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# **HUMAN RESOURCES POLICIES AND PROCEDURES MANUAL**

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Revised Version

Approved January 2018

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## **POLICY DOCUMENT FORMAT**

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- 1.0 INTRODUCTION
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- 3.0 POLICY STATEMENT
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- 5.0 PROCEDURES
- 6.0 SUPPORT AND ADVICE
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- 9.0 REVISION HISTORY

## ACRONYMS

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ED - Executive Director

COO - Chief Operations Officer

DFID - Department for International Development

FM - Finance Manager

FSDU - Financial Sector Deepening Uganda

FSD Uganda - Financial Sector Deepening Uganda

IT - Information Technology

UK - United Kingdom

## COMPANY OVERVIEW

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### INTRODUCTION

Human resource policies and procedures is a key mechanism by which organisations maximise their current performance, grow and develop for the future. They outline the relationship between the organisation and its employees and provide clarity and the boundaries of what is expected. They help organisations to develop appropriate and consistent approaches to recruitment, managing and developing people within the context of national legislation and the organisation's own aims, objectives and character.

Policies also illustrate an organisation's values and are an indicator of culture or how things are done around here'. A good example could be underlying principles of managing diversity which underpin how an organisation operates and how it has arrived at certain policies and procedures. These are set within the context of national legislative systems and employment norms, but may differentiate how an organisation manages its relationships with its staff and those who may join or leave.

Policies will be clear and consistent, coherent with organisational strategy and written in appropriate language. They will be communicated to all employees, be easily accessible and regularly reviewed to ensure they are fit for purpose. No matter how well the policy is written and communicated, it is the implementation, particularly by Line Managers, that is crucial in it being really effective. Policies need to define responsibilities for update and review and identify who to go to with queries about content and the implications for staff. All staff shall be required to sign a form indicating that they have read the HRPPM and agree to abide by the terms and conditions therein (see Annexure 1).

Notwithstanding the above, all employees of FSDU shall be bound by the HRPPM even where they have not signed off annexure 1.

FSD Uganda recognises that its employees are its most important resource and are essential to achieving its objectives. To meet these, it is crucial to have the right number of staff, with the right knowledge, skills and competencies deployed in the right roles.

FSD Uganda values the commitment, integrity and professionalism of its staff. The company seeks to recruit and retain highly qualified and motivated employees. It encourages their professional growth and welfare. FSD Uganda will also compensate its staff appropriately; as well as develop them to do their jobs better.

For its part, FSD Uganda expects a professional and responsible attitude on the part of its employees.

### LEGISLATIVE FRAMEWORK

This Human Resources Policies and Procedures Manual (HRPPM) has been synchronized with the following local laws: The Employment Act, 2006, the Workers Compensation Act, CAP.225, the National Social Security Fund Act, CAP.222, the Labour Unions Act, 2006, the Labour Disputes (Arbitration and Settlement) Act, 2006, the Occupational Safety and Health Act, 2006, the Uganda Retirement Benefits Regulatory Authority Act, 2011, the Income Tax Act, CAP. 340 (as amended) and all Regulations arising from these Acts, all of which set out the minimum country labour standards and employment conditions in Uganda.

### EXTENT OF CONTRACTUAL TERMS

This HRPPM, along with the appointment letters signed by staff incorporate the terms of employment with FSD Uganda to the extent required by S.59 of the Employment Act, 2006. All other FSD Uganda policies and procedures provided in this manual in excess of the requirements of Section 59(1) of the Employment Act shall not be contractual in effect unless otherwise expressly stated and shall be categorized as staff standing instructions and may be unilaterally altered by FSD Uganda without any requirement for staff consent.

### BACKGROUND

Financial Sector Deepening Uganda (FSD Uganda) is a company limited by guarantee incorporated in Uganda on 3rd March 2015. The Memorandum and Articles of Association legally summarise the purpose of the company and establish the legal powers and responsibilities of the Members.

FSD Uganda is a not-for-profit Organisation that is set up as a Company Limited by Guarantee (CLG) to perform for not-for-profit making functions. FSD Uganda has no share capital but has members who guarantee the liabilities of the company with a nominal amount. FSD Uganda is overseen by the Board of Directors who may delegate to the Executive Director to facilitate the delivery of the program and management of day to day activities.

FSD Uganda's vision is a deeper, broader and more inclusive financial sector in Uganda. The programme works simultaneously on inclusion and deepening, helping to increase the breadth of financial services that the poor can access and the extent of credit provided to the private sector, especially smaller businesses.

## **GOVERNANCE AND MANAGEMENT**

The high level overview of the governance arrangements for FSD Uganda consists of the following different layers;

- Members of FSD Uganda;
- Board of Directors of FSD Uganda
- Board Committees (Programme Investment Committee, Audit Finance and Risk Committee and the Human Resources and Compensation Committee)
- Senior Management Team (Executive Director, Chief Operations Officer, Pillar and Function Heads/leads)

The principal documents recording the full governance arrangements of FSD Uganda are the memorandum and articles of association as follows;

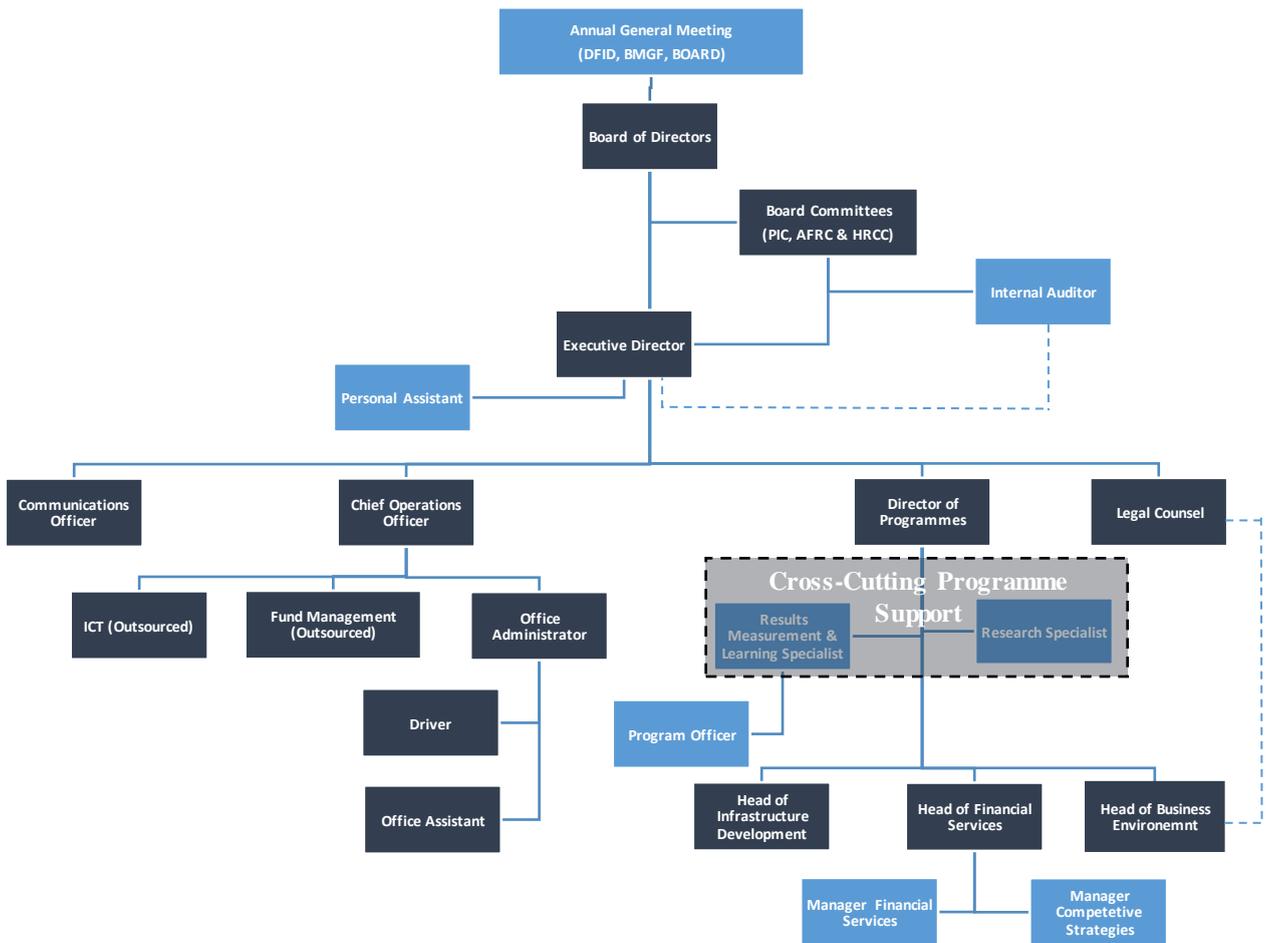
## **MEMORANDUM AND ARTICLES OF ASSOCIATION**

The memorandum of association is the document that sets out the basic characteristics of FSD Uganda such as: the name of the company; details of the company's head office; details of the objectives of the company; details of the Executive Director of the company; a note that the liability of the members of the company is limited to the amount of the guarantee given by each (which can only be called on the winding up of the company) and a note that the company operates as a not-for-profit. The Articles of association governs the internal affairs of FSD Uganda and details the division of responsibility for the management of FSD Uganda as between the board of directors and the members, and the procedures for their operation.

## **THE FSD UGANDA ORGANISATION STRUCTURE**

The current structure of positions and reporting relationships of the management team are presented in the organisation chart below;

# FSD Uganda Organogram



## CODE OF CONDUCT

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### 1.0 INTRODUCTION

- 1.1 FSD Uganda strives to conduct all its activities efficiently, to the highest ethical standards and in compliance with its legal obligations.
- 1.2 FSD Uganda can only realise this ambition through its staff and it is therefore essential that all staff conduct themselves according to the highest standards of behaviour, in the most professional manner and with a commitment to perform their work to the best of their ability.
- 1.3 This Code of Conduct describes FSD Uganda's ethical values and vision, sets out the behaviour that is expected of all staff and identifies policies that are relevant to the conduct of business.

### 2.0 ORGANISATIONAL SCOPE

The requirements of this Code apply to all Board Members, Committee Members and Advisers, staff of FSD Uganda. Throughout this Code, unless otherwise explicitly stated, the term FSD Uganda staff includes all those covered by the Code.

### 3.0 POLICY STATEMENT

- 3.1 FSD Uganda aims to conduct its business with honesty and integrity and expects staff to maintain the highest ethical standards. FSD Uganda recognises the obligations it has towards its clients, its staff, its partners, suppliers and all others with whom it interacts.
  - 3.1.1 FSD Uganda seeks to fulfil its principles and values, as set out below. They apply to all staff and it is expected that they will uphold these principles and values in their roles.
- 3.2 FSD Uganda's values apply to its relationships both within the organisation and with its stakeholders and clients:

**PARTNERSHIP:** Realise objectives through mutually beneficial partnerships and collaboration

**INTEGRITY:** Maintain the highest possible degree of professional engagement with partners in a manner that is transparent and respectful

**EQUITY:** Offer opportunity to any person and agency that qualifies for support and engagement

**RESPONSIVE:** Ensure high quality conduct and performance of staff to respond quickly to requests by partners

### 4.0 REQUIREMENTS AND PRINCIPLES

#### 4.1 FSD Uganda's Commitment

- 4.1.1 FSD Uganda will manage its business according to its ethical values, to the highest standards of integrity, behaviour and business practice. FSD Uganda will work with others in a spirit of co-operation and will develop relationships based on honesty, fairness and mutual trust.
- 4.1.2 The behaviour of FSD Uganda's staff is central to how it conducts its business. FSD Uganda will ensure the resources are in place to enable staff to realise the delivery of services in line with its ethical values and vision. FSD Uganda will aim to be an employer of choice through the creation of a positive, responsible, professional, open and responsive working environment in which excellence, ability and delivery is valued, encouraged,

developed, recognised and rewarded, and where internal feedback is regularly and pro-actively sought.

4.1.3 Without prejudice to FSD Uganda's obligations and commitments in respect of the disclosure of information (whether in respect of the International Aid Transparency Initiative, the UK's Freedom of Information Act or other audit and public accountability requirements) as detailed in section 4.9 below or otherwise from time to time, FSD Uganda will use its reasonable endeavours to seek to protect the privacy and security of the personal data of individuals which is in its possession or under its control and also to preserve the confidentiality of commercially sensitive information which is in its possession or under its control.

4.1.4 FSD Uganda is committed to equality and inclusion in all its employment practices, policies and procedures. The organisation employs a talented and diverse workforce and will help all staff to develop their personal and professional potential and to learn from shared experience. FSD Uganda will provide a safe and healthy environment for its staff.

## 4.2 Responsibilities of all staff

4.2.1 To respect and encourage FSD Uganda's ethical values and vision set out above, the principles in this document and all FSD Uganda policies. It is the personal responsibility of every FSD Uganda employee, and anyone else who is conducting business on FSD Uganda's behalf, to act in accordance with this Code and the policies which underlie its content. This Code, an employee's own contract of employment, and policies and guidance set out the standards expected.

4.2.2 To behave with a high standard of integrity in business and commercial relationships and treat colleagues and anyone with whom FSD Uganda has dealings fairly, with respect and dignity.

4.2.3 To comply with all policies, standards and supporting guidelines, working procedures and safety instructions relevant to their job. For example, FSD Uganda operates policies covering the following key matters:

- Recruitment and Talent Attraction, including Induction and Probation procedures;
- Leave Entitlement and Wellbeing;
- Performance Management, including Capability Procedures;
- Staff Data Protection;
- Discipline;
- Travel;
- Grievance;
- Anti-Corruption & Integrity;
- Conflicts of Interest & Share-dealing;
- Disclosure;
- IT and Data Protection; and
- Leaving the Organisation.

This list is not exhaustive.

4.2.4 To take responsibility for their own work and the proper performance of anyone they manage, seeking out opportunities to support colleagues and/or cross-cutting projects within FSD Uganda. Learning and development are personal responsibilities. Individuals are required to take full advantage of the opportunities provided and to keep up-to-date with best practice in their own field.

- 4.2.5 To perform their duties diligently and as directed by their Manager. All staff must comply with the Terms and Conditions of their Contract of Employment and of the HRPPM. All staff must avoid engaging in activities that are likely to breach that contract or bring disrepute or damage upon FSD Uganda, or DFID or other donor, FSD Uganda even where such conduct occurs outside of work.
  - 4.2.6 To not do anything while on or off duty that could damage, FSD Uganda or DFID or any other donor's reputation and/or lead to charges against them.
  - 4.2.7 To comply with this Code and the policies underlying its provisions as part of their terms and conditions of employment and/or terms of engagement.
  - 4.2.8 To recognise the importance of complying with this Code in terms of being professional with FSD Uganda's clients and donors.
  - 4.2.9 To be aware that failure to adhere to the principles contained in this Code, and/or any policy applicable to their employment may be considered a disciplinary matter.
- 4.3 Additionally, all Managers must:**
- 4.3.1 Take all reasonable steps to ensure that the requirements outlined in this Code are met and that all staff are aware of them.
  - 4.3.2 Ensure that appropriate, fair and consistent action is taken to deal with any failure to conform to them, in accordance with the appropriate procedures.
- 4.4 All policies are freely available to all staff on FSD Uganda's electronic filing system and are updated regularly. Staff have a contractual obligation to ensure they understand the objectives incumbent upon them, to familiarise themselves with all updates, and to comply with the code of conduct.
- 4.5 Without prejudice to the provisions of the FSD Uganda Anti-Corruption and Integrity Policy and Procedures, all FSD Uganda staff must not (either directly or indirectly through another person):
- 4.5.1 Give, offer, accept or agree to give, offer, or accept any gift or consideration or other advantage of any kind as an inducement or reward for doing or forbearing to do or for having done or forborne to do any act in relation to the obtaining or execution of any contract, the grant of any right or license or the exercise of any function or activity where to do so would constitute an offence under Ugandan or UK law (as if such activity, practice or conduct had been carried out in the UK or Uganda);
  - 4.5.2 Show or forbear to show favour or disfavour of any nature to any person or entity in relation to any contract, right, license or to the exercise of any function or activity where to do so would constitute an offence under Ugandan or UK law (as if such activity, practice or conduct had been carried out in the UK or Uganda);
  - 4.5.3 Give, offer or enter into any contract in connection with which a commission has been paid or has been agreed to be paid on their behalf and/or to their knowledge unless, before such contract was made, full particulars of any such commission and of the terms of any agreement for the payment of such commission were disclosed in writing to FSD Uganda whose written consent was subsequently given to such payment.
- 4.6 All FSD Uganda staff will seek to ensure that any persons who perform services for or on behalf of FSD Uganda (including, without limitation, agents, advisors, consultants, contractors, partners and other associated persons) and any recipients of funding from FSD Uganda with whom they have dealings comply with the anti-bribery and integrity obligations set out in section 4.5 above.
- 4.7 All FSD Uganda staff shall, promptly after their becoming aware of the same, inform the ED (or in circumstances where any such allegation may relate in whole or part to the ED, to the DFID fraud team using the email address [fraud@dfid.gov.uk](mailto:fraud@dfid.gov.uk)) or any other donor of any behaviour of any nature undertaken by any person which is not in compliance with the obligations set out in sections 4.5 and 4.6 above and/or which otherwise relates to any request, offer or demand for any undue financial or

other advantage. All FSD Uganda staff, Board members and advisors are required to declare all gifts and hospitality that they accept from anyone with whom they, and/or FSD Uganda, have a professional connection other than any gifts or hospitality which do not exceed GBP30 (thirty pounds) in approximate monetary value and:

- which are made without the intention of influencing a third party to obtain or retain business or a business advantage, or to reward the provision or retention of business or a business advantage, or in explicit or implicit exchange for favour or benefits;
- that comply with applicable law;
- that do not include cash or a cash equivalent (such as gift certificates or vouchers);
- that are appropriate in the circumstances (for example, in the UK it is customary for small gifts to be given at Christmas time);
- taking into account the reason for the gift, that are of an appropriate type and value and given at an appropriate time;
- that are given openly, not secretly; and
- that are accepted from, government officials or representatives, or politicians or political parties, only with the prior approval of the Line Manager.

#### 4.8 International Aid Transparency Initiative and Freedom of Information

4.8.1 FSD Uganda is currently funded by DFID and the UK is party to the International Aid Transparency Initiative.

4.8.2 Separately, pursuant to the Freedom of Information legislation in the UK, audit and public accountability requirements (including, without limitation, any requirement of any nature to make a Parliamentary Statement or other official communication to, or in, the Houses of Parliament or to, or in respect of, the National Audit Office or to, or in respect of, any other Parliamentary body) and any other obligations as to disclosure and transparency, DFID must respond promptly to applicable requests for information and/or must otherwise disclose information (with certain exemptions including, without limitation, in respect of commercially sensitive information).

4.8.3 FSD Uganda agrees to cooperate with the foregoing requirements, to store information so that it can be found easily and to promptly produce to DFID without charge documentation or information necessary to respond to such requests.

#### 5.0 PROCEDURES RAISING CONCERNS

5.1 To maintain high standards, it is essential that everyone working for FSD Uganda feels able to raise any concerns they have about the way business is being conducted or UK or any other taxpayer's money is being used, in a manner that is simple, effective and confidential. FSD Uganda will ensure staff feel able to raise concerns without fear of any reprisals being taken against them.

5.2 Concerns can be raised about any aspect of FSD Uganda's activities (including those of its partners, suppliers, contractors or of recipients of FSD Uganda's funds, even if not direct recipients and those in governments working on FSD Uganda's activities), e.g. safety, fraud or financial impropriety, harassment, bullying, discrimination, decisions, actions, conduct or communications that are unlawful, in breach of donors directions or in significant breach of FSD Uganda's policies or ethical values and vision. A member of staff should ask the following:

- Is the action legal?
- Is the action within the terms or the spirit of this Code and FSD Uganda policies and procedures?
- Can I justify this to myself, my Manager, senior management and to my family? Is it right? Is it honest?
- Can I say it is not deceitful or misleading?
- Does it conform to the professional standards set by the donor or my professional body?

If the answer to any of the above questions is –no, an employee can raise a concern. FSD Uganda will protect anyone who raises such matters, provided the disclosures are made through appropriate channels, without malice and in good faith, regardless of whether the concern raised is upheld.

**6.0 SUPPORT AND ADVICE  
WHERE TO GET HELP AND ADVICE**

6.1 Without prejudice to the Grievance Policy and Procedures, any concern that a member of FSD Uganda’s staff has with any aspect of this Code of Conduct should be discussed, in the first instance, with their Line Manager or with someone else in a position of authority in FSD Uganda unless any such person is involved in the relevant issue. In circumstances where the relevant issue relates to FSD Uganda’s senior management staff then a member of FSD Uganda’s staff may raise the relevant concern directly with FSD Uganda’s Board and/or with DFID’s Capital Markets adviser for the time being or, in circumstances where the relevant issue relates to fraud, a member of FSD Uganda’s staff may send an email to [fraud@dfid.gov.uk](mailto:fraud@dfid.gov.uk) or any other donor.

**7.0 RELATED DOCUMENTS**

- 7.1 Staff are encouraged to look at this policy in conjunction with all other policies.
- 7.2 The FSD Uganda Board owns this Code of Conduct and associated policies and procedures and reserves the right to amend them from time to time. They will be regularly reviewed jointly by the ED and the Chief Operating Officer.

**8.0 DOCUMENT APPROVAL**

|                                  |           |
|----------------------------------|-----------|
| Chief Operations Officer         | Signature |
| Executive Director of FSD Uganda | Signature |

**9.0 REVISION HISTORY**

9.1 FSD Uganda reserves the right to amend this Code of Conduct from time to time.

| DATE | REVISION NUMBER | CHANGE | REFERENCE SECTION    |
|------|-----------------|--------|----------------------|
|      |                 |        | [Ugandan Labour Law] |
|      |                 |        |                      |
|      |                 |        |                      |

## **EQUALITY AND INCLUSION POLICY**

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### **1.0 INTRODUCTION**

- 1.1 FSD Uganda understands the benefits of having a diverse workforce. FSD Uganda values the contribution of all staff and aims to ensure staff and applicants for employment are treated fairly, equally and with respect and dignity. FSD Uganda is committed to ensuring that these values are enshrined through its policies, strategies, processes and practices.
- 1.2 FSD Uganda will comply with the statutory requirements to promote equality of opportunity with the aim of having a diverse workforce that includes international and national staff at senior and junior levels.

### **2.0 ORGANISATIONAL SCOPE**

- 2.1 All staff subject to a contract of employment for FSD Uganda are covered by this policy.

### **3.0 POLICY STATEMENT**

- 3.1 FSD Uganda ensures equal and fair treatment without unlawful discrimination in relation to age, disability, nationality, ethnic or national origin, sex, race, religious or cultural belief.
- 3.2 FSD Uganda is committed to working in partnership with external and internal parties to drive forward a strategy to achieve equal opportunity and eliminate unfair discrimination within its business.

### **4.0 REQUIREMENTS AND PRINCIPLES**

- 4.1 FSD Uganda aims to promote equality by recruiting, retaining and developing its workforce based solely on their abilities to undertake their duties and responsibilities.
- 4.2 FSD Uganda will promote and communicate the policy to all staff, temporary staff, agents, contractors, consultants and job applicants.
- 4.3 In order to ensure all Managers and staff are aware of their responsibilities around equality, FSD Uganda will provide all staff with support and equality related training and development.
- 4.4 FSD Uganda will ensure that FSD Uganda meets its obligations to eliminate discrimination in the workplace, in service delivery and in promoting equality of opportunity between groups of people.
- 4.5 FSD Uganda will strive to ensure that a majority of its workforce is drawn from across sub-Saharan Africa and to achieve an appropriate gender and age balance. Progress in achieving targets will be monitored on a periodic basis and reviewed annually.
- 4.6 **Responsibilities of all staff:**
  - 4.6.1 To display and encourage in others a behaviour that contributes to an environment where everyone is treated fairly, equality and with dignity and respect;
  - 4.6.2 To ensure that their behaviour at work does not discriminate against or harass others;
  - 4.6.3 To comply with this policy. Any member of staff who fails to do so may be subject to FSD Uganda 's discipline at work policy and procedure, which may result in summary dismissal;
  - 4.6.4 To attend any FSD Uganda training programme on equality and inclusion.

- 4.7 Additionally, all Managers and staff with leadership or supervisory roles will:**
- 4.7.1 Be aware of, and avoid potential situations which may cause harassment or discrimination;
  - 4.7.2 Promote equality in the workplace; act as role model;
  - 4.7.3 Not tolerate unlawful discrimination in any form, from any staff or third party who can affect staff in their work;
  - 4.7.4 Ensure local practices and procedures comply with this policy to ensure they do not cause unequal treatment;
  - 4.7.5 Ensure that all staff are not victimised or treated less favourably at work and, in particular, by any reason of any involvement in a complaint of discrimination or harassment;
  - 4.7.6 Implement reasonable adjustments in cases where staff are unable to undertake the full range of activities in their current employment due to a disability;
  - 4.7.7 Demonstrate as an integral element of their professional development that they have undertaken and will continue to undertake equality training;
  - 4.7.8 Ensure that anyone within their area of responsibility is suitably trained;
  - 4.7.9 Ensure that the requirements outlined in this document are acted on and adhered to in their areas of responsibility and that appropriate, fair and consistent action is speedily taken to deal with any failure to conform to them;
  - 4.7.10 Attend any FSD Uganda training programme on equality and inclusion and to encourage their team to attend.
- 4.8 FSD Uganda will develop company procedures and processes to eliminate inequality and review and monitor the implementation and effectiveness of this document.

## **5.0 PROCEDURES**

None

## **6.0 SUPPORT AND ADVICE**

- 6.1 Any concern that a member of staff has should be discussed in the first instance with their Manager or someone else in authority in the organisation.

## **7.0 RELATED DOCUMENTS**

Staff are encouraged to look at this policy in conjunction with all other policies.

**8.0 DOCUMENT APPROVAL**

\_\_\_\_\_  
Chief Operations Officer

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Executive Director of FSD Uganda

\_\_\_\_\_  
Signature

**9.0 REVISION HISTORY**

9.1 FSD Uganda reserves the right to amend this Code of Conduct from time to time.

| DATE | REVISION NUMBER | CHANGE | REFERENCE SECTION    |
|------|-----------------|--------|----------------------|
|      |                 |        | [Ugandan Labour Law] |
|      |                 |        |                      |
|      |                 |        |                      |

## **RECRUITMENT AND TALENT ATTRACTION POLICY AND PROCEDURES**

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### **1.0 INTRODUCTION**

- 1.1 FSD Uganda strives to conduct all of its activities to the highest ethical standards and in compliance with its legal obligations. This Recruitment and Talent Attraction Policy describes the requirements, principles and procedure relevant to attract and hire appropriate professional staff.

### **2.0 ORGANISATIONAL SCOPE**

- 2.1 This policy is applicable to the recruitment and selection of all types of staff engaged to provide services for FSD Uganda, irrespective of whether such a contract is for a temporary or fixed term, or is of a permanent duration. The policy will be made available to all staff and applies for both internal and external recruitment.
- 2.2 The Board will approve recruitment plans and the appointment of senior level staff, specifically Executive Director, Chief Operations Officer and pillar heads.
- 2.3 Budgetary approval for any recruitment will be provided through the following:
- 2.3.1 The Annual Business Plan;
  - 2.3.2 Individual project documents;
  - 2.3.3 Special submissions to the Board.

### **3.0 POLICY STATEMENT**

- 3.1 FSD Uganda staff are its greatest resource, and the key to fulfilling its vision and long/short-term objectives. FSD Uganda is committed to attracting and retaining talented, skilled and committed people by offering a conducive, supportive and rewarding but challenging work environment.
- 3.2 The purpose of this policy is to meet these commitments in a fair, transparent, and accountable way to ensure that the best candidate is chosen for each job vacancy.
- 3.3 A structured framework for filling vacant or new positions including short-listing, interviewing, the selection process and the appointment decision, should be in place.
- 3.4 Gender issues are given specific attention during the recruitment process
- 3.5 Fairness, competitiveness, transparency and compliance with the Company law of Uganda are promoted in all recruitment and selection activities. Candidates will be selected on the basis of merit and according to required skills, experience and qualifications. FSD Uganda will ensure that no unlawful discrimination occurs in the recruitment and selection process
- 3.6 An open competitive process must be used in recruitment.
- 3.7 Candidates will be treated with respect throughout the recruitment process, provided with sufficient information to make informed choice, have their information treated with confidentiality and have access to feedback.

#### **4.0 REQUIREMENTS AND PRINCIPLES**

4.1 The Chief Operating Officer will be responsible for overseeing the recruitment process including advertising, short listing, interviewing and selection of the right candidate. All FSD Uganda recruitment and selection must be carried out by following this Policy and Procedure.

4.2 Depending however on the nature of vacancy to be filled, the FSD Uganda Executive Director, other members of the FSD management team or the Board may be involved. When a position becomes vacant or changes in the organisation may result in the creation of a new post, the requirements of the position will be reconfirmed or established through a job analysis exercise. Job analysis will define the role and role requirements and will also show how the role fits into FSD Uganda's organisation structure. The outcome of job analysis will be a job description.

#### **4.3 FSD Uganda will:**

- 4.3.1 Determine the requirements of each position within its structure by using Job Descriptions and the developed Competency framework;
- 4.3.2 Recruit to fill vacant positions based on the Job Description and Competency Framework together with FSD Uganda objectives and values;
- 4.3.3 Assess the skills and attributes of individuals it wishes to recruit, including experience, capabilities, educational background (including any formal relevant qualifications), and performance history;
- 4.3.4 Ensure that the Recruitment and Talent Attraction Policy and Procedures support applications from regional applicants along with international applicants from outside those regions;
- 4.3.5 Promote diversity as well as provide an equal employment opportunity to each candidate, regardless of age, colour, disability, ethnicity, gender, language, marital status, origin, political affiliation, religion, gender or social status;
- 4.3.6 Any information held about a candidate must be used only for the purpose for which the information has been collected
- 4.3.7 Ensure that this information will not be used in the selection process or for any use other than this purpose;
- 4.3.8 Where recruitment is for a specialised technical role, then FSD Uganda may consider head hunting to get the right candidate;
- 4.3.9 For this purpose, a recruitment agency will be selected to do the head hunting for the right candidate and should structure a search that is sufficiently comprehensive that it would reasonably be considered to be an acceptable substitute for open advertising.

#### **4.4 It is the policy of FSD Uganda not to employ:**

- 4.4.1 Individuals whose Supervisor is/will be an immediate member of family/relative;
- 4.4.2 Individuals who will work in a department where there is an immediate member of family.

#### **4.5 Family members may only be employed by FSD Uganda when:**

- The recruitment and talent attraction process has been followed, which identifies the candidate as the most suitable;
- Approval has been granted by the FSD Uganda Chief Operations Officer, following recommendation by the Executive Director.

- 4.5.1 Any qualifications (e.g. a degree) or requirements applied to a job that have or may have the effect of inhibiting applications from certain groups of the population should only be retained if they can be justified in terms of the job to be done.
- 4.5.2 Employees summarily dismissed or separated from FSD Uganda for disciplinary reasons will be excluded from any future employment and contractual opportunities with the organisation.
- 4.5.3 Staff who resign from FSD Uganda whilst being investigated under the Disciplinary Policy will be excluded from working with FSD Uganda under any circumstances until they are fully cleared from any allegations of misconduct that are raised against them.
- 4.5.4 Any selection tests used should be specifically related to job requirements and should measure the person's actual or inherent ability to do or train for the job.

#### **4.6 Recruitment of expatriates**

FSD Uganda will generally give preference to Ugandans. However, in the event that the required skills and talent are unavailable locally or among the Ugandan diaspora, FSD Uganda will seek to recruit expatriates, preference will be given to EAC citizens. The recruitment process for ex-pats will be the same as for Locals.

#### **4.7 Responsibilities of all staff**

All FSD Uganda staff may apply for internal roles if they feel they meet the requirements in the job description in the skills, knowledge, experience, behaviour and qualifications.

#### **4.8 FSD Uganda staff must not:**

- 4.8.1 Promise or guarantee hiring for any position. All applicants must go through the recruitment and Selection Process;
- 4.8.2 Tamper with any part of the recruitment and selection process and/or result;
- 4.8.3 Coerce, pressure, intimidate, bribe or carry out any other such action, to any individuals involved in the Recruitment and Selection Process.

#### **4.9 Conditions**

These conditions apply to internal and external applicants. If any member of staff is found to have contravened any of the above conditions, they will be subject to the strongest disciplinary action including the possibility of immediate termination as detailed in the Discipline Policy under Gross Misconduct.

### **5.1 PROCEDURES**

#### **5.2 Talent attraction process**

- 5.2.1 Every recruitment activity should endeavour to identify at least four (4) candidates from which the best qualified person will be selected.
- 5.2.2 An open and competitive recruitment process should be followed in accordance with the following steps and the principles detailed above.
- 5.2.3 A hiring manager shall make a case for creation of the new position by justifying the need and also demonstrating that there is optimal utilization of the existing staff resources. **(Annexure 2 Justification for staffing requirement).**
- 5.2.4 The hiring Manager will then initiate in writing a request for a post, to be sent together with a Job Description to the Chief Operations Officer for review and processing. **(Annexure 3 Staff Requisition form)**

### 5.3 Job Description and Person Specification/Competency Framework

- 5.3.1 A Job Description should be produced by the hiring Manager with full details of the position, tasks, reporting line, responsibilities of the job holder, number of subordinates if applicable.
- 5.3.2 The grade, title and salary range will be agreed with reference to the salary bands approved by the Board.
- 5.3.3 The skills, experiences, qualifications and competencies of the jobholder should be laid out in the Person Specification/Competency Framework.
- 5.3.4 The database of existing Job Descriptions should be reviewed to avoid duplication.

### 5.4 Grade, Title, and Salary Assignment

- 5.4.1 FSD Uganda will develop salary banding for staff that will be reviewed on a regular basis, which will specify the reward and remuneration of the various categories of staff. All staff will be paid in line with the specified salary bands.
  - 5.4.1.1 Once a successful candidate has been identified the final salary to be offered will be determined by discussion between the hiring Manager and the Chief Operations Officer in accordance with the approved salary bands
  - 5.4.1.2 If the prospective candidate requests a salary that is outside of the salary range provided in the salary bands, then additional approval from the Executive Director /the FSD Uganda Board is required. A written justification and approval will be documented in the candidates file.
  - 5.4.1.3 The FSD Uganda Executive Director has final approval for staff below Chief Operations Officer Grade. For roles at pillar head level the FSD Uganda Executive Director will refer the final decision to the Board for approval.
- 5.4.2 Grades and titles must not be changed for a role without prior approval from the Executive Director and Board.

### 5.5 Vacancy Advertisement

- 5.5.1 All positions will be advertised by the most advantageous approach for the role and as a minimum all vacant positions will be advertised by the most advantageous options.
- 5.5.2 Job advertisements should be developed by the hiring Manager but must be approved by the Chief Operations Officer (following consultation with the hiring Manager or his/her Manager as required) and be based around a valid Job Description and Person Specification/Competency Framework using the standard advertisement format.
- 5.5.3 All advertisements must include the position title, location, details and requirements of the position, competencies required, closing date for applications and the electronic/physical name and address for submitting applications.
- 5.5.4 If the recruitment is urgent the advertisement must be issued by the Chief Operations Officer no longer than three (3) working days after receiving associated documents from the hiring Manager.
- 5.5.5 To ensure transparency and equal opportunity and to cover the broadest recruitment base for getting the best candidates:
  - a. All positions will be advertised as internal vacancies and will be circulated to all FSD Uganda staff (**Annexure 4: Internal Job Advertisement**). For external positions a variety of advertising media will be utilised (**Annexure 5: External/Public Job Advertisement**);

- b. All positions must be advertised for a minimum of two (2) weeks through appropriate media. Advertisements for less than two (2) weeks require approval from the FSD Uganda Chief Operations Officer.
- 5.5.6 A position can be re-advertised if a suitable candidate is not identified. The Job Description and advertisement should be reviewed prior to re-advertising to see if they need to be amended.
  - 5.5.7 There are instances where recruitment and talent attraction is carried out through an agency which performs preliminary selection before forwarding a final list to FSD Uganda for their selection. In this instance evidence, must be availed to show that the field of original candidates was more than three (3).
  - 5.5.8 An agency can only be used if an open application process as described above has failed to yield a suitable candidate. If agencies are used the Chief Operations Officer must:
    - a. Ensure they follow the organisation's standards laid down in this and the Equality and Inclusion Policy.
    - b. Issue relevant agencies with copies of the Job Description and Person Specification/Competency Framework for a vacancy.
    - c. Monitor agency performance on an annual basis.
  - 5.5.9 Managers should not speak directly to agencies without the prior approval of the FSD Uganda Chief Operations Officer. For positions with a direct reporting line to the Executive Director, the Executive Director must be involved in the process of agency selection.
  - 5.5.10 FSD Uganda may at its discretion subject to Board approval hire an employee outside the established recruitment procedures if it is in the best interests of FSD Uganda.

## 5.6 Shortlisting

- 5.6.1 If anyone, who may be involved in a recruitment and selection process, believes there is or may be a perceived or real risk of conflict of interest, bias, or risk to the organisation if they take part in the shortlisting process then they must disclose this at the outset. They may not then be able to continue with any involvement in the process.
- 5.6.2 Examples of potential conflicts that may occur are:
  - a. If participation in the process will potentially put the credibility, reputation or existence of the organisation and any positions in it at risk.
  - b. If the candidate is:
    - i. An ex Supervisor, supervisee or someone with whom they had a direct working relationship (e.g. colleague, internal/external client and partner).
    - ii. A family member (including ex-spouse and in-laws).
    - iii. Someone who is an acquaintance.
  - c. If there is:
    - i. Any perceived or real undue pressure (including direct/indirect threat and intimidation) that makes it difficult to make an impartial and unbiased judgment;
    - ii. Any promise for personal benefit from any of the candidates.
- 5.6.3 All staff must ensure that all job applications (including any from personal contacts/family members) are submitted to the Chief Operations Officer.

- 5.6.4 All external applicants will be pre-screened by the hiring manager and Chief Operations Officer or delegated persons, ensuring the principles of the Recruitment and Selection Policy and the Equality and Inclusion Policy are fully adhered to. All applicants that meet the specified criteria will be sent to the relevant Hiring Manager for consideration for shortlisting for interview.
- 5.6.5 The Chief Operations Officer will inform any applicants that are not put forward at this stage in writing (including those that are to be put in the active files). If the applicant is via an agency, then the Executive Director need only inform the agency who will be responsible for informing the applicant.
- 5.6.6 The Chief Operations Officer will automatically send internal applicant's details to the Hiring Manager.
- 5.6.7 FSD Uganda active files should also be checked for any qualifying applications, which should also be forwarded to the Hiring Manager for consideration.
- 5.6.8 The interview panel, Hiring Manager (and if requested by the Hiring Manager, the Chief Operations Officer), will review in detail the applications against the Job Description, Person Specification and Competency Framework. The technical/functional Supervisor can be invited to participate in the shortlisting process as can other relevant internal parties. Valid reasons for shortlisting or not must be recorded against each applicant.
- 5.6.9 Any applications that are received after the closing date can be considered for any other relevant positions where the closing date is not yet due or be placed in the active files. They would then be able to be considered for the original position if it were re-advertised.
- 5.6.10 The Chief Operations Officer will write to the candidates selected for interview, including any further information about the organisation, role and responsibilities. They will also write to candidates who have not been selected for interview. If the applicant is via an agency, then the Chief Operations Officer need only inform the agency who will inform the applicant.

## 5.7 Interviewing and Assessment

- 5.7.1 All interviews must consist of at least two (2) interviewers. The interview structure will be determined by an interview panel. The Hiring Manager (or their designate) and for certain positions an extra technical/specialist's interviewer may be included. Wherever possible, the Chief Operations Officer or a representative nominated by them must be present for all interviews for all grades.
- 5.7.2 A candidate will be assessed on their technical and non-technical attributes per the requirements set out in the Job Description and Person Specification/Competency Framework.
- 5.6.3 To ensure the questions posed are assessing only relevant criteria, a question and answer sheet will be designed by the interview panel, Hiring Manager and or the Chief Operations Officer, prior to the interview, based on the Job Description and Person Specification/Competency Framework, and the outcome recorded on an interview score sheet. An external agency may be used to develop the question sheets for senior roles. Each interviewer should complete the interview sheet and the results co-ordinated in the interview debrief (**Annexure 6: Interview Score Sheet**).
- 5.6.4 Prior to inviting candidates for interview the interview team should decide if any form of Test is to be used as part of the process. Only valid and reliable tests, available via the Chief Operations Officer, or identified by an external agency supporting the recruitment process should be used. Tests should only be used where appropriate. Such information will be stored together with other assessment data.
- 5.6.5 It is the responsibility of the Chief Operations Officer to organise any tests to be used which must be administered by appropriately trained or suitably qualified individuals.

- 5.6.6 Interviews will at all times be conducted in a professional manner and all members of the interviewing team must have been trained in the skills of interviewing.
  - 5.6.7 If the Chief Operations Officer is not available, the Hiring Manager should ensure that any documents required are collected and that interview expenses are dealt with according to this policy.
  - 5.6.8 All paperwork relating to an interview must be returned to the Chief Operations Officer for storage.
  - 5.6.9 When reviewing applicants based overseas, the first stage in the process will be a telephone interview. If the telephone interview is successful, a face-to-face interview must then be arranged.
  - 5.6.10 Travel arrangements for candidates based overseas should be discussed with the Chief Operations Officer. FSD Uganda is required to ensure that the candidate is covered by health, accident, death, loss of income, disability, and medical evacuation insurance appropriate for the travel.
- 5.7 All candidates must be asked to disclose if they have any family working in the organisation. If at any point, it is found that they have a family member working for FSD Uganda that they did not disclose during the Recruitment and Selection Process, disciplinary action will be taken if they have since been employed by FSD Uganda. If they have not yet been employed their application will be withdrawn from the Recruitment and Selection Process. Talent Hiring and Appointment**
- 5.7.1 The Hiring Manager makes the hiring decision following interview/assessment in consultation with those present at the interview (the Interview Team). The salary to be offered must be discussed and agreed with the FSD Uganda Executive Director, or in the case of Executive Director level appointments approved by the Board.
  - 5.7.2 Terms offered to candidates should be aimed at ensuring:
    - a. Value for money for FSD Uganda;
    - b. Attracting, motivating and retaining appropriate candidates;
    - c. Ensuring consistency in pay scales within FSD Uganda;
    - d. Personal information form is given by FSD Uganda is completed. **(Annexure 7 Personal Data Form)**
  - 5.7.3 The Chief Operations Officer will handle all offers. He/she will send the successful candidate a written offer subject to satisfactory reference and background checks. Hiring Managers should not offer or infer to a candidate the outcome of the selection process in advance of this notification. **(Annexure 8: Offer of Employment)**
  - 5.7.4 Once a candidate has accepted an offer, the Chief Operations Officer will start the reference and background check process and prepare the Employment Contract ready for the person to sign on the first day of their probationary period. An offer is made subject to satisfactory references and will only be confirmed once the reference check has been carried out. All appointments premised on false academic certificates shall be repudiated and any employee benefits procured on account of such fraudulent misrepresentation shall be recoverable.
  - 5.7.5 Potential employees may be required to undergo medical examination to determine mental and physical fitness before formal offer of appointment if the Hiring Manager deems it necessary for the positions that are intended to be filled by the potential employees. This shall be determined by a medical examination as prescribed in the pre-employment medical examination form.
  - 5.7.6 The medical examination shall be carried out at FSD Uganda's expense, by a qualified Medical Doctor appointed by FSD Uganda.

5.7.7 The applicant shall also be required to declare whether or not they have suffered any work place injury/occupational injury or suffered any occupational diseases. In the event that the applicant reports a past workplace injury or scheduled disease any compensation arising therefrom shall not be on FSD Uganda`s insurance policy but that of the former employer. Any misrepresentation in this regard may result into the revocation of the appointment.

5.7.8 HIV/AIDS status is not part of the medical fitness report requirements.

**(Annexure 9: Pre-employment Medical Examination Form)**

5.7.9 All applicants for positions requiring membership of a profession/regulatory body shall be required to provide documentary evidence of current registration before the interview and FSD Uganda shall verify with the respective regulatory bodies before an offer of employment is confirmed.

5.7.10 The Chief Operations Officer will write to the unsuccessful candidates. If the applicant is via an agency, then the Chief Operations Officer need only inform the agency who will inform the applicant. If the applicant requests feedback relating to any tests, then this should be given only by someone that is trained to provide such feedback.

5.7.11 Direct appointments to a vacant position is counter to the Recruitment and Talent Attraction Policy and must be avoided. However, if there is a situation in which the organisation would suffer if an appointment is not made immediately, only existing FSD Uganda staff are eligible to be directly appointed on a temporary basis whilst the recruitment and selection process is followed. Such temporary appointments require the approval of the FSD Uganda Executive Director.

5.7.12 No decisions regarding recruitment or selection should be made by a person who has not read and understood this policy and the three (3) related policies (Code of Conduct, Equality & Inclusion Policy and Data Protection Policy). Decisions should not be made without the involvement of the Executive Director or their authorised representative.

5.7.13 Feedback should be provided to all candidates within ten (10) working days of the interviews.

**5.8 References and Background Checks**

5.8.1 All FSD Uganda offers of employment are subject to the following reference and background checks. The checks will not be carried out until the person has accepted the offer in writing and will be carried out by the Chief Operations Officer.

5.8.2 FSD Uganda Reference and Background Check for all staff will consist of confirmation of the following:

- a. Date of birth;
- b. Nationality;
- c. References from current/previous employers are mandatory – a minimum of two (2) satisfactory references, with at least one from current and/or previous employers – unless convincing written explanation is given as to why these should not be provided;
- d. Academic documents i.e. Masters, Degrees, and Certificates etc.;
- e. A valid Certificate of Good Conduct.

5.8.3 In addition to the above, candidates need to provide the following to FSD Uganda once they accept an offer of employment:

- a. Bank account details;
- b. Tax Identification Number.

- 5.8.4 Reference and background check for international staff
- a. Police clearance (or equivalent, certificate of good conduct) from home country
  - b. Any offer of employment assumes the issuance of a Work Permit or Special Pass, valid for the period of the contract
- 5.8.5 Under normal circumstances all reference and background checks for all candidates (National and International) must be completed satisfactorily before the person joins FSD Uganda for their probationary period. If any of the checks are not satisfactory then the offer of employment may be revoked.
- 5.8.6 Under certain circumstances a person may be allowed to join FSD Uganda whilst the checks are still being carried out. Prior approval from the FSD Uganda Executive Director must be gained before allowing this to happen. If the checks are not completed satisfactorily during the probationary period, then the employment contract will normally be terminated.
- 5.8.7 In exceptional circumstances and upon prior approval from the Executive Director, the probationary period may be extended for a further month (up to a maximum of three (3) months) whilst the checks are being carried out. If after this extended period, the checks are still unsatisfactorily completed then the employment contract will be terminated.
- 5.8.8 Any information obtained during the reference and background check process must be kept confidential.

## **5.9 Induction**

- 5.9.1 Induction of new staff members starts as soon as an applicant accepts a position and forms part of FSD Uganda's performance management framework
- 5.9.2 The Chief Operations Officer will send out a copy of the Employee Contract and all related new starter forms that need to be completed.
- 5.9.3 All new starters will receive a timetable for their successful induction into the organisation.
- 5.9.4 The following documents must be provided or completed by the new member of staff on their first day of employment and placed in their personnel file:
- a. A valid identity document issued by the government of the country of origin (e.g. passport).
  - b. A copy of any professional documents from an authorised professional body.
  - c. A copy of any academic certificates where qualifications are part of the criteria.
  - d. Any other forms or documentation that must be submitted to the Chief Operating Officer, e.g. in relation to the international clearance process

## **5.10 Probationary period and confirmation of employment**

- 5.10.1 The probationary period for all staff will be an initial three (3) months with a maximum period of six (6) months. Upon the expiry of the six (6) months, the probationary period may be extended for a maximum period of six (6) months with the consent of the employee.
- 5.10.2 During the probationary period, staff will be eligible for all FSD Uganda staff benefits except for annual leave that will be accrued during the probationary period.
- 5.10.3 The employment period will be calculated from the date of commencement of employment inclusive of the probationary period.

- 5.10.4 The Line Manager will carry out an appraisal at the end of the probation period. This will contain confirmation of continued employment or otherwise. If the Line Manager considers the employee's performance to be unsatisfactory at the end of the probationary period, he may decide not to confirm full employment or he may extend the probation, as long as this does not result in the total probation period exceeding six (6) months.
- 5.10.5 During the probationary period, staff will be eligible to accrue annual leave but will not be able to use these days until they have successfully completed their probation.
- 5.10.6 The Line Manager shall confirm in writing the employment of a staff member who has successfully completed the probation period. **(Annexure 10: Confirmation Letter)**
- 5.10.7 FSD Uganda may not place an employee under a probationary contract on more than one occasion.
- 5.10.8 A contract for a probationary period may be terminated by either party, by giving not less than fourteen (14) days' notice of termination, or by payment of seven (7) days' wages in lieu of notice.

#### **5.11 Maintaining and safeguarding records**

- 5.11.1 FSD Uganda will keep separate records for each employee in the form of a personal file containing all relevant information about the respective employee. (From recruitment to termination)
- 5.11.2 The Executive Director will provide safe custody of all employee files.
- 5.11.3 The information contained in personal files will be treated in strict confidence.
- 5.11.4 No disclosure of personal information about one employee should be made to another.
- 5.11.5 Employees will have access to information in their personnel files except:
- Investigative documents; and
  - Documents dealing with potential or actual litigation and claims.

#### **6.0 SUPPORT AND ADVICE**

Support and advice on the application of this policy can be obtained through speaking to your Manager or the Executive Director.

#### **7.1 RELATED DOCUMENTS**

This policy should be read in conjunction with:

- Code of Conduct
- Equality and Inclusion Policy
- Data Protection Policy

**8.0 DOCUMENT APPROVAL**

\_\_\_\_\_  
Chief Operations Officer

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Executive Director of FSD Uganda

\_\_\_\_\_  
Signature

**9.0 REVISION HISTORY**

9.1 FSD Uganda reserves the right to amend this Code of Conduct from time to time.

| DATE | REVISION NUMBER | CHANGE | REFERENCE SECTION    |
|------|-----------------|--------|----------------------|
|      |                 |        | [Ugandan Labour Law] |
|      |                 |        |                      |
|      |                 |        |                      |

## DATA PROTECTION POLICY

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### 1.0 INTRODUCTION

- 1.1 FSD Uganda strives to ensure that all its activities in relation to the record keeping, storage, and security of data are conducted to the highest ethical standards and in compliance with its legal obligations.
- 1.2 During the course of FSD Uganda's activities it will collect, store and process personal data about its funders, its investment counterparties, recipients of funding and, its and their customers, suppliers and employees and FSD Uganda recognises that the correct and lawful treatment of such data will maintain confidence in the organisation and will provide for successful operations.

### 2.0 ORGANISATIONAL SCOPE

- 2.1 This policy applies to all Board members, Committee members and advisors, FSD Uganda staff, ex-staff, contractors, casual, agency and homeworkers, self-employed and job applicants.

### 3.0 POLICY STATEMENT

- 3.1 This Policy is based on best practice and seeks to safeguard an individual's rights with respect to the gathering, recording, storing, retrieval, consultation, use, disclosure, processing and transferring of their personal data held by others whether that data is held on a computerised system or manually (including emails).

- 3.2 The following definitions apply in the context of this policy

3.2.1 **Data subject** – means all living individuals about whom FSD Uganda holds personal data.

3.2.2 **Personal data** – means data relating to a living individual who can be identified from that data (or from that data or other information in FSD Uganda's possession). Personal data can be factual (for example a name, address or date of birth) or it can be an opinion about a person or their actions or behaviour.

3.2.3 **Processing** – means any activity that involves the use of personal data. It includes obtaining, recording or holding the data or carrying out any operation or set of operations on the data including organising, amending, retrieving, using, disclosing, erasing or destroying it. Processing also refers to transferring personal data to third parties.

3.2.4 **Sensitive personal data** – includes information about a person's racial or ethnic origin, political opinions, religious or similar beliefs, trade union membership, physical or mental health or condition or sexual life or about the commissioning of, or proceedings for, any offence committed or alleged to have been committed by that person, the disposal of such proceedings or the sentence of the court in such proceedings. Sensitive personal data can only be processed under strict conditions, including a condition requiring the express permission of the person concerned.

- 3.3 Anyone who processes any personal data must comply with the following eight (8) principles. Information must be:

3.3.1 **Fairly and lawfully processed**

Personal data must be processed in accordance with, and on the basis of, applicable law. This will require, amongst other things, the data subject's consent to the processing, or that the processing is necessary for the performance of a contract with the data subject, or that the processing is in compliance with a legal obligation to which FSD Uganda is subject, or that the processing is required for the legitimate interest of FSD Uganda or the party to

whom the relevant data is disclosed. When sensitive personal data is being processed, additional conditions must be met.

### **3.3.2 Processed for limited purposes**

During the course of FSD Uganda's activities, it may collect and process a wide range of personal data. This may include information that is received directly from a data subject (for example, by completing forms or by corresponding by email, phone, mail or otherwise) and data that FSD Uganda receives from other sources (for example business partners, sub-contractors in technical, payment and delivery services, credit reference agencies and others).

FSD Uganda will only process data to the extent that it is strictly necessary to do so and then only in accordance with the provisions of this Policy. FSD Uganda shall notify such purposes to the data subject, the types of third parties (if any) with whom their personal data may be shared and the means by which data subjects can limit the use and disclosure of their personal data as and when it first collects data from them or as soon as possible thereafter.

### **3.3.3 Adequate, relevant and not excessive**

FSD Uganda will only collect and process personal data to the extent that it is required for the specific purpose notified to the data subject.

### **3.3.4 Accurate and up to date**

FSD Uganda will ensure that personal data that it holds is accurate and kept up-to-date. It will check the accuracy of any personal data at the point of collection and at regular intervals afterwards. FSD Uganda will take all reasonable steps to destroy or amend inaccurate or out-of-date data.

### **3.3.5 Not kept for longer than is necessary**

FSD Uganda will not keep personal data for longer than is necessary for the purpose or purposes for which it was collected. FSD Uganda will take reasonable steps to destroy, or erase from its systems, all data which is no longer required.

### **3.3.6 Processed in line with individuals' rights**

FSD Uganda will process all personal data in line with the following rights of data subjects: to request access to any data held about them; to prevent the processing of their data for direct marketing purposes; to ask to have inaccurate data amended; and to prevent processing that it likely to cause damage or distress to themselves or to anyone else.

### **3.3.7 Secure**

FSD Uganda will take appropriate security measures against unlawful or unauthorised processing of personal data and against the accidental loss of, or damage to, personal data. FSD Uganda shall maintain data security by protecting the confidentiality, integrity and availability of personal data.

### **3.3.8 Not transferred to other countries without adequate protection**

FSD Uganda may transfer any personal data that it holds to another country provided that one of the following conditions applies: the country to which the personal data is transferred ensures an adequate level of protection for the data subjects' rights and freedoms; the data subject has given his consent; the transfer is reasonably necessary for the performance of a contract between FSD Uganda and the data subject or to protect the interests of the data subject; the transfer is legally required on important public interest grounds or for the establishment, exercise or defence of legal claims; or where FSD Uganda has adduced that adequate safeguards otherwise exist with respect to the protection of the data subjects' privacy, their fundamental rights and freedoms and the exercise of their rights.

## **3.4 Individuals have the right of access to any personal data that FSD Uganda may hold about them.**

- 3.5 FSD Uganda understands its obligations and in particular takes steps to ensure that adequate arrangements are made to ensure the security, confidentiality, accuracy and relevance of data.
- 3.6 No staff member should feel reluctant, for fear of management 's response, to disclose any information about wrongdoing within FSD Uganda.
- 3.7 Any breach of this policy will be taken seriously and may result in disciplinary action.

#### 4.0 REQUIREMENTS AND PRINCIPALS

##### 4.1 Responsibilities of all staff:

- 4.1.1 Anyone who processes personal data on behalf of FSD Uganda must ensure that they comply with the principles of this Policy.
- 4.1.2 To ensure that FSD Uganda can maintain the accuracy of the details they hold, it is the responsibility of all staff to ensure that they keep the Executive Director up to date with any changes in their personal information such as address or emergency contact details etc.
- 4.1.3 FSD Uganda requires all staff to comply with the Policy in respect of all personal data (including, without limitation, in relation to information about other staff members). Failure to do so, e.g. unauthorised or inappropriate disclosure of, or obtaining information about individuals will be regarded as serious misconduct and will be dealt with in accordance with the Disciplinary Policy.
- 4.1.4 Anyone who considers that this Data Protection Policy has not been followed in respect of personal data should raise their concern with the Executive Director.

##### 4.2 Additional responsibilities of HR and anyone with supervisory or leadership responsibility:

The Executive Director and all those in managerial or supervisory roles have a specific responsibility to ensure good information handling practice.

##### 4.3 Specific responsibility of FSD Uganda in respect of FSD Uganda staff members 'personal and private data:

FSD Uganda will not release staff members' personal and private data to a third party without their express consent, so if for any reason (e.g. a staff member is applying for a personal loan) a staff member needs the organisation to release their personal data i.e. home address, personal contact number to a third party they should advise the Executive Director so that they can process the request speedily.

##### 4.4 Examples of FSD Uganda staff members' personal data which may come into the possession of FSD Uganda includes, but is not limited to, the following:

- 4.4.1 Information gathered during the recruitment process (including references);
- 4.4.2 Details of terms of employment;
- 4.4.3 Payroll, Tax Identification Number and information;
- 4.4.4 Performance Records;
- 4.4.5 Details of grade and job duties;
- 4.4.6 Health Records;
- 4.4.7 Absence Records (including holiday records);
- 4.4.8 Details of any disciplinary investigations and proceedings;

- 4.4.9 Details of any grievance investigations and proceedings;
- 4.4.10 Training Records;
- 4.4.11 Emergency contact names and addresses;
- 4.4.12 Correspondence between FSD Uganda and the member of staff and other information provided to FSD Uganda;
- 4.4.13 Personal Profile Form;
- 4.4.14 Copy of Passport and/or ID;
- 4.4.15 Copy of Educational Documents;
- 4.4.16 Contracts, Job Description any other HR related documents.

- 4.5 FSD Uganda holds this data in order to administer contracts of employment and keep accurate records of its staff. The information held will be for management and administrative use only, but from time to time, it may be necessary to disclose some information held about staff members to relevant third parties (e.g. where legally obliged to do so or requested to do so by a staff member for the purposes of giving a reference). This data will be held throughout employment and for as long a period as is necessary following the termination of employment.
- 4.6 FSD Uganda may also transfer information to another group/organisation, solely for purposes connected with a staff member's career or the management of the organisation's business.
- 4.7 FSD Uganda might also hold information about a staff member's health for which disclosure to any person will be made only when strictly necessary for the purposes of:
- 4.7.1 Compliance with health and safety and occupational health obligations;
  - 4.7.2 Personnel management and administration (for example to consider how a staff member's health affects their ability to do their job and, if the staff member is disabled, whether they require any reasonable adjustment to be made to assist them at work);
  - 4.7.3 Administration of insurance (for international staff), pension, sick pay and any other related benefits in force from time to time.

## 5.0 PROCEDURES

None

## 6.0 SUPPORT AND ADVICE

- 6.1 Support and advice on the application of this policy can be obtained through speaking to your Supervisor, Manager or Executive Director.
- 6.2 It is FSD Uganda's policy to be confidential about the personal data held about its staff. If a staff member would like to see the information that the organisation holds on them they should put their request in writing via email to the Executive Director.

## 7.1 RELATED DOCUMENTS

Staff are encouraged to look at this policy in conjunction with:

- Code of Conduct
- Disciplinary Procedure



## REMUNERATION AND RECOGNITION POLICY

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### 1.0 INTRODUCTION

1.1 FSD Uganda recognises that remuneration and recognition systems are an important aspect of the employment package for staff. They are key to the way staff perform in delivering a professional FSD Uganda service. This policy aims to provide information on FSD Uganda's approach to recognising and rewarding its staff and has been written in line with FSD Uganda Equality and Inclusion Policy.

### 2.0 ORGANISATIONAL SCOPE

2.1 This policy applies to all staff contracted for employment by FSD Uganda.

### 3.0 POLICY STATEMENT

3.1 FSD Uganda aims to recognise the contribution and commitment of staff at every level by rewarding them equitably and consistently for the value brought to the organisation.

3.2 The same remuneration and recognition principles will apply to all staff, but reward frameworks supporting these principles may vary according to business or individual needs.

3.3 The main principle of the remuneration and recognition approach is underpinned by effective performance management. Planning, managing, and reviewing performance regularly and effectively will be critical to decisions regarding remuneration and recognition. It is important that all staff proactively participate in performance management and the Performance Review Process.

3.4 FSD Uganda will seek advice on developing an approach to identify appropriate pay grades and salaries within the organisation in line with local norms and benchmarks in Uganda. FSD Uganda will fund an independent review carried out about every two (2) to three (3) years.

- FSD Uganda staff salaries will be paid monthly in arrears.
- FSD Uganda will provide an annual increment to be determined at the discretion of the board to all staff at the end of each year.
- FSD Uganda will provide a performance based increment based on satisfactory job performance at the end of each year.
- FSD Uganda will not provide any loans to staff.

3.4.1 **Salary adjustments** – in addition to the 5% annual increment, any other salary adjustments will be made at the discretion of the board after reviewing proposals made by the Executive Director. Salary adjustments will take into consideration on job performance upon which a merit increment will be determined, comparisons in the market based on a salary survey, the available funding, general economic conditions and any other constraints facing FSD Uganda.

3.4.2 **Medical scheme** – all members of staff are entitled to a medical scheme in force during their employment. FSD Uganda will establish a suitable medical scheme covering its staff, spouse and four (4) biological children or children where the employee has legal relationship for their care below twenty-five (25) years. Staff will need to demonstrate that children above twenty one (21) years are still in formal education. The FM will provide the details of the medical scheme to all staff on joining FSD Uganda.

3.4.3 **Group life insurance** – FSD Uganda will enrol all its employees in a group life assurance plan, which provides the employee with benefits in the event of death or dismemberment. The FM will provide the specific coverage details to all staff on joining FSD Uganda.

- 3.4.4 **Group personal accident cover** – FSD Uganda will provide group personal accident coverage to its employees from the day they begin work. Employees are covered by group personal accident if they are incapacitated by injury or illness arising out of their employment. Other benefits may include medical expenses, compensation for total or partial disability, and death benefits. Employees must report all accidents to their supervisor, regardless of how minor. If a work-related injury requires medical attention by a physician or any other medical facility that produces a bill, a claim should, whenever feasible, be made out that same day by the employee’s supervisor. An original copy of the claim must be forwarded to the FM who will forward it to the insurance company.
- 3.4.5 **Support to communications out of office** - FSD Uganda will provide key staff with modems (mainly for accessing internet while out of office) and moderately priced mobile phones. They will also be provided with airtime and data on a monthly basis to primarily cater for internet bundles and phone calls. The ED will have the discretion to determine which members of staff are eligible to receive benefits under this provision.
- 3.4.6 **Gratuity** - FSD Uganda will provide staff with 7.5% of gross salary per month and will be subject to applicable tax deductions. The gratuity shall accrue and be paid to the employee on completion of the term of their contract. The employee shall forfeit this gratuity if, for any reason, the contract is terminated before the end of the contract period.
- 3.4.7 **Funeral indemnities** – in the unfortunate event of death of an employee, FSD Uganda will give funeral indemnities to the deceased’s family as stipulated in the Ugandan labour law.
- **3.5 Statutory Deductions** - Salaries to Staff shall be paid net of all statutory deductions arising from the Laws of Uganda including: NSSF Act Cap.222;
  - Income Tax Act Cap.340;
  - Local Government Act as amended.

#### 4.1 REQUIREMENTS AND PRINCIPLES

The guiding principles and supporting reward systems will be transparent, easy to communicate and understand. The details of individual remuneration packages will be handled in line with the Staff Data Protection Policy.

A salary benchmarking review will be carried out from time to time and staff members will be able to familiarise themselves with the salary bands for each job grade.

#### 4.2 Supporting capability development

The approach to remuneration and recognition supports FSD Uganda’s commitment to improving the capability, skills and competence of the workforce. This is achieved through learning and development and the performance management system.

#### 4.3 Consideration of competitive market rates

4.3.1 The remuneration arrangements should be informed through a benchmarking against pay scales of relevant organisations in relevant employment markets.

4.3.2 This will be managed through a defined methodology to ensure consistency. This will aid recruitment and retention and optimise value for money by targeting resources effectively. Salaries will be determined and differentiated on the basis of individual skills and competencies.

#### 4.4 Emphasis on total remuneration

The reward system will emphasise total remuneration. The total remuneration package will include salary, annual leave, and other benefits including insurances.

#### **4.5 Fostering team working**

FSD Uganda's remuneration and recognition approach will encourage team working including, where appropriate, problem solving across the organisation. FSD Uganda promotes and encourages the exchange of ideas and knowledge across the organisation. In this regard, FSDU will hold an annual team building event to facilitate communication across the organisation.

#### **4.6 Responsibilities of all staff**

To participate proactively in performance management and the Performance Review Process. FSD Uganda recognises the critical importance of formal feedback delivered in a professional way in face-to-face meetings.

#### **4.7 Responsibilities of all Managers and staff with leadership or supervisory roles:**

4.7.1 To ensure the requirements of this document are acted upon and adhered to in their area of responsibility;

4.7.2 To ensure that within their management control staff receive fair and reasonable remuneration and recognition. Recommendations on pay rises will be shared with the FSD Uganda Executive Director and the Chief Operating Officer for final approval;

4.7.3 To manage and review performance regularly and effectively.

#### **4.8 Responsibility of FSD Uganda:**

4.8.1 To regularly review remuneration and recognition as part of FSD Uganda's aim to be an employer of choice and to ensure compliance with legislation, including equal pay legislation;

4.8.2 To consider improvements to supporting remuneration and recognition systems in order to implement and encourage adherence to this policy.

### **5.1 PROCEDURE**

Key to the success of the remuneration and recognition system is to define FSD Uganda's approach to remuneration and recognition and for staff to understand their responsibilities towards it. The system includes:

#### **5.2 Flexibility**

FSD Uganda's approach to remuneration and recognition will be flexible in order to support FSD Uganda's business and stay relevant to the employment markets in which it operates. Flexibility ensures that as FSD Uganda's business evolves, the system will still be able to:

5.2.1 Encourage the development of internal talent;

5.2.2 Accommodate new joiners;

5.2.3 Recognise the value of all aspects of the employment package;

5.2.4 Deliver value for money.

#### **5.3 Pay for performance**

5.3.1 The remuneration and recognition package will be differentiated by individual contribution within the role. Individual contribution will be managed through the performance management system, which provides a common framework for discussions on performance and development for all staff within the organisation.

5.3.2 The delivery of results will be rewarded through pay increments that recognise outperformance. Upon finalisation of the annual assessment of staff performance by the supervisor, the supervisor will determine whether the performance of the staff warrants a performance increment. The supervisor will submit the proposed performance based pay increment to the ED for review and submission to the board for approval. The performance based increment should not exceed 15%.

5.3.3 **Acting allowance.** If an employee takes on a superior position in acting capacity for a period exceeding 30 calendar days, they will be entitled to an allowance equivalent to the difference between their basic salary and that of the position they are acting for.

5.3.4 **Additional Duties Allowance.** If an employee takes on significant additional duties that are not within the scope of their terms of employment for a period exceeding 30 calendar days, they will be entitled to an allowance equivalent to a given percentage of their basic salary. The ED or COO will write to HRCC with a proposed percentage for consideration and approval

## 6.0 SUPPORT AND ADVICE

6.1 Support and advice on the application of this policy and procedure can be obtained through speaking to your Supervisor, Manager or the Chief Operations Officer.

## 7.1 RELATED DOCUMENTS

Staff are encouraged to look at this policy in conjunction with:

- The Equality and Inclusion Policy
- Learning and Talent Development Policy
- Performance Management Policy

## 8.0 DOCUMENT APPROVAL

|                                  |           |
|----------------------------------|-----------|
| Chief Operations Officer         | Signature |
| Executive Director of FSD Uganda | Signature |

## 9.0 REVISION HISTORY

9.1 FSD Uganda reserves the right to amend this Code of Conduct from time to time.

| DATE | REVISION NUMBER | CHANGE | REFERENCE SECTION    |
|------|-----------------|--------|----------------------|
|      |                 |        | [Ugandan Labour Law] |
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## PERFORMANCE MANAGEMENT POLICY AND PROCEDURES

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### 1.0 INTRODUCTION

- 1.1 Performance management is key to achieving high standards of professional and responsive business, and in excelling in the attainment of FSD Uganda's short, medium and long term strategic goals for the organisation.
- 1.2 FSD Uganda recognises that managing the performance of individuals builds professional knowledge, innovation, capability and capacity of its staff, in its pillars and across the organisation.

### 2.0 ORGANISATIONAL SCOPE

- 2.1 It is the policy of FSD Uganda that Performance Review Meetings are completed twice a year and are applicable to all staff employed by FSD Uganda.
- 2.2 Note that the performance of the Board of Directors is evaluated in accordance with the provisions of the FSD Uganda's Appointment and Evaluation of Directors' Policy and Procedures.

### 3.0 POLICY STATEMENT

- 3.1 Performance management within FSD Uganda is a continuous process and not just confined to the Performance Review Meetings. It begins at the strategic level covering broader strategy, long term goals and our vision and values. It is an integrated process that links various aspects of the programming, people management, individuals and teams.
- 3.2 From a people management perspective, the policy involves making sure that the performance of our staff contributes to the goals of their pillars and to the goals of the organisation as a whole and to providing training, coaching, mentoring and support when required.

FSD Uganda shall have a performance review system in place that will be applied across the organisation as a mechanism to review individual and team performance. It shall be the responsibility of Chief Operations Officer to ensure that performance at all levels is managed and reviewed.

- 3.3 The Performance Management System incorporates performance improvement (individual, pillar and organisational effectiveness), and the management and development of our technical and behavioural competencies.
- 3.4 The following policy and procedure is designed to guide staff and their Supervisors in the approach that FSD Uganda adopts to achieving and maintaining good performance at work and incorporates the Performance Review Process.
- 3.5 FSD Uganda's Performance Review Process is designed to:
  - 3.5.1 Ensure an alignment between individual performance and FSD Uganda's vision, commitment, strategy, priorities, values and objectives and reinforce individuals' vision and satisfaction;
  - 3.5.2 Help develop a mutual understanding of annual objectives and performance expectations and enable the Supervisor, in discussion with the staff member, to set milestones or benchmarks for the year ahead;
  - 3.5.3 Monitor progress towards the achievement of organisational, pillar, and individual objectives and provide assistance to staff to perform their job to the best of their ability, maximising their job satisfaction and their contribution to organisational objectives;
  - 3.5.4 Encourage continuous constructive feedback and open two-way communication between staff and Supervisors and help strengthen the staff-Supervisor relationship;

- 3.5.5 Identify individual training and development needs in technical and behavioural competencies and highlight the potential that each staff member has to develop within their current position or a future position;
- 3.5.6 Provide an objective, transparent and bias-free basis for determining salary reviews, promotions, changes to remuneration and any other rewards, transfers, redundancies and termination of employment;
- 3.5.7 Provide the opportunity for the Supervisor and member of staff to jointly reflect on the staff member's last year of performance and development, celebrate successes and discuss needs identified and strengthen the performance planning for the coming year;
- 3.5.8 Assess the overall performance and competence of staff;
- 3.5.9 Assess employee strengths and weaknesses;
- 3.5.10 Provide an opportunity to review a staff member's Job Description to ensure it is valid for the coming year;
- 3.5.11 Ensure that all staff are efficient, competent and work with integrity in the performance of their duties.

#### **4.1 REQUIREMENTS AND PRINCIPLES PERFORMANCE MONITORING AND STAFF DEVELOPMENT**

#### **4.2 Induction and probation**

- 4.2.1 For new staff the first three (3) to six (6) months (subject to contract) at FSD Uganda is a probationary period and staff will be given targets and objectives to reflect this period of time before they are confirmed in the posts. These targets and objectives will include the assessment of behavioural competencies that are expected to be performed within the respective role.
- 4.2.2 The Supervisor should give a clear explanation of the expected performance levels with performance objectives for the first three (3) to six (6) months (this is a key part of setting and maintaining good performance).
- 4.2.3 Any performance documentation should be explained.
- 4.2.4 The staff member should be made aware of any conditions that apply and the way in which the probationary process works.
- 4.2.5 Supervisors must consider any adaptations that may be needed to enable staff member with disabilities to perform to their full potential.

#### **4.3 Responsibilities of all staff:**

- 4.3.1 To engage with the performance management process to ensure they understand how the strategic objectives and key result areas, pillar objectives and associated key performance indicators, and their individual objectives align;
- 4.3.2 To raise any concerns or lack of understanding with their Supervisor about how their individual objectives align with pillar and strategic objectives;
- 4.3.3 To be proactive in the identification of their own current and future development needs and the means to fulfilling them;
- 4.3.4 To attend all training and workshop activities that are agreed;

- 4.3.5 To support team members and colleagues in their development and performance needs where practicable;
- 4.3.6 To take opportunities to improve their performance and share ideas and opportunities to improve team performance.

#### **4.4 Responsibilities of Managers and Supervisors with leadership roles:**

- 4.4.1 The Supervisor is responsible for setting, appraising and monitoring the staff member's performance and for providing training, coaching, mentoring and development support where identified;
- 4.4.2 There should be regular and open, two-way communication and constructive feedback between the staff member and Supervisor to ensure that standards are being clearly communicated and maintained and to ensure the alignment of the staff member's performance with the organisation's objectives and vision. Reference should be made to any performance benchmarks and developmental actions to be taken when appropriate;
- 4.4.3 Supervisors and Managers are strongly encouraged to seek feedback on staff members' performance from colleagues (including those more junior than the staff member in question) and partners and not simply rely on his/her –top down assessment;
- 4.4.4 Supervisors should be receptive to staff members' ideas for improving work methods;
- 4.4.5 Agreed training needs in accordance with organisational priorities should be identified and met (refer to the Learning and Talent Development Policy);
- 4.4.6 Where new tasks or responsibilities are introduced, staff and their Supervisors should consider any further development needs together in open and honest feedback sessions;
- 4.4.7 Good performance should be recognised and praised. Overall performance will be ranked as Exceptional achievement with a score of 5; Fully achieved - 4; Partially achieved - 3; Not achieved - 2 and Performance Improvement Plan - 1.

#### **4.5 If performance is below standard**

- 4.5.1 If a member of staff is performing below standard in a new task or responsibility, the causes of the poor performance should be identified and the focus of the Supervisor and staff member's efforts should be to work together through a performance improvement plan – PIP (examples may include a lack of technical competence which requires training or technical coaching, or challenges in delivering a complex workload which may require some personal coaching or support).

Line Managers shall remember the following when they develop a Performance Improvement Plan (PIP):

- Specifically identify the performance to be improved or the behaviour to be corrected
- Provide clear expectations and metrics about the work to be performed or behaviour that must change
- Identify the support and resources available to help the employee make the required improvements
- Establish a plan for reviewing the employee's progress and providing feedback to the employee for the duration of the PIP
- Specify possible consequences if performance standards as identified are not met
- The PIP will be monitored on a quarterly basis
- The PIP will be in writing and signed by both parties

- 4.5.2 If it is identified that the staff member does not have the necessary skills, Supervisors should assist wherever practicable and give reasonable time to meet the required level of performance.
- 4.5.3 If it is identified that something has changed in a member of staff's performance, Supervisors should discuss with the staff member what has changed and if they need any help (a situation or external influence may be affecting the member of staff).
- 4.5.4 Supervisors should give encouragement and assistance to staff who are not performing, to support them to improve.
- 4.5.5 Where below standard performance persists, Supervisors and the staff member should continue to identify the cause of the problem and work together to achieve improvement.
- 4.5.6 If performance issues still exist the Supervisors must explain to the staff member the consequences if improvement is not made.
- 4.5.7 In cases of particularly serious concern or where there is a continued failure to consistently achieve the required standard, the probation, capability or disciplinary process may be required, Supervisors must ensure they have tried all reasonable avenues of development and support first.
- 4.5.8 Where it is considered that ill health or disability may be an underlying factor in poor performance, an occupational health advisor should be asked to give advice before decisions are taken. Where appropriate, the Sickness Procedure may need to be followed (see the Leave Entitlement and Wellbeing Policy).
- 4.5.9 The annual performance review meeting is not the mechanism for informing the staff member of poor performance issues for the first time.

#### 4.6 Responsibilities of FSD Uganda:

- 4.6.1 To help all staff achieve optimum levels of performance and to participate actively in improving operations and the standard of their work;
- 4.6.2 To provide guidance and support for how to conduct on-going performance monitoring and how to provide a staff member with required development and support effectively and efficiently;
- 4.6.3 To give all supervisory staff the necessary training and coaching in performance managing and appraising performance and skills development.

### 5.1 PROCEDURES

#### 5.2 Performance Appraisal Process

FSD Uganda's performance appraisal system involves the following processes:

- 5.2.1 **Setting Objectives** – each employee will set annual goals and objectives at the beginning of the FSD Uganda Financial year (or time of entry, whichever is earlier). These set objectives will be clearly linked to either: the performance indicators and/ or impact FSD Uganda is being assessed against and /or internal organisational objectives which contribute to the achievement of FSD Uganda results. These objectives should be SMART<sup>1</sup>.
- 5.2.2 **Assessment** – Line Managers will with the respective staff they supervise periodically (preferably at half year) – review progress against objectives.

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<sup>1</sup> Specific, Measurable, Achievable, Realistic and Time-bound

- 5.2.3 **Year-end review** – each year there will be a formal performance review meeting where an assessment of annual performance will be made and objectives for the following year set. Learning and development goals will also be reviewed and set at this meeting.
- 5.2.4 The Chief Operations Officer shall design an appropriate Performance Review template that will guide the performance review process. Employees will have the right to appeal either to the Executive Director or to the FSD Uganda Board in cases where they are not satisfied with the appraisal process or rating. **(Annexure 11: Performance Review form)**

### 5.3 Performance Review Procedure

- 5.3.1 Performance Review Meetings should take place from FSD Executive Director level downwards to facilitate the communication of company objectives.
- 5.3.2 As the time (this may be a fixed time) for the Performance Review Meeting approaches each year, the Chief Operations Officer will ensure that Supervisors have adequate access to current performance review documents. These may include:
- a. A copy of the strategic objectives and key result areas for the previous year;
  - b. A copy of the strategic objectives and key result areas for the coming year (if these are different);
  - c. A copy of the pillar objectives and key performance indicators for the previous year;
  - d. A copy of the pillar objectives and key performance indicators for the coming year, (which the Supervisor may have been involved in generating prior to the individual staff members Performance Review Process);
  - e. The current Performance Review Form;
  - f. A copy of the staff member's Performance Review Form for the previous year;
  - g. A copy of the Performance Review Form completion guide if required;
  - h. Copies of relevant job descriptions;
  - i. Staff and Supervisors may wish to bring along examples and evidence of objectives met for discussion.
- 5.3.3 The Supervisor then agrees the date, time and location of the Performance Review Meeting with the staff member and ensures they have copies of documents mentioned above (where relevant).
- 5.3.4 Ideally, at least ten (10) working days should be given to enable staff to adequately prepare for the meeting.
- 5.3.5 The staff member should complete the relevant Performance Review Form in preparation for the Performance Review Meeting, handing it to the Supervisor at least twenty-four (24) hours beforehand.
- 5.3.6 In the meeting the staff member and Supervisor discuss the objectives from the previous year, they may:
- Discuss the regular one (1) to one (1) meetings they have had during the year;
  - Review development interventions that occurred and their impact and influence on individual objectives;
  - Discuss changes that may have occurred along the way;
  - Review and discuss the staff member's self-rating of their performance (staff may want to provide evidence and milestones achieved in the year as reminders of their achievements);
  - Review and discuss the Supervisor's feedback on performance (Supervisors may want to provide evidence of key performance indicators met or exceeded in the year as reminders);

- Reflect in an open and honest way on objectives met and on objectives still to be met;
  - Agree on any additional objectives that naturally appear during this process;
  - Celebrate achievements.
- 5.3.7 In the meeting the staff member and Supervisor should review the strategic objectives and key result areas for the coming year and may:
- Review the pillar objectives and key performance indicators for the coming year;
  - Agree new objectives for the staff member (some of these may be the same technical or behavioural competencies for all pillar members, some may be specific);
  - Agree stretching targets to increase capability and capacity of the pillar and the staff member.
- 5.3.8 There should not be unpleasant surprises for staff members in the Performance Review Meeting, because issues of poor performance should be addressed when they first occur. The performance review should be motivational and developmental in nature.
- 5.3.9 The Performance Review Form is then completed together by the member of staff and the Supervisor.
- 5.3.10 The staff member and Supervisor then add any comments, sign the Performance Review Form and a copy is given to the member of staff.
- 5.3.11 If on reflection the staff member disagrees with any aspect of the objectives agreed, they should request a further meeting with their Supervisor within 1 week of signing the form.
- 5.3.12 Once the Performance Review Form has been signed off and agreed, the Supervisor should keep a copy, and forward the original to the Executive Director within two (2) weeks of the Performance Review Meeting.
- 5.3.13 The Chief Operations Officer will be responsible for collating the information provided, and, in particular, for identifying individual or trends of training and talent development needs that are key to the achievement of key result areas.
- 5.3.14 If during the performance review process it is identified that the role has changed or the existing Job Description does not reflect the requirements of and the organisation's expectations from the role, then the Job Description should be revised.
- 5.3.15 If the role has changed significantly then advice from the Executive Director should be sought prior to making any changes to the existing Job Description.

## **6.0 SUPPORT AND ADVICE**

- 6.1 Support and advice on the application of this policy can be obtained through speaking to your Manager or the Executive Director.

## **7.1 RELATED DOCUMENTS**

Staff are encouraged to look at this policy in conjunction with the:

- Code of Conduct
- Equality and Inclusion Policy
- Learning and Talent Development Policy
- Remuneration and Recognition Policy
- Data Protection Policy

**8.0 DOCUMENT APPROVAL**

\_\_\_\_\_  
Chief Operations Officer

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Executive Director of FSD Uganda

\_\_\_\_\_  
Signature

**9.0 REVISION HISTORY**

9.1 FSD Uganda reserves the right to amend this Code of Conduct from time to time.

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|------|-----------------|--------|----------------------|
|      |                 |        | [Ugandan Labour Law] |
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|      |                 |        |                      |

## LEARNING AND TALENT DEVELOPMENT POLICY

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### 1.0 INTRODUCTION

- 1.1 FSD Uganda aims to ensure that learning and talent development opportunities are available to all permanent staff to enable them to carry out their work to the highest standards and to fulfil their career potential. This will contribute to the overall excellence of FSD Uganda and the achievement of the organisation's vision and values.

### 2.0 ORGANISATIONAL SCOPE

- 2.1 All staff contractually employed by FSD Uganda.

### 3.0 POLICY STATEMENT

- 3.1 It is the policy of FSD Uganda to ensure that learning and talent development opportunities are in place to equip staff with the skills, knowledge, experience and behaviours necessary to carry out their work. All permanent staff will receive appropriate training to enable them to perform their duties. Where possible, development opportunities will be available to permanent staff to assist them in fulfilling their potential.

### 4.0 REQUIREMENTS AND PRINCIPLES

- 4.1 All staff will have a development plan, which will be agreed with their Manager as a key element of their performance review. The agreed development plan will be reviewed at the mid-year and year end point. Where career development is within FSD Uganda, the plan will include activities to support staff in developing their career.
- 4.2 All training interventions will meet legislative requirements and will support individual development plans. Development activities may include coaching, mentoring, e-learning, on the job training, self-managed learning, workshops, action learning, secondments and professional sponsorship.
- 4.3 Sponsorship may be funded for appropriate qualifications to maximise a staff member's performance and talent development for the benefit of themselves and the organisation. As part of the sponsorship arrangements staff will be required to give an undertaking, in writing, to repay a proportion of the cost incurred by the organisation or donor if the member of staff:
- 4.3.1 Does not complete the course;
  - 4.3.2 Fails the course or receives an unsatisfactory attendance or performance report;
  - 4.3.3 Leaves the organisation before completing the course.
- 4.4 Responsibilities of all staff:
- 4.4.1 To be proactive in the identification of their own current and future development needs and the means to fulfilling them;
  - 4.4.2 To attend all approved training and workshop activities that are agreed unless unavoidable circumstances occur. In such circumstances as much notice as possible must be given by all concerned.
- 4.5 Responsibilities of all Managers and staff with leadership and supervisory roles:
- 4.5.1 To ensure that development plans for their staff are carried out in line with business objectives and individual and organisational change requirements;

- 4.5.2 To ensure development plans for all staff are implemented and evaluated in agreement with the individual concerned;
  - 4.5.3 To agree necessary release for approved training wherever possible to ensure staff are able to participate in learning and talent development activities;
  - 4.5.4 To ensure all staff have fair and equal access to development opportunities as agreed under their individual development plans;
  - 4.5.5 To undergo training to enable them to support staff in identifying talent, training needs and how best the talent can be used and training needs can be met;
  - 4.5.6 To manage and monitor budgets for learning and talent development activities to ensure best value in line with equality and inclusion strategies.
- 4.6 Responsibility of the Chief Operating Officer:
- 4.6.1 To develop the annual learning and development budget based on the development plans put forward by each staff member, and linked with the needs and skills requirements of FSD Uganda;
  - 4.6.2 To investigate learning, talent development activities and facilities in response to identified needs to ensure relevant activities meet the needs of the business and staff;
  - 4.6.3 To provide advice and guidance to Managers and staff on learning and development activities;
  - 4.6.4 To provide access to and information about core role training and management development, monitor attendance, and ensure records are kept up to date;
  - 4.6.5 To support the planning, monitoring and evaluation of learning and talent development activities and effect continuous improvement;
  - 4.6.6 To ensure that future development needs are reviewed regularly against resources and budget;
  - 4.6.7 To ensure learning and talent development activities are fit for purpose, provide value for money and contribute to the ongoing success of the individual and FSD Uganda as a whole.
- 4.7 All learning activities will be evaluated based on:
- The effective delivery of the activity – through completion of post course questionnaires or other feedback mechanism;
  - The learning that has taken place – through a short report written no more than two (2) weeks after the activity;
  - The impact of that learning on the individual's performance – in annual performance review with Line Manager.
- 4.8 Participation in professional associations
- 4.8.1 Employees are encouraged to apply for club membership and take an active interest in professional associations when eligible. FSD Uganda will reimburse employees for membership fees or dues for professional associations, subject to the prior approval or recommendation of the Chief Operations Officer. Each approved membership will be subject to an annual review by the Chief Operations Officer.
  - 4.8.2 Employees are encouraged to submit articles, present papers, or give talks to trade and professional associations and their publications. However, prior approval must be obtained from the Executive Director if employees are writing in their capacities as FSD Uganda team members.

4.8.3 Employees who are invited to seek or serve in any official position of a professional association must obtain approval from the Executive Director before accepting. Any absence from work duties in such circumstances requires prior approval.

## 5.0 PROCEDURES

None

## 6.0 SUPPORT AND ADVICE

6.1 Support and advice on the application of this policy can be obtained through speaking to your Manager or the Chief Operations Officer.

## 7.1 RELATED DOCUMENTS

Staff are encouraged to look at this policy in conjunction with the:

- Code of Conduct
- Performance Management Policy
- Equality and Inclusion Policy
- Recruitment and Talent Attraction Policy
- Data Protection Policy

## 8.0 DOCUMENT APPROVAL

|   |                    |
|---|--------------------|
| _____<br>Chief Operations Officer         | _____<br>Signature |
| _____<br>Executive Director of FSD Uganda | _____<br>Signature |

## 9.0 REVISION HISTORY

9.1 FSD Uganda reserves the right to amend this Code of Conduct from time to time.

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## LEAVE ENTITLEMENT AND WELLBEING POLICY AND PROCEDURES

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### 1.0 INTRODUCTION

- 1.1 Good working practices and the benefits from these for staff are key to the success of FSD Uganda in an increasingly competitive market. Any barriers to the employment and retention of the best people for the job are very costly and undermine efficiency, productivity and responsiveness.

### 2.0 ORGANISATIONAL SCOPE

- 2.1 FSD Uganda Leave Entitlement and Wellbeing Policy and Procedures are applicable to all staff who have an Employment Contract with FSD Uganda and meet the relevant qualifying criteria.

### 3.0 POLICY STATEMENT

- 3.1 This Policy sets out FSD Uganda's approach to the different categories of leave available. All requests for leave will be dealt with fairly and consistently and in accordance with FSD Uganda's Equality and Inclusion Policy.
- 3.2 This Policy also sets out FSD Uganda's approach to flexible working. All reasonable requests for flexible working will be considered in line with business needs.
- 3.3 It is the policy of FSD Uganda to ensure that as far as possible staff are able to combine their career and family and other responsibilities. FSD Uganda recognises that different stages of family life brings additional responsibilities.

### 4.0 REQUIREMENTS AND PRINCIPLES

- 4.1 FSD Uganda believes in helping members of staff achieve a good balance between work and home life and recognises there are benefits for individuals and the business when members of staff are better able to manage work and other areas of their lives.
- 4.2 All leave and flexible working requests will be handled in a fair and consistent manner.
- 4.3 All staff must:
- 4.3.1 Ensure they follow the provisions set out in this policy and procedures in their request for leave or flexible working.
- 4.4 Additionally all Managers and Supervisors with leadership responsibilities must:
- 4.4.1 Ensure that all leave requests are dealt with in a fair and consistent manner.
  - 4.4.2 Ensure they record all requests appropriately in a timely way.
  - 4.4.3 Ensure requests for flexible working are given due consideration with decisions being based on business requirements.
- 4.5 In order to apply for flexible working all members of staff must:
- 4.5.1 Have been in continuous employment for a period of at least twenty-six (26) weeks at the date the application is made.
  - 4.5.2 Make a written request for flexible working setting out the working pattern requested and how this might be accommodated within the pillar.
  - 4.5.3 Not having made another application to work flexibly during the past twelve (12) months.

- 4.6 All reasonable options may be considered including:
  - 4.6.1 Reduced hours
  - 4.6.2 Job sharing
  - 4.6.3 Career break
  - 4.6.4 Staggered hours (including –late in, late outll)
- 4.7 FSD Uganda operates a Time Off in Lieu (TOIL) policy to compensate staff members for weekend working or for travelling at weekends on FSD Uganda business.
  - 4.7.1 Where a staff member has had to work a substantive piece of written work over a weekend (report, terms of reference, strategy document etc., not emails, reviewing papers) hours, or has had to travel over the weekend on company business, he/she may accrue TOIL up to a maximum of two (2) days per month.
  - 4.7.2 TOIL will normally accrue at the rate of half a day for each claim.
  - 4.7.3 A claim, including a justification, for TOIL must be notified to the Line Manager as soon as possible and is granted at the discretion of the Chief Operating Officer who may check the claim with the pillar head.
  - 4.7.4 TOIL must be taken in the month in which it is claimed and will lapse if it is not taken.
  - 4.7.5 TOIL may only be taken if the absence from work is not likely to materially prejudice delivery of the staff member’s other obligations.
  - 4.7.6 TOIL not taken will not be financially compensated for under any circumstances.
- 4.8 The following procedures outline FSD Uganda’s intention, wherever practicable, to make provision for flexibility for staff who need to adjust their work life balance:
  - 4.8.1 Annual Leave
  - 4.8.2 Maternity Leave
  - 4.8.3 Paternity Leave
  - 4.8.4 Adoption Leave
  - 4.8.5 Sick Leave
  - 4.8.6 Time off for Dependents Leave
  - 4.8.7 Unpaid Leave
  - 4.8.8 Compassionate Leave
  - 4.8.9 Voluntary Public Duties
  - 4.8.10 Flexible Working

4.8.11 Work away from office

4.8.12 Study leave (examination day plus a day each to prepare for each exam). Applicable for study related to the business requirements and where the line manager has been informed of the study.

## 5.1 PROCEDURES

### 5.2 Annual Leave Procedure

5.2.1 FSD Uganda is committed to developing and maintaining working arrangements which enable its staff to achieve a good work-life balance. Annual Leave is important in helping staff achieve this.

5.2.2 FSD Uganda makes every effort to accommodate reasonable Annual Leave requests and give staff the opportunity to take the Annual Leave to which they are entitled. Heads of Pillars/Supervisors will endeavour to ensure that workloads do not prevent this whilst ensuring that the operational needs of FSD Uganda are taken into account.

5.2.3 The Annual Leave year runs on a calendar year basis from 1st January to 31st December.

#### 5.1.4 Annual Leave Entitlement

5.1.4.1 Every FSD Uganda full-time member of staff is entitled to twenty-five (25) working days Annual Leave per calendar year (pro rata) exclusive of Saturdays, Sundays and Public holidays. For staff who work part-time, this entitlement will be prorated accordingly.

5.1.4.2 If a staff member is employed for less than a full year, the annual leave entitlement is pro-rata to the number of full calendar months worked. Any decimal points equivalent to 0.5 and above will be rounded off to a whole day

5.1.4.3 Accrued leave up to a maximum of four (4) working days may be carried over into the following year but must be taken before 31st March of the following year; extra days will be forfeited except with prior approval from the Executive Director. Leave may only be carried forward to a subsequent year principally for the convenience of the FSD Uganda and not for the individual. Such cases need written approval from the Line Manager.

In exceptional circumstances, if a staff member is re-called from leave, the individual and his or her Line Manager will arrange for the staff member to take the outstanding days at the earliest available opportunity

5.1.4.4 Annual Leave entitlement accrues at 2.083 days per full calendar month worked. However, this should not prevent a staff member taking a long holiday in the early part of the year, subject to his/her Supervisor's agreement. For staff who work part-time, this entitlement will be prorated accordingly.

5.1.4.5 On joining FSD Uganda:

- Annual Leave entitlement for the remainder of the current year will be calculated on a pro-rata basis;
- While their entitlement to Annual Leave accrues from the start of their employment, new staff members must have successfully completed three (3) months of their probationary period before being allowed to take Annual Leave. Any such leave will reflect the accrued days.

5.1.4.6 Annual Leave is pro-rated for all contracted staff of FSD Uganda.

5.1.4.7 Annual Leave will continue to accrue while the staff member is off sick.

5.1.4.8 In cases of long-term sickness, the situation will be discussed with the staff member and a decision within the policy made by the Chief Operations and Executive Directors as to whether any accrued and unused Annual Leave for leave

days in excess of the statutory 25 days may be carried over into the next calendar year.

- 5.1.4.9 Annual Leave will continue to accrue at the normal rate during Maternity Leave.

#### 5.1.4.10 On leaving FSD Uganda:

- Accrued Annual Leave entitlement will be calculated pro-rata for the amount of service between 1st January and the staff member 's last working day;
- Any accrued Annual Leave may not be taken during the one (1) month notice period;
- Should Annual Leave already taken exceed entitlement, the staff member will be required to refund an amount equivalent to the number of days/hours by which they have exceeded their entitlement. This sum may be deducted from any monies owing to the staff member at the time of leaving FSD Uganda;
- Payment for Annual Leave accrued but not taken will be made in the staff member's final salary;
- Staff should give sufficient notice of their intention to leave failing which any accrued Annual Leave will be forfeited to ensure that the correct number of days expected to have been worked within the period of notice can be worked;
- Outstanding leave days will be computed and paid to the departing staff member.

#### 5.1.5 Annual Leave Requests

- 5.1.5.1 Both the staff member and his/her Supervisor should strive to ensure that under normal circumstances all Annual Leave is taken in the current Leave Year and ideally not carried forward.
- 5.1.5.2 All requests for Annual Leave must be submitted on the FSD Uganda Leave Request Form to the respective Supervisor for approval.
- 5.1.5.3 Annual Leave should be booked as far in advance as possible and as a minimum:
- a. For one (1) week or less – no defined notice period; subject to the Supervisor's discretion;
  - b. For one (1) to two (2) weeks – six (6) weeks in advance;
  - c. For two (2) weeks or more – three (3) months in advance.
- However, these notice periods may be waived by the Supervisor where he/she considers that the staff member's absence on leave would not materially disrupt FSD Uganda's business or in an emergency or due to unforeseen circumstances.
- 5.1.5.4 Annual Leave must be staggered to maintain minimum staffing requirements in the pillar and approval will normally be given on a first come first served basis. However, in special circumstances the prioritization and allocation of holiday will be at the Supervisor's discretion.
- 5.1.5.5 The granting of Annual Leave will be subject to ensuring that operational requirements can be met. The reason/s for not granting Annual Leave must be recorded on the Leave Request Form. **(Annexure 12: Leave Request Form)**

#### 5.1.6 Cancellation of Annual Leave

- 5.1.6.1 Staff should inform their Supervisor at the earliest opportunity should they no longer wish to take Annual Leave which has been booked.
- 5.1.6.2 The Executive Director may require an employee to defer taking his/her leave to suit the exigencies of service.
- 5.1.6.3 Under no circumstances will annual leave be cashed or relinquished for any other benefit. It is a policy of FSD Uganda for staff members to go on leave every year.
- 5.1.6.4 Once authorised, FSD Uganda will not require you to cancel your leave unless strictly necessary, in which case as much notice as possible will be given. Staff will need to agree to any changes and may not be forced to cancel their leave.

### **5.1.7 Unapproved Annual Leave**

5.1.7.1 Any staff member who takes Annual Leave, which has not been previously approved, may be subject to disciplinary action, which may result in dismissal.

### **5.1.8 Late return from Annual Leave**

5.1.8.1 If a member of staff knows that they will be returning to work later than their approved leave application, they must inform their Supervisor by email, phone or any other means immediately with sufficient reason and be subject to approval.

5.1.8.2 Failure to inform their Supervisor will render the staff member liable to disciplinary action for unauthorised absence. Such disciplinary action may include dismissal.

### **5.1.9 Leave Records**

5.1.9.1 All staff will have a Leave Record to record and monitor all types of leave taken and due.

5.1.9.2 The Chief Operations Officer is responsible for organising the compilation, reporting and maintenance of the Leave Records for all staff (including having a soft version of records and data)

### **5.1.10 Public and Religious Holidays**

5.1.10.1 FSD Uganda shall observe public holidays approved and gazetted by the Government of the Republic of Uganda.

5.1.10.2 Other days, which are announced by the Government of the Republic of Uganda as Public Holidays, will be communicated to staff by the Chief Operations Officer.

### **5.1.11 Appeals Procedure**

5.1.11.1 Supervisors should make decisions regarding Annual Leave as consistently as possible. Any member of staff who believes that this policy is not being fairly applied may seek redress initially in writing to their Supervisor, thereafter through the Executive Director.

## **5.2 Maternity Leave Procedure**

5.2.1 FSD Uganda recognises that having a baby results in significant changes to people's lives and this procedure sets out the responsibilities and rights for the expectant mother and for the organisation.

5.2.2 FSD Uganda values the contributions of its female employees and recognises the importance of recruiting and retaining women in all areas of FSD Uganda's work. Every effort will be made to encourage women to return to work following Maternity Leave and help to make the transition easier.

5.2.3 FSD Uganda also recognises that arrangements for cover during the period of Maternity Leave, as well as arrangements for communicating with a staff member on Maternity Leave, are important for ensuring the continuity of the business and for easing the staff member's return to work, should she choose to do so.

5.2.4 FSD Uganda will consider a request by an international staff member for additional time off to be with family or friends in her country of origin subject to a maximum of two (2) weeks more than Ugandan colleague would be permitted. However, she would not be entitled to more paid Maternity Leave than a Ugandan colleague.

5.2.5 A female employee is entitled to maternity leave of sixty (60) consecutive working days. Maternity leave may cover a period before and after delivery, not to exceed sixty (60) working days of which no less than four weeks shall follow the child birth or miscarriage.

- 5.2.6 Staff may start their paid Maternity Leave up to a maximum of thirty (30) calendar days before the birth with the remainder being taken after the birth.
- 5.2.7 The employee must apply for maternity leave at least two (2) months in advance to allow time to designate a temporary replacement and handover of duties. The employee is at liberty to take annual leave immediately after the maternity leave duration.
- 5.2.8 Maternity Leave during Probation**
- 5.2.8.1 If the maternity leave coincides with the probationary period the probationary period shall with the express consent of the team member be deferred for the same number of days to allow for proper assessment of performance on the job.
- 5.2.9 Provision for nursing**
- 5.2.9.1 For a twelve (12) month period starting from the day on which an infant born, the female employee is entitled to a rest period of one (1) hour per day (in addition to the lunch hour), to allow her to breastfeed the child.
- 5.2.10 If a member of staff has a still-birth or child with congenital illness requiring immediate medical attention or gives birth to more than one (1) baby, an additional total of fifteen (15) working days will be added to her paid Maternity Leave entitlement
- 5.2.11 If a member of staff gives birth before the Maternity Leave has started, Maternity Leave will begin on the day after the date of birth.
- 5.2.12 While on Maternity Leave, the staff member will be paid 100% of basic pay and Annual Leave will continue to accrue.
- 5.2.13 To take advantage of Maternity Leave staff are encouraged to inform her Supervisor or the Chief Operations Officer no later than the fourth month into the pregnancy that she intends to take Maternity Leave.
- 5.2.14 To allow adequate planning and work allocation employees within scope are encouraged to inform the Supervisor, HR or a female colleague the expected date of birth together with a letter stating:
- When she estimates her Maternity Leave will start;
  - When she expects to return to work (this is just an indication at this stage, is non-binding and not a mandatory requirement).
- 5.2.15 FSD Uganda endeavours to promote a favourable environment that promotes work and home life balance. To achieve this, adequate planning for the staff member is prudent. It will be advisable to inform the immediate Supervisor and to complete and submit the Leave Application Form to the Executive Director prior to the start of the Maternity Leave.
- 5.2.16 As soon as is practicable after receiving notification, the Supervisor should arrange for the staff member to have a meeting with the Chief Operations Officer to ensure that:
- 5.2.16.1 They understand their rights to Maternity Leave;
- 5.2.16.2 The right to return is explained, together with any potential opportunities for flexible working (e.g. part time working, revised start and finish times etc.);
- 5.2.16.3 Arrangements for time off are known, and any possible health and safety concerns are aired;

5.2.16.4 They know their entitlements to payment during their Maternity Leave.

#### **5.2.17 Antenatal care**

5.2.17.1 Antenatal Care includes medical examinations and check-ups and pregnant staff are entitled to take paid time off for these appointments. Wherever possible they should be arranged to fit in with their job, such as at the end of the working day. This paid time off is in addition to their entitlement to Sick Leave which is not affected by this provision.

5.2.17.2 The member of staff will need to inform her Supervisor of the reason for the time off and the Supervisor must respect the staff member's confidentiality if she does not want anyone else to know yet that she is pregnant.

#### **5.2.18 Health and safety considerations**

5.2.18.1 There may be special health and safety risks to women at work who are pregnant or have just had a baby or are breast feeding. FSD Uganda will use its reasonable endeavours to accommodate changes that make the work place more comfortable for pregnant staff members or those who are breast-feeding.

5.2.18.2 Weekly working hours for pregnant staff will be reduced to thirty-five (35) hours per week from the point of notification to the start of Maternity Leave.

5.2.18.3 Pregnant staff may be assigned to light jobs based on hospital or a doctor's advice, whilst retaining their existing wage and any other benefits if required.

5.2.18.4 The staff member's needs will be monitored during her pregnancy and when she first returns to work.

5.2.19 Staff will not receive any reduction in pay or benefits as a result of pregnancy/breast feeding or be disregarded from employment opportunities within FSD Uganda.

5.2.20 If staff, choose not to take all of their Maternity Leave entitlement the remaining days of Maternity Leave will be forfeited and no payment will be made for days untaken.

5.2.21 Staff will remain on circulation lists for internal communications as though they were still at work.

5.2.22 FSD Uganda will aim to ensure that:

- Maternity Leave does not cause the staff member any long term disadvantage in relation to her training needs and/or self-development;
- Staff members who are on Maternity Leave have a reasonable level of communication with their Line Manager, and are invited to take advantage of training or team meetings or –away daysll.

5.2.23 During her Maternity Leave, the staff member may decide that she wants to come back earlier or later than she originally intended.

5.2.23.1 If she wants to come back earlier than they originally intended, they must inform their Supervisor by giving them at least two (2) weeks' notice in writing.

5.2.23.2 If she wants to come back later than she originally intended (but still before the end of her Maternity Leave entitlement), she must inform her Supervisor in writing four (4) weeks before the date on which she had originally intended to return.

5.2.23.3 If the staff member takes their full entitlement to paid Maternity Leave, upon completion of her leave she must return to work within five (5) working days although she may extend her absence, with the consent of her Supervisor (not to be unreasonably withheld) by using Annual Leave days

- 5.2.23.4 If the staff member decides not to return to work, she must inform her Supervisor in writing that she wishes to terminate her employment, giving the contractual notice period.
- 5.2.23.5 At least two (2) weeks before the staff member is due to return to work, she should be invited for an informal meeting (this could be a telephone call) with her Supervisor in order to discuss any points concerning her return to work. These may include:
  - a. Updating her on any developments at work;
  - b. Considering whether any retraining needs have arisen;
  - c. Providing her with the opportunity to indicate whether they wish to be considered for flexible working (e.g. part time working, revised start and finish times etc.).
- 5.2.23.6 The opportunities for flexible working will depend on the needs of the organisation, but FSD Uganda recognises that many women will be interested in reducing their working hours after their return from Maternity Leave.
- 5.2.23.7 FSD Uganda will make every effort to accommodate requests for part time working, revised start and finish times provided that the staff member's duties can still be effectively carried out on such a basis.

#### **5.2.24 Sickiness at the time of the expected return**

- 5.2.24.1 If the staff member is ill at the time they are due to return to work, this is still classed as a return to work and the period of sickness should be notified and certified in the same way as for any other period of sickness.
- 5.2.24.2 Sick Leave and/or paid Annual Leave may be subjoined with Maternity Leave for up to a maximum of three (3) months sick leave and thirty (30) days Annual Leave. Where a staff member has experienced a particularly difficult pregnancy or encountered serious medical complications following the birth, paid Maternity Leave may be extended for up to thirty (30) calendar days at the discretion of the Supervisor. A report from the doctor will be required and approval and the amount of total leave will be determined on a case by case basis.
- 5.2.24.3 If the staff member has used up all of her Sick Leave and paid Annual Leave entitlements, they may request Unpaid Leave up to three (3) months at the discretion of Senior Management. A report from the doctor will be required and approval and the amount of total leave will be determined on a case by case basis.

#### **5.2.25 Stillbirth/miscarriage**

- 5.2.25.1 If miscarriage should occur before the twenty-fourth (24<sup>th</sup>) week of pregnancy, staff will be entitled to five (5) working days paid leave. Staff may need more time, especially if there were complications, and Supervisors should give sympathetic consideration to any request for additional Urgent/Additional Leave, or Sick Leave as appropriate. For staff who work part-time, any entitlement will be pro-rated accordingly.
- 5.2.25.2 If miscarriage should occur after the twenty-fourth (24<sup>th</sup>) week of pregnancy, staff will be entitled to statutory maternity leave (as would be in the case of normal delivery). Staff may need more time, especially if there were complications, and Supervisors should give sympathetic consideration to any request for additional Urgent/Additional Leave, or Sick Leave as appropriate. For staff who work part-time, any entitlement will be pro-rated accordingly.

### 5.3 Paternity Leave Procedure

- 5.3.1 Paternity Leave is a period of leave for fathers/partners following the birth of their child. All male team members shall be entitled to five (5) working days paternity leave per year following the delivery or miscarriage of child by their lawfully wedded spouse or spouse registered with FSD Uganda. A team member is at liberty to take annual leave immediately after paternity leave if accrued.
- 5.3.2 Staff who wish to take Paternity Leave must give written notice to their Supervisor as early as possible before the baby is expected to be born stating that they wish to take Paternity Leave and when they want it to start

### 5.4 Adoption Leave

- 5.4.1 Adoption Leave is a period of leave for parents following the placement of a newly adopted child in their homes.
- 5.4.2 Eligible staff who intend to adopt a child are entitled to the following:
  - 5.4.2.1 Adoptive mothers, who adopt a child below three (3) years of age, can take ninety (90) calendar days paid leave.
  - 5.4.2.2 Adoptive mothers, who adopt a child between three (3) and twelve (12) years of age, can take thirty (30) calendar days paid leave.
  - 5.4.2.3 Adoptive fathers can take five (5) working days paid leave, irrespective of the child's age.
- 5.4.3 For adoptive mothers, leave can start from the date of the child's placement or from a fixed date, which can be up to fourteen (14) calendar days before the expected date of the placement. Leave can start on any day of the week.
- 5.4.4 For adoptive fathers, leave can start from the date of the child's placement. Leave can start on any day of the week.
- 5.4.5 If the date of the placement changes, the member of staff should give as much notice as possible to their Supervisor.
- 5.4.6 **Adoption Leave eligibility:**
  - 5.4.6.1 Staff who wish to take Adoption Leave must have completed at least six (6) months' service with FSD Uganda by the expected date of placement;
  - 5.4.6.2 Eligibility for Adoption Leave is based on the staff member having successfully completed his/her period of probation at the time of the placement.
- 5.4.7 **Adoption Leave procedure:**
  - 5.4.7.1 Staff must inform their Supervisor of their intention to take adoption leave within five (5) working days of them being notified by their adoption agency that they have been matched with a child for adoption, unless this is not reasonably practicable;
  - 5.4.7.2 Staff need to inform their Supervisor of the date the child is likely to be placed with them and the date they would like their Adoption Leave to start;
  - 5.4.7.3 Staff also need to provide a matching certificate from their adoption agency as evidence of their entitlement to the Adoption Leave and Pay.

### 5.5 Sick Leave Procedure

- 5.5.1 Regular and punctual attendance is a contractual condition for all staff. FSD Uganda is committed to reducing absence and will manage sickness with sensitivity.

- 5.5.2 It is the policy of FSD Uganda to support staff through periods of illness, sickness and injury to ensure that when staff are ill there are procedures in place to ensure that they do not suffer additional stress concerned with their role, at a worrying time. At the same time FSD Uganda needs to operate efficiently and profitably and reduce the cost of persistent short term absence to the lowest possible level.
- 5.5.3 All staff have a duty to comply with this Policy and to be aware of their personal obligations regarding attendance at work and FSD Uganda's procedure for reporting absence.
- 5.5.3.1 On recommendation of an approved Medical Officer, a member of staff may be allowed sick leave or convalescent leave for such period as may be approved by the Medical Officer.
- 5.5.3.2 An employee shall be granted a forty-five (45) working days' sick leave in a year. Should s/he still be unwell after the leave, the employee can apply for up to fifteen (15) Working Days of sick leave on half pay. In such circumstances, the employee is required to provide a medical certificate signed by a recognised medical doctor. Staff who have in excess of forty-five (45) working days sick Leave in a year may use their Annual Leave entitlement to cover any excess and after that will be required to take Unpaid Leave. Based on doctor's recommendations a further amount of Sick Leave may be granted on a case by case basis.
- 5.5.3.3 An employee on sick leave shall be paid full salary for the first sixty (60) working days of such illness and every other benefit and entitlement stipulated in the employee's contract. If the absence on account of illness continues after the sixty working days, the employee may continue on sick leave for another sixty (60) days with no pay after which the contract of employment may be terminated in accordance with the policy on termination on grounds of medical incapacity.
- 5.5.3.4 Staff may only use the Sick Leave that they are eligible for in the current year. They cannot draw on Sick Leave for future years in order to extend Sick Leave beyond the permitted working days.
- 5.5.3.5 Sick Leave cannot be carried over to the following year.
- 5.5.3.6 Sick Leave is relevant when the staff member is unable to work because of sickness or injury, or when the staff member needs a medical examination or treatment which can be obtained only during the time when they would normally be working.
- 5.5.3.7 Sick Leave may not be used by a staff member in connection with the care of family members or to obtain medical examination or treatment for family members. In the case of an emergency staff may request to take a short amount of time away from work; otherwise they must book Annual Leave in advance. If they do not have any Annual Leave entitlement left then, subject to approval, Unpaid Leave may be granted.
- 5.5.3.8 Sickness or Injury sustained in the course of duty resulting into loss of a job on account of permanent incapacity shall be compensated under the Workers Compensation insurance.
- 5.5.4 Notification of absence**
- 5.5.4.1 For all periods of absence staff must make an effort to speak to their Supervisor at the earliest opportunity on the first day of absence. In the event of illness, the team member is expected to notify their Line Manager, at least thirty (30) minutes before his/her scheduled start-time. While absent, the team member must be available to communicate with his/her Line Manager unless s/he is in critical condition
- 5.5.4.2 If their Supervisor is unavailable, staff should email or text a message to the Supervisor and staff should try to speak to the Chief Operations Officer. It is not acceptable to leave a message with a colleague.

- 5.5.4.3 If staff do not contact their Supervisor/Chief Operations Officer on the first (1<sup>st</sup>) day of absence, this will then be recorded as unauthorised absence and managed in accordance with the disciplinary procedure.
  - 5.5.4.4 Staff should normally make the call themselves unless, in extreme circumstances (e.g. hospitalisation), when they should arrange for someone to telephone on their behalf. Sending a text or email is not in itself a sufficient form of notification.
  - 5.5.4.5 If a member of staff becomes ill during the working day, they must report to their Supervisor who will discuss with them the most appropriate course of action. If their Supervisor is unavailable, they must see another Supervisor or the Executive Director.
  - 5.5.4.6 Staff should not leave their place of work without consultation. Failure to comply with this procedure will be regarded as unauthorised absence.
  - 5.5.4.7 Staff must provide information on the general nature of their illness and some indication of the expected duration of this absence. Supervisors need this information so that arrangements may, if necessary, be made to cover the staff members' work.
  - 5.5.4.8 If absence is going to continue beyond the initial period of time indicated, staff must advise their Supervisor of their new anticipated date of return.
  - 5.5.4.9 Failure to comply with these notification procedures, without a good cause, may result in deduction of Annual Leave days due and/or action being taken under the Disciplinary Procedure.
- 5.5.5 Documentation and certificates required**
- 5.5.5.1 When returning to work, the appropriate sick leave form should be submitted along with a medical certificate. Failure to do this will result in the absence being considered as unauthorised, which may result in disciplinary action. If the period of absence is to exceed one (1) week, staff must submit to their Supervisor, by the eighth (8<sup>th</sup>) day, a Medical Certificate from a licensed practitioner.
  - 5.5.5.2 The Medical Certificate should indicate the diagnosis, and the estimated time before the staff member can return to work.
  - 5.5.5.3 Failure to submit timely and regular Medical Certificates may result in non-payment and/or action being taken under the Disciplinary Procedure.
  - 5.5.5.4 The Chief Operations Officer may wish to verify evidence provided by the staff member by cross-checking with the clinic/doctor and/or Ministry of Health.
  - 5.5.5.5 A Medical Certificate may be required for an absence of less than six (6) days if the staff member's Supervisor has reason to believe that the staff member is using Sick Leave improperly.
  - 5.5.5.6 In order to prevent the potential abuse of Sick Leave, the Chief Operations Officer can verify the reliability of the medical practitioner's certificate through crosschecking with the concerned clinic/hospital and/or the Ministry of Health.
  - 5.5.5.7 Supervisors are not trained medical professionals, but will sometimes need to make an assessment of a staff member's fitness to attend work. If a staff member attends for work showing symptoms, which suggest they could be contagious or unfit for work, Supervisors have the right to send the staff member home on Sick Leave. The staff member should then follow the appropriate notification and documentation procedures depending on the length of the sickness absence.
- 5.5.6 Maintaining contact**
- 5.5.6.1 If a member of staff is signed off from work by a medical practitioner, they should maintain regular contact with their Supervisor (daily unless otherwise agreed).

- 5.5.6.2 During long term absence it will usually be appropriate to maintain regular contact with staff in order to keep each other updated e.g. with Company news or medical progress. The frequency of this contact will depend on the staff member and the circumstances. However, ideally Supervisors should contact absent staff (or vice versa) at least once each week.
- 5.5.6.3 It may also be appropriate to meet absent staff on a more formal basis to discuss their health or other relevant matters.

#### **5.5.7 Fit for work meeting**

- 5.5.7.1 If a staff member's medical certificate details that they may be fit for work with some support/adjustment, FSD Uganda will work with the staff member to put in place mutually acceptable arrangements (e.g. time off for treatment, reasonable modifications to physical working environment).
- 5.5.7.2 FSD Uganda will do as much as is practicable to support a staff member to return to work as soon as they can. However, if the adjustments cannot be supported, then the staff member is treated as signed off sick until they are able to return to their full duties.
- 5.5.7.3 Should further evidence be needed detailing how a member of staff can be assisted back to work, FSD Uganda will consider obtaining a medical report (with consent from the staff member) from their medical practitioner.

#### **5.5.8 Conduct during sickness absence**

- 5.5.8.1 The purpose of sickness absence is to facilitate the staff member's full and proper recovery from an illness or injury. If staff are found to be using the scheme for purposes other than recovery, FSD Uganda will regard this as misconduct and disciplinary action may be taken.
- 5.5.8.2 Activities, which would normally be considered by FSD Uganda to be inconsistent with genuine sickness or injury or which otherwise contravene this policy, include:
  - a. Participation in any sport, hobby, social or other activity which could aggravate the illness or injury or which could delay recovery;
  - b. Undertaking any other employment during sickness absence;
  - c. Engaging in any other activity which is inconsistent with the nature of the illness or injury;
  - d. Altering the details on a medical certificate;
  - e. Giving FSD Uganda inaccurate or misleading information about the absence.

#### **5.5.9 Return to work**

- 5.5.9.1 All staff will have an informal –Return to Workll interview following a period of sickness absence regardless of the duration to ensure that they are fit to return to work and to try to identify any underlying problems that may have caused the sickness absence, where applicable.

#### **5.5.10 Investigation of unusual sickness levels**

- 5.5.10.1 All periods of absence are investigated and all staff's absence rates and periods of absence are regularly calculated on a rolling basis, e.g. looking back over fifty-two (52) weeks.
- 5.5.10.2 The review points at which FSD Uganda considers absence to be a potential cause for concern are based on an individual's cumulative absence from work and are as follows:
  - a. Three (3) periods of absence of any length in any six (6) month (twenty-six (26) week) period; or
  - b. Four (4) periods of absence of any length in any twelve (12) month period; or

- c. Ten (10) days or more on three (3) or more occasions in any twelve (12) month period;
- d. Unacceptable patterns of absence, e.g. regular Friday or Monday absence;
- e. Failure to follow the reporting procedures

5.5.10.3 If any of these trigger points are reached, an informal absence review meeting will be held.

#### **5.5.11 Holiday and sickness**

5.5.11.1 Staff will continue to accrue holiday whilst on sick leave at the normal rate.

5.5.11.2 Accrued Annual Leave is payable on termination of employment. However, if sickness absence continues into the next leave year, the staff member is not able to carry forward any unused Sick Leave entitlement into the next leave year.

#### **5.5.12 Medical, dental, hospital or optical appointments**

5.5.12.1 As far as possible appointments should be made outside of the working day, or if this is not possible either at the beginning or end of the working day.

5.5.12.2 Supervisors should be as flexible as possible and allow staff to take a short amount of paid time off (typically one (1) to three (3) hours) for medical appointments.

5.5.12.3 Subject to work requirements, staff may be asked to make up any lost time.

5.5.12.4 FSD Uganda wishes to offer as much support as possible if a member of staff is undergoing medical treatment, but can only do so if staff make them aware of any health issues. Staff should speak to their immediate Supervisor and/or the Chief Operating Officer at the earliest opportunity.

5.5.12.5 Any leave for these circumstances will be classed under Sick Leave.

5.5.12.6 If a staff member is unable to work after the unpaid sick leave, FSD Uganda reserves the right to ask the employee to produce and at intervals of no less than 1 week, a written certificate signed by a qualified medical practitioner certifying his or her incapacity for work and the duration of the incapacity.

5.5.12.7 FSD Uganda may also seek a medical opinion from a qualified practitioner that may result in for medical discharge or retirement

### **5.6 Time Off for Dependants Procedure**

5.6.1 FSD Uganda will allow staff to take a short amount of paid time off during working hours when it is reasonable for them to do so in order to deal with certain unexpected or sudden family emergencies. The amount of time may be as little as a couple of hours but will be no longer than three (3) working days and will not be counted against a staff member's Annual Leave entitlement.

5.6.2 If a longer period of time is necessary, then the staff member must request Urgent/Additional Annual Leave or Unpaid Leave.

### **5.7 Unpaid Leave Procedure**

5.7.1 Unpaid Leave will only be granted, if there is no balance of paid Annual Leave in the staff member's account. The granting of any Unpaid Leave will be decided on a case-to-case basis and at the sole discretion of the FSD Uganda Executive Director.

5.7.2 Eligibility for Unpaid Leave is dependent on the member of staff having passed probation.

## **5.8 Compassionate Leave Procedure**

5.8.1 FSD Uganda understands the need for occasional compassionate leave. A member of staff may be granted Compassionate Leave of five (5) working days in circumstances of serious illness or death of immediate family members (spouse, child, sister, brother and parent). In the event of bereavements involving more distant relatives, Annual Leave must be taken.

## **5.9 Investigative Suspension**

5.9.1 In the event FSD Uganda is conducting an inquiry which they feel has reason to believe may reveal a cause for dismissal on an employee, the employer may suspend that employee on half pay. Any suspension as a result of an inquiry shall not exceed four weeks or the duration of the inquiry, whichever is shorter.

## **5.10 Compensatory Leave**

5.10.1 In case an employee is requested to conduct FSD Uganda work on a weekend or a public holiday and the work exceeds three (3) hours, the staff will be eligible for compensatory leave and a normal working day may be substituted. This leave will also apply to staff who travel on a weekend or public holiday for more than three (3) hours either internationally or nationally. This leave will be awarded upon approval by the Line Manager.

## **5.11 Public/Civic Duties Leave Procedure**

5.11.1 From time to time the Government will announce that there is to be a specific day when everyone is required to take part in a particular activity for the benefit of the society /community (e.g. elections).

5.11.2 Leave for performing public/Civic duties will be paid and will not be deducted from Annual Leave Entitlement. The leave will comprise of the travel days plus the day of the activity.

## **5.12 Flexible Working Procedure**

5.12.1 Upon receiving a request for flexible working the Line Manager should contact the Executive Director for advice and guidance.

5.12.2 Within twenty-eight (28) days of receiving the request the Line Manager will arrange to meet with the member of staff to explore the proposed work pattern and discuss how best this can be accommodated. The meeting is also an opportunity to consider other alternative working patterns outlined in the member of staff's application.

5.12.3 The member of staff can, if they wish, bring with them a work colleague. The member of staff is responsible for arranging this and must inform the manager beforehand.

5.12.4 Within fourteen (14) days after the date of the meeting the Line Manager will write to the member of staff to either agree to a new work pattern and a start date; or provide clear business grounds as to why the application cannot be accepted and the reasoning behind the decision. The Line Manager will also set out the appeal procedure should the member of staff choose to appeal the decision.

5.12.5 Time periods can be extended where both the Line Manager and the member of staff agree. Any extensions will be recorded in writing by the Line Manager and copied to the member of staff.

5.12.6 All successful applications for flexible working will be considered as a permanent change to the contract of employment unless specifically stated otherwise.

### 5.13 Appeal Process

- 5.13.1 The appeal process is designed to be in keeping with the overall aim of encouraging both employer and the member of staff to reach a satisfactory outcome.
- 5.13.2 Members of staff must appeal in writing within ten (10) working days of being notified of the Line Manager's decision. When appealing against a refused request the member of staff must set out the grounds for making the appeal and ensure the appeal letter is dated.
- 5.13.3 There are no constraints on the grounds under which a member of staff can appeal. It may be that they wish to bring to the managers' attention something that the Manager was not aware of when rejecting the application.
- 5.13.4 The appeal meeting must be held within ten (10) working days of the Line Manager receiving the written appeal. The appeal should be heard by a Manager more senior than the one who dealt with the original request. If the Executive Director heard the original request, the appeal should be made to the Chairman of the Board.
- 5.13.5 Members of staff can bring a work colleague, employed by FSD Uganda, to the meeting. Timing of the meeting should be convenient to all parties.
- 5.13.6 The Manager hearing the appeal will inform the member of staff and the Executive Director of the outcome within ten (10) working days after the date of the hearing.

### 6.0 SUPPORT AND ADVICE

- 6.1 Support and advice on the application of this policy can be obtained through speaking to your Supervisor or the Chief Operating Officer.

### 7.1 RELATED DOCUMENTS

Staff are encouraged to look at this policy in conjunction with the:

- Code of Conduct
- Equality and Inclusion Policy
- Data Protection Policy

### 8.0 DOCUMENT APPROVAL

|   |                    |
|---|--------------------|
| _____<br>Chief Operations Officer         | _____<br>Signature |
| _____<br>Executive Director of FSD Uganda | _____<br>Signature |

### 9.0 REVISION HISTORY

- 9.1 FSD Uganda reserves the right to amend this Code of Conduct from time to time.

| DATE | REVISION NUMBER | CHANGE | REFERENCE SECTION |
|------|-----------------|--------|-------------------|
|------|-----------------|--------|-------------------|

| DATE | REVISION NUMBER | CHANGE | REFERENCE SECTION    |
|------|-----------------|--------|----------------------|
|      |                 |        | [Ugandan Labour Law] |
|      |                 |        |                      |
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## **DISCIPLINARY POLICY AND PROCEDURE**

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### **1.0 INTRODUCTION**

- 1.1 FSD Uganda strives to ensure that all activities are conducted to the highest professional standards.
- 1.2 FSD Uganda can only realise this ambition through its staff. This policy describes examples of actions and behaviours that would not reflect that high professional standard.
- 1.3 As such, this policy sets out the responsibilities of staff, Managers and Supervisors with leadership responsibilities, the Executive Director and the senior leadership team in dealing with actions and behaviours that fall outside these professional standards.

### **2.0 ORGANISATIONAL SCOPE**

- 2.1 This policy and procedure applies to all FSD Uganda staff.

### **3.0 POLICY STATEMENT**

- 3.1 Certain standards of action are necessary in order to maintain good employment relations and discipline in the interest of all staff. FSD Uganda strives to maintain a conducive and productive working environment, to assure compliance with policies and procedures and any Ugandan employment laws and to protect the rights and well-being of all staff.
- 3.2 FSD Uganda's policy is to encourage improvements in conduct and performance rather than to punish unless the nature of the offence is deemed to be an act of gross misconduct.
- 3.3 The purpose of the FSD Uganda Disciplinary Policy and Procedure is to ensure that any member of staff, whose conduct or performance is below FSD Uganda's standards, receives fair, consistent, efficient and reasonable treatment.
- 3.4 All members of staff are required to abide by the rules and policies governing FSD Uganda and its overall working environment/practices, and any violation may result in action being taken under this Disciplinary Policy up to and including dismissal. Whilst every effort will be made to try and resolve issues via informal methods, where these fail it may be necessary to take formal disciplinary action.
- 3.5 Any behavioural pattern, which disrupts the work of FSD Uganda or violates any policy or damages the Organisation's interests, reputation and public image, will be subject to disciplinary action.

### **4.1 REQUIREMENTS AND PRINCIPLES**

#### **4.2 General principles**

- 4.2.1 All disciplinary matters will be handled by FSD Uganda in a consistent, timely and fair manner, and every attempt will be made to ensure confidentiality at all times.
- 4.2.2 All employees are expected to read and understand the FSD Uganda HR policies and procedures manuals.
- 4.2.3 Any disciplinary action will be implemented by a disciplinary team comprising the Chief Operations Officer and at least two senior staff members appointed by the Executive Director.
- 4.2.4 The disciplinary team will exercise the impartiality and ensure there is no victimization discrimination or injustice.

4.2.5 Disciplinary actions must be proportionate to the nature of the offence, fair and will be consistent with procedures laid down in this manual.

4.2.6 No disciplinary action will be taken until a thorough and fair investigation has been carried out and is recorded appropriately.

### 4.3 Disciplinary Code:

The disciplinary code contains two categories of infractions:

- Minor infringements; and
- Gross misconduct.

This however will not preclude management from taking action against misconduct not specifically mentioned in this code.

### 4.4 Disciplinary Offences

Disciplinary offences are the grounds for disciplinary procedure. They are categorised according to the extent of their gravity and carry different sanctions. The description of various types of misconduct listed below is not exhaustive, but gives an indication of what FSD Uganda regards as minor or gross misconduct.

Any precedents established in this manner will be used to update the categories of misconduct. These types of misconduct are in addition to anything else provided for under Ugandan law.

#### 4.4.1 Minor Infringements

The following are examples of minor infringements. The list is however not exhaustive.

- Late arrival for work
- Poor time keeping (e.g. late back to work following breaks; late for meetings; patterns of poor timekeeping)
- Unauthorized absence/unacceptable levels of absenteeism, including:
  - Failure to obtain approval prior to proceeding on annual leave;
  - Failure to appropriately notify the Line Manager on absence from work
- Minor breaches of any health and safety and security regulations
- Carelessness resulting in loss or damage to FSD Uganda's resources or property
- Minor breaches of FSD Uganda's rules, policies and procedures
- Minor rudeness or insubordination (e.g. becoming angry or emotional when stressed)
- Unproductivity during work hours (sleeping, idling, gossiping, unwarranted internet social media activity)
- Failing to carry out assignments or instructions, or failing to do so in a timely manner;
- Taking an inappropriate amount of work time dealing with personal issues

#### 4.4.2 The Progressive Disciplinary Process:

**Definition:** Progressive discipline is a system where the severity of the disciplinary penalty increases each time an employee commits a minor infringement. The progression will begin at the lowest step in the process up till the final step which is dismissal with notice. However the process in some cases may be advanced or accelerated to a higher step dependent on the impact of the infringement on FSD Uganda's operations. This is especially true in those cases where the time interval between the infractions is short or the employee isn't remorseful about their indiscipline, or demonstrates a lack of desire to improve his/her performance or conduct.

#### 4.4.3 Guiding principle for the progressive disciplinary process:

The essence of progressive discipline is to ensure that the employee has the opportunity to correct and improve performance and/or conduct. However, there is no set standard in imposing the disciplinary penalties under this process. The Executive Director shall exercise his /her discretion on which penalties to impose based on the following factors:

- 4.4.3.1 Impact on operations;
- 4.4.3.2 the circumstances surrounding the issues at hand;
- 4.4.3.3 the gravity of the infraction;
- 4.4.3.4 the time interval and employee response to prior disciplinary action(s); and
- 4.4.3.5 work history of the employee.

#### **4.3.4 Administration of the Progressive Disciplinary Process:**

The administration of the progressive disciplinary processes shall be supervised and coordinated by the Chief Operations Officer supported by the relevant supervisor.

#### **4.3.5 Progression of the progressive disciplinary process**

Subject to the discretion in 4.3.3 the flow for progressive discipline shall be as follows:

- 4.3.5.1 First Written Warning;
- 4.3.5.2 Second Written Warning;
- 4.3.5.3 Final Written Warning or;
- 4.3.5.4 Disciplinary Suspension Without Pay;
- 4.3.5.5 Dismissal with notice.

#### **4.3.6 First Written warning:**

The First Written Warning is a documented formal conversation between a supervisor/Reporting Manager and an employee held in private about a conduct or performance problem. It is the first step in the progressive disciplinary process. Written warnings must be documented, endorsed by the employee and sent to the Chief Operations Officer to be placed on the employee's file.

**(Annexure 13: First Written Warning Template)**

#### **4.3.7 Second Written Warning:**

A Second written warning is a documented formal conversation between a supervisor/Reporting Manager and an employee about a conduct or performance problem. It is the second step of the progressive disciplinary process. The Second written warning is usually used after a written warning has been given and no change in conduct or performance has resulted. Upon documenting the conversation the supervisor shall request the employee to sign against it and forward it to the Chief Operations Officer to be placed on the employee's file

**(Annexure 14: Second Written Warning Template)**

#### **4.3.8 Final Written Warning:**

A final written warning is a documented formal conversation between a Supervisor and an employee about a continuing conduct or performance problem. It is the third step in the progressive disciplinary process. This is the last step and the same shall be issued by the relevant Supervisor with the approval of the Chief Operations Officer.

**(Annexure 15: Final Written Warning Template)**

#### **4.3.9 Disciplinary Suspension:**

An employee may be placed on suspension without pay for an infraction that does not necessarily amount to gross misconduct but is too grave to pass for a written warning or a second written warning. Disciplinary suspension may also be used when there is a pattern of conduct or performance where the employee is continually engaged in one minor infraction after another and has received a written warning and/or a second written warning. This measure may be used in alternative to a final written warning where the relevant supervisor and Chief Operations Officer feel that a suspension will be more effective than a bare final written warning.

#### **4.3.10 Terms of a Disciplinary suspension penalty**

A disciplinary suspension shall range from 2 days to 15 days in any one 6 months period and shall be without pay. Employees sent on disciplinary suspension shall be issued with a final warning notice upon return and shall be liable to dismissal upon committing any further infraction however minor.

**(Annexure 16: Disciplinary Suspension Letter Template)**

#### **4.3.11 Dismissal with notice:**

Any infraction however minor subsequent to a final written warning shall automatically amount to gross misconduct and shall warrant dismissal with notice preceded by a formal disciplinary hearing. For avoidance of doubt all such dismissals stemming from the progressive disciplinary process shall be with notice or with pay in lieu thereof.

**(Annexure 17: Dismissal With Notice Letter Template)**

#### **4.3.12 Progressive Disciplinary Process Flows:**

The following process flows shall be applied when dispensing a Disciplinary penalty under the progressive disciplinary process:

- 4.3.12.1 Call the employee to a private area;
- 4.3.12.2 State the specific problem;
- 4.3.12.3 Specify the regulation/ policy violated;
- 4.3.12.4 Refer to any previous disciplinary penalty or informal counselling about the problem if any;
- 4.3.12.5 Give the employee a chance to respond and explain his or her side of the story;
- 4.3.12.6 Inform the employee of the specific change in conduct or performance expected of them;
- 4.3.12.7 Have the employee confirm that he/she knows exactly what is expected of them;
- 4.3.12.8 Indicate your confidence in his /her ability to transform;
- 4.3.12.9 Document the conversation and have both parties (the employee and the Line Manager/Supervisor) sign on the warning notice. If the employee refuses, a statement regarding your attempt to have the employee sign and his or her refusal to do so should be made.
- 4.3.12.10 Submit the duly signed warning notice (Written warning, second written warning etc) to the Chief Operations Officer within 24 hours.
- 4.3.12.11 The warning notice shall become part of employee's personnel records.

#### **4.3.13 Appeals within the Progressive Disciplinary Process:**

Any member of staff who feels aggrieved by a disciplinary penalty shall have a right to appeal against the same to the Chief Operations Officer. The employees who would have received a disciplinary

penalty from the Chief Operations Officer shall appeal to the Executive Director.

#### **4.3.14 Time frame for imposing disciplinary penalties**

Save for exceptional circumstances, FSD Uganda shall impose any of the above disciplinary penalties within fifteen days from the time Management becomes aware of the misconduct. For avoidance of doubt this limitation shall not apply in cases of gross misconduct.

#### **4.3.15 Lapse of Disciplinary Penalties.**

All disciplinary penalties imposed on an employee in the sequence of the progressive disciplinary process or in all other cases where record is taken of any infringement of these policies by an employee, such penalties on record shall be disregarded if the employee completes twelve (12) months of continuous service without any further disciplinary breach.

#### **4.3.16 Gross Misconduct**

4.3.16.1 Gross misconduct includes the following. This list however is not conclusive:

- Repeated minor infringements;
- Continued poor performance;
- Unauthorised absence from work without reasonable excuse;
- Violence, fighting, assault, threatening or aggressive behaviour;
- Using insulting or threatening language;
- Any form of harassment, bullying or discrimination, unintentional or otherwise (including retaliation against anyone who has raised a grievance);
- Serious act of wilful disobedience or offensive behaviour of a serious nature
- Gross insubordination (e.g. refusal to obey lawful and reasonable instructions given by a Line Manager);
- Refusal to undertake duties in accordance with the contract of employment;
- Being under the influence of alcohol or illegal substances during working hours;
- Fraud, financial misrepresentation, misappropriation of funds;
- Deliberate falsification of records or documents
- Deliberately giving false statements to Supervisors or the public;
- Giving or receiving bribes or inducing or attempting to induce any person to perform a corrupt act;
- Improper acceptance of personal gifts and gratuities from any individual or organisation in a business relationship with FSD Uganda;
- Stealing property from other members of staff or FSD Uganda;
- Improper use of the employee's position for his/her own or another's private advantage, or an attempt to do so;
- Unauthorised use or abuse of FSD Uganda's facilities or equipment
- Deliberate damage to FSD Uganda's property;
- An act or omission at work which causes unacceptable loss, damage or injury;
- An act or omission at work which puts people at risk;
- Deliberate disregard of a safety regulation or requirement;
- Smoking indoors and in FSD Uganda's official vehicles.
- Any criminal offence (against FSD Uganda or otherwise);
- Breach of FSD Uganda professional confidentiality;
- Any severe violation of rules, policies and procedures;

### **4.4 The Disciplinary Process for Gross Misconduct**

Subject to the discretion of the Executive Director, upon the receipt a preliminary report pointing to the commission of an infraction amounting to gross misconduct, an employee may be temporarily relieved of his/her duties (investigative suspension) until the scheduled date for the disciplinary hearing. The Executive Director should seek legal advice before taking any action. In cases where the infraction does not necessitate further investigation the employee may be summoned for a disciplinary hearing within five days.

#### 4.4.1 Investigative Suspension:

An investigative suspension is a period during which an employee is relieved of his or her job with half pay, on allegations of misconduct or gross misconduct to determine whether the suspended employee has a case to answer. Investigative suspension shall not exceed 30 days or the duration of the investigation whichever is shorter but in all cases where such investigation exceeds 30 days, the employee's salary shall be restored to full pay until the investigation is complete. In cases where the employee is absolved, his /her outstanding pay for the duration of the suspension shall be paid.

#### 4.4.2 Investigative Suspension Procedure:

All cases of gross misconduct shall be reported to the Chief Operations Officer who shall promptly notify the relevant supervisor/line manager. The line manager/supervisor shall provide all necessary support as required of them throughout the disciplinary process. Investigations shall be carried out by the appropriate party as designated by the Executive Director.

Upon establishing a prima facie case the Chief Operations Officer shall commence the appropriate procedure including placing the suspected employee on investigative suspension where necessary, and thereafter keep the Management team updated on the progress of the matter.

The Chief Operations Officer shall:

- 4.4.3 determine where and how to contact the employee;
- 4.4.4 instruct the investigator or any relevant supervisor to carry out further investigations;
- 4.4.5 advise investigative team on how to contact of all persons involved;
- 4.4.6 avail all supporting documentation to the investigative team.

### (Annexure 18: Investigative Suspension Letter Template)

#### 4.5 After the investigation:

- 4.5.1 If an employee is implicated, the Chief Operations Officer shall set a date for a disciplinary hearing and issue disciplinary summons to the suspended employee (along with the findings of the investigation report). FSD Uganda shall endeavour as is appropriate, to provide the investigation report and all relevant documents prior to the disciplinary hearing which shall be scheduled at least 5 days from the date of issuance of the summons.
- 4.5.2 An Employee scheduled to attend a hearing shall be informed of his right to be accompanied by a representative of his/her choice including a fellow employee. Such representative shall have a right to make representations in favour of the employee at the hearing but shall not answer questions directed to the employee.
- 4.5.3 If misconduct is determined, but does not amount to gross misconduct the employee may be issued with an appropriate disciplinary penalty.
- 4.5.4 If no misconduct is determined, the Chief Operations Officer shall inform the employee accordingly and advise him or her to return to work if on investigative suspension.

#### 4.6 Disciplinary Hearings

Employees alleged to have committed infractions amounting to gross misconduct shall be accorded a formal

disciplinary hearing by a duly constituted disciplinary committee. The disciplinary committee shall in cases of an employee below management level be composed of the employee's supervisor, the Chief Operations Officer and any other appointed senior employee. In cases of employees on management level, the disciplinary committee may be composed of the Executive Director and the Chief Operations Officer. In case of infractions committed by an employee on senior management level, the disciplinary hearing shall be conducted by the Board of Directors.

#### **4.6.1 Summons**

The Chief Operations Officer shall issue summons to the respective employee indicating the alleged infraction, the respective policy/rule infringed, and the time, place and date of the hearing, along with all the relevant documents. Such summons will be issued not less than 5 working days from the date of the hearing.

#### **(Annexure 19: Disciplinary Hearing Summons Template)**

#### **4.6.2 Procedures for the hearing:**

When holding a disciplinary hearing, the disciplinary committee shall ensure that the matter is treated with utmost confidentiality. Discipline is a confidential matter, therefore: hearings are to be held in camera; and only those persons permitted under the disciplinary procedure may be present. A recording device may be used by FSD Uganda to capture the proceedings. For avoidance of doubt the FSD Uganda's record of proceedings shall at all times be the only official record of what transpired at the hearing.

#### **4.6.3 Introduction at the Hearing:**

The Chairperson of the disciplinary committee shall introduce all present and explain the purpose of the meeting.

#### **4.6.4 Laying the charge:**

During the hearing, the employee shall be confronted with the relevant facts by the Chairperson of the committee, relaying the complaint to him/her and the contents of the investigative report. Any relevant documents shall also be put to the employee.

#### **4.6.5 Presenting the defence:**

The employee and his representative must be given the opportunity to:

4.6.5.1 Make representations in their defence;

4.6.5.2 Submit relevant documentation.

#### **4.6.6 Role of Disciplinary committee:**

4.6.6.1 To ensure that they get all the facts relating to the complaint;

4.6.6.2 To hear the employee's oral and written representations to them;

4.6.6.3 To determine based on the employee's representations, whether there is sufficient explanation for the charges levelled against him/her, or whether such explanation is insufficient;

4.6.6.4 To recommend further investigations where necessary (before hearing);

4.6.6.5 To make a decision based on the evidence on record;

4.6.6.6 To notify the Chief Operations Officer of their decision for necessary processing;

4.6.6.7 To ensure that the employee is informed of what's likely to happen next i.e. when to come back in case of adjournment or when to hear from FSD Uganda.

#### **4.6.7 Adjournments:**

There are situations when the hearing may be adjourned at the discretion of the committee.

#### 4.6.8 Non-attendance:

In the event that an employee fails to respond to the summons and the committee is satisfied that s/he was duly served, the disciplinary hearing will proceed in the employee's absence. The committee shall not accept any representations made by the employee's representative except where such representations are to explain the employee's absence. In the event that the employee is absent for a reasonable cause, the hearing shall be adjourned to the next convenient date.

#### 4.6.9 Returning a verdict of Dismissal:

If the committee decides that the employee should be dismissed for gross misconduct, the employee shall be notified by the Chief Operations Officer (in respect of employees below Chief Operations level) or the Executive Director (in respect of employees on pillar head level) who shall inform the employee of the right of Appeal and how it can be pursued.

### (Annexure 20: Summary Dismissal Letter Template)

#### 4.6.10 Appeals

- 4.6.10.1 Employees have the right to appeal to the FSD Uganda Executive Director against any form of disciplinary action. An appeal must be submitted within fourteen (14) days of the date of receipt of the letter conveying the disciplinary decision.
- 4.6.10.2 An appeal will normally be heard by the FSD Uganda Executive Director unless he or she has previously been involved in the case. In this case the appeal shall be heard by the FSD Uganda Board of Directors.
- 4.6.10.3 The Executive Director or a senior member of the leadership team not previously involved in the case, will be present in all Appeal Hearings.
- 4.6.10.4 Appealing against a disciplinary outcome may result in reduction or removal of the outcome but will not result in an increase in severity of the outcome.
- 4.6.10.5 Where possible the appeal hearing will be scheduled to take place within ten (10) working days of the receipt of the request.
- 4.6.10.6 The member of staff has the right to be accompanied by an Appropriate Representative if requested.
- 4.6.10.7 The member of staff will be provided with written confirmation of the outcome of the appeal hearing. The appeal decision is final.

## 5.0 SUPPORT AND ADVICE

- 5.1 Support and advice on the application of this policy can be obtained through speaking to your Manager or the Executive Director.

## 6.1 RELATED DOCUMENTS

Staff are encouraged to look at this policy in conjunction with the:

- Code of Conduct
- Equality and Inclusion Policy
- Performance Management Policy
- Data Protection Policy
- Grievance Policy

## 7.0 DOCUMENT APPROVAL

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Chief Operations Officer

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Signature

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Executive Director of FSD Uganda

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Signature

## 8.0 REVISION HISTORY

8.1 FSD Uganda reserves the right to amend this Code of Conduct from time to time.

| DATE | REVISION NUMBER | CHANGE | REFERENCE SECTION    |
|------|-----------------|--------|----------------------|
|      |                 |        | [Ugandan Labour Law] |
|      |                 |        |                      |
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## GRIEVANCE POLICY

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### 1.0 INTRODUCTION

- 1.1 FSD Uganda recognises that staff have the right to raise concerns and takes the responsibility for creating professional systems to help the process of resolution. FSD Uganda's approach to supporting staff to raise concerns without fear of reprisal is based on fostering equality and inclusion and a breadth of transparency across FSD Uganda.

### 2.0 ORGANISATIONAL SCOPE

- 2.1 This policy and procedure applies to all FSD Uganda staff.

### 3.0 POLICY STATEMENT

- 3.1 A primary responsibility and professional obligation of each FSD Uganda staff member is to maintain the professional attitudes, behaviour and practice that are the basis for a conducive working environment. FSD Uganda believes in an open door policy and that ideas can only flourish in an atmosphere of free and open two-way communication, where staff can discuss their feelings, problems and grievances with their Supervisors and other FSD Uganda senior management and seek redress without fear of reprisal.
- 3.2 Staff may have issues concerning their work, working environment or working relationships, from time to time, for example:
- 3.2.1 Conflicts with a Supervisor or a co-worker;
  - 3.2.2 Dissatisfaction over Status Change (e.g. wages, promotions, transfers etc.);
  - 3.2.3 Issues related to the Performance Review process;
  - 3.2.4 General Working Conditions;
  - 3.2.5 Allegation of violations of, and abusing any prevailing policy and procedure, etc.
- 3.3 It is FSD Uganda's policy to deal with any grievance raised by a member of staff quickly and fairly and where a grievance is deemed to exist, FSD Uganda is committed to ensuring that it is resolved, if possible, at the earliest practicable opportunity.
- 3.4 The main purpose of this policy is to provide a mechanism whereby a staff member can raise any work related problem/grievance with the assurance that the matter will be given serious consideration.

### 4.1 REQUIREMENT AND PRINCIPLES

#### 4.2 Definition

- 4.2.1 Grievances are concerns, problems or complaints that staff raise with their colleagues.
- 4.2.2 A grievance can be defined as a situation where a member of staff feels that they are being treated unfairly and can substantiate it with objective and transparent facts, documents, witnesses, evidence etc.
- 4.2.3 It is the right of every staff member to express a grievance and to seek redress.

### 4.3 Responsibilities

#### 4.3.1 It is the responsibility of every FSD Uganda Supervisor to ensure that:

- 4.3.1.1 Staff are aware of and understand the FSD Uganda Grievance Policy and Procedure and in particular that no reprisals will be taken against them for raising a legitimate grievance;
- 4.3.1.2 All grievances received by them are investigated and addressed in a fair and timely manner in line with the Grievance Procedure.

#### 4.3.2 It is the responsibility of the Chief Operations Officer to:

- 4.3.2.1 Provide specialist advice to anyone involved in a grievance case in whatever role they may play in order to ensure that the policy and procedures are fully understood;
- 4.3.2.2 Provide advice and guidance as to how best to implement the policies;
- 4.3.2.3 Play an active role in the process where the formal procedures require this, and to record the outcomes of all cases.

#### 4.3.3 It is the responsibility of the Executive Director and other members of the senior management team to:

- 4.3.3.1 Provide support and assistance to any employee who feels that they have a grievance and reassure them that there will be no reprisal if they formally raise a grievance;
- 4.3.3.2 Chair any appeals if requested by the Executive Director.

#### 4.3.4 Before initiating the formal grievance procedure, it is the responsibility of all staff:

- 4.3.4.1 To make every attempt to resolve their grievance informally with their immediate Supervisor or, if appropriate, the other party involved in the grievance. This can be done either verbally or in writing. If the matter cannot be resolved informally then there are two options:
  - Mediation – where a trained neutral person seeks to work with the parties concerned to come to a mutually acceptable resolution.
  - Initiate the formal grievance procedure – where a trained Supervisor carries out an investigation of the grievance by interviewing the respective parties and anyone else involved to clarify the position and another trained Supervisor then hears the –evidencell (at a hearing) from both parties and comes to a decision to uphold or reject the grievance and decides on the appropriate remedy.

### 4.4 General Principles

- 4.4.1 All grievances raised in good faith will be taken seriously and handled in a consistent, timely and fair manner and every attempt will be made to ensure confidentiality at all times.
- 4.4.2 At all stages of the grievance procedure staff may be accompanied by an Appropriate Representative if they wish. An Appropriate Representative is a colleague or friend who is an employee of FSD Uganda, who attends a meeting in order to provide moral support to the person raising the grievance and who will take notes for them of the discussion at the meeting.
- 4.4.3 Staff who wish to raise a grievance should be able to have their case considered by male or female staff representatives at all points in the process.
- 4.4.4 If for any reason, and particularly where the issue concerns bullying or harassment, the staff member does not wish to raise their grievance with their Supervisor, they must speak to the Executive Director, who will advise on how to proceed.

- 4.4.5 In cases where the issue concerns bullying and harassment, any investigation should be carried out by a trained third party unconnected to the grievance hearing.
- 4.4.6 A written record of all grievance hearings will be taken and made available to all those who attended the hearing and to the Chief Operations Officer, who will retain a copy on the HR file for the purposes of analysing and improving the procedures across the whole of FSD Uganda. A copy of the formal grievance and any related documentation will be kept on the member of staff's file.
- 4.4.7 Staff have the right to appeal against the outcome of a grievance hearing.
- 4.4.8 The disciplinary procedure will be used, where appropriate, to support this policy.

#### **4.5 If a Grievance is upheld**

- 4.5.1 If, after investigation, the grievance is substantiated, FSD Uganda will take appropriate disciplinary action as per the Disciplinary Policy.
- 4.5.2 FSD Uganda will protect staff who raise a grievance or take part in an investigation from intimidation, victimisation or discrimination. Retaliation against someone who has raised a grievance will be treated as Gross Misconduct.

#### **4.6 If a Grievance is not upheld**

- 4.6.1 If staff raise a grievance in good faith but it is not upheld, FSD Uganda recognises that this can affect working relationships and will work with both parties to maintain the relationship. Staff will be expected to co-operate and continue to work normally. Failure to do so will result in action under the Disciplinary Policy and Procedure. Mediation may be used to help restore normal working relationships.
- 4.6.2 If a member of staff raises a grievance, which upon investigation proves not to have been in good faith, they will become the subject of disciplinary proceedings and this could result in their dismissal.

#### **4.7 Mediation**

- 4.7.1 An independent third party or mediator can sometimes help resolve grievance issues before it is necessary to invoke the formal procedure. Mediation is a voluntary process where the mediator helps two or more people in dispute to attempt to reach an agreement. Any agreement comes from those in dispute, not from the mediator. The mediator is not there to judge, to say one person is right and the other wrong, or to tell those involved in the mediation what they should do. The mediator is in charge of the process of seeking to resolve the problem but not the outcome.
- 4.7.2 FSD Uganda will seek to train appropriate staff who will then be able to act as internal mediators in addition to their other responsibilities. When this is not appropriate, or until such time as FSD Uganda has built this internal capacity, FSD Uganda will source an external mediation provider if mediation is needed. Mediators will work individually or in pairs as co-mediators.
- 4.7.3 There are no hard-and-fast rules for when mediation is appropriate, but it can be used:
  - 4.7.3.1 For conflict involving colleagues of a similar job or grade, or between a Supervisor and their staff;
  - 4.7.3.2 At any stage in the conflict as long as any ongoing formal procedures are put in abeyance;
  - 4.7.3.3 To rebuild relationships after a formal dispute has been resolved;
  - 4.7.3.4 To address a range of issues, including relationship breakdown, personality clashes, communication problems, bullying and harassment.

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

## 5.1 PROCEDURES

### 5.2 Grievance Procedure

- 5.2.1 This Procedure must be followed when a member of staff raises a grievance. Grievances must be fully investigated and appropriate action must be taken at the earliest opportunity. This Procedure should be read in conjunction with the Grievance Policy.
- 5.2.2 If a member of staff has a grievance and remains dissatisfied following informal discussion with their immediate Supervisor, or if appropriate the other party involved in the grievance and if appropriate, Mediation, the staff member may raise their grievance formally.
- 5.2.3 To begin the formal grievance procedure, the member of staff must present their grievance to their immediate Supervisor promptly following the occurrence of the incident (or latest in a series of incidents) in writing, stating the full reasons for their grievance. If the grievance is against their immediate Supervisor then the staff member must address their grievance to the Executive Director.
- 5.2.4 If for any reason, and particularly where the issue concerns bullying or harassment, the member of staff does not wish to raise their grievance with their Supervisor, they should speak to the Executive Director, who will advise on how to proceed.
- 5.2.5 Once a formal grievance has been received, the Supervisor or other Manager who received the grievance will invite the member of staff, in writing and within three (3) working days wherever practicable, to attend a hearing to discuss their grievance. A copy of the grievance must be sent to the Executive Director. The Executive Director will offer support and assistance where necessary. If the Supervisor does not respond to the member of staff with the arrangements for a grievance hearing within three (3) working days, the member of staff must write to their next level Supervisor.
- 5.2.6 If the Supervisor who receives the grievance has not received training on how to conduct a grievance hearing, they should contact the Executive Director who will arrange for someone who has been trained to hear the grievance on their behalf. The person hearing the grievance will be accompanied by another Supervisor, the Executive Director or their nominee. The member of staff may be accompanied by an Appropriate Representative if they wish.
- 5.2.7 If necessary, an investigation of the matter must be conducted by a trained Supervisor (who must be different to the Supervisor conducting the hearing).
- 5.2.8 Copies of any witness statements (if appropriate) and other relevant written evidence will normally be given to the staff member prior to the hearing. In certain circumstances the witness's identity and statements may need to be withheld. If this is the case then FSD Uganda will aim to balance the witness's right to remain anonymous and the right of the staff member to a fair hearing.
- 5.2.9 The person conducting the grievance hearing will respond to the staff member either at the end of the meeting (if appropriate) or within five (5) working days of the hearing, stating the outcome and confirm this in writing. The staff member will be informed of their right to appeal against the outcome if they are not satisfied with it and that in this case they must write to their next level Supervisor or the Executive Director, within five (5) working days of the grievance outcome, enclosing a copy of their original grievance and stating why they are dissatisfied with the outcome of the first hearing.

- 5.2.10 If it is not possible to respond to the staff member within five (5) working days of the grievance hearing, then the member of staff will be given an explanation for the delay and be told when a response can be expected. This may be the case if a significant investigation is required or key individuals are not available in the timeframe.
- 5.2.11 The Executive Director will make arrangements to hear the grievance at an appeal meeting, and will be accompanied by another member of the FSD Uganda senior management team. The member of staff may be accompanied by an Appropriate Representative.
- 5.2.12 The Chief Operations officer will make any further investigations required and respond to the member of staff in writing within seven (7), five (5) working days of the appeal hearing.
- 5.2.13 If it is not possible to respond to the staff member within seven (7), five (5) working days of the appeal hearing, then the staff member will be given an explanation for the delay and be told when a response can be expected. This may be the case if further significant investigation is required or key individuals are not available in the timeframe.
- 5.2.14 The Chief Operations Officer, or their representative, may settle the case themselves, or in exceptional cases decide to hold a further appeal hearing. This is the final stage of the internal grievance procedure and the decision of the Executive Director is final.
- 5.2.15 If a member of staff is found to have raised a grievance in bad faith or with malicious intent they may be liable to disciplinary action.
- 5.2.16 Where a staff member raises a grievance during a disciplinary process, the disciplinary process may be temporarily suspended in order to deal with the grievance. Where the grievance and disciplinary cases are related, it may be appropriate to deal with both cases concurrently.
- 5.2.17 It is important to keep written records during each part of the grievance process and these records will include:
  - 5.2.17.1 The nature of the grievance raised;
  - 5.2.17.2 A copy of the written grievance;
  - 5.2.17.3 FSD Uganda's response;
  - 5.2.17.4 Any action taken and the reasons;
  - 5.2.17.5 Details of any appeal and the outcome reached.
- 5.2.18 All records will be kept confidential by the Chief Operations Officer. Copies of any meeting records will be available to appropriate staff, unless there are exceptional and agreed circumstances where it is necessary to withhold information, for example to protect a witness. Where a staff member is not satisfied with the decision to resolve the grievance, he or she may take it up with, if necessary, the FSD Uganda Board

## 6.0 SUPPORT AND ADVICE

- 6.1 Support and advice on the application of this policy can be obtained through speaking to the member of staff's Manager or the Executive Director.

## 7.1 RELATED DOCUMENTS

Staff are encouraged to look at this policy in conjunction with the:

- Code of Conduct
- Equality and Inclusion policy
- Discipline Policy

**8.0 DOCUMENT APPROVAL**

\_\_\_\_\_  
Chief Operations Officer

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Executive Director of FSD Uganda

\_\_\_\_\_  
Signature

**9.0 REVISION HISTORY**

9.1 FSD Uganda reserves the right to amend this Code of Conduct from time to time.

| DATE | REVISION NUMBER | CHANGE | REFERENCE SECTION    |
|------|-----------------|--------|----------------------|
|      |                 |        | [Ugandan Labour Law] |
|      |                 |        |                      |
|      |                 |        |                      |

## LEAVING THE ORGANISATION POLICY AND PROCEDURE

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### 1.0 INTRODUCTION

- 1.1 FSD Uganda strives to conduct all of its activities to the highest ethical standards and in compliance with its legal obligations. This Leaving the Organisation Policy describes the requirements, principles and procedure relevant when ending employment for any reason.

### 2.0 ORGANISATIONAL SCOPE

- 2.1 This Policy and Procedure applies to all FSD Uganda staff following termination of employment. Termination shall fall under the following four (4) categories:
- 2.1.1 Mandatory Termination;
  - 2.1.2 Employee Termination;
  - 2.1.3 Employer Termination;
  - 2.1.4 Consensual Termination.
- 2.2 For the procedure to be followed for any dismissal for disciplinary reasons refer to the FSD Uganda Disciplinary Policy and Procedure.

### 3.0 POLICY STATEMENT

- 3.1 FSD Uganda is committed to the provision of a good working environment for all staff but recognises that staff will leave the organisation for a variety of reasons, and that on occasion it may be necessary for FSD Uganda to end a staff member's contract of employment.
- 3.2 This Policy and Procedure sets out the expectations of FSD Uganda in relation to the processes that must be followed when a member of staff resigns from FSD Uganda, or when FSD Uganda ends a staff member's contract of employment for reasons other than disciplinary.

### 4.0 REQUIREMENTS AND PRINCIPLES

- 4.1 Responsibilities of all staff:
- 4.1.1 Full/Part-time staff, who have completed their probationary period, are required to give FSD Uganda a minimum of thirty (30) calendar days written advance notice of their intention to resign (this does not include any remaining Annual Leave) or, if a longer period, the minimum advance notice stipulated in their contract;
  - 4.1.2 Fixed-term staff, who have completed their probationary period, are required to give FSD Uganda the relevant written advance notice of their intention to resign, which is applicable to their particular contract. For example, a member of staff with a fixed-term contract of three (3) months may have a probationary period of two (2) weeks and they will be required to give two (2) weeks' notice if they wish to resign after completion of their probationary period;
  - 4.1.3 All transitioning staff (e.g. resigning, redundancy, retiring) will be required to attend an Exit Interview before leaving their current post;
  - 4.1.4 Exit Interviews are designed to provide the member of staff with an opportunity to give honest feedback without fear of detriment on a number of aspects of their employment, and make suggestions of how the organisation may be improved through changes in policy and/or practice (e.g. Recruitment & Selection, Performance Management). (**Annexure 22: Staff Exit Interview Form**)

- 4.2 Additionally, all Managers and staff with leadership or supervisory roles will:
- 4.2.1 Ensure they follow this policy in a fair, transparent and professional manner;
  - 4.2.2 Ensure they deal with written advance notice in all cases in a timely and correct manner as detailed in the exit procedures set out in the policy;
  - 4.2.3 Ensure they deal with any sensitive requirements with care in a fair and reasonable manner;
  - 4.2.4 Follow the exit interview procedures outlined in this policy when they are notified that a member of staff intends to end their employment with FSD Uganda;
  - 4.2.5 Record all suggestions of how the organisation may improve through changes in policy, practice or process in a fair, consistent and sensitive manner.
- 4.3 FSD Uganda will:
- 4.3.1 Ensure all Managers and Supervisors are appropriately trained and understand the process of dealing with staff transitioning from FSD Uganda.
  - 4.3.2 Take the opportunity to improve their understanding of why staff are leaving the organisation and to identify areas of good practice, where the organisation meets the needs of its staff.

## 5.1 PROCEDURES

### 5.2 Exit Procedures

#### 5.2.1 Resignation

An employee may resign from FSD Uganda at any time, for any reason, provided that sufficient notice period is given. The following procedure shall be followed for resignations:

- 5.2.1.1 The employee shall write a letter-of-resignation and send it to the Executive Director, with a copy to the Chief Operations Officer. Staff members must notify their Supervisor or Manager of their intention to resign from FSD Uganda in writing, stating the date on which their notice period commenced and their intended leaving date. If the resignation is given verbally, the Supervisor must inform the member of staff that they need to put their resignation in writing for it to become effective.
- 5.2.1.2 After approval by the Supervisor, a copy of the resignation letter should be submitted to the Executive Director. If the Supervisor does not approve the resignation and the staff member still wishes to resign, then the Executive Director should be consulted for further advice.
- 5.2.1.3 On acceptance of the letter, the employee shall meet with their respective Line Manager to commence hand over actions.
- 5.2.1.4 The Executive Director in conjunction with the Line Manager will ensure that FSD Uganda property (ID cards, mobile phones, keys, laptops, passwords, etc.) is returned.
- 5.2.1.5 After the above has been completed, any outstanding or financial matters will be considered and payment made as the last and final settlement. **(Annexure 23: Staff Exit Clearance Form)**
- 5.2.1.6 Upon resignation, the employee shall be entitled to be paid for all days worked up to and including the last day of service, any earned annual leave as at the last day of service not yet taken and any applicable allowances not yet paid to the team member. Such payments will be made less any indebtedness that the employee may have with FSD Uganda and less any tax obligation.

5.2.1.7 Any employee who resigns from FSD Uganda may be requested to complete any unfinished work, to prepare a handover report and forward it to his/her immediate Line Manager. The handover report should include details of pending work priorities

5.2.1.8 If the reason for leaving is retirement the Executive Director will initiate the Retirement Process detailed below.

## **5.2.2 Mandatory Termination**

### **5.2.2.1 Retirement**

The retirement age for those with contracts shall be sixty-five (65) years. This shall in no way preclude management from offering a particular employee a further term on a fixed contract subject to a notice clause.

### **5.2.2.2 Expiry of contract**

Contracts of service that have run their term shall; for purposes of this section be considered terminated.

### **5.2.2.3 Imprisonment**

An employee's contract shall, unless otherwise communicated by the Executive Director and or the Chief Operations Officer, be automatically terminated upon imprisonment for a term exceeding one (1) month following a lawful sentence or remand order by a court of law

### **5.2.2.4 Death**

Death shall automatically discharge a contract of employment. Severance pay shall be due to the estate of a team member whose death is not occasioned by his/her wilful or negligent misconduct.

### **5.2.2.5 Medical Incapacity**

An employee who has been found to be unfit for duty by a recognized medical officer may be terminated on grounds of medical incapacity.

## **5.2.3 Notice of termination**

If it is determined to terminate a contract of employment with a prior notice, duration of this notice must be at least equal to:

- Not less than Two (2) weeks – if an employee is still on probation and has worked for more than six months but less than one year.
- Not less than One (1) month – if the employee has worked for more than a year but less than five years.
- Not less than Two (2) months - if the employee has worked for more than five years but less than ten years
- Not less than Three (3) months for employees who have worked for ten years or more.

## **5.2.4 Disciplinary Separation**

Disciplinary dismissal will occur when FSD Uganda terminates the service of the employee without notice or with less notice than that to which the employee is entitled as per the letter of employment. The person dismissed summarily shall not be entitled to any benefits save for the employee's salary up to the date of termination, accrued leave pay and a certificate of service.

## **5.2.5 Exit interview**

Exit interviews will be carried out by the Chief Operations Officer or Line Manager as appropriate to obtain feedback from departing employees concerning working conditions,

policies, supervision, organizational culture and other matters related to their employment with the company. FSD Uganda will use the information obtained from exit interviews to identify problem areas and to consider changes for improvement. Exit interviews will be conducted prior to the release of final dues.

#### **5.2.6 Certificate of service**

FSD Uganda will provide a Certificate of Service to all employees who have to leave the company. The certificate states dates of commencement of work, end of employment and position held.

#### **5.2.7 Ending Employment**

5.2.7.1 This part of the policy applies to ending employment, where the member of staff's contract of employment ends for a reason unconnected to resignation, such as in the event of redundancy, retirement, non-renewal of a fixed term contract or some other substantial reason.

5.2.7.2 If these situations arise, FSD Uganda will follow a fair and reasonable procedure, which will include consultation with the staff member prior to any contract end taking effect and, in every case, the staff member will be given the full reasons for the decision to end the employment in writing and confirmation of their right of appeal

5.2.7.3 Before taking the decision to dismiss a member of staff for reasons relating to conduct, Supervisors and Managers should ensure that they have followed the Disciplinary Policy appropriately and correctly.

5.2.7.4 No staff member of FSD Uganda has the authority to dismiss a member of staff without following the correct procedure and unless the approval from the FSD Uganda ED, or his/her designated representative, has been given.

5.2.7.5 In cases of termination on grounds of redundancy or following a restructuring, FSD Uganda shall come up with an objective criterion to determine who shall be affected. Such criteria shall be applied across the board and shall be circulated to staff one month before the terminations ensue.

5.2.7.6 The Commissioner for Labour shall always be notified of any such layoffs where the numbers exceed nine and such notification shall include the reasons for the terminations, number and categories of the affected employees plus particulars of terminal benefits. **(Annexure 21: Notification of collective termination)**

#### **5.2.8 Staff on Probation**

5.2.8.1 Contracts of staff still in probation may be terminated by FSD Uganda at any time during the probationary period by following the process outlined in Section 5.1.3 above

5.2.8.2 No extra benefits – i.e. financial assistance, pension etc. – will be provided during the probationary period, except salary and relevant benefits for the number of days the member of staff worked for FSD Uganda.

5.2.8.3 Staff still in their probationary period may resign without giving thirty (30) calendar days advance notice.

#### **5.2.9 Non-Renewal of Fixed Term Contracts**

5.2.9.1 If a staff member's Fixed Term Contract is not going to be renewed, the Executive Director will:

- a. Write to the staff member informing them why and when FSD Uganda propose to end their employment. The letter will be given to the staff member by

their Supervisor and/or Manager;

- b. Schedule a meeting with the staff member and their immediate Supervisor to discuss the end of their contract and advise them that they are entitled to be accompanied at the meeting;
- c. Provide the staff member with copies of any documents or other materials applicable.

#### **5.2.10 Ill Health**

- 5.2.10.1 There may be occasions when FSD Uganda has to consider ending a member of staff employment due to ill-health.
- 5.2.10.2 Before any decisions are taken to end a member of staff's employment on these grounds, advice from the Chief Executive Officer must be gained and the FSD Uganda Leave Entitlements and Wellbeing Policy and Employment Law of Uganda must be followed before any decisions are made.

#### **5.2.11 Other Substantial Reasons**

- 5.2.11.1 There may be other substantial reasons, different to those stated above, why FSD Uganda may consider terminating a member of staff (for example if a staff member is convicted to a period of imprisonment).
- 5.2.11.2 For potential disciplinary dismissals, the FSD Uganda Disciplinary Policy and Procedure must be followed.

#### **5.2.12 Redundancy**

- 5.2.12.1 For the purpose of this Policy, the term –Redundancyll refers to putting a FSD Uganda initiated end to a member of staff's – or a group of staff – employment with FSD Uganda. Redundancy can take place as a result of substantial work load changes, change in priorities or directions of the organisation, restructurings etc.
- 5.2.12.2 If a Redundancy situation arises, FSD Uganda will communicate this to potentially affected staff as soon as possible. Affected staff will be given a minimum of ninety (90) calendar days' notice in writing or Three (3) month's salary in lieu of notice, together with the process to be followed and the additional financial assistance applicable at the time.
- 5.2.12.3 Staff that are being terminated due to Redundancy are able to take earned Annual Leave prior to their leaving date (up to a maximum of ten (10) working days) or upon leaving receive payment for any earned but untaken Annual Leave that is remaining.

#### **5.2.13 Retirement**

- 5.2.13.1 The normal retirement age for a member of staff of FSD Uganda is sixty-five (65). Any staff member reaching this age will be retired at the end of the calendar year of their sixty-fifth (65<sup>th</sup>) birthday anniversary. Staff are able to request early retirement (i.e. before they reach the age of sixty-five (65)) and FSD Uganda can, in agreement with or if requested by the staff member, extend the staff employment past the age of 65.
- 5.2.13.2 Retiring FSD Uganda staff are entitled to accrued benefits.
- 5.2.13.3 Staff who retire will receive a payment equivalent to 10 months of their latest salary along with other supplementary payments as per Uganda Labour Law.

#### **5.2.14 Appeal Procedure**

- 5.2.14.1 If a member of staff's employment is ending for any of the reasons in this Policy and they feel that they are being dismissed unfairly, they have up to three (3) working days after leaving to submit a written statement to the Executive Director, stating their reasons for appealing.

- 5.2.14.2 The Executive Director will convene a panel that will hear the staff member's appeal.
- 5.2.14.3 5.14.3 If the decision to end the employment is reversed then the staff member will be informed of the decision immediately and be given written confirmation within three (3) working days and be reinstated without any loss of service or salary and benefits.

#### **5.2.15 Documentation/Systems**

- 5.2.15.1 The Supervisor or Manager should forward the staff member's resignation letter to the Chief Operations Officer as soon as it is received.
- 5.2.15.2 Upon receipt the Chief Operations Officer will arrange for the amendment of the staff member's Employment Record and start the Payroll Processes or inform the Finance Manager.
- 5.2.15.3 The Chief Operations Officer will arrange a confirmation letter of the leaving date to be given to the staff member in writing.
- 5.2.15.4 Supervisors and Managers should conduct a vacancy review and complete appropriate paperwork (if necessary) to initiate the Recruitment Process to fill the position (refer to Recruitment and Talent Attraction Policy).
- 5.2.15.5 Supervisors and Managers will forward the Exit Interview notes to the Executive Director.

#### **5.2.16 Final Salary and Remaining Annual Leave**

- 5.2.16.1 Final salary payment, relevant benefits will not be made unless and until the Supervisor confirms that the staff member has returned all FSD Uganda equipment/assets/property that were in their possession, charge, or custody and that they are not in debt to FSD Uganda.
- 5.2.16.2 Any amounts owed by the staff member to FSD Uganda will be deducted from their final salary payment. Such deductions may include, but are not limited to, the value of computer, communications and other equipment provided to the staff member by FSD Uganda that is not returned on or before their last working day, and any pay advances made by FSD Uganda which are outstanding.

#### **5.2.17 Reference Letters**

- 5.2.17.1 Any information requested by another organisation regarding anyone who has left FSD Uganda must be forwarded to the Chief Operations Officer, who will be responsible for providing reference letters.

#### **5.2.18 If a Member of Staff Dies in Service**

- 5.2.18.1 In the event of the death of a staff member, sections 5.1.2.4 will be applicable and all matters should be followed with sensitivity.
- 5.2.18.2 Any correspondence will be addressed to the deceased staff member's beneficiaries outlining any financial assistance, their entitlements and any further steps that need to be taken as per Ugandan Law.

#### **5.2.19 Garden Leave**

- 5.2.19.1 Staff may, after notice of termination has been given by FSD Uganda or if they have given their notice to resign (or their intention or desire to resign), be required by FSD Uganda (at its discretion) not to attend at their place of work and not to perform any duties for FSD Uganda.
- 5.2.19.2 Staff will continue to receive their full pay and contractual benefits (excluding any bonus or commission) during the period of Garden Leave.
- 5.2.19.3 During the Garden Leave staff will:

- a. If requested by FSD Uganda, resign from any directorships, trusteeships or other offices that the staff member holds;
- b. Notify FSD Uganda of any change of address or contact details;
- c. If requested by FSD Uganda, return all company property that they have, including without limitation all confidential information, documents, software and copies of documents and software;
- d. If requested by FSD Uganda, refrain from contacting staff, clients and professional contacts of FSD Uganda, except where such staff, clients and professional contacts are personal friends of the staff member and they are contacting them in a personal capacity.
- e. If requested by FSD Uganda, cease to be an authorised signatory of FSD Uganda;
- f. If requested by FSD Uganda, take holiday which has been accrued up to the commencement of the Garden Leave on such day or days as FSD Uganda may specify. No contractual holiday entitlement shall accrue during the Garden Leave itself.

5.2.19.4 During the Garden Leave FSD Uganda shall be under no obligation to provide any work and the staff member shall continue to be bound by the express and implied duties of their employment, including without limitation by the duty of fidelity and good faith owed to FSD Uganda.

5.2.19.5 During the Garden Leave FSD Uganda shall be entitled to make such announcements or statements to staff, clients and professional contacts of FSD Uganda concerning the staff member as in its absolute discretion it may decide.

## 6.0 SUPPORT AND ADVICE

6.1 Any concern that a member of staff has should be discussed in the first instance with their Manager or someone else in authority in the organisation.

## 7.1 RELATED DOCUMENTS

Staff are encouraged to look at this policy in conjunction with the:

- Code of Conduct
- Equality and Inclusion Policy
- Leave and Wellbeing Policy
- Disciplinary Policy
- Grievance Policy
- Data Protection Policy

## 8.0 DOCUMENT APPROVAL

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Chief Operations Officer

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Signature

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Executive Director of FSD Uganda

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Signature

9.0 REVISION HISTORY

9.1 FSD Uganda reserves the right to amend this Code of Conduct from time to time.

| DATE | REVISION NUMBER | CHANGE | REFERENCE SECTION    |
|------|-----------------|--------|----------------------|
|      |                 |        | [Ugandan Labour Law] |
|      |                 |        |                      |
|      |                 |        |                      |

## IT POLICY AND PROCEDURE

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### 1.0 INTRODUCTION

- 1.1 FSD Uganda's IT and communications systems are intended to promote effective communication and working practices within the organisation. This policy outlines the standards that must be observed by all staff when using these systems, the circumstances in which FSD Uganda will monitor use and the action FSD Uganda will take in respect of breaches of these standards.
- 1.2 This policy covers all FSD Uganda staff and anyone else who, for whatever reason, has access to FSD Uganda's IT and communication systems.
- 1.3 Misuse of IT and communications systems can be prejudicial to FSD Uganda's activities and to its reputation. Breach of this policy may be dealt with under FSD Uganda's Disciplinary Policy and Procedures.
- 1.4 This policy does not form part of any employee's contract of employment and we may amend it at any time.

### 2.0 ORGANISATIONAL SCOPE

None

### 3.0 POLICY STATEMENTS

None

### 4.1 REQUIREMENTS AND PRINCIPLES

#### 4.2 Personnel Responsible for the Policy

- 4.2.1 The Board has overall responsibility for the effective operation of this policy and for ensuring compliance with the relevant statutory framework. Day-to-day responsibility for operating the policy and ensuring its maintenance and review has been delegated to the FSD Uganda Director.
- 4.2.2 Line Managers have a specific responsibility to ensure the fair application of this policy and all members of staff are responsible for supporting colleagues and ensuring its success.
- 4.2.3 The Line Manager will deal with requests for permission or assistance under any provisions of this policy, and may specify certain standards of equipment or procedures to ensure security and compatibility.

#### 4.3 Equipment Security and Passwords

- 4.3.1 FSD Uganda staff are responsible for the security of the equipment allocated to or used by them, and must not allow it to be used by anyone other than in accordance with this policy.
- 4.3.2 FSD Uganda staff are responsible for the security of any computer terminal used by them. They should lock their terminal or log off when leaving it unattended or on leaving the office, to prevent unauthorised users accessing the system in their absence. Anyone who is not authorised to access the FSD Uganda network should only be allowed to use terminals under supervision.
- 4.3.3 Desktop PCs and cabling for telephones or computer equipment should not be moved or tampered with without first consulting the line Manger.

- 4.3.4 Members of FSD Uganda staff should use passwords on all IT equipment, particularly items that they take out of the office. Members of FSD Uganda staff must keep their passwords confidential and change them regularly. They must not use another person's username and password or make available or allow anyone else to log on using their username and password unless authorised by the Line Manager. On the termination of their employment (for any reason) a member of FSD Uganda staff must provide details of their passwords to the Line Manager and return any equipment, key fobs or cards.
- 4.3.5 If a member of FSD Uganda staff has been issued with a laptop, Personal Digital Assistant, phone or Internet gadgets, they must ensure that it is kept secure at all times, especially when travelling. Passwords must be used to secure access to data kept on such equipment to ensure that confidential data is protected in the event of loss or theft. Members of FSD Uganda staff should also be aware that when using equipment away from the workplace, documents may be read by third parties, for example, passengers on public transport.

#### **4.4 Systems and Data Security**

- 4.4.1 Members of FSD Uganda staff should not delete, destroy or modify existing systems, programs, information or data (except as authorised in the proper performance of their duties).
- 4.4.2 Members of FSD Uganda staff must not download or install software from external sources without authorisation from the Line Manager. This includes software programs, instant messaging programs, screensavers, photos, video clips and music files. Incoming files and data should always be virus-checked by the Line Manager before they are downloaded. If in doubt, staff should seek advice from the Line Manager.
- 4.4.3 FSD Uganda monitors all e-mails passing through its system for viruses. Members of FSD Uganda staff should exercise particular caution when opening unsolicited e-mails from unknown sources or an e-mail which appears suspicious (for example, if it contains a file whose name ends in .exe). Inform the Line Manager immediately if a member of FSD Uganda staff suspects that their computer may have a virus. FSD Uganda reserves the right to delete or block access to e-mails or attachments in the interests of security. FSD Uganda also reserves the right not to transmit any e-mail message.
- 4.4.4 Members of FSD Uganda staff should not attempt to gain access to restricted areas of the network, or to any password-protected information, except as authorised in the proper performance of their duties.
- 4.4.5 If members of FSD Uganda staff use laptops or Wi-Fi enabled equipment, they must be particularly vigilant about its use outside the office and take such precautions as FSD Uganda may require from time to time against importing viruses or compromising system security. The system contains information which is confidential to FSD Uganda's activities and/or which is subject to data protection legislation. Such information must be treated with extreme care and in accordance with FSD Uganda's Data Protection Policy.

#### **5.1 PROCEDURES**

##### **5.2 E-mail**

- 5.2.1 Although e-mail is a vital business tool, members of FSD Uganda staff should always consider if it is the appropriate method for a particular communication. Correspondence with third parties by e-mail should be written as professionally as a letter. Messages should be concise and directed only to relevant individuals.
- 5.2.2 Members of FSD Uganda staff must not send abusive, obscene, discriminatory, racist, harassing, derogatory, defamatory, or otherwise inappropriate e-mails. Anyone who feels that they have been harassed or bullied, or are offended by material received from a colleague via e-mail should inform the Line Manager.

- 5.2.3 Members of FSD Uganda staff should take care with the content of e-mail messages, as incorrect or improper statements can give rise to claims for discrimination, harassment, defamation, breach of confidentiality or breach of contract. Members of FSD Uganda staff should assume that e-mail messages may be read by others and not include anything which would offend or embarrass any reader, or themselves, if it found its way into the public domain.
- 5.2.4 E-mail messages may be disclosed in legal proceedings in the same way as paper documents. Deletion from a user's inbox or archives does not mean that an e-mail cannot be recovered for the purposes of disclosure. All e-mail messages should be treated as potentially retrievable, either from the main server or using specialist software.
- 5.2.5 In general, members of FSD Uganda staff should not:
  - 5.2.5.1 Send or forward private e-mails at work which they would not want a third party to read;
  - 5.2.5.2 Send or forward chain mail, junk mail, cartoons, jokes or gossip;
  - 5.2.5.3 Contribute to system congestion by sending trivial messages or unnecessarily copying or forwarding e-mails to those who do not have a real need to receive them;
  - 5.2.5.4 Sell or advertise using FSD Uganda's communication systems or broadcast messages about lost property, sponsorship or charitable appeals;
  - 5.2.5.5 Agree to terms, enter into contractual commitments or make representations by e-mail unless appropriate authority has been obtained. A name typed at the end of an e-mail is a signature in the same way as a name written at the end of a letter;
  - 5.2.5.6 Download or e-mail text, music and other content on the internet subject to copyright protection, unless it is clear that the owner of such works allows this;
  - 5.2.5.7 Send messages from another person's e-mail address (unless authorised) or under an assumed name; or
  - 5.2.5.8 Send confidential messages via e-mail or the internet, or by other means of external communication which are known not to be secure.
- 5.2.6 Members of FSD Uganda staff should return any wrongly-delivered e-mail received to the sender.

### 5.3 Using the internet

- 5.3.1 When a website is visited, devices such as cookies, tags or web beacons may be employed to enable the site owner to identify and monitor visitors. If the website is of a kind described in item 5.5.2 below, such a marker could be a source of embarrassment to the visitor and to FSD Uganda, especially if inappropriate material has been accessed, downloaded, stored or forwarded from the website. Such actions may also, in certain circumstances, amount to a criminal offence if, for example, the material is pornographic in nature.
- 5.3.2 Members of FSD Uganda staff should not access any web page or download any image, document or other file from the internet which could be regarded as illegal, offensive, in bad taste or immoral. Even web content legal in the UK may be in sufficient bad taste to fall within this prohibition. As a general rule, if any person (whether intended to view the page or not) might be offended by the contents of a page, or if the fact that FSD Uganda's software has accessed the page or file might be a source of embarrassment if made public, then viewing it will be a breach of this policy.
- 5.3.3 Members of FSD Uganda staff should only use FSD Uganda's systems to participate in any internet chat room, post messages on any internet message board or set up or log text or information on a blog or wiki (even in their own time) to the extent that such usage relates to, or is relevant for, or is in pursuance of, their work for FSD Uganda.

- 5.3.4 The following must only be accessed from the network on a reasonable and proportionate basis and so as not to interfere with, or cause a distraction from, the proper performance by Members of FSD Uganda staff of their duties in respect of FSD Uganda: online radio, audio and video streaming, instant messaging and webmail (such as Hotmail or Yahoo) and social networking sites (such as Facebook, Bebo, Second Life, YouTube, Twitter). This list may be modified from time to time.

#### **5.4 Personal use of FSD Uganda's systems**

- 5.4.1 FSD Uganda permits the incidental use of internet, e-mail and telephone systems to send personal e-mail, browse the internet and make personal telephone calls subject to certain conditions set out below. Personal use is a privilege and not a right. It must not be overused or abused. FSD Uganda may withdraw permission for it at any time or restrict access at its discretion.
- 5.4.2 Personal use must meet the following conditions:
- 5.4.2.1 Use must be minimal and take place substantially out of normal working hours (that is, during lunch hours, before 9 am or after 5.30 pm);
  - 5.4.2.2 Personal e-mails must be labelled "personal" in the subject header;
  - 5.4.2.3 Use must not interfere with business or office commitments;
  - 5.4.2.4 Use must not commit FSD Uganda to any marginal costs; and
  - 5.4.2.5 Use must comply with FSD Uganda's policies including the Equal and Inclusion Policy, Data Protection Policy and Disciplinary Policy and Procedures.
- 5.4.3 FSD Uganda staff should be aware that personal use of FSD Uganda's systems may be monitored and, where breaches of this policy are found, action may be taken under the disciplinary policy and procedure. FSD Uganda reserves the right to restrict or prevent access to certain telephone numbers or internet sites if it considers personal use to be excessive.

#### **5.5 Monitoring**

- 5.5.1 FSD Uganda's systems enable it to monitor telephone, e-mail, voicemail, internet and other communications. For business reasons, and in order to carry out legal obligations in its role as an employer, use of FSD Uganda's systems including the telephone and computer systems, and any personal use of them, may be continually monitored by automated software or otherwise. Monitoring is only carried out to the extent permitted or as required by law and as necessary and justifiable for business purposes.
- 5.5.2 FSD Uganda reserves the right to retrieve the contents of e-mail messages or check internet usage (including pages visited and searches made) as reasonably necessary in the interests of the business, including for the following purposes (this list is not exhaustive):
- 5.5.2.1 To monitor whether the use of the e-mail system or the internet is legitimate and in accordance with this policy;
  - 5.5.2.2 To find lost messages or to retrieve messages lost due to computer failure;
  - 5.5.2.3 To assist in the investigation of alleged wrongdoing; or
  - 5.5.2.4 To comply with any legal obligation.

#### **5.6 Prohibited use of FSD Uganda's systems**

- 5.6.1 Access is granted to the internet, telephones and other electronic systems for legitimate business purposes only. Incidental personal use is permissible provided it is in full compliance with FSD Uganda's rules, policies and procedures. See paragraph 5.3 above, dealing with personal use of systems.

- 5.6.2 Misuse or excessive personal use of FSD Uganda’s telephone or e-mail system or inappropriate internet use will be dealt with under FSD Uganda’s Disciplinary Procedure. Misuse of the internet can in some circumstances be a criminal offence. In particular, misuse of the e-mail system or inappropriate use of the internet by participating in online gambling or chain letters or by creating, viewing, accessing, transmitting or downloading any of the following material will usually amount to gross misconduct (this list is not exhaustive):
- 5.6.2.1 Pornographic material (that is, writing, pictures, films and video clips of a sexually explicit or arousing nature);
  - 5.6.2.2 Offensive, obscene, or criminal material or material which is liable to cause embarrassment to FSD Uganda or any of its funders or other stakeholders;
  - 5.6.2.3 A false and defamatory statement about any person or organisation;
  - 5.6.2.4 Material which is discriminatory, offensive, derogatory or may cause embarrassment to others;
  - 5.6.2.5 Confidential information about FSD Uganda or any of its staff or clients (except as authorised in the proper performance of the duties of a member of FSD Uganda’s staff);
  - 5.6.2.6 Any other statement which is likely to create any criminal or civil liability (for FSD Uganda or for a member of FSD Uganda’s staff); or
  - 5.6.2.7 Material in breach of copyright.
- Any such action will be treated very seriously and is likely to result in summary dismissal.
- 5.6.3 Where evidence of misuse is found FSD Uganda may undertake a more detailed investigation in accordance with its Disciplinary Policy and Procedure, involving the examination and disclosure of monitoring records to those nominated to undertake the investigation and any witnesses or managers involved in the Disciplinary Procedure. If necessary such information may be handed to the police in connection with a criminal investigation.

## **6.0 SUPPORT AND ADVICE**

- 6.1 Support and advice on the application of this policy can be obtained through speaking to the Supervisor, Line Manager or to the Chief Operating Officer.

## **7.1 RELATED DOCUMENTS**

Members of FSD Uganda staff are encouraged to look at this policy in conjunction with:

- IT security policy and procedural manual
- IT Disaster recovery plan
- Data Protection Policy and Procedure
- Disciplinary Policy and Procedure
- Equality and Inclusion Policy

## 8.0 DOCUMENT APPROVAL

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Chief Operations Officer

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Signature

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Executive Director of FSD Uganda

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Signature

## 9.0 REVISION HISTORY

9.1 FSD Uganda reserves the right to amend this Code of Conduct from time to time.

| DATE | REVISION NUMBER | CHANGE | REFERENCE SECTION    |
|------|-----------------|--------|----------------------|
|      |                 |        | [Ugandan Labour Law] |
|      |                 |        |                      |
|      |                 |        |                      |

## **OCCUPATIONAL SAFETY AND HEALTH (OSH) POLICY**

### **1.0 INTRODUCTION**

FSD Uganda acknowledges that it can only realize and achieve its documented mission by primarily creating a safe workplace through a well-coordinated OSH management system. This is in line with the Occupational Safety and Health Act, 2006 (OSHA) and underlying regulations.

### **2.0 OSH MANAGEMENT SYSTEM:**

The OSH Management System is the organizational framework through which Management ensures that safety and health is realized at all FSD Uganda premises.

The OSH Management System contains the six basic elements of policy, organizing, planning and implementation, evaluation and action for improvement.

### **3.0 POLICY:**

FSD Uganda is mandated by law to have an OSH policy which is peculiar to our operations and developed with worker participation and communicated across the board. This policy shall be reviewed annually.

### **4.0 ORGANIZING:**

Management shall have overall responsibility for ensuring the safety and health of workers and the general public affected by FSD Uganda's operations.

The responsibility for this function shall be with the Chief Operations Officer who shall constantly be coordinated by the Executive Director. The Chief Operations Officer shall ensure that the responsibilities of Reporting Managers are integrated into the OSH Management System and specifically identified.

### **5.0 SAFETY COMMITTEE**

- i. A Safety committee shall be established for the FSD Uganda premises. The committee shall be the most basic unit through which the OSH management system is administered.
- ii. The Chief Operations Officer shall define and communicate to the safety committee of the organization its responsibilities in the OSH.
- iii. All Reporting Managers shall provide effective supervision of staff's safety and health roles through the safety committee to ensure a safe and healthy workplace.
- iv. All Departments shall through the safety committee identify the respective hazards facing their operations, and come up with ways of eliminating and/or reducing them. All this should be documented and communicated to the Chief Operations Officer quarterly.
- v. The Chief Operations Officer shall have overall responsibility, accountability and authority for:
  - (a) Developing, implementing and periodically reviewing the OSH Management System.
  - (b) Periodically reporting to Management on the performance of the management system.

- (c) Promoting the participation of all members of the organization.
- (d) Arranging and coordinating OSH training.
- (e) Documenting all hazards at the workplace and any work-related injuries.
- (f) Ensuring compliance with the OSHA 2006.

## 6.0 PLANNING AND IMPLEMENTATION

Management shall do an initial review as a basis for establishing an OSH Management System.

The initial review shall be carried out by competent persons with OSH expertise in close consultation with workers and their representatives.

6.1 The initial review shall: -

- a) identify the current statutory requirements and national guidelines;
- b) Identify voluntary programs or associate to internal standards associations were available;
- c) Identify, anticipate and asses hazards and risks to safety and health arising from the existing or proposed work environment;
- d) Determine whether the planned or existing controls are adequate to eliminate hazards or control risks;
- e) Analyse and assess past work related injuries or occupational hazards.

6.2 Documentation of Initial Review

The results of the initial review shall:

- i. Be documented and become the basis for making decisions regarding the OSH Management System.
- ii. Provide a baseline from which continual improvement of FSD Uganda's OSH Management System can be measured.

6.3 System Planning, Development and Implementation

The purpose of planning should be to create an OSH Management system that is compliant with the OSHA 2006 and any other national legislation. Planning should also help in continual improvement in OSH performance.

Planning should be based on results of initial review, subsequent reviews and other available date. These planning arrangements should include:-

- a clear definition of FSD Uganda's OSH objectives;
- establish a responsibility and performance criteria indicating what is to be done by whom and when;
- selection of measurable criteria for confirming that objectives have been accrued;
- provision of adequate resources including financial and technical support.

## 7. HAZARD PREVENTION

- 7.1 Hazards and risks within FSD Uganda's operations should be identified and assessed on an ongoing basis.
- 7.2 Preventative measures should be implemented in the following order of priority:-
- (a) Eliminate the hazard/risk.
  - (b) Control hazard risk at source through technical or organizational measures.
  - (c) Minimize the hazard/risk by the design of safe work systems which include administrative controls.
  - (d) Where residual hazards/risks cannot be controlled by collective means FSD Uganda shall provide personal protective equipment at no cost.
- 7.3 Hazard prevention and control procedures should be reversed and modified on a regular basis by the respective safety committees.

## 8. EVALUATION:

### 8.1 Performance Monitoring and Measuring:

The Chief Operations Officer shall put in place procedures to monitor measure and record OSH performance of all departments through the safety committee on an annual basis.

Performance indicators shall be based on the operations of a particular department and the identified hazards and risks vis a vis the assigned OSH roles.

All Supervisors and Heads of Department shall evaluate the OSH performance of employees under them

### 8.2 Performance monitoring and measurement should:

- a) be used as a means of determining the extent to which OSH policy and objectives are being implemented and risks are controlled;
- b) include both active and reactive monitoring, and not be based only upon work related injury, ill health, disease and incident statistics; and
- c) be recorded.

### 8.3 Monitoring should provide:

- a) feedback on OSH performance;
- b) information to determine whether the day-to-day arrangements for hazard and risk identification, prevention and control are in place and operating effectively;
- c) the basis for decisions about improvement in hazard identification and risk

### 8.4 Control and the OSH management system

Active monitoring should contain the elements necessary to have a proactive system and should include:

- (a) monitoring of the achievement of specific plans, established performance criteria and objectives;
- (b) the systematic inspection of work systems, premises, plant and equipment;
- (c) surveillance of the working environment, including work organization;
- (d) workers' health surveillance, where appropriate, through suitable medical monitoring or follow-up of workers for early detection of signs and symptoms of harm to health in order to determine the

effectiveness of prevention and control measures; and

(e) compliance with OSHA 2006 and regulations,

8.5 Reactive monitoring should include the identifying, reporting and investigating of:

- a) work-related injuries, ill health (including monitoring of aggregate sickness absence records), diseases and incidents;
- b) other losses, such as damage to property;
- c) deficient safety and health performance and OSH management system
- d) failures; and
- e) workers' rehabilitation and health-restoration programs if any.

8.6 Investigation of work-related injuries, ill health, diseases and incidents, and their impact on safety and health performance:

8.6.1 The investigation of the origin and underlying causes of work-related injuries, ill health, diseases and incidents should identify any failures in the OSH management system and should be documented.

8.6.2 Such investigations should be carried out by the Chief Operations Officer or any person specifically assigned by the Executive Director, with the appropriate participation of employees and their safety representatives.

8.6.3 The results of such investigations should be communicated to the safety committee, and the committee should make appropriate recommendations.

8.6.4 The results of investigations, in addition to any recommendations from the safety committee, should be communicated to appropriate persons for corrective action, included in the management review and considered for continual improvement activities.

8.6.5 The corrective action resulting from such investigations should be implemented in order to avoid repetition of work-related injuries, ill health, diseases and incidents.

8.6.6 Reports produced by the Commissioner for safety and health and insurance institutions, should be acted upon in the same manner as internal investigations, taking into account issues of confidentiality.

8.7 Audit:

8.7.1 Arrangements to conduct periodic audits are to be established in order to determine whether the OSH management system and its elements are in place, adequate, and effective in protecting the safety and health of workers and preventing incidents.

8.7.2 An audit policy and programme should be developed, which includes a designation of auditor competency, the audit scope, the frequency of audits, audit methodology and reporting.

8.7.3 The audit includes an evaluation of the FSD Uganda's OSH management system elements or a subset of these, as appropriate. The audit should cover:

- i) OSH policy;
- ii) worker participation;
- iii) responsibility and accountability;
- iv) competence and training;
- v) OSH management system documentation;

- vi) communication;
- vii) system planning, development and implementation;
- viii) prevention and control measures;
- ix) management of change;
- x) emergency prevention, preparedness and response;
- xi) procurement;
- xii) contracting;
- xiii) performance monitoring and measurement;
- xiv) investigation of work-related injuries, ill health, diseases and incidents, and their impact on safety and health performance;
- xv) audit;
- xvi) management review;
- xvii) preventive and corrective action;
- xviii) continual improvement; and
- xix) any other audit criteria or elements that may be appropriate.

8.7.4 The audit conclusion should determine whether the implemented OSH management system elements or a subset of these:

- (a) Are effective in meeting FSD Uganda's OSH policy and objectives;
- (b) are effective in promoting full worker participation;
- (c) respond to the results of OSH performance evaluation and previous audits;
- (d) enable FSD Uganda to achieve compliance with relevant national laws and regulations; and
- (e) fulfill the goals of continual improvement and best OSH practice.

8.7.5 Audits should be conducted by competent persons internal or external to FSD Uganda who are independent of the activity being audited.

8.7.6 The audit results and audit conclusions should be communicated to management for corrective action.

8.7.7 Consultation on selection of the auditor and all stages of the work place audit, including analysis of results, are subject to employee participation through the safety committees, as appropriate.

## 8.8 Management review:

8.8.1 Management reviews should:

- a) evaluate the overall strategy of the OSH management system to determine whether it meets planned performance objectives;
- b) evaluate the OSH management system's ability to meet the overall needs of the FSD UGANDA and its stakeholders, including its workers and the regulatory authorities;

- c) evaluate the need for changes to the OSH management system, including OSH policy and objectives;
  - d) identify what action is necessary to remedy any deficiencies in a timely manner, including adaptations of other aspects of the FSD Uganda`s management structure and performance measurement;
  - e) provide the feedback direction, including the determination of priorities, for meaningful planning and continual improvement;
  - f) evaluate progress towards the organization`s OSH objectives and corrective action activities; and
  - g) evaluate the effectiveness of follow-up actions from earlier management reviews.
- 8.8.2 The frequency and scope of periodic reviews of the OSH management system by the Executive Director as the most senior accountable person should be defined according to FSD Uganda`s needs and conditions.
- 8.8.3 The management review should consider:
- a) the results of work-related injuries, ill health, diseases and incident investigations; performance monitoring and measurement; and audit activities; and
  - b) additional internal and external inputs as well as changes, including organizational changes, that could affect the OSH management system.
- 8.8.4 The findings of the management review should be recorded and formally communicated to the persons responsible for the relevant element(s) of the OSH management system so that they may take appropriate action; and the safety and health committee, employees and their representatives.
- 8.9 Action for improvement
- 8.9.1 Preventive and corrective action
- a) Arrangements should be established and maintained for preventive and corrective action resulting from OSH management system performance monitoring and measurement, OSH management system audits and management reviews. These arrangements should include:
    - i) identifying and analyzing the root causes of any non-conformities with relevant OSH regulations and/or OSH management systems arrangements; and
    - ii) initiating, planning, implementing, checking the effectiveness of and documenting corrective and preventive action, including changes to the OSH management system itself.
  - b) When the evaluation of the OSH management system or other sources show that preventive and protective measures for hazards and risks are inadequate or likely to become inadequate, the measures should be addressed according to the recognized hierarchy of prevention and control measures, and completed and documented, as appropriate and in a timely manner.
- 8.9.2 Continual improvement
- 8.9.2.1 Arrangements should be established and maintained for the continual improvement of the relevant elements of the OSH management system and the system as a whole. These arrangements should take into account:
- i) the OSH objectives of the FSD Uganda;
  - ii) the results of hazard and risk identifications and assessments;
  - iii) the results of performance monitoring and measurements;
  - iv) the investigation of work-related injuries, diseases, ill health and incidents, and the results and recommendations of audits;

- v) the outcomes of the management review;
- vi) the recommendations for improvement from all members of the FSD UGANDA, including the safety and health committee, where it exists.
- vii) changes in national laws and regulations, voluntary programs and collective agreements;
- viii) new relevant information; and
- ix) the results of health protection and promotion programs.

8.9.2.2 The safety and health processes and performance of OSH should be compared with others in order to improve health and safety performance.

## 9. SUPPORT AND ADVICE

Support and advice on the application of this policy can be obtained through speaking to the Supervisor, Line Manager or to the Chief Operating Officer.

## 10. RELATED DOCUMENTS

Members of FSD Uganda staff are encouraged to look at this policy in conjunction with:

- Data Protection Policy and Procedure
- Disciplinary Policy and Procedure
- Equality and Inclusion Policy

## 11. DOCUMENT APPROVAL

|                                  |           |
|----------------------------------|-----------|
| Chief Operations Officer         | Signature |
| Executive Director of FSD Uganda | Signature |

## 12. REVISION HISTORY

12.1.1 FSD Uganda reserves the right to amend this policy from time to time.

| Date | Revision Number | Change | Reference Section    |
|------|-----------------|--------|----------------------|
|      |                 |        | [Ugandan Labour Law] |
|      |                 |        |                      |
|      |                 |        |                      |

## **HIV/AIDS AND HEPATITIS B POLICY:**

### **1.0 INTRODUCTION:**

FSD Uganda has developed a workplace policy on Human Immunodeficiency Virus (HIV) and Acquired Immune Deficiency Syndrome (AIDS) and Hepatitis B.

### **2.0 THE KEY ELEMENTS OF THE POLICY ARE TO:**

- Provide health information to employees on HIV/AIDS and Hepatitis B, its magnitude, impact and preventative measures.
- Implement non-discriminatory policies, procedures and practices in managing individuals who have HIV/AIDS and Hepatitis B.
- Approach individuals who have HIV/AIDS and Hepatitis B in the same manner as those with any other progressive debilitating illness and provide counselling and emotional support to them.
- Clearly define HIV/AIDS and Hepatitis B policies and procedures taking into account local practices, procedures, culture and legislation.
- Where possible, join forces with other Organizations to counter HIV/AIDS and Hepatitis B and alleviate its impact as appropriate.

### **3.0 POLICY OBJECTIVE:**

The objective of the HIV/AIDS and Hepatitis B policy is to minimize, monitor and manage the impact, spread and consequences of HIV/AIDS and Hepatitis B disease in as far as it affects the employees and the operations of FSD Uganda.

### **4.0 POLICY APPLICABILITY:**

The policy applies to all employees of FSD Uganda.

### **5.0 THE NEED FOR AN HIV/AIDS POLICY:**

The HIV/AIDS and Hepatitis B policy has been developed for the following key reasons:

### **6.0 SOCIAL RESPONSIBILITY:**

The actual and potential growth and impact of HIV/AIDS and Hepatitis B diseases on people of productive and economically active age poses an enormous global and business challenge. FSD Uganda considers that it has a Corporate Social Responsibility to support HIV/AIDS and Hepatitis B preventative efforts and to protect the basic Human rights of those in the workplace who are HIV positive and who have contracted Hepatitis B. FSD Uganda will also contribute to reducing the spread of HIV/AIDS and Hepatitis B through participating in Ministry of Health driven campaigns.

### **7.0 EMPLOYEE HEALTH AND WELL BEING:**

Employees are critical to the success of FSD Uganda's operations. The loss of an employee is not only a personal and family tragedy, but also results in direct and indirect loss to FSD Uganda in terms of medical costs, retraining, recruitment, and productivity.

FSD Uganda is committed to the protection and maintenance of its employee's health and well-being within affordable limits.

#### **8.0 NON-DISCRIMINATORY POLICIES, PROCEDURES AND PRACTICES:**

Misconceptions and misinformation regarding HIV/AIDS and Hepatitis B can contribute to discriminatory management policies, practices and behaviors resulting in panic, and poor employee morale and working relationships between employees and those infected with HIV/AIDS and Hepatitis B. FSD Uganda therefore recognizes a need to disseminate standard, consistent and factual information on the HIV/AIDS and Hepatitis B diseases and to educate our employees to minimize and manage HIV/AIDS and Hepatitis B infection.

#### **9.0 WORKPLACE AS AN EDUCATIONAL CENTRE:**

Employees spend a considerable part of their lives in the workplace. The workplace therefore has an advantage as a location FSD Uganda can use to establish, implement and promote HIV/AIDS and Hepatitis B prevention strategies and programmes.

#### **10.0 MINIMIZING - HIV/AIDS AND HEPATITIS B SPREAD:**

##### **10.1 Education Programme and Dissemination of Information:**

FSD Uganda will disseminate information got from the Partners on the magnitude of the diseases and developments in scientific research, especially those relating to prevention.

FSD Uganda will strive to make all relevant information, which will be held centrally by the Chief Operations Officer but made accessible to all staff members.

##### **10.2 Managing HIV/AIDS and Hepatitis B within FSD UGANDA:**

FSD Uganda is an Equal Opportunity Employer and will not use testing when recruiting job candidates. FSD UGANDA will ensure that job candidates who are known to have HIV/AIDS and Hepatitis B are treated no differently from those who may have any other life-threatening and non-contagious disease. Fitness to perform a job will be the only criterion that shall apply.

##### **10.3 HIV and Hepatitis B Testing and Screening:**

10.3.1 FSD Uganda shall consistent with Government policy encourage employees to consider HIV and Hepatitis B testing and screening for themselves and their families. This shall by no means be compulsory unless it is a precondition of a Medical or Life Insurance or Pension Scheme.

10.3.2 Where testing is required under the above circumstances, FSD Uganda will comply with the requirement but will ensure that the testing is authorized by the employee and accompanied by pre- and post-testing counselling.

10.3.3 Should a test prove positive then the outcome must be regarded as a matter between the patient and the doctor concerned.

#### **11.0 CONFIDENTIALITY OF HIV/AIDS AND HEPATITIS B INFORMATION:**

11.1 FSD Uganda employees are under no obligation to notify FSD Uganda of HIV/AIDS and Hepatitis B infection.

11.2 FSD Uganda considers medical information including HIV/AIDS and Hepatitis B status confidential, unless disclosure is legally required.

11.3 In all the above circumstances disclosure on HIV/AIDS and Hepatitis B status should only be made with the written approval of the Chief Operations Officer and only after obtaining a written authority from the individual staff concerned.

11.4 Should it become known in FSD Uganda that an employee is HIV+ or Hepatitis B + then Management shall ensure the absolute confidentiality of this information and make every effort to protect that

person from stigmatization and discrimination.

- 11.5 To ensure maintenance of confidentiality these, policy and procedure statements should be communicated to the medical practitioner handling FSD Uganda's staff and to all those that handle personnel information. Any unwanted disclosure by any employee will be treated as an act of gross misconduct.

#### **12.0 COUNSELING OF HIV/AIDS AND HEPATITIS B INFECTED EMPLOYEES**

FSD Uganda will encourage external free counselling service provision, for HIV and Hepatitis B infected employees as required.

#### **13.0 HIV/AIDS AND HEPATITIS B AND DISCIPLINARY MEASURES:**

FSD Uganda recognises that HIV/AIDS and Hepatitis B infected employees are vulnerable to discriminatory policies, practices and behaviours, and loss of training, promotion and career opportunities. This can cause great distress and alienation.

FSD Uganda regards any form of discrimination and harassment, directly or indirectly, towards HIV/AIDS infected employees as a misconduct warranting disciplinary action.

#### **14.0 HARASSMENT**

- 14.1 Harassment is any form of verbal or non-verbal behaviour that is directed at the infected individual resulting in the individual feeling threatened, insecure or distressed.
- 14.2 Discrimination of HIV/AIDS and Hepatitis B infected employees will not be condoned. This includes treating those affected differently or not applying professional judgment in making decisions concerning the affected staff.

#### **15.0 EMPLOYEES INVOLVEMENT**

Employees may be consulted in the modification and review of this policy.

#### **16.0 SEGREGATION AND ISOLATION OF HIV/AIDS AND HEPATITIS B AFFECTED EMPLOYEES**

No employee will be isolated, or segregated, within FSD Uganda's premises on the grounds of being infected with HIV/AIDS or Hepatitis B. Where an employee has a contagious disease as a result of HIV/AIDS or Hepatitis B infection, they will be treated in exactly the same manner as a non-HIV/AIDS infected employee.

#### **17.0 HIV/AIDS / HEPATITIS B AND FIRST AID:**

FSD Uganda is committed to maintaining a safe work environment for all its employees and customers in the office premises.

#### **18.0 SICK LEAVE AND ABSENCE THROUGH HIV/AIDS AND HEPATITIS B ILLNESS:**

Employees who are prevented from performing their duties due to HIV/AIDS or Hepatitis B illness will be granted sick leave to regain their health in accordance with the sick leave policy of FSD Uganda's Human Resources Policies Manual.

#### **19.0 TERMINATION OF HIV/AIDS / HEPATITIS B INFECTED EMPLOYEES.**

Where FSD Uganda is advised by a medical authority that an employee is unfit to carry out normal duties, and there are no grounds to indicate that improvement is likely in the foreseeable future, Management will handle this employee as per the HR policies.

#### **20.0 MEDICAL EXAMINATION:**

A staff member may be required to undergo a medical examination if he/she complains about a medical condition that affects him/her in the conduct of duties.

A written medical report from a registered medical practitioner, appointed and paid by FSD Uganda shall be given to the Chief Operations Officer or designee who shall keep it in strictest confidence

## 21.0 SUPPORT AND ADVICE

Support and advice on the application of this policy can be obtained through speaking to the Supervisor, Line Manager or to the Chief Operating Officer.

## 22.0 RELATED DOCUMENTS

Members of FSD Uganda staff are encouraged to look at this policy in conjunction with:

- Disciplinary Policy and Procedure
- Equality and Inclusion Policy
- Recruitment and Talent Attraction policy;
- Leave entitlement and wellbeing policy and procedures.

## 23.0 DOCUMENT APPROVAL

\_\_\_\_\_  
Chief Operations Officer

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Executive Director of FSD Uganda

\_\_\_\_\_  
Signature

## 24.0 REVISION HISTORY

FSD Uganda reserves the right to amend this policy from time to time.

| Date | Revision Number | Change | Reference Section    |
|------|-----------------|--------|----------------------|
|      |                 |        | [Ugandan Labour Law] |
|      |                 |        |                      |
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## SEXUAL HARASSMENT POLICY

### 1.0 INTRODUCTION

FSD Uganda is committed to providing and promoting an atmosphere at the workplace in which employees can realize their maximum potential. In light of this, FSD Uganda shall have a zero tolerance for sexual harassment or all forms of harassment that impair the abilities of its employees.

Employees are expected to act in a positive and respectful manner and be considerate to the cultural inclinations and backgrounds of fellow employees as a way of fostering harmony at the workplace. No form of harassment (race, color, gender, religion, tribal or disability) will be tolerated.

Management expects the cooperation of every employee in realizing this goal. All employees of FSD Uganda have an obligation to take appropriate action to eliminate sexual harassment.

### 2.0 DEFINITION OF SEXUAL HARASSMENT

Sexual harassment happens where an employee directly or indirectly makes **unwelcome and unreciprocated** sexual advances, **unwelcome and unreciprocated** requests for sexual intercourse or sexual favors, and other **unwelcome and unreciprocated** verbal or physical conduct of a sexual nature towards another member of staff. It also includes an implied or express promise of preferential treatment, or threat of detrimental treatment, being made a term or condition of an individual's employment affecting such individuals performance evaluation or progression in employment.

#### 2.1 Sexual harassment may include but is not limited to the following:

- a. Using language written or verbal or comments of a sexual nature which are unwelcome;
- b. unwelcome comments directed at an individual, based on the individual's gender, that are abusive in nature;
- c. sexual innuendoes in the guise of humor to coerce sexual favors;
- d. sexually degrading words, verbal abuse of a sexual nature; teasing, jokes or questions;
- e. sexual remarks, flirtations, graphic or suggestive comments about a person's body, clothing or behavior;
- f. patting, pinching or other unwanted touch of another's body;
- g. winking, Leering or ogling;
- h. uninvited letters, e-mails and telephone calls that are sexually suggestive;
- i. uninvited pressure for dates;
- j. unwelcome and or offensive sexual advances;
- k. solicitation of sexual favors or other sexually related behavior by promise of rewards;
- l. coercion of sexual activity by threat or punishment;
- m. the display in the workplace of sexually suggestive objects, magazines, cartoons, pictures- including nude photographs, videos or films.

### 3.0 PROCESS FOR INVESTIGATING AND RESOLVING INCIDENTS OF ALLEGED SEXUAL HARASSMENT

3.1 Allegations of sexual harassment seriously, shall be responded to promptly. Management will act promptly to eliminate the harassment and commence disciplinary action against the culprits.

3.2 Each line manager has a responsibility to maintain the work place free of any form of sexual harassment. No line manager is to threaten or insinuate, either explicitly or implicitly, that an

employee's refusal or unwillingness to submit to sexual advances will affect the employee's terms and conditions of employment.

- 3.3 Any employee, who believes that a line manager's or another employee's actions or words constitute harassment, shall report or complain about the situation as soon as possible. Such report or complaint should be made to his/her line manager and if the complaint involves the line manager, to the Chief Operations Officer and if the complaint should involve the Chief Operations Officer such report or complaint should be made to the Executive Director. If it involves the Executive Director, the case should be reported to the Board. This may be done in writing. When a complaint is received, the respective officer where the complaint has been made will then investigate the allegation in a fair and expeditious manner. The investigation shall include a private interview with the person filing the complaint and with witnesses. The person alleged to have committed sexual harassment will also be interviewed.
- 3.4 At all times the Chief Operations Officer shall coordinate and superintend any investigation into sexual harassment and shall advise any line managers conducting such investigation. All complaints of sexual harassment shall have the Chief Operations Officer copied in unless s/he is the alleged culprit in which case such complaint shall be directed to the Executive Director.

#### **4.0 CONFIDENTIALITY**

FSD Uganda will do everything to protect the privacy of individuals involved and to ensure that the complainant and the accused are treated fairly. Information about individual complaints shall be strictly confidential.

#### **5.0 SANCTIONS**

- 5.1 If the investigation reveals that sexual harassment did occur, disciplinary action should ensue as per the disciplinary process.
- 5.2 False charges shall result into disciplinary action against the accuser,
- 5.3 Complaints of harassment may be handled and investigated under the grievance procedure in this manual.

#### **6.0 PROTECTION OF VICTIMS OF SUBTLE SEXUAL HARASSMENT**

FSD Uganda seeks to encourage employees to freely and responsibly express opinions and feelings about any problem or complaint of sexual harassment. An employee will therefore not suffer disciplinary action in cases where s/he feels sexually harassed by another employee but cannot pin point a particular incident on account of the subtle behaviour of the perpetrator.

##### **6.1 Assurance against Retaliation**

Retaliation against persons who make sexual harassment complaints or who provide information about such behavior is strictly prohibited. Retaliation could take the form of physical violence, threats and insults or blackmail or threats of blackmail against an individual who has made a claim of sexual harassment or witness. Retaliation amounts to gross misconduct and will be dealt with as per the disciplinary procedure.

#### **7.0 STATEMENT ON CONSENSUAL RELATIONSHIPS**

Staff members who want to get married to fellow staff members are allowed to do so, provided that such staff will not at any one time work in the same department. Provided that either of the concerned staff divests him/herself from professional responsibility for supervision or oversight, should an intimate relationship develop. In the event that a staff member agrees to get married to a fellow staff member, they shall be required to declare their intention to the Chief Operations Officer or his/her designee in writing.

#### **8.0 TRAINING**

- 8.1 The induction program may always include a sexual harassment module.
- 8.2 Management shall endeavor to conduct training on sexual harassment and such training records shall be kept on employees' personal files. Such training may include:

- a) Provision of reading or visual materials and or arranging for a film show on the subject, all of which are instructive to employees on how to avoid situations that could lead to sexual Harassment.
- b) Arrange where possible mini seminars or workshops where employees are instructed as to what kind of behavior could amount to Sexual Harassment.
- c) Supervisors and Reporting Managers should be trained in the knowledge that even mild to moderate sexual jokes or statements can create an atmosphere of hostility that will make some employees uncomfortable, and could lead to the creation of an environment where sexual discrimination could develop. The supervisors should also be directed to always inform senior management of any sexual harassment complaints they receive from employees. Supervisors should never promise non-disclosure towards management with an employee when the information relates to sexual harassment.

## **9.0 SURVEYS**

Management shall through the Chief Operations Officer conduct a sexual harassment survey among employees as it deems appropriate. The survey can be done anonymously and should be distributed with a copy of the Authority's sexual harassment policy. The survey can simply ask the employees (male and female) if they have experienced any form of sexual harassment during the past year.

### **9.1 Purpose of a survey**

The results of the survey will evidence the fact that management is actively engaged in preventing and correcting sexual harassment. These yearly sexual harassment surveys are intended to uncover sexual harassment violations before they cause problems to other employees.

## **10.0 DOCUMENTATION:**

The Chief Operations Officer shall document the results of any sexual harassment complaint or investigation and the disciplinary action taken. Training records should also be maintained on the employees' files.

## **11.0 APPLICATION:**

This policy against Sexual Harassment applies to all employees of FSD Uganda and does not replace or supersede an individual's rights and remedies under the law.

## **12.0 SUPPORT AND ADVICE**

Support and advice on the application of this policy can be obtained through speaking to the Supervisor, Line Manager or to the Chief Operating Officer.

## **13.0 RELATED DOCUMENTS**

Members of FSD Uganda staff are encouraged to look at this policy in conjunction with:

- Code of Conduct
- Disciplinary Policy and Procedure
- Equality and Inclusion Policy
- Grievance policy

#### 14.0 DOCUMENT APPROVAL

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Chief Operations Officer

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Signature

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Executive Director of FSD Uganda

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Signature

#### 15.0 REVISION HISTORY

FSD Uganda reserves the right to amend this policy from time to time.

| Date | Revision Number | Change | Reference Section    |
|------|-----------------|--------|----------------------|
|      |                 |        | [Ugandan Labour Law] |
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