

Civil Defence Code of Conduct

1. Introduction

Civil Defence is a respected organisation with highly trained volunteers providing a valued and appreciated support to the emergency services and the community. The strength of the Civil Defence organisation lies in its voluntary ethos and with its volunteers who willingly and freely give of their time and expertise.

The Civil Defence Branch of the Department of Defence is committed to:

- Maintaining an environment that allows its volunteers to carry out their duties free from intimidating behaviour of any nature. This includes discrimination, harassment, sexual harassment and bullying;
- Ensuring that a positive and professional image of the Civil Defence Organisation is portrayed at all times.

The aim of this Code of Conduct is to promote a positive environment based on mutual respect and professionalism. All volunteers are entitled to expect professionalism and impartiality and to be treated with respect and dignity by their fellow volunteers regardless of rank.

All volunteers must adhere to this policy:

- While engaged in any Civil Defence activities;
- While travelling to and from such activities;
- While in Civil Defence uniform;
- On any other occasion where their actions or words can be interpreted as representing the Civil Defence organisation.

All Civil Defence volunteers must comply with the following standards:

- Report for Civil Defence activities in a timely manner and free from the influence of alcohol or drugs;
- Comply with all reasonable instructions and lawful orders received during Civil Defence activities to the best of your ability;
- Act within the law at all times. This includes complying with the Road Traffic Act, adhering to drink/drug driving regulations and speed limits even when responding to a call out.
- Maintain strict confidentiality in relation to all dealings with members of the public and Civil Defence.
- Do not engage in any activity which could be considered detrimental to the organisation or which could result in personal injury to any volunteer or member of the public;
- Show respect and consideration at all times for fellow volunteers, members of the public, other Voluntary and Statutory Bodies;
- Wear the Civil Defence uniform and working dress in accordance with the current regulations governing the wearing of such uniforms;
- Ensure you are aware of Health and Safety notices and seek clarification if necessary. All volunteers must wear any protective clothing/equipment provided for their volunteer role. All volunteers must comply with any health and safety rules in force

and must immediately report all injuries, incidents and accidents occurring whilst volunteering for the organization to the most senior officer available.

- Volunteers should not attend for duties and/or training if medically unfit;
- Where volunteers are signed off sick from their normal employment, volunteers should not attend for duties and/or training;
- Maintain Civil Defence property, equipment and vehicles to a high standard. Use is restricted to the purpose for which they are intended;
- Portray a positive and professional image of Civil Defence and refrain from unacceptable forms of behaviour;
- Return all property belonging to Civil Defence on or before the last date of service in Civil Defence.
- Follow local authority and Civil Defence media and social media policies.

2. Discrimination, Harassment, Sexual Harassment & Bullying

Unacceptable forms of behaviour such as discrimination, harassment, sexual harassment and bullying will not be tolerated. Such behaviour contravenes the voluntary ethos and professionalism of the organisation.

Maintaining a positive environment not only places an obligation on the command structure of the organisation but is also the responsibility of all volunteers. Volunteers must always treat their fellow volunteers with respect and ensure that their own actions and behaviour do not cause offence to others or contribute in any way to a discriminatory environment. Volunteers are expected to support this policy on discrimination, sexual harassment, harassment or bullying by bringing any instances where such behaviour has occurred to the attention of their unit Officer, Commander, Assistant Civil Defence Officer (ACDO) or Civil Defence Officer (CDO) at an early stage and by co-operating with any ensuing investigation whether as a complainant, the person complained of or as a witness.

It is important to make every effort to ensure that volunteers involved in an investigation into discrimination, harassment, sexual harassment or bullying observe confidentiality and that witnesses to an investigation respect the privacy of the parties involved and refrain from discussing any matters pertaining to the investigations.

This policy governs conduct and disciplinary procedures within the Civil Defence organisation only. It does not have any bearing on an individual's legal and statutory rights.

For the purposes of this code the definitions of discrimination, harassment and sexual harassment have been taken from the Equal Status Acts 2000-2004 and the Employment Equality Acts 1998-2004. The definition of bullying was taken from the Government Task Force on the Prevention of Workplace Bullying 2001. As it represents best practice, it is the intention of the Civil Defence Branch to apply these definitions notwithstanding the fact that volunteers are not deemed to be employees of the local authority.

Discrimination

Discrimination occurs where an individual is treated less favourably than another individual is, has been or would be treated on the following distinct grounds: gender, marital status, family status, sexual orientation, religious belief, age, disability, race, membership of the

traveller community, colour, nationality, ethnic or national origin, gender non-conformity, political opinion, residence status or social origin.

Harassment

Harassment takes place where an individual subjects another individual to any unwelcome act, request or conduct including spoken words, gestures, or the production, display or circulation of written words, pictures or other material that could reasonably be regarded as offensive, humiliating or intimidating. The harassment must be based on one or more of the discriminatory grounds outlined above. Harassment extends to situations where the person does not have the relevant characteristic but the harasser believes that he/she has that characteristic.

The list is not exhaustive but some examples of harassment are:

- Verbal harassment – jokes or comments;
- Written harassment – emails or texts;
- Physical harassment – shoving or any form of assault;
- Intimidatory harassment – gestures or threatening poses;
- Visual displays - posters, emblems or badges; and
- Isolation or exclusion from social activities.

Sexual Harassment

Sexual Harassment is defined under the Employment Equality Acts 1998 and 2004 as any form of unwanted verbal, non-verbal or physical conduct of a sexual nature which has the purpose or effect of violating a person's dignity and creating an intimidating, hostile, degrading, humiliating or offensive environment for the person. Such unwanted conduct may consist of acts, requests, spoken words, gestures or the production, display or circulation of written words, pictures or other material.

- The list is not exhaustive but some examples of sexual harassment are as follows:
- Unwanted physical contact;
- Unwelcome sexual advances, propositions or pressure for sexual activity;
- The display of pornographic or sexually suggestive material; and
- Conduct that ridicules or is intimidatory or physically abusive of a person because of his or her sex.

Bullying

Bullying can be defined as repeated inappropriate behaviour, direct or indirect, whether verbal, physical or otherwise conducted by one or more persons against another or others in the course of their Civil Defence duties which could reasonably be regarded as undermining the individual's right to dignity. An isolated incident of the behaviour described in this definition is undesirable but as a once-off incident is not considered to be bullying.

On occasion you may receive feedback regarding your performance. Bullying does not arise where negative feedback is given constructively and honestly and relates to issues relevant to your official duties within the organisation.

3. Grievance Procedures

Grievance procedure in respect of Discrimination, Sexual Harassment, Harassment or Bullying

If a volunteer feels that they have been a victim of Discrimination, Sexual Harassment, Harassment or Bullying, they should;

- avoid being alone with the harasser; and
- document all incidents including date, time and details of the offending behaviour, including the names of any witnesses.

If a person feels that he/she is being discriminated against, harassed, sexually harassed or bullied in the course of carrying out their Civil Defence activities he/she can seek advice from the Unit Officer, Commander, ACDO, CDO, Director of Services (or equivalent) for the local authority.

Resolution

- Complaints of unacceptable behaviour should where possible be dealt with at the lowest possible level. In the case of less serious offences a complaint may be most easily resolved by the complainant making it clear to the offender that their behaviour is offensive and unwelcome. An informal discussion may be enough to alert the person to the effects of his or her behaviour.
- A formal complaint can be made through the Duty Officer, Unit Officer, Commander, ACDO, CDO or the Director of Services (or equivalent) with responsibility for Civil Defence in the relevant local authority. The complaint should be made in writing outlining the specific nature of the complaint, together with any accompanying details.
- One possible method of resolution is mediation, which is a voluntary process. If both parties are willing, it provides an opportunity for the person who feels that he or she is being harassed or bullied to discuss the matter with their alleged harasser in private and to agree a way forward which will allow both parties to work together in the future. The CDO, ACDO or Director of Services (or equivalent) for the local authority will arrange a meeting and will appoint an independent mediator, who will be acceptable to both parties. The mediator should keep a written record of the meeting. If the matter is resolved by mediation then disciplinary action will not be taken.
- If mediation fails to resolve the matter or either party is unwilling to go through the mediation process then an investigation into the allegations may be carried out by the CDO, ACDO, Director of Services (or equivalent) for the local authority or their appointee. The results of the investigation including the nature and detail of the complaint will be forwarded via a written report to the Chief Executive of the local authority. The complainant and the alleged offender will receive a copy of this report.
 - If the investigation upholds the complaint then action will be taken in accordance with the disciplinary procedures.
 - If the complaint is not upheld and the complainant is judged to have acted in good faith then no further action will take place.

- If the complaint is not upheld and the complainant is judged to have acted maliciously then action against the complainant will be taken in accordance with the disciplinary procedures.

General Grievance Procedure

A volunteer wishing to raise any matter directly affecting their duty or training should take the following steps. The matter should progress from step to step until it has been resolved. At any stage, the volunteer may choose to have an independent observer present:

1. The volunteer should discuss the issue with the Unit Officer.
2. If necessary, the volunteer should seek a meeting with the Commander.
3. If necessary, the volunteer or the Commander should refer the matter to the ACDO or the CDO.
4. If necessary, the volunteer or the CDO or the ACDO should refer the matter to the Director of Services (or equivalent) for the local authority.
5. If necessary, the volunteer or the Director of Services (or equivalent) should refer the matter to the Chief Executive of the local authority.

Volunteers at Instructor level should begin the above procedure at step 2.

In the case of a group grievance the above steps should also be followed. The group may not be represented by more than 3 volunteers at any stage.

4. Disciplinary Procedures

It is hoped that these disciplinary procedures will assist the Civil Defence volunteer, whose performance or conduct falls below the required standards, to achieve those standards.

On rare occasions, when volunteers breach this code of conduct the following disciplinary procedures will apply. In all cases where a person's membership of the organisation has been terminated, a full report must be submitted to the relevant Chief Executive and also to the Principal of the Civil Defence Branch.

Notwithstanding the procedures set out below, in the event of a potential conflict of interest the Civil Defence Officer or the local authority may nominate an independent person in place of the Duty Officer, Unit Officer, Commander, ACDO or CDO.

1. Informal Verbal Warning

Informal cautions or warnings may be issued by a Duty Officer, Unit Officer, Commander, ACDO or CDO affording a volunteer an opportunity to explain his or her actions.

2. Formal Verbal Warning

When informal cautions have failed to bring about the desired improvements in conduct or performance or in certain circumstances of unsatisfactory behaviour, the CDO or ACDO will caution the volunteer verbally of the specific aspect of the breach of the Code of Conduct. The CDO or ACDO will state clearly that this is a verbal warning and will advise the volunteer of improvements which must be made. This formal warning should be issued in the presence of the volunteer's Unit Officer (or local equivalent if applicable) and duly recorded by the CDO or ACDO. The volunteer will be

advised that further breaches of discipline will result in a written warning. A record of this warning will be retained by the CDO or ACDO for 6 months.

3. Written Warning

When a formal verbal warning has failed to bring about the desired improvements in conduct or performance or in certain circumstances of unsatisfactory behaviour the CDO or ACDO, with the concurrence of the local authority, will issue a written warning in the presence of the volunteer's Unit Officer (or local equivalent if applicable). The volunteer will be advised that further breaches of discipline will result in a final written warning. A copy of this warning will be retained on the volunteers file for 12 months.

4. Final Written Warning

When a written warning has failed to bring about the desired improvements in conduct or performance the CDO or the ACDO with the concurrence of the local authority, will issue a final written warning in the presence of the volunteer's Unit Officer (or local equivalent if applicable). The volunteer will be advised that further breaches of discipline will result in suspension. A copy of this warning will be retained on the volunteers file for 12 months.

5. Suspension

If the desired improvements have not been made or further breaches of discipline occur, or in cases of gross misconduct the volunteer will be suspended from the Civil Defence organisation by an appropriate officer of the local authority with the knowledge of the CDO or ACDO. Formal written notification of this suspension will be forwarded to the volunteer involved and a full report will be forwarded to the Director of Services (or local equivalent if applicable).

The term of the suspension will be determined by the nature/severity of the offence and is at the discretion of the local authority. Suspension as a result of serious offences or cases of gross misconduct may progress to termination of membership. A copy of the suspension notice will be retained on the volunteers file for 2 years.

Gross misconduct may include, theft, physical violence, serious sexual harassment and bullying, deliberate damage to property, serious insubordination, misuse of the Civil Defence property or name, bringing Civil Defence into disrepute, serious incapacity whilst on duty brought on by alcohol or illegal drugs, serious negligence which causes or might cause unacceptable loss, damage or injury, serious infringement of health and safety rules. This list is not exhaustive.

6. Termination of Membership

On return from suspension, further breaches of discipline will warrant immediate termination of membership from the organisation by the local authority. Formal written notice of termination of membership will be forwarded to the volunteer involved and a full written report will be forwarded to the local authority and the Civil Defence Branch.

A copy of the termination notice will be retained permanently on the volunteers file.

5. Appeals

At any stage during the disciplinary procedures the volunteer can appeal the action. An appeal must be submitted in writing, stating the reasons for the appeal, within 30 days of the

disciplinary action. The appeal can be submitted to the CDO, the ACDO, the Director of Services (or equivalent) or to the Chief Executive of the local authority. The appeal will be considered by an independent person not previously involved with the disciplinary action. An appeal may be partially allowed, e.g. the independent person may lift a suspension but impose restrictions on an individual's membership.

6. Criminal Acts

If a volunteer has been charged with or convicted of a criminal offence, the CDO or ACDO will fully consider the circumstances surrounding this occurrence. Based on the nature of the offence, the potential impact on the Civil Defence organisation and the totality of the circumstances surrounding the event/s involved, including the application of this Code of Conduct, the CDO or ACDO may immediately suspend the volunteer involved from the organisation.

If an individual is being investigated by An Garda Siochana for an alleged offence which may impact on their Civil Defence activities the CDO or ACDO, with the concurrence of the local authority, may suspend the volunteer from the organisation.

At the conclusion of any judicial proceedings that may arise from the said occurrence an independent person, appointed for this purpose by the local authority, will review the situation, including the appropriateness of any continuing suspension, or the need for further disciplinary action including termination of membership. In carrying out such a review, the independent person will consider the totality of the factual situation involved, including any acquittal of criminal charges, possible civil proceedings and the potential impact on the Civil Defence organisation.

7. Other matters

Acceptance of Gifts Rewards, Hospitality and Fund Raising

Although outside organization's may regard offers of hospitality as normal business practice, Civil Defence volunteers must exercise the utmost discretion in deciding whether or not you should accept such offers.

Gifts

Gifts are often offered as a token of appreciation for services given by Civil Defence. Such gifts of a modest nature may be accepted. Under no circumstances may personal gifts of cash be accepted regardless of circumstances. Should any such offer be made, a suitably worded covering letter should be written to the prospective donor explaining that you are bound by Civil Service policy which forbids the acceptance of gifts. Any gifts or hospitality must be refused if either you, the local authority or the Department are in any doubt about the propriety of accepting them.

If you are approached by an outside organisation about to offer an award or prize which is in any way connected with your official duty you must consult your CDO or ACDO.

Fund Raising

Civil Defence is funded by the Department of Defence and the local authority. It is not a charitable organization. Fund raising for Civil Defence is not acceptable.

Small fund raising activities for recognised charitable purposes are acceptable. If the CDO or ACDO is in any doubt regarding these activities they should contact their Director of Services, or equivalent.

Political Activities

Civil Defence is a State organization. It is important that personal views are not reflected in the discharge of your Civil Defence activities. All volunteers are barred from any form of political activity whilst in uniform or engaged in any Civil Defence activities.

If you wish to take part in an outside activity, which involves the disclosure of official information, or use of official experience, you must obtain prior authority from your CDO or ACDO. The request must be made in sufficient time to allow proper consideration.

The following principles cover all activities in which official information or experience is used. This includes the publication of books or articles, contacts with the press, broadcasts, speeches or lectures, and participation in outside conferences.

They are that you must not:

- Discuss matters of current or potential political controversy in respect of Civil Defence policy;
- Comment on individuals or organisations in terms that Civil Defence would find objectionable; and
- Take part in activities, which conflict with the interests of Civil Defence or bring the good name of the organisation into disrepute.

Queries relating to the policy should be discussed with the CDO or ACDO in the first instance.

The policy was issued by the Civil Defence Branch, Department of Defence, Benamore, Roscrea, Co. Tipperary.

29 June 2018