

## **Ombuds Policy**

Ombuds Standard Operating Procedure:

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### **Purpose**

The purpose of the Office of the Ombudsperson is to establish a mechanism for Employees who may have a grievance, concern or issue (that they feel has not been adequately addressed through primary channels/line management), to provide for further investigation/consideration. This can be considered part of an escalating Grievance handling protocol at the Staff member's behest, or by agreement.

This Ombuds Policy serves to provide an independent facility to staff; one that enables an Independent person to hear and advise on a grievance. The intent is to supplement and enhance existing procedures with an independent route through which employees may explore an issue. The office of the Ombudsperson does not replace or pre-empt existing Company/Management process. Grievances normally require to have progressed through standard Company channels (to include 'Secondary Informal' investigation as per COP (S.I.674/2020) where utilised). The role is created in conjunction with existing "dispute resolution" procedures.

The following concerns may be addressed to the Ombudsperson:

### Grievances Issues

The facility is available for any Employee who considers he/she has been unfairly or inappropriately treated by a colleague, Management, or by the Company, on any issue. As appropriate, the Employee should have explored the standard "in-Company" process in efforts to resolve the issue. The Ombudsperson can advise any Employee in the conduct of such matters while due process is being followed. Should the Employee perceive

that there is a problem within that procedure, or that the procedure has been exhausted without satisfactory outcome/closure, the Ombuds route provides a further channel towards effective resolution. This "channel" is accessible and available to all Employees.

## Ethical Issues

In the context of the critical nature of many Manufacturing / Pharmaceutical / Professional Service Organisations, and given the rigid legal/ethical/compliance practise & other codes that must apply, considerable responsibilities are placed on Employees/Management. Violation of legal/Regulatory codes can lead to disciplinary sanction. The involvement of a suitably qualified & experienced Ombudsperson can provide an independent/effective/accessible & timely support for Employees involved in non-compliance investigation scenarios. Further, where the Employee is less than satisfied, or query their Employer in their upholding of necessary standards, the Employee may elect to raise the matter in the first instance with Ombudsperson. The Ombudsperson's first duty will be to establish whether a more direct & appropriate channel for such Compliance/Ethical concerns exists within the Company, and direct/advise accordingly - i.e. In the Company Compliance/Ethics Office.

## **Scope**

The Ombuds role and attendant services are accessible by all Employees. All Employees will be made aware of the office through the Employee Handbook.

## **Responsibility**

### Ombudsperson

It is the responsibility of the ombudsperson to meet with any Employee who so requests. Furthermore, it is the responsibility of the ombudsperson to investigate any matter which the employee requests and to do so in a fair, objective, professional and impartial manner. The Ombuds role exists to serve the best interest of both employee /employer and services are deployed in accordance with this Guiding principle. Reference must be made to - best appropriate practise, regulation, agreements in place, legislation and/or objective standard applying.

## The Manager

It is the responsibility of the Manager to ensure that timely responses are given to Ombuds queries and to attend similarly to all Information requested. That full co-operation is accorded the role and that recommendations are implemented as considered, reasonable and practicable. The Ombudsperson's responsibilities to the Company/Management obliges him/her to act fairly, professionally, and always from a *fully informed* position in relation to any matter under consideration. Preservation of Primary Relationships are important in arriving at sustainable solutions. All parties concerned will have full input and involvement at all times as appropriate and will be kept fully informed throughout. **Ombud suggestions/proposals for resolution are non-binding on any party.**

## The Employee

It is the responsibility of the Employee to give fair and honest accounts of events/circumstances (from their own perspective). Matters referred should be genuine and have proven incapable of being resolved by standard Company procedures.

## Procedure

The Ombudsperson is appointed by the Organization but remains independent.

The Human Resources Department will ensure Employees are aware of the role/service of the Ombudsperson through the Company Employee Handbook, and other appropriate mechanisms.

Where an Employee requests to meet with the ombudsperson, the Ombudsperson will conduct an initial private meeting as soon as is practicable. The purpose of this meeting will be to listen to the issue as presented by the Employee, to clarify any points, which may arise, and to ascertain the precise nature of the issue (e.g. grievance, complaint, advice sought). Access to the Ombuds service can be direct, or initially via HR Dept., as appropriate.

The Ombudsperson will assess the information and outline what other information sources may be necessary. As required, given the complexity/comprehensiveness (or otherwise) of information provided, the Ombudsperson will advise the Employee of a date when a response may be expected. The employee can be asked to submit a signed, formal complaint as a first step in a process.

Following consultation with an Employee, the Ombudsperson must judge whether any of the following actions are required in the circumstances (no action can proceed without prior agreement with the Employee):

1. Provide advice to the complainant - recommend that the complainant seeks clarification from Management/Company source or represent Employee on such concerns in meetings with Company/Management as appropriate. The Ombudsperson can assist Employees in understanding the rationales behind Company decisions/processes.
2. Where an investigation is to proceed, Terms of Reference will be agreed to clarify the following: Brief background to the matter, Scope of any further investigation, Methods, Possible outcomes, Timeframes.
3. Ombudsperson advises Management - The Ombudsperson can further advise Employee/Management where that Employee feels that closure still has not been achieved. The Employee may elect or be advised to pursue matters with external agencies - the Ombuds practitioner can assist accordingly and exit. Ombudsperson may also take the matter directly to Senior Management for consideration on behalf of the Employee as requested.

The Ombudsperson will have a final meeting, in all instances, with the Employee to effect/agree closure/further steps (steps possibly not involving Ombudsperson). Similarly, the Ombudsperson must inform the Company of the conclusion of a case, or at the end of Ombuds involvement. The Employee may elect at any stage to discontinue the Ombuds process but should consult/notify the Ombudsperson accordingly. Participation in this process is at all stages voluntary on the behalf of the Employee/Management.

## **Guarantee**

It can happen that an individual may feel compromised as a consequence of accessing the Ombuds process or have concerns that they could be *singled out* as a result of Ombuds involvement. The Company, and all its officers, in appointing the Ombuds role, subscribe fully to the operation of this Policy and welcome the Positive utilisation of the incumbent Ombudsperson's experience, knowledge and best endeavours in conflict/issue resolution. No behaviour contrary to this statement will be tolerated and any Employee should notify Senior Management/Ombudsperson to the contrary.

The Ombudsperson commits to maintain confidentiality and integrity of Information accessed/retained at all times. Disclosure will require to be agreed with Employee in advance. Records of all conversations, relevant Information gleaned in the course of work undertaken by the Ombuds person will be filed securely and confidentially, agreed with the Parties. On completion /closure of the matter – all files will be retained confidentially in the HR Filing system, in full compliance with applicable Data handling regulation.

The Company undertakes to appoint to the position of Ombudsperson, those demonstrably independent of the Company, and in possession of requisite experience and Qualifications.

On investigation, the Principles of Natural Justice apply:

- 1) Grievances are examined and processed with due procedure
- 2) Allegation /complaint are put to the employee(s) concerned
- 3) Those concerned are afforded the opportunity to respond fully
- 4) Rights of Representation are respected
- 5) All are entitled to fair and impartial consideration of the issues- taking into account representations made, relevant appropriate evidence, factors and circumstance
- 6) These Principles may require that complaint/allegation be set out in writing by the Complainant, that the source of the complaint is given and that those concerned be allowed respond/question Witnesses as relevant.