's performance will be a factor in deciding whether or not to invite the Contractor to tender again.

7.4 Drug and Alcohol Abuse Policy

Introduction

Jamnel Care Organization recognises that alcohol and drug abuse related problems are an area of health and social concern. It also recognises that a member of staff with such problems needs help and support from his / her employer.

The Organization also recognises that alcohol and drug abuse problems can have a detrimental effect on work performance and behaviour. The Organization has a responsibility to its employees and customers to ensure that this risk is minimised.

Accordingly, Organization policy involves two approaches

- Providing reasonable assistance to the member of staff with an alcohol or drug abuse problem who is willing to co-operate in treatment for that problem.

- Disciplinary rules, enforced through disciplinary procedures, where use of alcohol or drugs (other than on prescription) affects performance or behaviour at work, and where either (1) an

“The Organization recognises that alcohol and drug abuse problems can have a detrimental effect on work performance and behaviour. The Organization has a responsibility to its employees and customers to ensure that this risk is minimised.” alcohol or drug dependency problem does not exist or (2) where treatment is not possible or has not succeeded.

The Organization has not the internal resources to provide or arrange treatment or other forms of specialist assistance. Such services are provided by hospitals and other agencies. Through this policy the Organization will seek both to assist a member of staff in obtaining such specialist help, and to protect his/her employment.

Assistance for a Member of Staff

- The Organization will, where possible, provide the following assistance to a member of staff:
- Helping the member of staff to recognise the nature of the problem, through referral to a qualified diagnostic or counselling service.
- Support during a period of treatment. This may include a period of sick leave or approved other leave, continuation in post or transfer to other work, depending upon what is appropriate in terms of the staff member's condition and needs of the Organization.
- The opportunity to remain or return to work following the completion of a course of treatment, as far as is practicable, in either the employee's own post or an alternative post.

The Organization's assistance will depend upon the following conditions being met:

- The Occupational Health Service / Organization Approved. Doctor diagnose an alcohol or drug dependency related problem.
- The member of staff recognises that he/she is suffering from an alcohol or drug abuse problem and is prepared to co-operate fully in referral and treatment from appropriate sources.

The Organization and its employees must recognise the following limits to the assistance the Organization can provide:

- Where a member of staff fails to co-operate in referral or treatment arrangements, no special assistance will be given and any failure in work performance and behaviour will be dealt with through the Disciplinary Procedure.
- If the process of referral and treatment is completed but is not successful, and failure in work performance or behaviour occurs, these will be dealt with through the Disciplinary Procedure.
- A member of staff's continuation in his/her post or an alternative post during or after treatment will depend upon the needs of the Organization at that time.

Disciplinary Action

In line with the Organization's disciplinary rules, the following will be regarded as serious misconduct:

- a) Attending work and/or carrying out duties under the influence of alcohol or drugs.
- b) Consumption of alcohol or drugs whilst on duty (other than where prescribed or approval has been given).

Breach of these rules will normally result in summary dismissal, and only in exceptional cases will either notice or the reduced disciplinary action of a final written warning be applied.

Where a breach of these rules occurs, but it is established that an alcohol or drug abuse related problem exists, and the member of staff is willing to co-operate in referral to an appropriate service and subsequent treatment, the Organization will suspend application of the Disciplinary Procedure and provide assistance as described above. Staffs who do not comply with the treatment suggested or continue to abuse alcohol or drugs will be subjected to the application of the Disciplinary Policy.

Procedures

Nature of the Procedures

- The procedures define management responsibilities and provide guidelines on:
- Where assistance to a member of staff should be provided and the nature of and limits to such assistance.
- The application of the Organization's Disciplinary Procedure.

Through the Occupational Health Service / Approved Organization Doctor the Organization will provide:

- Advice and support to managers on
- Whether an alcohol or drug related problem exists

Assistance to members of staff with alcohol or drug abuse related problems. This does not include directly providing treatment or specialist help which is the responsibility of hospitals and other agencies working in the field. The Occupational Health Service / Organization Approved Doctor, in close liaison with these persons and agencies, will assist staff referred in the following ways:

- a) through counselling encourage them to come to a better understanding of their problem and the benefits of seeking treatment or help;
- b) providing advice and direction regarding obtaining treatment and specialist help;

- c) Assisting in continuing at or achieving a return to work.

Alcohol or drug abuse related problems can come to the notice of management through:

- a) Failures in work performance or behaviour necessitating use of the Disciplinary Procedure. In such situations the procedure described above should be followed.
- b) Other means, where a member of staff seeks or agrees to accept assistance on a voluntary basis. In such situations, the procedures described above should be followed.

Recognition of the existence of a possible alcohol or drug abuse problem.

- Abuse of alcohol or drugs can affect performance and behaviour at work, i.e., either through serious misconduct at work, (where there is a direct and demonstrable breach of the disciplinary rules regarding alcohol or drug abuse at work), or where there is a falling off of standards of work performance or behaviour, and abuse of alcohol or drugs is a possible cause.
- The immediate line manager will be responsible for responding to such situations, carrying out either counselling or disciplinary investigations and interviews, supported as appropriate by a more senior Manager.
- In such interviews the possible existence of an alcohol or drug abuse problem should be explored. The line manager is not required to diagnose the existence of an alcohol or drug abuse problem, merely to assess whether such abuse is a possible factor.
- Any requirements of the Disciplinary Procedure regarding allowing the member of staff representation will be observed.

Diagnosing the existence of an alcohol or drug abuse problem.

- Should the interviews lead to the conclusion that an alcohol or drug abuse problem might exist and the member of staff accepts referral, the manager should refer the matter to the Occupational Health / Organization Approved Doctor, who will be responsible for establishing whether or not a diagnosis of alcoholism or drug dependence can be made?
- Disciplinary action should be suspended until diagnostic advice is obtained. Where appropriate, suspension arrangements in the Disciplinary Procedure should be followed.
- If the interview fails to lead to the conclusion that an alcohol or drug abuse problem exists, or the member of staff rejects, or fails to co-operate in referral, disciplinary action should be continued, where and as the situation justifies.

Confirmation that a problem exists and treatment arrangements.

- If a positive diagnosis of an alcohol or drug abuse problem is made, and the member of staff agrees to co-operate in treatment, treatment arrangements should commence.
- Where necessary, the Occupational Health Service / Organization Approved Doctor will advise the member of staff regarding treatment and will be responsible for monitoring progress with treatment and advising the manager concerned. This advice should be available at least monthly following commencement of treatment and

thereafter as appropriate. (Disciplinary action should be discontinued unless the member of staff fails to co-operate on the treatment arranged.) Should a diagnosis of alcoholism or drug dependence not be confirmed or should the member of staff refuse to co-operate in treatment, disciplinary action should be continued.

- The Occupational Health Service / Organization Approved Doctor will advise on whether a situation has been reached where there is a lack of progress with treatment or lack of co-operation by the member of staff. Managers must review the facts and consider whether or not there needs to be a return to the use of Disciplinary Procedures.
- Where medical certificates are submitted, sick leave should be given.

Should the employee continue to be fit for work during the period of treatment, he/she should be permitted to continue in his/her post or alternative work unless such an arrangement would have an adverse effect on Organization services. In such circumstances, annual or unpaid leave should be approved or, exceptionally, suspension arranged. If a member of staff has been off work during the period of treatment, before returning to duty, he/she will be seen by the Occupational Health Service / Organization Approved Doctor who will advise management regarding capability for continuation in his/her own post and whether any special supervision or other arrangements are required.

Every effort should be made to comply with the advice provided by the Occupational Health Service / Organization Approved Doctor. If it is not reasonably practicable to do so, and as a result, the member of staff is not able to resume duty, employment may be terminated on the grounds of incapacity (ill health). If a member of staff is again involved in disciplinary situations resulting from alcohol or drug abuse related problems, a second referral to the Occupational Health Service / Organization Approved Doctor and suspension of the disciplinary procedure may be appropriate. If they advise positively on the possibilities of further treatment or help and the willingness of the member of staff to co-operate, the disciplinary procedure may be suspended again to permit treatment and help to be undertaken. This second referral will not apply if the further disciplinary problems involve serious misconduct. Third and subsequent referrals are not permissible.

Situations where a Disciplinary Situation does not exist

There may be situations where the possible existence of alcohol or drug abuse problems affecting a member of staff comes to a manager's attention, although there is, or has been, no discernible effect on work performance or behaviour. This could arise if a member of staff confides in his/her manager about an alcohol or drug abuse problem, or a manager could see a need to approach a member of staff after observing possible "indicators" of an alcohol or drug abuse problem (i.e.) an absence pattern, information provided by the member of staff's colleagues, etc.

In such situations, the Organization would wish staff to feel they could seek help from their employer (in complete confidence) without worry that their job security would be in jeopardy. Accordingly, if managers should be faced with a situation of this type they should:

- a) seek the advice of the Occupational Health Service / Organization Approved Doctor regarding whether and how the matter could be dealt with;
- b) Counsel the member of staff and, if appropriate, arrange for the member of staff to be interviewed by the Occupational Health Service / Organization Approved Doctor.
- c) As in the procedure described above, the Occupational Health Service / Organization Approved Doctor will play a facilitating role (i.e.) seeking to establish whether a problem exists, advising and directing the member of staff towards appropriate forms of treatment and help.

These steps cannot be taken without the co-operation of the member of staff. If the member of staff does not wish to co-operate, no further action should be taken. Should a member of staff take up the opportunity of assistance on this voluntary basis there need be no further formal involvement of management in terms of action or the right to learn of progress with treatment, it may be however that the member of staff would wish, or agree to, further involvement of management as a means of assisting progress with treatment. Use of the disciplinary procedures and/or the application of the approach described above would only be appropriate if subsequently, the member of staff is involved in a breach of disciplinary rules.

Should the problems of the member of staff develop to an extent that his/her continuation in post or employment became impossible, it may be necessary to identify alternative work or arrange for termination, on the same basis as the Organization operates for staff with problems of incapacity due to ill health.

8.0 GENERAL GUIDELINES

8.1 Staff Identity cards

All employees shall be provided with staff identity cards, except casual workers. Those on temporary appointment get temporary documents, while those on permanent appointment will acquire sealed identity cards. All JCO's identity documents shall remain the property of the organization and must be returned upon expiry of the document, contact or termination of appointment. All staffs shall wear their IDs while on duty.

8.2 Politics' and Religion

JCO is a National non-governmental organization created to work with and support most vulnerable communities in South Sudan regardless of gender, tribe, religion or political affiliation. It is important to note that JCO has no political/religious affiliation employees shall therefore remain equal and treated as equals regardless of their religion and or political affiliation. Employees shall always express their personal political/religious beliefs without in any way involving the organization directly or indirectly. If the organization feels that religious or political involvement is conflicting the interests of the organization, the employee shall be dismissed forthright. Properties and facilities of JCO shall not be used for any political or religious purpose.

8.3 Loss or damage of organization property

Employee shall be personally responsible for the organization's property under his/her custody, at either work or home. Loss of such property shall be replaced by the employee where h/she shall meet all the cost of replacement.

Inspection of JCO's Property assigned to staff

Every quarter, JCO's property assigned to staff shall be inspected. Logistics Officer shall keep an inventory of such assets; The Executive Director shall select two high-level staff members under the leadership of the Human Resources Manager to carry out the inspection;

The team shall:

- Ensure that the property is kept and maintained according to issued instructions for protection and upkeep;
- Propose and recommend improved instructions in the above respect, if found necessary;
- Report any damage caused on the property and estimate costs for restoration;
- Report any damage caused to the property through negligence on the part of the employee responsible for the property and estimate costs for restoration; and
- Submit the report to the Executive Director where necessary and where the cost of restoration exceeds US\$ 1, 00 the employee shall be asked to meet the costs.

Working hours or days

JCO employees both in the field and head office employees will be expected to work for 40-hour per week (unless stated otherwise in the contract). All employees shall be expected to report on duty as follows:

Monday-Friday

Morning hours 8:00 a.m. - 1.00 p.m. Afternoon hours 2.00 p.m. - 5.00 p.m.

There will be overtime allowance for additional hours worked. No field allowances shall be given for normal duty assigned or any travel expenses are reimbursed /paid other than those approved. Overtime may not apply to employee's employee in positions classified by the employer as senior management position. Employee may be granted leave in lieu of overtime. An employer may agree with an employee to work more than three hours of overtime a day or ten hours of overtime a week. An employee may be required to work beyond limits of overtime in the following emergency

- Actual or imminent disaster or accident in order to avert a peril to life or health or to prevent serious damage to health or property or to ensure continued operation of the undertaking
- Urgently required work to be done to the plant equipment, machinery or other property to maintain the undertaking
- Prevention of damage to perishable goods
- Performance of work of vital public importance.

The employer shall Pay an employee for overtime on the date of the payment of wages and not later than the month from the date on which the overtime work was performed at the rate of One and a halftime an employee regular hourly rate where the overtime work is performed on a regular working day Two times an employee's regular hourly rate where the overtime work is performed on a weekend or public holiday.

Attendance

JCO expects all employees to sign daily attendance book when reporting and leaving duty

Timesheets

Timesheets are to be completed each employee, signed by the employee's immediate supervisor, and submitted on the last day of the month. If such day falls on a weekend then the time sheets shall be submitted on that Friday preceding the weekend to the Human resources Manager. The Human Resource Manager maintains all timesheet records. All timesheets must be personally signed. Timesheets shall be verified. No salary will be processed without a timesheet.

Expense claim policy and procedure

Expenses incurred by employees in the course of duties on behalf of the organization shall be reimbursed only if the supervisor has given prior approval. Expenses are not part of salary but direct reimbursement of expenditure. Claims for reimbursement must be made on the appropriate form, signed by individual and authorized by Supervisor with approval of departmental head before submission to the Finance. As a rule, all claims must be supported by relevant financial documents. However, it is recognized that certain items of expenditure cannot be supported by documentary evidence; JCO has developed internal financial tools that must always be used in such cases to justify for a reimbursement.

Other employment

JCO does not allow an employee to engage in any other paid employment, be it temporary or part-time. This policy is established to assure Management of JCO that such outside employment does not compromise the service of that individual to JCO.

Personnel files

For each employee a personal file shall be created. The Human Resource Department is responsible for maintenance of the personal files. The office will ensure that the employee files are kept up to date with maximum safety and confidentiality. The following persons may be allowed to access staff personal files:

An employee may access his/her personal file on request.

Questions regarding human resource and interpretation of policies shall be directed to the Human Resource department.

Personnel files content and up-dates

All personnel files shall be updated from time to time. In case of any changes in the content of the personnel files. See annex of contents of a personnel file.

Confidential information

Obligation to confidentiality

The staff's employment with JCO obligates the staff to maintain confidentiality during the employment and after leaving work with JCO. No employee is allowed to disclose any information to anyone, which is not part of the staff's responsibility, but instead refer that person to the staff's Supervisor/person concerned for further information.

Confidentiality Agreement

Upon accepting employment with JCO, the staff shall be asked to sign a Confidentiality Agreement, which provides that you will not disclose any JCO confidential information, either during or after the staff's employment. Disclosure of confidential information could lead to termination, as well as other possible action.

Documents, Records and Reports

No one is permitted to remove or make copies of any JCO records, reports or documents without prior management approval.

Resignation

Any employee working for JCO is at liberty to leave employment at will, this may be willingly or when an employee may have secured a better employment elsewhere hence may not continue working for JCO, in any of the above cases, an employee may resign by giving 30 days' notice. Any employee wishing to resign shall submit their resignation in writing to the Executive Director with copies to their departmental heads and Human Resource Department stating reasons for resignation and the effective date.

Failure by the employee to provide notice of intention to resign from the organization, within the stipulated notice period, shall result in the employee forfeiting an equivalent salary in lieu of notice. The Executive Director in order for it to qualify and be treated as a resignation from employment with JCO must accept an employee's resignation. Acceptance of resignations must be confirmed in writing. The employee shall then be entitled to salary at the end of the notice period less any deductions or advances that may exist.

An employee's decision to resign shall be considered final by the organization unless the employee is under investigation for misconduct in which case the Executive Director may decide not to accept the resignation. JCO, after accepting the resignation, may release the employee at any time during the notice period, and pay the employee her/his dues up to the end of the notice period. Employee shall be expected to be in suitable attired and groomed during working hours or when representing JCO. Dressing bearing colours or political emblems of a political organization shall be considered unsuitable for the office on the same note, dressings that have messages or symbols that are detrimental to JCO's image are to be prohibited as office attire.

Conflict of interest

All employees shall desist from situations that may lead them to conflict of interest with their employment. In this respect, they are expected to: Disclose the nature and extent of his/her interest and abstain from participation where an employee considers that personal interests (financial or other) or that of his/her spouse, child, dependant, agent or business associate of which he/she has knowledge or would have had knowledge if he/she had exercised due diligence having regard to all the circumstances may be deemed to influence his/her participation in a decision-making process in JCO;

- Report and propose that a person concerned abstains from participation where an employee considers that somebody else's personal interests (financial or other) may be deemed to influence that person's participation in a decision-making process;
- If JCO considers that personal interests (financial and other) may influence the decision-making process, it shall be required that the employee concerned shall abstain from taking part in the decision; and
- Any employee who knowingly violates the requirement to abstain from making a decision in a situation where he/she has an interest and such a decision leads to a loss to JCO, he/she shall be liable to compensating JCO to the value of loss.

Annexes

- Employment contract
- Job offer letter
- Job description
- Code of conduct
- Leave form
- Disciplinary procedure
- Application form
- Performance appraisal form
- Time sheets
- Whistle blowing policy
- PSEA policy
- Personnel file checklist
- Confidentiality agreement
- Employee handbook
- Non-competition agreement

APPENDICES

Appendix 1 Induction Template for New Staff

DEPARTMENT

NAME OF EMPLOYEE

JOB TITLE

DATE COMMENCED

This is a checklist of information for Induction which managers / supervisors should use with new staff as part of their induction programme within the first few days, and certainly within the first two weeks of employment. Health and Safety items should be identified immediately. The new employee should be asked to tick each subject as he/she has been informed about it, and sign the end of the form. The manager / supervisor then sends the form to the Personnel Department / Head Office for inclusion in the employee's personnel file.

Not all the following subjects are applicable to all departments. Should this be the case, record N/A

Please read the guidance notes below before completing this form.

GUIDANCE NOTES

Certain groups of staff have specific induction needs. The main groups are detailed below, with particular points to take account of, highlighted.

Items Specific to the Following Groups of Staff:

Staff with Disability

Disabilities include for example physical handicap, deafness, blindness, mental handicap. Consider the following for discussion:

- Confirm the nature of the disability.
- Clarify if the employee has any special needs relating to disability.
- check whether employee has any particular concerns regarding the workplace

Graduates and college/school leavers

These staff may have no previous work experience and will need careful integration into the department. Discuss the following:

- Role within the department.
- Reporting responsibilities.
- Allocation and prioritisation of work.

Staff returning to work after a period of Absence

This includes staffs that were previously unemployed, women returning after starting a family, or after any other prolonged period of non-employment. Discussion should include, for example:

The difference between the employee's previous working environment and this new one.

- Changes in skills required for this area of work.
- Requirement for training to update skills.

Managers and Professional Staff

- This staffs needs a broader induction to put their post in context.
- Structure and culture of department.
- Role in relation to Department / Company as appropriate.
- Training course in supervisory and management skills, if required

Items to Cover with Each New Employee

1. Department function
2. Introduction to colleagues
3. New entrant's own job
4. Supervision
5. General layout - entrances and exits
6. Telephone system, bleeps and intercom systems

Conditions of Employment

- Information on hours of work, including duty rotas, shift systems "on-call" breaks
- Time recording, flexi-time
- Bonus scheme, allowances
- Probationary periods of employment
- Company Pension scheme and eligibility
- Reporting in when sick including when on leave
- Arrangements for requesting leave: annual leave, unpaid leave, compassionate leave
- Issue of uniforms, and uniform policy, protective clothing, replacement, Laundry arrangements

Health and Safety, Security, Fire

- Health and safety information relevant to the department
- Issuing of fire instructions and procedure
- Location of fire-fighting equipment
- Accident reporting
- First aid facilities/pre-employment health screening/role of Occupational Health / Company Doctor

- Loss of personal effects
- Security of department/building
- Arrangement for keys, passes, ID Badges etc.
- Violence and aggressive behaviour
- Management of monies/valuables
- Major Incident procedures

Conduct

- Personal presentation
- Disciplinary procedures
- Courtesy to the customer and the public
- Confidentiality
- Noise Control
- Acceptance of gifts
- Statements to the Press
- Local rules regarding smoking
- Private use of telephones
- Standards of Business Conduct

Facilities

- Cloakroom, lockers, lavatories
- Canteen

Education, Training, Promotion

- Study leave
- Means of advancement, promotion opportunities
- Employee appraisal, review systems
- Employee Involvement and Communication
- Employee or Trade Union representative
- Communication arrangements
- Information sources, e.g. notice boards, circulars etc.
- Food and Health Policy
- Handling Complaints

Items Specific to Department

- Pay
- Notice of termination of employment
- Human Resource Management Manual-JCO
- Sick certificates
- Waste disposal
- Control of infection
- Lifting and handling

I have been informed about and understand the above items.

Signature:

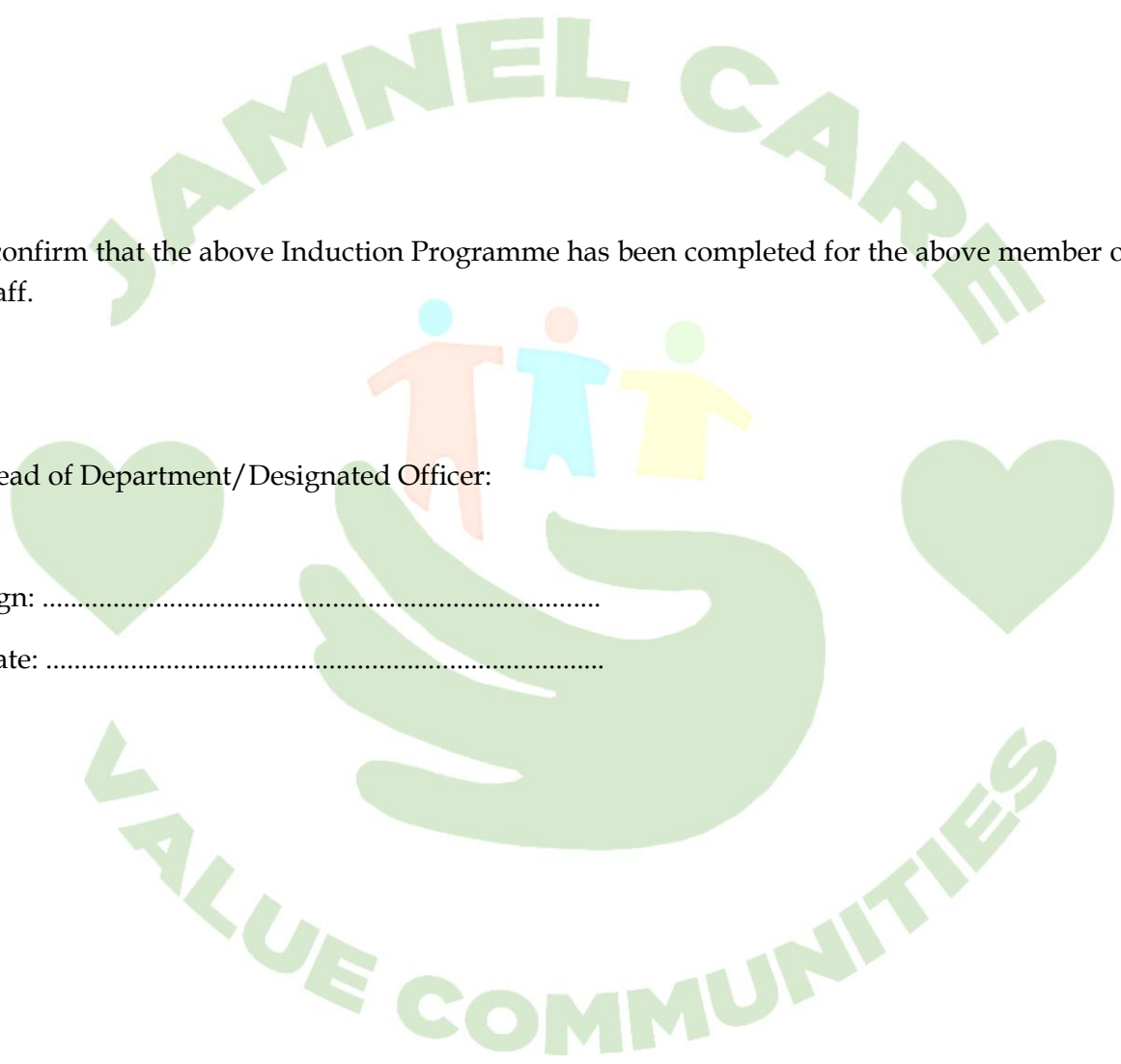
Date:

I confirm that the above Induction Programme has been completed for the above member of staff.

Head of Department/Designated Officer:

Sign:

Date:



Appendix 3 Structure of the per diem allowances

In addition to controls over National Travel above, JCO will implement the following controls over International travel:

- All International Travel must be approved by the Executive Director or Program Director in the absence of executive director or any other as per the delegation memo
- International Travel will be scheduled at least 1 month in advance to take advantage of early air ticket prices
- Personal costs including extra days spent and itineraries that are not part of JCO activities will be recovered from the staff.
- Travel insurance as necessary will be procured for all International Travel.

PERDIEMS

The following table provides for per-diem rates both in Juba and Field Locations. This may only apply for staff that travel away from their normal duty station. International Travel Per Diem is capped at **USD 40** per day excluding accommodation costs

Description	Per diem rate
JCO compound with full accommodation and meals	NIL
JCO Compound without food	50 USD
Without JCO compound no meals	50 USD
Juba and other cities within South Sudan	50 USD
International	60 USD

- Exceptions will be made on case by case for staff accommodated in hotel for short period during workshops or another event requiring them.
- Local travel 50 USD including accommodation
- Local Daily subsistence allowance 10 USD where JCO is paying or providing accommodation

Please Note

1. The per diem rate for travel to locations without established JCO compound may vary depending on the accommodation and feeding costs in the respective locations.
2. The per diem rate to staffs may vary depending on a number of factors including the number of days in the field, the location being travelled to, weather the staff is a national or international staff, the reason for travel among others
3. Where the per diem rate is not sufficiently covering the expenses of the staff, an exception will be made and prior approval will be sought before traveling.

Appendix 4 Standard of Conduct Required by the Organization

2.1 Gifts and Hospitality

In addition to the duties placed on employees by Civil and Statute Law. The Organization requires its employees to ensure that gifts and hospitality offered by suppliers and potential suppliers of goods and services and other third parties to the Organization are declined. This applies whether the gifts or hospitality are offered within, or outside normal working hours. The only exceptions to this are trivial gifts with a nominal value such as a calendar, diary, chocolates or mugs can be accepted. All other gifts must be politely refused or, if received through the post, returned to the donor with a suitably worded letter signed by the Department Manager.

2.2 Transaction of Private Business

Employees having official dealings with suppliers of goods or services must avoid transacting any kind of private business with them by any means other than the organization's normal procurement process. No favour or preferences as regards price, or otherwise, which is not generally available, should be sought or accepted.

2.3 Visits to Conferences, Demonstrations etc

The organization intends that when it is necessary for employees to visit conferences, demonstrations and similar occasions that are outside of the Organization's arrangement, it should bear the travelling and subsistence expenses itself. Exceptions to this general rule will only be permitted with the approval of the Executive Director. The organization shall cater for expenses related to travels for official duties.

2.4 Attendance at Luncheons, Receptions etc

Where it is evident that the work of the Organization will be facilitated, invitations to attend receptions, luncheons may be accepted under the following rules:

- No employee may accept an invitation without first obtaining the approval of the Department Manager/supervisor; in exceptional circumstances, where it is not possible to seek prior approval, the facts should be reported immediately afterwards; if addressed personally, such an invitation may not be transferred to another employee, except with the consent and approval of a senior manager (personnel) as above and with the concurrence of the party issuing the invitation;
- Invitations involving attendance outside normal working hours may be accepted.

As a general rule, any officer who has any doubts about the wisdom of accepting any hospitality should decline the offer.

NB The important difference between, for example, attendance in an official capacity at a function organised by the Organization or one of its subsidiaries and the acceptance of hospitality from a private individual or firm should be recognised.

Nothing more than a small, low value item such as a calendar, diary, blotter, chocolates or flowers can be accepted. All other gifts must be politely refused or, if received through the post, returned to the donor with a suitably worded letter signed by the Department Manager.

2.5 Identification

Employees should wear or carry their identity badges whilst carrying out their duties.

2.6 Confidentiality

At all times confidentiality must be maintained. No information can be released to unauthorised persons or organisations. The Executive Director or other Senior Managers of the Organization will inform employees of those authorised to receive information. If doubt exists as to the validity of an organisation or individuals to receive information, this must be checked with a Senior Manager/Officer.

2.7 Personal Relationships

If a personal relationship between two employees develops within the working environment, the onus is on the senior employee concerned to bring this to the attention of his or her manager to confirm that there is no conflict of interest, nor will a conflict of interest arise. The Organization reserves the right to move one of the employees concerned if it deems it necessary to do so.

2.8 Outside Interests and Employment

Outside interests include directorships, ownership, part ownership or material shareholdings in companies, business or consultancies likely to seek to do business with Jamnel Care Organization. These should be declared to the individual's line manager as should the interests of a spouse / partner or close relative.

2.9 Political and civic activities

It is not the intention of Jamnel Care Organization, or this policy, to dissuade employees from participating actively in public duties. It is important, however, that by doing so there is no suggestion to a third party that the employee is acting on behalf of, or with the support of, Jamnel Care Organization. To avoid any misunderstanding, no Organization employee should permit his or her Political affiliation to be noted in any outside organisation's materials or activities without the express written approval of a member of senior management.

2.10 Bribery and Corruption

The Organization has a strict anti-bribery and corruption policy in line with the Bribery Act (2010). A bribe is defined as: giving someone a financial or other advantage to encourage that person to perform their functions or activities improperly or to reward that person for having already done so. If you bribe (or attempt to bribe) another person, intending either to obtain or retain business for the Organization, or to obtain or retain an advantage in the conduct of the Organization's business/operation this will be considered gross misconduct. Similarly accepting or allowing another person to accept a bribe will be considered gross misconduct.

In these circumstances you will be subject to formal investigation under the Organization's disciplinary procedures, and disciplinary action up to and including dismissal may be applied

2.11 General Conduct

Employees should at all times conduct themselves in such a way as to enhance the reputation of the Organization. Details of the expected standards of behaviour are detailed in the organization's code of conduct.

Jamnel Care Organization will support employees who become aware of and are willing to report breaches of this policy or who genuinely believe that a breach is occurring, has occurred or is likely to occur within the Organization. Employees should raise the issue internally with their manager or supervisor or in accordance with the Organization's Policy on Disclosing Information ('whistle blowing').

These standards of conduct are intended to underpin and clarify standards required by the Organization of its employees and form a fundamental part of the employment contract. Staffs who fail to comply with the guidance detailed in this Policy could be subject, following full investigation, to disciplinary action up to and including dismissal. If through their actions or omissions staffs are found to be in contravention of either this Policy or, indeed, their legal responsibilities then the Organization reserves the right to take legal action if it deems it to be necessary to do so.

1. Employee code of conduct

The code of conduct shall be given to each staff at the time of signing of employment contract. Staffs should make sure that they have fully read and understood the standards of behaviour detailed herein. The employee shall append their signature to indicate that they have read and understood the policy and are willing to abide by it.

The code of conduct is applicable to all JCO employees and also for other third parties including service providers and contractors engaging in business with JCO

Internet and Email Usage Policy and Guidelines

Introduction

This policy sets out the obligations and expectations on employees of the Organization including contractors, service providers and temporary staff, who use the Organization's IT facilities for internet and email purposes. IT facilities are provided to assist with day to day work. It is important that they are used responsibly, are not abused, and that individuals understand the legal professional and ethical obligations that apply to them.

"If you have access to the Organization's computers including email and access to the internet as part of your job, you must not abuse this by using these facilities for purposes unrelated to Organization business.

Authorization

No person is allowed to use Organization IT facilities who has not previously been authorised to do so by the Organization IT Department / Line Manager. Unauthorised access to IT facilities is prohibited and may result in either disciplinary action or criminal prosecution.

Legislation

All users shall comply with the relevant legislation. This includes the following:

Data Protection Act 1998/Freedom of Information Act 2000. Any information which the Organization holds is potentially disclosable to a requester under one of these pieces of legislation. This includes emails too. Users need to be sure that they are not breaching any data protection when they write and send emails. This could include but is not limited to:

- Passing on personal information about an individual or third party without their consent.
- Keeping personal information longer than necessary.

Email should where possible be avoided when transmitting personal data about a third party. Any email containing personal information about an individual may be liable to disclosure to that individual under the Data Protection Act 1998. This includes comment and opinion, as well as factual information. Therefore, this should be borne in mind when writing emails, and when keeping them.

Computer Misuse Act 1990

This Act makes it an offence to try and access any computer system for which authorisation has not been given.

Copyright Design and Patents Act 1988

Under this Act it is an offence to copy software without the permission of the owner of the copyright.

Defamation Act 1996

Under this Act it is an offence to publish untrue statements which adversely affect the reputation of a person or group of persons or even in this case the organization.

Terrorism Act 2006

This Act has made it a criminal offence to encourage terrorism and/or disseminate terrorist publications. Telecommunications (Lawful Business Practice) (Interception of Communications) Regulations 2000. This allows for any organisation to monitor or record communications (telephone, internet, email, and fax) for defined business-related purposes

4. Responsibilities

All Users are expected to act in a manner that will not cause damage to IT facilities or disrupt IT services. Any accidental damage or disruption must be reported to IT / Line

Manager/Officer as soon as possible after the incident has occurred. Users are responsible for any IT activity which is initiated under their username.

b. Use of the Internet

Use of the Internet by employees is encouraged where such use is consistent with their work and with the goals and objectives of the Organization in mind. Reasonable personal use is permissible subject to the following:

- Users must not participate in any online activities that are likely to bring the Organization into disrepute, create or transmit material that might be defamatory or incur liability on the part of the Organization, or adversely impact on the image of the Organization.
- Users must not visit, view or download any material from an internet site which contains illegal or inappropriate material. This includes, but is not limited to, pornography (including child pornography), obscene matter, and race hate material, violence condoning messages, criminal skills, terrorism, cults, gambling and illegal drugs.
- Users must not knowingly introduce any form of computer virus into the Organization's computer network.
- Personal use of the internet must not cause an increase for significant resource demand, e.g. storage, capacity, speed or degrade system performance.
- Users must not "hack into" unauthorised areas.
- Users must not download commercial software or any copyrighted materials belonging to third parties, unless such downloads are covered or permitted under a commercial agreement or other such licence.
- Users must not use the internet for personal financial gain.
- Users must not use the Internet for illegal or criminal activities, such as, but not limited to, software and music piracy, terrorism, fraud, or the sale of illegal drugs.
- Users must not use the internet to send offensive or harassing material to other users.
- Use of the internet for personal reasons (e.g. online banking, shopping, information surfing) must be limited, reasonable and done only during non-work time such as lunch-time.
- Use of gambling sites, online auction sites and social networking sites such as, but not limited to, Facebook, LinkedIn, YouTube, Twitter, Bebo, Flickr, Myspace etc is not permissible.
- Staff may face disciplinary action or other sanctions (see below) if they breach this policy and/or bring embarrassment on the Organization or bring it into disrepute.

Use of Email

Emails sent or received on the email system form part of the official records of the Organization; they are not private property. The Organization does not recognise any right of employees to impose restrictions on disclosure of emails within the Organization. Emails may be disclosed under the Freedom of Information Act, as part of legal

proceedings (e.g. tribunals), and as part of disciplinary proceedings. Users are responsible for all actions relating to their email account/pc username and should therefore make every effort to ensure no other person has access to their account.

When using Organization email, users must:

- Ensure they do not disrupt the Organization's wider IT systems or cause an increase for significant resource demand in storage, capacity, speed or system performance e.g. by sending large attachment to a large number of internal recipients.
- Ensure they do not harm the Organization's reputation, bring it into disrepute, incur liability on the part of the Organization, or adversely impact on its image.
- not seek to gain access to restricted areas of the network or other "hacking activities" is strictly forbidden
- must not use email for the creation, retention or distribution of disruptive or offensive messages, images, materials or software that include offensive or abusive comments about ethnicity or nationality, gender, disabilities, age, sexual orientation, appearance, religious beliefs and practices, political beliefs or social background. Employees who receive emails with this content from other employees of the Organization should report the matter to their line manager or supervisor.
- Not send email messages that might reasonably be considered by recipients to be bullying, harassing, abusive, malicious, discriminatory, defamatory, and libellous or contain illegal or offensive material, or foul language.
- Not upload, download, use, retain, distribute, or disseminate any images, text, materials, or software which might reasonably be considered indecent, obscene, pornographic, or illegal.
- not engage in any activity that is likely to
 - Corrupt or destroy other users' data or disrupt the work of other users
 - Waste staff effort or Organization resources, or engage in activities that serve to deny service to other users
 - Affect or have the potential to affect the performance of damage or overload the Organization system, network, and/or external communications in any way
 - Be a breach of copyright or license provision with respect to both programs and data, including intellectual property rights
- Not send chain letters or joke emails from an Organization account.

Staffs, who receive improper email from individuals inside or outside the Organization, should discuss the matter in the first instance with their line manager or supervisor. Personal use of the Organization email is not permitted.

5. Good Practice

The Organization has good practice guidelines for dealing with email when staffs are out of the office for longer than three days. When activating the "out of office" facility messages should name an alternative member of staff for correspondents to contact if necessary. This will ensure that any important messages are picked up and dealt with within required timescales.

- During periods of absence when highly important emails are anticipated, the employee (or manager) should make arrangements for notification and access by another appropriate member of staff.
- Where sensitive and confidential information needs to be sent via email for practical reasons, please be aware that email is essentially a non-confidential means of communication. Emails can easily be forwarded or archived without the original sender's knowledge. They may be read by persons other than those they are intended for.
- Users must exercise due care when writing emails to avoid being rude or unnecessarily terse. Emails sent from the Organization may be interpreted by others as Organization statements. Users are responsible for ensuring that their content and tone is appropriate. Emails often need to be as formal and business-like as other forms of written correspondence.
- Users should delete all personal emails and attachments when they have been read and should also delete all unsolicited junk mail. In the process of archiving emails, users should ensure inappropriate material is not archived. The Organization provides a current and up to date automatic virus checker on all networked computers. However, caution should be used when opening any attachments or emails from unknown senders. Users must best endeavour to ensure that any file downloaded from the internet is done so from a reliable source. It is a disciplinary offence to disable the virus checker. Any concerns about external emails, including files containing attachments, should be discussed with the IT / Line Manager.

Legitimate Access to Prohibited Material

There may be circumstances where Users feels that the nature of their work means that they are required to access or use material prohibited under this policy. If so, this should be discussed with the Line Manager concerned. The Organization is legally responsible for the content and nature of all materials stored on/accessed from its network.

Remote Users

Users may sometimes need to use Organization equipment and access the Organization network while working remotely, whether from home or while travelling. The standards set out in this document apply whether or not Organization equipment and resources are being used.

Monitoring

All resources of the Organization, including computers, email, and voicemail are provided for legitimate use. If there are occasions where it is deemed necessary to examine data beyond that of the normal business activity of the Organization then, at any time and without prior notice, the Organization maintains the right to examine any systems and inspect and review all data recorded in those systems. This will be undertaken by authorised staff only. Any information stored on a computer, whether the information is contained on a hard drive, USB pen or in any other manner may be subject to scrutiny by the Organization. This examination

helps ensure compliance with internal policies and the law. It supports the performance of internal investigations and assists in the management of information systems.

Penalties for Improper Use

Withdrawal of facilities. Users in breach of these regulations may have access to Organization IT facilities restricted or withdrawn. Disciplinary Action. Breaches of these regulations may be dealt with under the Organization's disciplinary procedures. It may lead to termination of employment from the Organization.

Breaches of the law

Where appropriate, breaches of the law will be reported to the police.



