



employee handbook

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INTERCULTURAL 90.3FM SOUND HUMAN RIGHTS
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EMPLOYEE HANDBOOK

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INTRODUCTION

1.1 Welcome

As a new employee of Near Media Co-Op, you will receive a written Contract of Employment. This document outlines the general Terms and Conditions of Employment and is a confidential document between you and Near Media Co-Op. Please read it carefully and sign it. This signifies your acceptance of the Terms and Conditions under which you are employed. You will be kept informed and notified in writing of any subsequent changes to your terms of employment.

1.2 Purpose of this Handbook

This Employee Handbook is designed to provide you with information about working conditions, benefits, and policies affecting your employment.

The information contained in this Handbook applies to all our employees. Following the policies described in this Handbook is considered a condition of continued employment. However, nothing in this Handbook alters an employee's status. The contents of this Handbook shall not constitute nor be construed as a promise of employment or as a contract between the Near Media Co-Op and any of its employees. The Handbook is a summary of our policies, which are presented here only as a matter of information. You are responsible for reading, understanding, and complying with the provisions of this Handbook. Our objective is to provide you with a positive and safe work environment that is free from Discrimination and Harassment.

1.3 Near Media Co-Op Background and Mission Statement.

Near Media Co-Op is the operating name for Comhar Chumann Cumarsaide Pobal BAC Thoir Thuaidh Teo/ Dublin North East Community Communications Co-operative Society Ltd. The Society was established in 1983, and is a communally owned, not-for-profit project. The Co-Op-

erative is open to all organisations and individuals in Dublin North-East. It's programming and general ethos incorporates a positive emphasis on areas such as facilitating and supporting community development, providing access and providing a platform to a wide range of local groups.

The Co-operative currently operates Near Fm and Near TV productions. It has offices and studios in the Northside Civic Centre and the Coolock Development Centre. Near Media Co-Op is operated by a Committee of Management. Members are elected at the Society's Annual General Meeting. The Committee elects a Co-Ordinating Committee to manage and administer the affairs of the Co-Op on a daily basis. The Co-Ordinating Committee comprises the Chairperson, Secretary, Treasurer. The Project Co-Ordinator sits at all meetings of the Co-Ordinating Committee.

1.4 Employment Records:

Your Employment Record is very important. It contains all relevant information pertaining to your employment including address, telephone number, emergency contact details, educational attainments etc. It is most important that these records are kept up to date. Please notify Near Media Co-Op of any changes that might affect your employment record.

1.5 Data Protection:

Near media co-operative needs to collect and use data (information) for a variety of purposes about its staff, volunteers and other individuals who come in contact with the Co-operative. The purposes of processing data include the organisation and administration of training courses, radio and TV programming, research activities, the recruitment and payment of staff, compliance with statutory obligations, etc. Data Protection is the safeguarding of the privacy rights of

individuals in relation to the processing of personal data. The Data Protection Act 1988, the Data Protection (Amendment) Act 2003 and the Data Protection 2018 confer rights on individuals as well as responsibilities on those persons processing personal data. Personal data, both automated and manual are data relating to a living individual who is or can be identified, either from the data or from the data in conjunction with other information.

Purpose of this policy

This policy is a statement of the Co-operative's commitment to protect the rights and privacy of individuals in accordance with the Data Protection Act 1988 and the Data Protection (Amendment) Act 2003.

Collecting information about you.

We collect and use information to provide the following services:

- to provide a community media service, which includes nearfm, neartv productions and near.ie.
- To undertake this service with the financial support of statutory bodies, including the City of Dublin Education & Training Board, Department of Employment Affairs and Social Protection/INTREO and the Broadcasting Authority of Ireland.
- To provide you with regular updates about near media co-op using our newsletter, which may be circulated via email, hard copy and on our website.
- To provide you with information about ongoing training, general meetings and other activities in near media co-op
- to perform accounting and other record-keeping functions.
- to keep your information secure.
- to enhance or improve your experience on our website.

In general terms, the data we collect from you is your name, address, telephone number and email address. We may also collect your PPSN number and bank account details where we are making any payment to you for services provided.

Principles of the Acts

The Co-operative administers its responsibilities under the legislation in accordance

with the eight stated data protection principles outlined in the Acts as follows:

1. Obtain and process information fairly
The Co-operative obtains and processes personal data fairly and in accordance with the fulfilment of its functions.

2. Keep it only for one or more specified, explicit and lawful purposes

The Co-operative keeps data for purposes that are specific, lawful and clearly stated and the data is only processed in a manner compatible with these purposes.

3. Use and disclose it only in ways compatible with these purposes

The Co-operative only discloses personal data that is necessary for the purpose/s or compatible with the purpose/s for which it collects and keeps the data.

4. Keep it safe and secure

The Co-operative takes appropriate security measures against unauthorised access to, or alteration, disclosure or destruction of, the data and against their accidental loss or destruction. The Co-operative is aware that high standards of security are essential for all personal information.

5. Keep it accurate, complete and up-to-date

The Co-operative has procedures that are adequate to ensure high levels of data accuracy. The Co-operative regularly examines the general requirement to keep personal data up-to-date. The Co-operative has in place, appropriate procedures to assist staff in keeping data up-to-date.

6. Ensure that it is adequate, relevant and not excessive

Personal data held by the Co-operative is adequate, relevant and not excessive in relation to the purpose/s for which it is kept.

7. Retain it for no longer than is necessary for the purpose or purposes

The Co-operative has a policy on retention periods for personal data.

8. Give a copy of his/her personal data to that individual, on request

The Co-operative has procedures in place to ensure that data subjects can exercise their rights under the Data Protection legislation. To make an access request, please submit your request in writing to Ciaran Murray, near media co-op, Northside Civic

Centre, Bunratty Road, Dublin 17. E-mail: ciaran@near.ie Please ensure that you describe the records you seek in the greatest detail possible to enable us to identify the relevant records.

Responsibility

Near media co-operative has overall responsibility for ensuring compliance with the Data Protection legislation. However, all employees and volunteers of the Co-operative who collect and/or control the contents and use of personal data are also responsible for compliance with the Data Protection legislation. The Co-operative provides support, assistance, advice and training to all departments, offices, staff and volunteers to ensure it is in a position to comply with the legislation.

The standard of security expected of all employees and volunteers of near media co-operative includes the following:

- access to the information restricted to authorised staff/volunteers on a "need-to-know" basis in accordance with a defined policy,
- computer systems password protected,
- information on computer screens and manual files kept hidden from callers to offices,
- back-up procedures in operation for

computer held data, including off-site back-up,

- all waste papers, printouts, etc. disposed of carefully by shredding,
- all employees/volunteers must log off from their computer on each occasion when they leave the workstation,
- personal security passwords must not be disclosed to any other employee/volunteer of near media co-operative,
- all near media co-operative premises to be secure when unoccupied,

Procedures and Guidelines

This policy supports the provision of a structure to assist in the Co-operative's compliance with the Data Protection legislation, including the provision of best practice guidelines and procedures in relation to all aspects of Data Protection.

Review

This Policy will be reviewed regularly in light of any legislative or other relevant indicators.

The point of contact for further information is Dave O'Connor, Secretary, near media co-op (Dave@near.ie) or Ciaran Murray, Project Co-Ordinator (Ciaran@near.ie)

Mission statement

- To foster social justice, media literacy and promote civil society ownership of media.
- To be a democratic, independent, not-for-profit community building resource.
- To provide an alternative to mainstream media by offering an outlet for those underrepresented or excluded through training and access to distribution facilities.
- Through distinctive programming to contribute to the education, entertainment and development of our community.
- To defend the environment and human rights, particularly the right to communicate.

NEAR MEDIA CO-OP

POLICIES AND PROCEDURES

2.1 Code of Discipline

This code of discipline is intended to be used in situations where an employee's work or conduct at work is unsatisfactory. In many instances, disciplinary matters can be dealt with on an informal basis by the supervisor discussing the situation with the employee concerned and agreeing any necessary corrective action. Inevitably, there will be times when disciplinary matters need to be formalised.

When such situations arise, it is of the utmost importance that the formal disciplinary procedure is followed.

2.1.1 Purpose of the Code

In order to provide for the well being of staff, Near Media Co-Op requires a number of systems and procedures. A Code of Discipline and procedure is essential to assist Near Media Co-Op to operate effectively and create a fair, efficient and caring working environment.

The first aim of this code is to ensure consistency in the manner and circumstances in which disciplinary action will be taken. The second aim is to make clear the rights and responsibilities of employer and employees when such action is being taken. The code and procedures will apply to all employees whether full-time or part-time, permanent or temporary, with the principle of ensuring fair treatment for all.

2.2.2 Operation of the Code and Procedure

The objectives of this Code of Discipline are

- to ensure that staff against whom allegations are made are dealt with in a fair and equitable manner, and
- to provide an adequate means by which impropriety can be dealt with effectively and the highest standards of conduct can be maintained.

This Code has been devised on advice from INTREO, and uses best practice from a number of public service and private organisations.

All matters of discipline shall be dealt with by management in a manner that protects the dignity of the employee and shall not be administered by management in the presence of other staff, volunteers or the general public.

All staff shall co-operate fully in the investigation of allegations of impropriety, for example, by providing such explanations as are sought in the course of the investigation.

In cases where a staff member has been found in breach of regulations or where conduct is otherwise unsatisfactory, a number of options shall be open to management in regard to disciplinary action, for example: warnings about need for improvement, reduction in salary, suspension, dismissal.

There are several areas covered by disciplinary procedures:

- ❓ Unsatisfactory performances of one's work duties.
- ❓ Absence without proper notification
- ❓ Any form of abuse or aggression
- ❓ Being unfit to carry out one's duties

The nature and/or degree of a staff member's misconduct would generally determine the appropriate disciplinary action to be taken.

Management will write to the staff member in question inviting them to attend a disciplinary meeting, explaining the reason of the meeting.

Staff may bring another member of staff to the meeting, if they wish.

Following the meeting, management will discuss the matter and make a decision.

The decision will be communicated in writing to the staff member within 3 working days.

The normal course of events will be:

- One verbal warning
- One written warning
- One final written warning
- Dismissal

In case of gross misconduct, management reserve the right to dismiss a staff member.

2.2 Grievance/Disputes Procedure

Grievances will occur in the normal course of interaction in any organisation or workplace. It is accepted that failure to provide a procedure to deal adequately with these grievances, as they arise, will inevitably lead to disputes affecting not only the aggrieved party but all those employed in the organisation/workplace.

It is Near Media Co-Op's intention to settle amicably, at all times, any disagreements between it and individual employees or groups of employees, or between employees themselves.

All grievances will be dealt without undue delay and at the earliest possible

stage of this procedure. A senior member of management will ensure that all

grievances will be dealt with consistently and fairly having regard to:

- Near Media Co-Op Policy
- Custom and Practice within Near Media Co-Op
- Labour Court and Third Party precedents

Stage 1.

You should first raise the matter with your Supervisor/Manager who will make every effort to solve the problem as quickly as possible. The matter will be discussed informally by the employee or employees concerned, with their immediate supervisor and agree any corrective actions.

Stage 2.

If you feel the problem has not been solved within a reasonable time of if you feel the solution is unsatisfactory, the matter will be referred to senior management. A meeting will take place within seven working days.

Stage 3.

Should the matter remain unresolved, it will be referred to the Labour Relations Commission or for a hearing by a rights commis-

sioner. If still unresolved, it will be referred to the Labour court for investigation, or, to, the Employment Appeals Tribunal, under the relevant acts.

During the period in which the above procedure is being followed, no form of industrial action designed to bring pressure to bear on either party will take place, until all avenues as prescribed have been followed by both parties and at least 14 days have elapsed following the issuing of a Labour Court Recommendation or a determination of the Employment appeals tribunal.

In the event of any issues arising which cannot immediately be disposed of and which are being processed in accordance with the above disputes procedure, normal working-under protest if necessary will continue, pending a settlement

2.3 Bullying & Harassment Policy and Procedure

Purpose:

Near Media Co-Op is committed to providing all of its employees with a work environment free from bullying/harassment and sexual harassment. The aim of this policy is outline what constitutes bullying and harassment and what action the Near Media Co-Op will take in dealing with an offence of this nature.

Scope:

This policy is applicable to all employees (temporary and permanent) both in the workplace and at associated events such as meetings, conferences, and Near Media Co-Op functions whether on or off site.

It also applies to contractors, customers and other business contacts with which employees might reasonably expect to come into contact within the course of their employment.

Policy:

Near Media Co-Op acknowledges the right of all employees to be treated with fairness, dignity and respect and to a work environment free from bullying and harassment. Every employee has an obligation to be aware of the effects their behaviour has on others.

Any instances of bullying/harassment will be dealt with in an effective and efficient manner. Cases where the behaviour is proved to be repeated and consistent causing unnecessary stress and anxiety will be considered as gross mis-

conduct and will be subject to disciplinary procedures up to and including dismissal. It is imperative that all employees respect the dignity of every colleague and be conscious of behaviour which may cause offence.

Definition:

Bullying/Harassment are defined as any form of repeated, unwelcome and unacceptable conduct that can be regarded as offensive, humiliating or intimidation.

An individual can be harassed on grounds of race, religious belief, national ethnic origin, gender, sexual orientation, age, marital status, disability or membership of the traveller community.

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

Other examples of bullying behaviour include:

- Personal insults and name calling.
- Persistent unjustified criticism and sarcasm.

- Public or private humiliation
- Shouting at employees in public and/or private sneering.
- Instantaneous rage, often over trivial issues.
- Unfair delegation of duties and responsibilities.
- Setting impossible deadlines.
- Unnecessary work interference.
- Making it difficult for employees to have access to necessary information.
- Aggression
- Not giving credit for work contribution
- Continuously refusing reasonable requests without good reason.
- Intimidation and threats in general.

Sexual Harassment can be defined as conduct towards another person that is sexual in nature or has a sexual dimension and is unwelcome to the recipient.

Examples of this type of Harassment include:

- Sexual Gestures
- Displaying sexually suggestive objects, pictures, calendars or sending suggestive or pornographic correspondence(including e-mail)
- Unwelcome sexual comments or jokes
- Unwelcome physical contact such as pinching, unnecessary touching, etc.

The above examples are not exhaustive and only serve as a guideline to employees. Each case will be taken in isolation and dealt with in the appropriate manner.

COMPLAINTS PROCEDURE

This policy adopts a two tiered approach (the informal and formal procedures) to dealing with issues of Bullying and Harassment in the workplace.

Informal Procedure:

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

Thus, in the first instance a person who believes he/she is the subject of harassment/bullying should ask the person responsible to stop the offensive behaviour.

The person responsible should also be informed of Near Media Co-Op's bullying/harassment policy and advised that a further occurrence of this nature will result in a formal complaint.

In instance where a person is unsure whether the behaviour constitutes a form of bullying/harassment, he/she should discuss this with a supervisor or manager.

It is recognised that it may not always be practical to use the informal procedure particularly where the bullying/harassment is of a serious nature or where the person(s) concerned are at different levels in Near Media Co-Op. In such instances, the employee should use the formal procedure.

Formal Procedure:

Where a formal complaint is being made, the employee should contact his/her supervisor/manager as soon as possible. An employee making a complaint will be required to put his/her allegation in writing.

In the interests of natural justice, the alleged harasser will be made aware of the nature of the complaint, his or her right to representation and will be given every opportunity to rebut the allegations made.

While it is desirable to maintain utmost confidentiality, once an investigation begins it may be necessary to interview other employees. If so, the importance of confidentiality will be stressed to them and any statements taken will be circulated to both the complainant and the alleged harasser for their comments before any conclusion is reached in the investigation.

When the investigation has been completed both parties will be informed as to whether or not the complaint has been upheld.

All complaints will be treated seriously, confidentially and dealt with as soon as is practicable. Strict confidentiality and proper discretion will be maintained as far as is possible to safeguard both parties from innuendo and harmful gossip.

A record of all relevant discussions which take place during the course of the investigation will be retained on file.

ACTION POST-INVESTIGATION

Where a complaint is upheld, a disciplinary hearing will take place in line with Near Media Co-Op's disciplinary policy.

Should a case of bullying/harassment be proven then the Near Media Co-Op will take appropriate disciplinary action up to and including dismissal.

Records of any warnings for bullying/harassment will remain on an employee's file and will be used if any further allegations of a similar nature occur in the future.

Regular checks will be made by the person responsible for investigating the complaint to ensure that the bullying/harassment have stopped and that there is no victimisation.

Retaliation of any kind against an employee for complaining ago taking part in an investigation concerning bullying/harassment is a serious disciplinary offence.

In cases where it is established that a person made a false allegation against an employee, then he/she will face serious misconduct charges resulting in an immediate disciplinary hearing.

2.4 Health & Safety Policy

It is Near Media Co-Op's intention to protect our employees from accident or ill health at work. Near Media Co-Op will seek to ensure that all our equipment and systems do not constitute a risk to the Health & Safety of our employees and we will consult with employees on risk improvements.

Our objective is to meet our duties and obligations to our staff and volunteers by providing a safe and healthy working environment.

A copy of Near Media Co-Op's Health and Safety Statement is enclosed.

(Appendix 1)

2.5 Equality Policy.

Equal Opportunities Policy

Near Media Co-op is committed to equality of opportunity in all its employment practices, policies and procedures and to the creation of a working environment free from discrimination.

Near Media Co-op's employment policy fully conforms to the Employment Equal-

ity Act, 1998 and accordingly, the Co-op will ensure that no job applicant or employee will receive less favourable treatment due to any of the nine grounds contained in the Act (i.e. age, gender, marital status, family status, religious, race, sexual orientation, membership of the traveller community, disability), pay and conditions of work, training and work experiences and opportunities for career development and promotion.

Selection, promotion and treatment of all employees will be on the basis of their abilities and merits only and according to the requirements of the job.

The responsibility for ensuring the provision of Equality of Opportunity rests primarily with Near MediaCo-Op as an employer. Managers and Supervisors have particular responsibility to engender respect for difference and to accommodate Diversity where appropriate.

All staff have an important role to play in ensuring Equality of Opportunity throughout the organisation. It is also recognised that individual employees on behalf of

Near Media Co-op have responsibilities in law and are:

- a) Required to co-operate with any measures introduced by Near Media Co-Op to promote Equal Opportunities.
- b) Must not themselves, either directly or indirectly, discriminate against fellow employees or harass or intimidate them in any way.

2.6 Tobacco Policy

Since 29th March, 2004 the Irish government has implemented a ban on smoking in the workplace. This ban was introduced as part of the public health (tobacco) Act, 2002 (Section 47) Regulations 2003. The purpose of this ban is to offer protection to employees and the public who are exposed to the harmful and toxic effects of tobacco smoke in the workplace.

Near Media Co-Op is obliged to protect the health of staff, customers and visitors to their premises. Any person found guilty of breaching the ban may be subject to a fine of €3,000. Breaches of the smoking regulations will be dealt with under the Near Media Co-Op disciplinary procedure. Employees are only entitled to time off for breaks as set down in section 12 of the Organisation of Working Time Act, 1997. Near Media Co-Op does not provide additional time for smoking breaks for employees.

2.7 Overtime Policy

Near Media Co-Op receives funding from a number of different statutory organisations in order to employ staff. Therefore individual or groups of staff will be employed under differing Contracts of Employment. Due to the nature of the Co-Ops business and particularly with due regard to the large number of volunteer members, your contract may have a re-

quirement for evening and some weekend work. Near Media Co-Op does not require staff to work over-time. Where evening or weekend attendance is required, advance notice will be given to you, and your weekly roster will be amended accordingly. If you do work beyond your contracted hours, time in lieu will be granted.

2.8 Children and Vulnerable Adults protection Policy and Guidelines

The protection of children and vulnerable adults is an issue of concern to all those working with young people today. Child Protection is about ensuring the well being and safety of all children and young people in our care. Near Media Co-Op is committed to providing a safe environment for any children or young people under 18 years of age with whom it interacts. Near Media Co-op is fully committed to safeguarding the wellbeing of all children and vulnerable adults. A copy of our Children and Vulnerable Adults Protection Policy and Guidelines is included in APPENDIX 2.

2.8.1. Garda Vetting Policy

It is Near Media Co-op policy to ensure that all staff or volunteers who work with children or vulnerable adults are garda vetted. It is Near Media Co-ops understanding that it is not a relevant organisation, within the meaning of the National Vetting Bureau (Children and Vulnerable Persons) Acts

A relevant organisation means a person (including a body corporate or an unincorporated body of persons) who employs, enters into a contract for services or permits any person to undertake relevant work or activities, a necessary and regular part of which consists mainly of the person having access to, or contact with, chil-

dren or vulnerable persons. The Act shall not apply to persons who assist on an occasional basis and for no commercial consideration. This would include persons who assist on an occasional basis at a school, sports or community event or activity other than where such assistance includes the coaching, mentoring, counselling, teaching or training of children or vulnerable persons.

In practice, no staff member or volunteer works alone with children and/or vulnerable adults. In addition, one member of any team working with children/vulnerable adults will always be garda vetted. Where Near staff, volunteers or external contractors are involved in a Near project or activity that involves working with children or vulnerable adults, it is the policy of Near Media Co-op that they are garda vetted. Near Media Co-op has a Service Level Agreement with Fingal Volunteer Centre who are a registered organisation for garda vetting purposes. Applications

should be made through The Secretary (Dave@near.ie)

It is the policy of Near Media Co-op to review the status of an individual's garda vetting after a period of five years.

2.9 Near Media Co-Op Retirement Gratuity Policy

Near Media Co-Op recognises the valuable contribution made by each of its employees and in this regard provides a retirement gratuity of €50 per year of service, up to a maximum gratuity of €500 to employees upon retirement from Near Media Co Op at statutory pension age.

This gratuity is paid to employees of Near Media Co Op, and is a small token of appreciation from the Society.

The gratuity will be reviewed annually and is subject to approval by the Coordinating Committee and to availability of funds to the Co op.

3.1 Hours of Work

TERMS AND CONDITIONS

Near Media Co-Op will use appropriate means to record attendance. Employees should be at their place of work, ready to start work at normal starting time. Near Media Co-Op attaches great importance to punctuality. Disciplinary action will be taken against late comers.

3.2 Lunch Periods and Breaks

A 15 minute break is permitted during the morning, while 30 minutes is allowed for lunch. Employees should stagger breaks and lunch to ensure that a sufficient service is provided to clients of the Co-Op.

3.3 Absence

Employees absent from work without prior permission must notify Near Media Co-Op within 2 hours of their scheduled starting time. All absences other than certified illness, compassionate, annual or written leave-of-absence approved by management, will be subject to disciplinary action in accordance with the procedures outlined.

An employee absent through illness or injury for more than three consecutive working days must provide a doctor's certificate not later than the third day of absence. This certificate must cover the period of illness and contain a declaration as to when the employee will be fit to resume normal duties.

In the case of prolonged illness or injury, or a series of intermittent illnesses, Near Media Co-Op reserves the right to have the employee examined by a doctor of its choice.

3.4 Hygiene

The highest standards of hygiene must be maintained at all times. All employees must comply with Near Media Co-Op requirements with regard to hygiene standards.

3.5 Alcohol & Drugs

Near Media Co-Op is committed to providing a safe and productive workplace for its employees. In keeping with this commitment, the following rules regarding alcohol and drugs of abuse have been established for all staff members, regardless of rank or position. The rules apply during working hours to all employees of Near Media Co-Op while they are on Near Media Co-Op premises or elsewhere on Near Media Co-Op business.

- The manufacture, distribution, possession, sale, or purchase of controlled substances of abuse on Near Media Co-Op property is prohibited.
- Being under the influence of illegal drugs, alcohol, or substances of abuse on Near Media Co-Op property is prohibited.
- Working while under the influence of prescription drugs that impair performance is prohibited.

In implementing this policy, the Near Media Co-Op reserves the right to random drug tests.

3.6 E-Mail and Internet Use

Electronic mail enables Near Media Co-Op to communicate promptly and efficiently with customers and suppliers. While e-mail brings many benefits to Near Media Co-Op in terms of its communications, it also brings risks to Near Media Co-Op. For this reason, it is necessary for Near Media

Co-Op to set down specific rules for the use of e-mail and internet within Near Media Co-Op.

Every employee has a responsibility to maintain Near Media Co-Op's image, to use electronic resources in a productive manner and to avoid placing Near Media Co-Op at risk of legal liability based on their use.

E-mail is not to be used for private purposes and should not be used for any purpose other than Near Media Co-Op business.

Near Media Co-Op has access to the internet which enables staff to obtain information specific to their role within Near Media Co-Op. Employees requiring access to the internet will need the approval of management. Internet connections are intended to support Near Media Co-Op business or the professional development of employees. General internet access will only be provided with the permission of management.

3.7 Confidentiality

Employees will be required not to divulge secrets or any information, which is regarded as confidential by Near Media Co-Op or any associated companies or their business during or after your employment, except in the proper course of your employment or as required by law.

You may not remove any documents or things belonging to Near Media Co-Op or which contain any confidential information from Near Media Co-Op's premises at any time without proper advance authorisation.

You must return to Near Media Co-Op upon request and, in any event, upon the termination of your employment, all documents and things belonging to Near

Media Co-Op or which contain or refer to any confidential information and which are in your possession or under your control.

3.8 Resignation and Termination

An employee may terminate his/her employment by giving notice as per the terms and conditions outlined in the contract of employment. Near Media Co-Op reserves

the right to pay the appropriate payment in lieu of notice and may require the employee not to work the notice period.

The minimum period of notice to be given to an employee depends on the length of the employee's computable service.

Notice to an employee will be in accordance with the minimum notice and terms of employment acts 1973 to 2001 as follows.

Length of Service Notice

13 Weeks To Less Than 2 Years 1 Week

2 Years To Less Than 5 Years 2 Weeks

5 Years To Less Than 10 Years 4 Weeks

10 Years To Less than 15 Years 6 Weeks

More Than 15 Years 8 Weeks

3.9 Lay-Off/Short-Time

While it is Near Media Co-Op's intention to provide continuity of employment, there may be circumstances outside Near Media Co-Op's control which necessitates shorttime working or lay-off. Should the need arise to put staff on short time or lay them off, Near Media Co-Op will give as much notice as is reasonable in the circumstances. Employees will only be paid for actual hours worked during such periods.

3.10 Redundancy

It is recognised that circumstances may

arise which leave Near Media Co-Op with no alternative but to declare redundancies.

Where employees are made redundant, the prime consideration will be to protect the employment of as many people as possible, consistent with maintaining a fully efficient operation. Therefore, selec-

tion will be on retaining key employees required to maintain an efficient operation. All else being equal, a policy of last-in, first-out will apply.

Should the need for redundancy arise, appropriate consultation with employees will take place.

LEAVE AND BENEFITS

4.1 Annual Leave:

Annual leave will be as per the Organisation of Working Time Act 1997.

Near Media Co-Op has the discretion to nominate up to 5 working days in each calendar year, upon which employees will be required to take a day's holiday. Generally these nominated days fall during the Christmas period. Near Media Co-Op also has the discretion to nominate operational periods during which you may be required to take annual leave. Employees will be given reasonable notice of any such periods. The nominated days are normally set by Near Media Co-Op at the beginning of the calendar year.

Holidays must be taken in the calendar year in which they are due. At management's discretion, an employee may be allowed to carry over days into the following calendar year

Employees are also entitled to nine public holidays per year. These days are as follows:

1. New Years Day
2. St Patrick's Day
3. Easter Monday
4. May Bank Holiday
5. June Bank Holiday
6. August Bank Holiday

7. October Bank Holiday

8. Christmas Day

9. St. Stephens Day

Scheduled holidays are agreed between management and employee, subject to the business needs of Near Media Co-Op.

4.1.1 Compassionate Leave

Compassionate leave days are at the discretion of the Near Media Co-Op. In all cases of personal tragedy, please inform management who will help arrange your absence from work. You are allowed up to three days to attend to personal affairs following the death of an immediate family member. An immediate family member is defined as Mother, Father, Brother, Sister, Spouse Child.

4.1.2 Maternity Leave

Arrangements for maternity leave will be in accordance with the provisions of the Maternity Protection Acts 1994 & 2004.

As a pregnant employee you are entitled to 26 weeks maternity leave around the time of birth of the child and an additional unpaid leave period up to a maximum of 16 weeks, following consultation with you and management. It is important that, of the 26 weeks, at least 2 weeks should be

taken before the end of the week in which the baby is due, and 4 weeks after that date. The remaining 20 weeks may be taken before or after the birth.

You must give Near Media Co-Op at least 4 weeks notice in writing of your intention to take maternity leave combined with a medical certificate confirming the expected week of the birth of the baby. If you wish to take additional maternity leave, this must be confirmed in writing 4 weeks before the end of the maternity leave period. When returning to work you should give 4 weeks notice of your intended return to work date.

You are entitled to paid time off for medical or related ante-natal and postnatal care. Please give management 2 weeks notice of such appointments. Medical evidence of these appointments may be requested.

During maternity leave, your rights such as annual leave are preserved and continue to accrue as if you were not absent from work. While on maternity leave an Employee will normally be entitled to Maternity pay from the Department of Employment Affairs and Social Protection for the 26 weeks maternity leave, depending on meeting certain PRSI eligibility criteria. Social welfare benefits are not payable during the optional additional 16 weeks maternity leave. You should apply at least 10 weeks prior to the expected birth of the child.

An employee, who is pregnant, has recently given birth or who is breastfeeding, will not be placed in any job that is a risk to her Health & Safety or that of her child. If such a risk exists Near Media Co-Op will remove the risk, re-assign the employee or place her on Health & Safety leave.

There are two Breastfeeding Arrangements in place. Option 1 allows an Employee who is breastfeeding to reduce her hours by 1

hour per day for the purposes of breastfeeding other than in the workplace. Option 2 allows an Employee who is breastfeeding, to work breaks equivalent to 1 hour per day for the purposes of breastfeeding in the workplace.

Near Media Co-Op reserves the right to refuse payment for time-off to Employees where there is an abuse of this procedure, and any such abuses will be dealt with under the Disciplinary Procedure.

4.1.3 Paternity Leave

With effect from 1 September 2016, new parents (other than the mother of the child) are entitled to paternity leave from employment or self-employment following birth or adoption of a child. The Paternity Leave and Benefit Act 2016 provides for statutory paternity leave of two weeks. The provisions apply to births and adoptions on or after 1 September 2016. Paternity leave can start at any time within the first 6 months following the birth or adoption placement.

Further information is available at www.welfare.ie

Near Media Co-op offers two options to new parents.

-> If you are entitled to, and wish to, claim Paternity Benefit from the Department of Employment Affairs and Social Protection, the Co-op will continue to pay you while you are on two weeks Paternity Leave (pro rata). In such cases, you will be required to ensure that any Paternity Benefit is paid directly to the Co-op.

-> If you are not entitled to claim Paternity Benefit, but wish to avail of Paternity Leave, the co-op will pay you up to a maximum of three days (pro rata)

4.1.4 Parental Leave

Parental Leave provides for unpaid leave from work for parents to look after their

young children to a maximum age of 8 years. All employees who have completed one year's continuous service on the date the parental leave is due to commence are entitled to 18 weeks unpaid Parental Leave.

An employee must give written notice to Near Media Co-Op of their intention to take Parental Leave, not later than 6 weeks before the commencement of the leave.

Employees may be required to provide evidence of his or her entitlement to parental leave. Once notification of the intention to take Parental Leave has been made, a confirmation document must be prepared which must include:

- The date on which the leave will commence
- The duration of the leave
- The manner in which the leave will be taken
- The signatures of employer and employee.

Management may decide to postpone the parental leave, for up to 6 months, if satisfied that granting the leave would have a substantial adverse effect on the operation of the business.

Parental Leave may be terminated if there are reasonable grounds to believe that it is being used for a purpose other than taking care of the child concerned.

4.1.5 Force Majeure Leave

Employees may avail of Force Majeure Leave with pay for unplanned, extreme and urgent family reasons, where an immediate family member suffers an illness or injury and the employee's immediate presence with the injured party is absolutely indispensable.

Force Majeure Leave is to a maximum of 3 days in a consecutive 12-month period and a maximum of 5 days in a 36 month period. Absence for part of a day is

counted as one day of Force Majeure Leave. Family members are defined as:

1. Child/Adoptive Child
2. Spouse or Partner (only where partner is living with employee)
3. Brother/Sister
4. Parent/Grandparent.

Force Majeure Leave will only apply in cases where the employee's personal presence is indispensable. If an alternative person (other family member, friend, babysitter) can be found to deal with the situation then this will not apply.

4.1.6 Carer's Leave

Carer's leave will be granted in accordance with the terms and provisions of the Carer's Leave Act 2001.

Relevant Person:

A care recipient will be considered a "Relevant person" if they need continual supervision and frequent assistance throughout the day in connection with normal bodily functions or need continual supervision in order to avoid danger to themselves or others.

Employees will be considered eligible to apply for Carer's leave if:

- 1) They have completed 12 months continuous employment with Near Media Co-Op.
- 2) The person they wish to look after is considered a "Relevant Person"
- 3) The Employee will be providing full time care to the relevant person.
- 4) The Employee has provided Near Media Co-Op with a decision from a deciding officer from the Department of Employment Affairs and Social Protection.

The Department of Employment Affairs and Social Protection will be responsible for ascertaining the validity of applications to avail of Carer's Leave.

Leave will be taken in either one continuous period of 104 weeks, or one or more periods, the total of which amounts to more than 104

weeks.

An Employee who proposes to avail of Carer's Leave must give written notice that they will be taking leave not later than six weeks before the date they are due to leave.

This notice must include:

- The proposal to take Carer's leave.
- The date when Leave will commence.
- The manner in which it is intended to take the leave.

Confirmation that an application has been made to the Department of Social, and Family Affairs that the person to be cared for is a "Relevant Person".

An Employee while on Carer's Leave will be regarded as still being in Employment and none of their rights relating to employment will be affected.

4.1.7 Adoptive Leave:

Near Media Co-Op is committed to providing employees with the necessary support and leave to adoptive employees. Unpaid Adoptive Leave of 24 weeks is available to adoptive mothers and sole male adopters. The Department of Employment Affairs and Social Protection provides the payment of an adoptive leave allowance for employees taking statutory adoptive leave.

In addition to the minimum period of adoptive leave, an employee may elect to take up to 16 weeks additional adoptive leave. During this period there is no entitlement to social welfare adoptive leave benefit.

An adopting mother or sole male adopter must notify Near Media Co-Op in writing of their intention to take Adoptive leave no later than 4 weeks of the expected date of placement, if you feel you can offer the date sooner, please do so. If you wish to take the additional adoptive leave of 16 weeks, you must inform Near Media Co-Op no later than 4 weeks before your ex-

pected return to work date.

During Adoptive Leave, your rights such as annual leave are preserved and continue to accrue as if you were not absent from work.

4.1.8 Jury Duty:

In circumstances where an employee serves on a jury, Near Media Co-Op will grant leave in accordance with the Jury's Act 1976. Employees are required to attend work before and after each court session and submit written evidence to Near Media Co-Op of involvement in Jury duty.

4.1.9 Marriage Leave/Civil partnership

Employees may avail of an additional 3 days annual leave on the occasion of their marriage/civil partnership. Applications must be submitted to the Secretary, Near Media Co-Op, via an employee's supervisor. Marriage leave will only be granted on receipt of a marriage/civil partnership certificate.

4.2 Pension Policy and Plans

Near Media Co-Op does not operate an Occupational Pension Scheme for all employees. However, under the terms of the Pensions (Amendment) Act 2002 the Co-Op is obliged to provide employees with access to a Personal Retirement Savings Account (PRSA). The current PRSA provider is Permanent TSB, (Artane Branch)..

4.3 Training and Professional Development

Training and Development is a management responsibility and is an ongoing process aimed at fulfilling organisational needs and individual growth. Near Media Co-Op intends to ensure that all employees appointed to a job are correctly selected, inducted and trained. Employees are obliged to co-operate fully with Near Media Co-Op training programmes.

Near Media Co-Op Policy endeavours to

provide career opportunities for employees whenever possible and to encourage employees who wish to progress. Promotion will be at the discretion of management and will be based on suitability for the position to be filled.

Where possible Near Media Co-Op will make every effort to facilitate any employee who wishes to participate in further education and training opportunities to enhance their skills, career development and occupational mobility.

Near Media Co-Op recognises the value in training and development of staff. In this regard, the Committee of Management operate a scheme for the grant of study/exam leave.

The following conditions apply:

Applications for study/exam leave must be submitted for approval at

least 2 weeks in advance, to the Project Co-ordinator (Ciaran Murray)

A maximum of 2 days study/exam leave will be granted per year.

The course pursued must be relevant to employment in the Media Co-Op

It should be noted that the grant of study/exam leave, like all other categories of special leave other than maternity leave, is subject to the exigencies of the Co-Op and is at the discretion of the Co-Ordinating Committee.

The contents of this handbook are detailed in good faith, deemed to be best practice and are correct at the time of publication. Policies and procedures may be reviewed from time to time, and the handbook will be updated accordingly. © Near Media Co-Op

APPENDIX 1

Near Media Co-Op Health & Safety Statement.

Updated, August 2017

Safety Statement:

This statement sets out the health & safety policy of Near Media Co-Op and the means through which that policy is to be implemented. Our objective is to meet our duties and obligations to our staff and volunteers by providing a safe and healthy working environment.

It is Near Media Co-Op's intention to protect our employees from accident or ill health at work. Near Media Co-Op will seek to ensure that all our equipment and systems do not constitute a risk to the Health & Safety of our employees and we will consult with employees on risk improvements.

Our approach to Health & Safety as far as is reasonably practicable will be:

1. To Provide a Safe Place of Work.
2. To continue to identify and control hazards.
3. To prevent as far as is reasonably possible, any improper conduct or behavior likely to put the Safety, Health & Welfare of employees at risk.
4. To consult with staff on all Health & Safety matters.
5. To provide protective clothing and equipment where necessary.
6. To provide a safe means of entering and leaving the building.
7. To provide a safe system of work practices.
8. To provide appropriate information and training to staff members on a continuous basis.
9. To make Health & Safety a key issue.

Employer Responsibilities:

The responsibility for the provision of a safe place of work rests with the Committee of Management of Near Media Co-Op. Specifically these responsibilities are:

- To maintain a safe and healthy work environment for employees, in addition to conforming to all current statutory requirements.
- To provide the appropriate type and level of training to enable employees perform their work safely and efficiently.
- To make available to every employee appropriate equipment to ensure Health & Safety.
- To maintain a vigilant and continuing interest in all Health & Safety matters relevant to both the co-op and staff.

Employee Responsibilities:

As a valued employee of Near Media Co-Op, you have a responsibility to yourself and your fellow workers to carry out your work in a safe and considerate manner. Employees must:

1. Co-Operate with the co-op in maintaining a safe work place.
2. Report any potential hazards to management and not work in any hazardous conditions should they; in the employee's opinion exist.
3. Be aware of the nearest emergency exits and firefighting / first aid equipment.
4. Never interfere with or misuse anything provided by the co-op in the interests of Health & Safety.
5. Read the co-op Health & Safety statement and obey all mandatory signs.
6. Not partake in any form of horseplay or prank likely to lead to injury to you or others.

Smoking/Alcohol and Drugs:

It is not permissible to attend work under the influence of intoxicating liquor or drugs. The smoking of tobacco products is prohibited in the offices of Near Media Co-Op. Smoking can take place outside the co-op building at least 3 meters' distance away from door entrances and windows.

This smoking policy forms part of the overall Health & Safety Policy and any breach will be dealt with under the Co-op's disciplinary procedure.

Visitors, contractors and temporary members of staff are expected to abide by the terms of this policy.

Manual Handling:

Manual Handling is defined as the "transporting of a load by one or more employees and includes lifting, putting down, pushing, carrying or moving a load, which by reason of its characteristics or of unfavourable ergonomic conditions involves risks, particularly of back injury to employees".

This is a priority issue because it is a major cause of accidents in the workplace. It is Near Media Co-Op's policy to minimise the need for manual handling of loads and so therefore should be avoided as far as is reasonably practicable.

Employees must check the weight of the load before attempting to lift it and if the load is too heavy get help. When lifting, follow the following basic principles.

1. Relax the knees. Lowering movements should start at the knees not the head.
2. Get close to the object to be lifted. Get a good balance by keeping the feet apart. One foot will automatically be ahead of the other.
3. When in position, bend the knees and lift with the strong muscles in the legs.
4. Lift gradually, smoothly and without jerking, keeping the object close to the body and the back straight.

Training:

The co-op is committed to identifying the safety training needs on an ongoing basis. Staff will be involved in the identification of hazards in the office and advised of the particular hazards pertaining to their area. Staff will be trained to respond to such hazards in order to prevent acci-

dents/injury to themselves, their colleagues and clients.

All staff will be trained in emergency procedures and where appropriate, staff will be trained in the use of special machinery and equipment. All staff will be trained in the correct techniques involved in safe manual handling.

Consultation:

The co-op is committed to consulting with its staff members regarding safety, health and welfare in the office. Staff is involved in the identification of hazards and are trained in dealing with the hazards identified.

The safety statement will be included in Induction Training and staff will be advised on how to deal with any problems that arise.

Reporting of Accidents:

Staff are required to report all accidents and near misses, whether resulting in injury or not, to management. Under the Safety, Health & Welfare at Work General Application Regulations 1993, employers must report certain occurrences to the Health & Safety Authority and ensure records are kept on site for a period of 10 years.

The following details are required:

- Date, Time and Place of the incident.
- Name, Address, Occupation and Age of the injured person.
- Circumstances, including cause and nature of the injury and the arrangements made for its treatment. (See Appendix 1)

All accidents will be investigated by a member of management and a written report prepared. Corrective action will be taken where necessary to avoid a reoccurrence.

Accidents involving persons who are not members of staff but are visiting or working on the premises must also be reported.

Fire Procedures:

In the event of a fire and providing there is no danger to the persons concerned every effort should be made to extinguish or contain the fire pending the arrival of the fire brigade. The magnitude of the outbreak must dictate whether attacking the fire should take priority over reporting and evacuation.

All staff should be familiar with the exit routes and should also know the location and type of fire extinguishers in the office.

If you discover a fire you should:

- Activate the fire alarm.
- If there is a reasonable hope of extinguishing the blaze, attack the fire immediately.
- Do not under any circumstances, expose yourself to danger.
- Leave the building by the nearest fire exit and proceed to your designated assembly point.

If you hear the alarm you should:

- Switch off any equipment under your control and leave the building by the nearest fire exit.

- Do not stop to collect personal belongings.
- Once outside, do not enter the building until you are told it is safe to do so.
- Management will on occasion perform fire drills to ensure that procedures are known and followed in the event of a real fire.

Guidelines for VDU users.

As part of their duties some employees spend long periods of time using visual display screens. Any necessary adjustments will be made to avoid RSI, eyestrain and other ailments associated with work on screens, which must be adjustable for height, tilt and brightness. No employee will be asked or expected to work any computer which is not in proper working condition, or does not meet the highest specifications.

Employees working continuously on-screen should alternate tasks so that at least 10 minutes during each 60 minutes of work is spent doing off-screen type of work. This work is to be undertaken away from the screen, but does not constitute a break.

Employees who habitually use VDU's have the right to an eyesight test, the cost of which will be met or reimbursed by the co-op.

Hazard Analysis:

A hazard is anything at work that might cause harm e.g. Electricity, Hot Surfaces, Lifting Heavy Loads, Slippery Floors, and Poorly Lit Stairways etc. Staff must be aware of the potential hazards and risks involved and report specific hazards to management.

A hazard analysis will be carried out once a year by Management. Particular attention will be paid to areas of high risk i.e. Floors, Stairs and Manual Handling.

The co-op will remove hazards by engineering means where necessary.

First Aid:

First Aid boxes are provided to ensure that first aid supplies are easily accessible when required in an emergency. First Aid boxes are located at Northside Civic Centre Office and Near TV productions office (Coolock Development Centre). They are to be checked weekly and shortages replaced. Employees have an obligation to ensure that First Aid Boxes, like any safety equipment, are not tampered with. Free access to First Aid Boxes must be maintained at all times. Painkillers cannot be provided in the First Aid Boxes.

Security:

Responsibility for building security rests with the management company of the building (i.e. CDC and Civic Centre) All visitors must comply with whatever security arrangements are in place. In some cases a swipe card is required for entry, in others a sign-in book is used. Any difficulties should be brought to the attention of the Project Co-Ordinator or Committee of Management.

Offsite Work Practice

All Staff and assigned Volunteers will when working off site:

- inspect the work area for potential hazards before starting work, and ensure that there is sufficient space and that the space provided in the vicinity of any equipment is adequate, to enable the operation of same and will mitigate against injury to

themselves or others.

- All Equipment on site will be subject to annual Safety audit and will be operated in accordance with best practice methodology
- On site Near Media Co-op will designate a suitably qualified individual as lead person. A technical competent person will function as technical coordinator and will refer to best practise when assessing the location and the layout of any Equipment in use.
- This person will insure correct use of transport equipment such as trollies and camera dolly tracks. A designated individual will act as safety supervisor.
- Suitable H&S protective equipment will be used for the mitigation of trip and other hazards, this will include the securing of trip hazards such as trailing power and Audio/video cabling.

Prior to the deployment of any temporary equipment or structure a suitably qualified individual will carry out a risk assessment of any proposed site this will include:

- Equipment location
- Fire hazards
- Fire escape Plan of building
- Map the siting of any proposed Trailing cables
- A short Statement of works will be prepared stating the purpose of the visit

This will highlight any significant Hazards that may present.

All relevant safety procedures will be followed in line with:

- Health and safety authority
- Comreg
- Broadcast Authority of Ireland

Vincent Teeling

Chairperson

Signed on Behalf of the Coop

Accident or Near Miss Reporting Form

Date, Time and Place of the Incident

Name, Address, Occupation and Age of the injured person

Circumstances, including cause and nature of the injury and the arrangements made for its treatment

APPENDIX 2

Children and Vulnerable Adults Protection Policy & Guidelines

Policy Statement

Near Media Co-op is a communally owned, democratic, not-for-profit project open to all organisations and individuals in Dublin North-East. Near Media Co-op runs Near FM, Community Radio for North-East Dublin, Near TV Productions which provides community television content to Dublin City Community Television (DCTV) and a number of other community media activities.

These guidelines are intended to assist staff and volunteers of Near Media Co-op who, for teaching, research or work reasons have contact with children or vulnerable adults, and who have any concerns in relation to the wellbeing and safety of children and vulnerable adults. This document provides advice to staff and volunteers of Near Media Co-op on their responsibilities in relation to the protection and welfare of children and vulnerable adults. Near Media Co-op also supports the use of professional and safe practices when working with children and vulnerable adults. The guidelines are based on the “Children First: National Guidelines for the Protection and Welfare of Children” and are specific to the needs of Near Media Co-op. For the purpose of this document, the term “staff and volunteer” may be a member of staff or volunteer, intern of Near Media Co-op and those working on a voluntary or unpaid basis on behalf of the Co-op.

Under Irish law, a child is a person under the age of eighteen, who is not or has not been married (Child Care Act 1991). A vulnerable adult is a person aged 18 years or over who may require assistance to care for themselves, or protect themselves from harm or from being exploited. This may be because they have a disability (either mental health, intellectual or physical), a sensory impairment, are old and frail, or have some other form of illness. For the purpose of practice and, in as far as is possible, this document will have equal application to vulnerable adults as to children.

Near Media Co-op is fully committed to safeguarding the wellbeing of all children and vulnerable adults. In its policies, practices and activities, Near Media Co-op will adhere to the following principles:

Near Media Co-op will:

- } Recognise that the protection and welfare of children and vulnerable adults is of paramount importance, regardless of all other considerations
- } Fully cooperate with the relevant statutory authorities in relation to child and vulnerable adults protection and welfare matters
- } Adopt safe practices to minimise the possibility of harm or accidents to children and vulnerable adults

- } Fully respect confidentiality requirements in dealing with child and vulnerable adults protection matters
- } Commit to provide appropriate training to staff and students in relation to the protection of children and vulnerable adults. All staff and volunteers will be made aware of this Policy and Near Media Co-op will promote best practice in safeguarding the well-being of children and vulnerable adults.

Criminal Justice (Withholding of Information on offences against Children and Vulnerable Persons) Act 2012.

The Oireachtas has enacted legislation which places personal responsibility on all individuals to report to the Gardai in respect of information that they become aware of in relation to an offence against a child or a vulnerable person. Below is a brief explanation of this Legislation. The Legislation can be found at:

<http://www.irishstatutebook.ie/eli/2012/act/24/enacted/en/html>

and all Near Media Co-op staff and volunteers are advised to familiarise themselves with it. The essence of the legislation is as follows: It is an offence not to disclose information on serious offences against children where a person:

- knows or believes an offence has been committed; and
 - has information that he/she knows or believes might be of material assistance in securing the apprehension, prosecution or conviction of the offender; and,
 - fails without reasonable excuse to disclose this to An Garda Síochána
- Serious Offences are identified as either Schedule 1 or Schedule 2 offences and these Schedule relate either to children (Schedule) 1 or vulnerable persons (Schedule 2). Examples of these offences include but are not limited to (this is not the complete list, which can be found in the Legislation):

- Murder
- Manslaughter
- Rape
- Sexual Assault
- Incest
- Trafficking /Pornography re children
- Reckless Endangerment
- Assault causing Harm
- Abduction
- Child Cruelty
- Female Genital Mutilation

It is the personal responsibility of each individual person to comply with the provisions of the Criminal Justice (Withholding of information on offences against children and vulnerable persons) Act 2012. It is important to note that the fact that the Designated Person has made a report to TUSLA and/or An Garda Síochána does not relieve a person

of their legal obligation to disclose information to the Gardai under this Act where that person has information that falls within the ambit of the Act

Procedures

The procedures can be categorised under the following headings:

1. Child-Centred Approach
2. Good Practice
3. Inappropriate Behaviour
4. Physical Contact
5. Health and Safety
6. Reporting Procedures
7. Form of Consent for Working with Children/Young People
8. Further Information and Training

Child-Centred Approach

- Treat all children and young people equally.
- Listen to and respect children and young people.
- Involve children and young people in decision-making, as appropriate.
- Provide encouragement, support and praise (regardless of ability).
- Use appropriate language (physical and verbal).
- Have fun and encourage a positive atmosphere.
- Offer constructive criticism when needed.
- Treat all children and young people as individuals.
- Respect a child's or young person's personal space.
- Discuss boundaries on behaviour and related sanctions, as appropriate, with children and young people and their primary carers.
- Agree group 'contract' before beginning session.
- Encourage feedback from group.
- Use age-appropriate teaching aids and materials.
- Lead by example.
- Be aware of a child's or young person's other commitments when scheduling rehearsals or activities, e.g., school or exams.
- Be cognisant of a child's or young person's limitations, due to a medical condition for example.
- Create an atmosphere of trust.
- Respect differences of ability, culture, religion, race and sexual orientation.

Good Practice

- Register each child or young person (name, address, phone, special requirements, attendance, emergency contact).
- Make primary carers, children/young people, visitors and facilitators aware of the child protection policy and procedures.
- Have emergency procedures in place and make all staff aware of these procedures.
- Be inclusive of children and young people with special needs.

- Plan and be sufficiently prepared, both mentally and physically.
- Report any concerns to the Designated Person and follow reporting procedures.
- Encourage children and young people to report any bullying, concerns or worries and to be aware of anti-bullying policy
- Observe appropriate dress and behaviour.
- Evaluate work practices on a regular basis.
- Provide appropriate training for staff and volunteers.
- Report and record any incidents and accidents.
- Update and review policies and procedures regularly.
- Keep primary carers informed of any issues that concern their children.
- Ensure proper supervision based on adequate ratios according to age, abilities and activities involved.
- Don't be passive in relation to concerns, i.e., don't 'do nothing'.
- Don't let a problem get out of control.
- Avoid taking a session on your own. If this is not possible then it should be in an open environment with the full knowledge and consent of primary carers.
- Avoid if at all possible giving a lift to a child or young person and if you do then make sure that primary carers are informed.
- Maintain awareness around language and comments made. If you think that something you said may have caused offence or upset, then try to address it in a sensitive manner.

Inappropriate Behaviour

- Avoid spending excessive amounts of time alone with children or young people.
- Don't use or allow offensive or sexually suggestive physical and/or verbal language.
- Don't single out a particular child or young person for unfair favouritism, criticism, ridicule, or unwelcome focus or attention.
- Don't allow/engage in inappropriate touching of any form.
- Don't hit or physically chastise children or young people.
- Don't socialise inappropriately with children or young people, e.g., outside of structured organisational activities.

Physical Contact

- Seek the consent of children or young people in relation to physical contact (except in an emergency or a dangerous situation).
- Avoid horseplay or inappropriate touch.

Health and Safety

- Don't leave children unattended or unsupervised.
- Manage any dangerous materials or equipment.
- Provide a safe environment.
- Be aware of accident procedure and follow accordingly.

Vulnerable Adults

All adults have the right to be safe and to live a life free from abuse. All persons are entitled to this right, regardless of their circumstances. It is the responsibility of all service providers, statutory and non-statutory, to ensure that, service users are treated with respect and dignity, have their welfare promoted and receive support in an environment in which every effort is made to promote welfare and to prevent abuse.” ‘Safeguarding Vulnerable Persons at Risk of Abuse – National Policy and Procedures’.

In December 2014, the HSE launched its safeguarding policy for older persons or persons with a disability that, as a result of physical or intellectual impairment, may be at risk of abuse.

The “Safeguarding Vulnerable Persons at Risk of Abuse - National Policy and Procedures”, which applies to all HSE and HSE funded services, outlines a number of principles to promote the welfare of vulnerable people and safeguard them from abuse. These include a requirement that all services must have a publicly declared “No Tolerance” approach to any form of abuse and must promote a culture which supports this ethos. Near Media Co-op endorses this approach.

All vulnerable people have a right to be protected against abuse and to have any concerns regarding abusive experiences addressed. They have a right to be treated with respect and to feel safe, regardless of the setting in which they live. If anyone has a concern about abuse or neglect of a vulnerable person in Near Media Co-op, they should report it to a health care professional (e.g. public health nurse, physiotherapist, GP etc.) or the Safeguarding and Protection Teams .

Reporting Procedures

Designated Persons

Sally Galliana, Radio Co Ordinator has been designated as the person to contact if you have an issue or concern about any aspect of a young persons or vulnerable adults safety and welfare. It is the responsibility of this person to support and advise staff about policy and procedures in relation to child protection and to ensure that procedures are followed. It is also the responsibility of the Designated Person to liaise with TUSLA, the Child and Family Agency, the Health Service Executive (HSE) or Gardai where appropriate.

Sally can be contacted at 8671190 or sally@near.ie

Ciaran Murray, Project Co Ordinator has been designated as deputy to Sally and can be contacted at 8671190 or Ciaran@near.ie

Grounds for Concern

The following excerpt from Children First: National Guidelines for the Protection and Welfare of Children (4.3.2 – p. 38) shows what would constitute reasonable grounds for concern;

- (i) specific indication from the child or young person that s/he has been abused
- (ii) an account by a person who saw the child or young person being abused
- (iii) evidence, such as an injury or behaviour, which is consistent with abuse and unlikely to be caused another way
- (iv) an injury or behaviour which is consistent both with abuse and with an innocent explanation but where there are corroborative indicators supporting the concern that it may be a case of abuse (an example of this would be a pattern of injuries, an implausible explanation, other indications of abuse, dysfunctional behaviour)
- (v) consistent indication, over a period of time, that a child is suffering from emotional or physical neglect.

Recording Procedures

The designated person will be responsible for the collection, safe and confidential storage of all information relating to a child protection referral. A copy of the standard reporting form is available at:

<http://www.tusla.ie/children-first/publications-and-forms>

Dealing with a disclosure/allegation

It is of utmost importance that disclosures of allegations are managed in a sensitive and discreet manner and any response to a young person making a disclosure should take the following into consideration;

- Take what the young person says earnestly
- React in a calm manner as over reaction may intimidate the young person and increase any feelings of guilt that s/he may have
- Reassure the young person that it was right to tell someone what happened
- Listen carefully and attentively
- Be careful when asking questions. Conversation should be supportive and for the purpose of clarification, allow the person to speak without interruption, accept what is said.
- Alleviate feelings of guilt and isolation, while passing no judgement
- Never ask leading questions. Do not seek intimate details beyond those volunteered by the young person. Such questions and suggestions could complicate the official assessment/investigation by the statutory authorities
- Do not express any opinion about the alleged abuser to the person reporting to you
- Do not confront the alleged abuser
- Write down immediately after the conversation what was said, including where, when and other significant factors noting marks and signs observed. All reports should be signed and dated by the person recording the event
- Check with the young person to ensure what has been heard and understood accords with what they actually said
- Make no promises that cannot be kept, so not promise to keep secret what

will be revealed

- Advise that you will offer support, but that you must pass on the information; ensure that the young person understands what will happen next.
- Explain and make sure that the young person understands what will happen next.

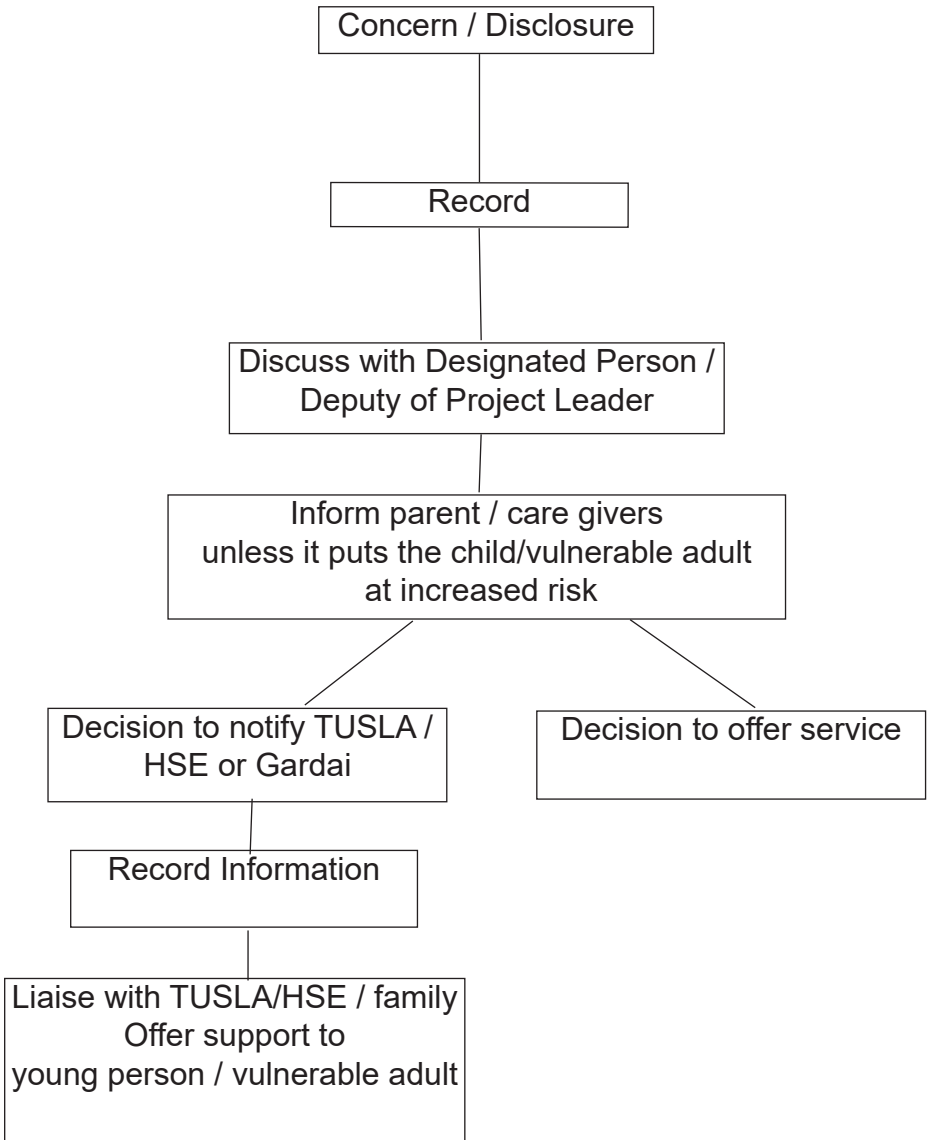
Clarify the information is being recorded and referred. Ensure that it is confined and treated as strictly confidential, to be shared with only those

Reporting Procedures

If staff or volunteers have a child protection concern where they suspect a young person is being abused or neglected or a young person discloses an alleged abuse or neglect to them they should follow the steps outlined below.

1. Record concern or disclosure
2. Ensure in as far as is possible that no situation arises which could cause further concern
3. Immediately inform the Designated Person or if unavailable the Deputy Designated Person
4. The most appropriate person should discuss the concern or consult the parents/primary care givers. Parents/primary care givers or responsible adults should be made aware of a report to TUSLA or HSE unless it is likely to put the young person at further risk.
5. The Designated Person may contact the TUSLA or HSE duty social work department for an informal consultation prior to making a report
6. Information will be shared strictly on a need to know basis.
7. If there are reasonable grounds for concern the Designated Person will contact the Duty Social Worker in TUSLA, or the HSE area using the standard reporting form available. Reports to the Duty Social Worker can be made verbally initially and then followed by the standard reporting form. Reports should be made to TUSLA/ HSE without delay.
8. The Designated Person will keep a record of all telephone calls and reports in relation to the notification to the health board
9. In case of emergencies outside of the TUSLA/HSE social work department hours contact the Gardai. In situations that threaten the immediate safety of a young person it may be necessary to contact the Gardai.

Concern/Disclosure



Form of Consent for Working with Children/Young People/Vulnerable Adult

To Parent/Guardian:

Date:

Time:

Place:

Details:

In order for your child or young person to take part in this event can you please fill in the consent form below and return it ASAP to:-

.....,
(Name of organiser)
Near Media Co-op,
Northside Civic Centre,
Bunratty Road, Coolock, Dublin 17.

If you have any queries you can contact me on 8671190 or

#-----

To Near Media Co-op

Name of Child/Young Person/vulnerable adult:..... has permission to attend

.....

on.....

at

Signature of Parent/Guardian:.....

Contact Phone No:.....

Further Information and Training

Guidelines published by the Department of Children and Youth Affairs are contained in the document :

<https://www.dcy.gov.ie/viewdoc.asp?fn=/documents/Publications/ChildrenFirst.pdf>

Training courses are as follows:-

- National Youth Council of Ireland <http://www.childprotection.ie/training>
- <http://www.tusla.ie/children-first/roles-and-responsibilities/organisations/children-first-training>
- <https://www.barnardos.ie/what-we-do/training/training-events.html>

Further information also available at www.hse.ie www.tusla.ie www.dcy.gov.ie

Garda Vetting Policy

It is Near Media Co-op policy to ensure that all staff or volunteers who work with children or vulnerable adults are garda vetted. In this regard, staff employed under INTREO and ETB are generally vetted by these organisations. It is Near Media Co-ops understanding that it is not a relevant organisation, within the meaning of the National Vetting Bureau (Children and Vulnerable Persons) Acts

A relevant organisation means a person (including a body corporate or an unincorporated body of persons) who employs, enters into a contract for services or permits any person to undertake relevant work or activities, a necessary and regular part of which consists mainly of the person having access to, or contact with, children or vulnerable persons. The Act shall not apply to persons who assist on an occasional basis and for no commercial consideration. This would include persons who assist on an occasional basis at a school, sports or community event or activity other than where such assistance includes the coaching, mentoring, counselling, teaching or training of children or vulnerable persons.

In practice, no staff member or volunteer works alone with children and/or vulnerable adults. In addition, one member of any team working with children/vulnerable adults will always be garda vetted.

APPENDIX 3

Near FM Social Media Policy

Policy

This is the official Policy, approved by the Committee of Management, for participating in social media for Near Media Co-op. If you're a Near Media Co-op employee or volunteer creating or contributing to blogs, wikis, social networks, social bookmarking or any other kind of digital media, these guidelines are for you. This policy applies to the use of digital media both for volunteering, work and personal purposes, whether while volunteering, at work or otherwise. The policy applies regardless of whether the digital media is accessed using our facilities and equipment or personal equipment. Please note, this policy links to all other policies therefore social & digital media should never be used in a way that breaches any of our other policies (you can find our policies in Near Media Co-op Operations and Procedures handbook: <http://near.ie/operations-and-procedures-manual/>)They will evolve as new social networking tools emerge, so check back regularly to make sure you're up to date.

We believe that, participation in social computing on behalf of Near Media Co-op is not a right but an opportunity, so please treat it seriously and with respect. Failure to abide by these guidelines or the Near Media Co-op internet safety guidelines contained in this policy could put your participation at risk. Please also follow the terms and conditions for any third-party sites.

Use of the Near Media Brand Guidelines

Use of 'Near', 'Near FM' 'Near TV' or any other variant of the Near brand in personal email / Facebook, Twitter or any other Social Network, Blog, Vlog or any other digital account must be cleared by Near Media Co-op Management. Please check with the Social Media moderator before setting up any user name containing the Near brand. If you set-up any account without prior approval, Near Media Co-op reserve the right to require it to be discontinued.

Social Media Moderator: Alan Braddish (Alan@near.ie)

If you publish to any digital platform outside Near Media Co-op, please also use a disclaimer to reflect that the postings on the site are your own and don't necessarily represent Near Media Co-op's positions, strategies, or opinions.

Please also tag Near Media Co-op (by including media appropriate reference, page/profile/hashtag or link in your post) to allow the promotion of your posts.

- Be transparent: Use your real name, identify that you work for or volunteer with Near Media, and be clear about your role.

- **Be truthful:** If you have a vested interest in something you are discussing; be the first to point it out and be specific about what it is.
- **Be yourself:** Stick to your area of expertise; write what you know.
- **Your honesty - or dishonesty - will be quickly noticed in the social media environment.** Please represent Near Media Co-op ethically and with integrity. Make sure that transparency doesn't violate Near Media Co-op's confidentiality or legal guidelines - or your own privacy. Remember, if you're online, you're on the record - everything on the Internet is public and searchable. And what you write is ultimately your responsibility.
- **Add value:** There are millions of words out there - make yours helpful and thought-provoking. Remember it's a conversation, so keep it real. Build community by posting content that invites responses then stay engaged. You can also broaden the dialogue by citing others who are writing about the same topic and allowing your content to be shared.
- **If you see content in social media that disparages or reflects poorly on Near FM, Near TV or Near Media Co-Op, you should report it to the Social Media Moderator.** All volunteers and employees are responsible for protecting our reputation.

Moderation

Moderation applies to any content written on behalf of Near Media, whether the site is on or off near.ie, including on social media or any other digital platform.

We do not endorse or take responsibility for content posted by third parties, a.k.a. user-generated content (UGC). This includes text input and uploaded files, including video, images, audio, executables and documents. While we strongly encourage user participation, we ask third parties to follow Internet Safety Guidelines to keep it safe for everyone.

Of particular importance here is the received verbal consent of any person whose image you want to include either in reference to, or in promotion of your Near FM/Near TV programme or related project. Please note, Near Media Co-Op does not permit tagging of vulnerable adults or anyone under the age of 18.

The "house rules": Whether content is post-moderated or community moderated, we use this rule of thumb: Tell the truth and don't be nasty.

- **If the content is positive or negative and in context to the conversation, then it is okay, regardless of whether it's favorable or unfavorable to Near Media.** In addition, if the content is ugly, offensive, denigrating, and/or completely out of context, then we ask our moderators and communities to reject the content.

Please keep in mind that Near Media Co -Op monitors social media related to our organisation, including the activities of our community. If we find any non-disclosed relationships or statements that are false or misleading, we will contact you for correction.

Internet Safety Guidelines

- **Don't slam another organisation:** Play nice. Anything you publish must be true and not misleading, and all claims must be substantiated and approved.

- Don't over share: Be careful out there - once you hit "share", you usually can't get it back. Plus being judicious will help make your content more crisp and audience-relevant.
- Perception is reality and in online social networks, the lines between public and private, personal and professional are blurred. Just by identifying yourself as an Near employee or volunteer you are creating perceptions about your expertise and about Near Media.
- Keep it cool: There can be a fine line between healthy debate and incendiary reaction. Try to frame what you write to invite differing points of view without inflaming others. And you don't need to respond to every criticism or barb. Be careful and considerate.
- Did you screw up? If you make a mistake, admit it. Be upfront and be quick with your correction. If you're posting to a blog, you may choose to modify an earlier post, just make it clear that you have done so.
- Keep it relevant & timely – To make sure postings on official and personal digital media outlets are relevant and current, we encourage starting conversations about related events and topics, we only ask not to over-share or mention same event/topic several times in row. Make sure to check with your colleagues if this may become an issue.
- Digital media rewards interesting and witty thoughts. You can be interesting without being controversial.

Keep in mind that what you write is your responsibility and failure to abide by these guidelines could put your Near Media Co-op activities at risk. Also please always follow the terms and conditions for any third-party sites in which you participate. Remember as employee or volunteer you are a representative of Near Media Co-op and you have committed yourself to positively promoting this project. Should you have problems or difficulties within the organisation these should be dealt with through the specified Grievance Procedure and not publicly through any social media platform.

APPENDIX 4

Privacy statement

Comhar Chumann Cumarsaide Pobal Bhaile Átha Cliath Thoir-Thuaidh Teoranta, Dublin North East Community Communications Co-operative Society Ltd (Near Media Co-operative), the publisher of near.ie, is committed to protecting your privacy. References to “we”, “us”, “you” or “our” in this Privacy Policy are references to Near Media Co-op, a registered co-operative. RFS No: 4128R

We have adopted this Privacy Statement to let you know how your personal information is processed and used. We promise that we will take steps to use your personal information only in ways that are compatible with this Privacy Statement.

Near Media Co-operative confirms that it adheres to key responsibilities as set out by the Data Protection Commissioner and with respect to the Irish Data Protection Acts 1988, 2003 and 2018. With any personal data collected by near media co-operative, we aim to:

1. Obtain and process the information fairly;
2. Keep it only for one or more specified and lawful purposes;
3. Process it only in ways compatible with the purposes for which it was given to Near Media Co Op initially;
4. Keep it safe and secure;
5. Keep it accurate and up-to-date;
6. Ensure that it is adequate, relevant and not excessive;
7. Retain it no longer than is necessary for the specified purpose or purposes;
8. Give a copy of his/her personal data to any individual, on request.

The following policies are only in effect for the web pages, newsletters, discussion lists and opt-in announcement lists owned and operated by Near Media Co-operative, including near.ie, nearfm.ie, nearstv.ie, mediacoop.ie, nearintercultural.ie, neararchive.org, nearpodcast.org, archive.ie, nearchoice.ie, neardigital.ie, medialiteracy.ie

What information are we collecting and how are we collecting it?

We collect personal information from you when you enquire about our activities, ring, text or email for information and advice, register for a volunteer course with us, submit an on-air radio request or subscribe to one of our services. This may include your name, title, email address, physical address and telephone numbers.

Every computer connected to the Internet is given a domain name and a set of numbers that serve as that computer's "Internet Protocol" or IP address. When a visitor requests a page from any website within near media co-operative online network, our web servers automatically recognize that visitor's domain name and IP address. The domain name and IP address reveal nothing personal about you other than the IP address from which you have accessed our site. We use this information to examine our traffic in aggregate, but do not collect and evaluate this information for individuals.

If you email near media co-operative, we will retain a copy of your correspondence, and any reply from us, on our servers.

We may share your information with other third parties in order to carry out our services effectively. For example in order to receive the newsletter you must be held on a database stored in Mailchimp. You will be informed if we share your personal data with a third party if it applies to the service you signed up for and we promise not to share your personal data with any other third parties or marketing companies if you have not consented to do so.

What are cookies?

From time to time, near.ie or nearfm.ie, neartv.ie, mediacoop.ie, nearintercultural.ie, neararchive.org, nearpodcast.org, archive.ie, nearchoice.ie, neardigital.ie, medialiteracy.ie may send a "cookie" to your computer. A cookie is a small piece of data that is sent to your browser from a web server and stored on your computer's hard drive. A cookie cannot read data off your hard disk or read cookie files created by other sites. Cookies do not damage your system. We use cookies to identify which areas of the suite of near websites that you have visited or customized, so that in time we may provide a better and more personalized experience for you.

You can choose whether to accept cookies by changing the settings of your browser. You can reset your browser to refuse all cookies, or allow your browser to show you when a cookie is being sent. If you choose not to accept these cookies, your experience at our site may be diminished and some features may not work as intended.

What other information do we request?

We may also request your e-mail address or mailing address for the purposes of conducting a survey or to provide additional services (for example, subscriptions to e-mail newsletters, announcement lists or information about near media co-operative events). Whenever we request the identity of a visitor, we will clearly indicate the purpose of the inquiry before the information is requested. In addition, we will not send you e-mail that you have not agreed to receive. If you do not wish to receive further updates, you can opt-out by sending an email to mailinglist-unsubscribe@near.ie

Will we disclose the information you collect to outside third parties?

near media co-op may share aggregate information about our users to third parties but will not share any personally identifiable information about you without your expressed consent.

Security

Near Media Co-op uses reasonable precautions to keep the information disclosed to us secure. This includes the use of password protection and regular maintenance of our servers. We do not sell, rent, or otherwise give your e-mail address to a third-party without your consent. Furthermore, we are not responsible for any breach of security or for any actions of any third parties who receive the information. As a directory, near.ie including nearfm.ie, neartv.ie, mediacoop.ie, nearintercultural.ie, neararchive.org, nearpodcast.org, archive.ie, nearchoice.ie, neardigital.ie, medialiteracy.ie has links to a wide variety of other sites. We are not responsible for their privacy policies or how they treat information about their users.

Please note that Near Media Co-op will release specific personal information about you if required to do so in order to comply with any valid legal process such as a search warrant, subpoena, statute, or court order. 'We reserve the right to release personal information without your consent or without consulting you, when we believe that this is appropriate to comply with our legal obligations, to enforce our terms and conditions or other legal rights, to protect the security of the Site, to prevent fraud, or otherwise to protect our legitimate interests and/or the legitimate interests of our users.'

Near media co-operative takes its obligations very seriously and adopts the strongest line in relation to the misuse of customer information by any of its staff. Any breach of trust with regard to the confidentiality of information is treated as serious misconduct and may result in disciplinary action up to and including dismissal in accordance with the terms of the Disciplinary Code.

In accordance with the Data Protection Acts, near media co-operative will not keep data for longer than is necessary for the purpose to which it was received. In general we hold your contact details for as long as you subscribe to our newsletter and/or other mailing lists. In the case of a volunteer we will hold your contact information as long as you remain as a volunteer with near media co-op

Your Consent to This Agreement

By using our near.ie nearfm.ie, neartv.ie, mediacoop.ie, nearintercultural.ie, neararchive.org, nearpodcast.org, archive.ie, nearchoice.ie, neardigital.ie, medialiteracy.ie websites, you consent to the collection and use of information by us as specified above. If we decide to change our privacy policy, we will post those changes on this page so that you are always aware of what information we collect, how we use it, and under what circumstances we disclose it.

Near Media Co-operative has procedures in place to ensure that data subjects can exercise their rights under the Data Protection legislation. To make an access request, or if you would like us to correct, update or delete any information we hold on you, from our records, under the Data Protection Acts 1988, 2003 and 2018, please submit your request in writing to Ciaran Murray, near media co-op, Northside Civic Centre, Bunratty Road, Dublin 17. E-mail: ciaran@near.ie Please ensure that you describe the records you seek in the greatest detail possible to enable us to identify the relevant records.

The point of contact for further information is Dave O'Connor, Secretary, near media co-operative (Dave@near.ie) or Ciaran Murray, Project Co-ordinator (Ciaran@near.ie).

DISCLAIMER

All information contained on the near.ie website is intended for informational and educational purposes.

Near media co-operative May 2018

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NT CREATIVE INCLUSION
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TIVE LINGUISTIC DIVERSITY DEMOCRATIC
MUNITY BUILDING NEW TECHNOLOGIES
ROADCAST ALTERNATIVE INFORMATIVE
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ITS OPEN ENVIRONMENT ACROSS
CIVIL SOCIETY DEMOCRATIC
EPENDENT CREATIVE
OLOGUE TRADITIONAL