

# **Cambridgeshire Primary Care Trust Standards of Employment Practice Policy**

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## **Standards Of Employment Practice – Employee Guidance**

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## **Scope**

The purpose of this document is to set out the Standards of Employment Practice. The document should be used for general guidance on all of the topics covered but should not be considered to be an exhaustive list of what is/is not acceptable. If you are in any doubt about anything that is/is not in this document then you should contact your line manager.

### **1. Introduction**

The people served by Cambridgeshire Primary Care Trust deserve the highest standards of loyalty, integrity and capability from the people who serve them.

These guidance notes aim to set out briefly and simply what these standards are.

The PCTs expect all staff to:-

- ensure that the interests of patients remain paramount at all times
- be impartial and honest in the conduct of their official business
- use the public funds entrusted to them to the best advantage of the service, always ensuring value for money.

In all these areas the guiding principles are to ensure that the interests of patients are put first, and for staff to seek advice from their line manager if they are in any doubt about a particular situation.

Any staff who are found to be in breach of any aspect of this policy may be subject to disciplinary action, including possible summary dismissal for gross misconduct. In certain cases, staff may also be subject to criminal proceedings.

#### **It is your responsibility .....**

To work according to the Standards Of Practice. To do that you must get to know what is in it – these guidance notes should help you. If you feel you don't understand it or how to comply with it, ask your manager to explain.

Our intention in these guidance notes has been to summarise the Standards Of Practice and to set down the basic rules and principles that govern the way we work. Where necessary we have given examples and explanations, but we have not set out to write down a complete list of what you can and cannot do. Even if it were possible to make such a list, it would be so long that few people would read such a large document. Copies of the Standards Of Practice are available from HR or the Trusts' website.

Employees who breach Trust standards not specified in these guidance notes may still be disciplined provided that:

- the breach is in keeping with those outlined in this guidance; OR

- the conduct is not acceptable for a Trust employee.

Breaking some rules is so serious that the Trusts may consider dismissing employees for a first offence without notice.

You can get further copies of these guidance notes from your manager, HR or the Trusts' website.

Please refer to specific policies and procedures for further explanation of any areas covered in this document.

## **2. Applying for a job within the NHS**

The PCTs have a duty to serve impartially all those that make up the local community. Its equal opportunities policies require that all appointments are free from bias, and made on the basis of the candidate's ability and suitability for the job. In addition, candidates must declare any matter that might lead the public to suspect their motives in taking the job.

### **For example, you must ...**

- Disclose any criminal offence you have been convicted of (UNLESS it is 'spent' under the terms of the Rehabilitation of Offenders Act 1978. More information about this is on the Trust's application forms).
- Disclose even 'spent' convictions if you are applying for a post working with children and/or vulnerable adults.
- Disclose if you are, at the time you apply, charged with a crime that (if you were convicted) would make you unfit for your job, e.g. an accountant charged with fraud.
- Disclose if you have ever been subject to a court martial whilst in the armed forces.
- Disclose when applying for a post subject to business mileage or involving driving duties, if you have any points or endorsements on your driving licence.
- Make sure that you have Professional Registration (if your job requires it) and that it is kept up to date.

## **3. Working for the NHS and with Other Employees**

### **3.1 You must ...**

- Wear any Trust name badge issued by management.
- Be clean, neat and appropriately dressed.
- Wear any work clothes issued by the Trusts.
- Comply with the Trusts' smoking policy.

- Act lawfully and do nothing that would
  - damage public confidence in your motives;
  - damage public confidence in your integrity as a Trust employee; or
  - bring the Trust into disrepute.

### **3.2 You must not ...**

- Threaten, fight with, or assault anyone
- Do anything to demean, distress or offend the decency of others, for example:
  - using pin-ups;
  - displaying racist material; or
  - making sexual, suggestive or sexist remarks.
- Misuse prescribed or illegal drugs.
- Drink alcohol during working hours. It is a requirement that you are fit for duty, and this may mean in some jobs that alcohol may not be consumed up to a certain timelimit before reporting for duty.
- Mislead service users, or tell lies about Trust business.
- Disclose, or gossip about, or publish, or use any information (either Trust business, or about members of the public or other employees) given to you in confidence unless you are given permission to do so.
- Speak, write or give interviews to the press without discussing it with the Communications section, the Chief Executive or your Director/Assistant Director. Or in the case of an accredited staff side representative on official Union duties without discussing it with the Unions Full Time officer.
- Harass or discriminate against people you meet in the course of your work, particularly on grounds of race; gender; religious beliefs; ethnic or national origin; economic circumstances; disability; sexuality; marital status; HIV status; or age.

## **4. Working with your Managers**

A climate of mutual confidence, trust and respect between managers and employees is critical to achieving work targets and providing a high quality service. The Trust has a grievance procedure for resolving any difficulties between managers and employees. Employees are expected to show loyalty to the Trust and to support its managers.

### **4.1 Therefore you must...**

- Work flexibly within the scope of your contract.
- Work to the accepted standard of your job.

- Carry out any reasonable instruction your manager gives you. This includes general instructions, legal requirements, safety or other policies and rules that apply in your workplace.
- Attend mandatory training as instructed by your manager.

## **5. Working with People whom you Manage**

For the NHS, human effort, more than anything else, makes the difference between success and failure. The Trust cannot achieve its aims unless managers provide high quality direction and help employees to develop their skills.

### **5.1 Therefore you must...**

- Set standards of work and give constructive feedback and advice on where improvements can be made.
- Support and assist employees to carry out their work properly. This includes help in dealing with customers or other employees.
- Deal with employees fairly and consistently, as you apply the Trusts' management, HR and equal opportunities policies.
- Support the training and development of your employees to meet the current and future needs of the service (within the limits of the budget you have).
- Handle matters of recruitment, discipline, capability and so on within the principles and procedures set down in the Trusts' HR policies and Procedures.

### **5.2 You must not...**

- Abuse your position to take advantage of, victimise, harass or discriminate against individual employees.
- Abuse your position to favour some employees over others, e.g. show favour in any of the Trust's selection procedures, including redeployment and assimilation, or make undue ex-gratia awards.

## **6. Working Safely**

The Trusts are deeply committed to promoting good health and safe working among its employees. Unsafe working practices can often endanger members of the public as well as employees.

### **6.1 Therefore you must...**

- Follow safety codes and procedures.
- Comply with hygiene requirements.

- Wear any safety clothing/equipment the Trusts give you for your work.
- Report any accidents or near misses you have at work.
- Attend any medical examination the Trusts require.
- Comply with the Trusts' policy on smoking.
- Comply with the Trusts' Alcohol awareness at Work policy.

## **7. Working Hours and Attendance**

The quality of NHS service is usually directly related to the number of employees available and the way they are deployed. So reliability in time-keeping, attendance and in reporting sickness are all critical to the effective provision of NHS services. In addition, what employees do while on sick leave may work against a speedy recovery, and may create a poor impression with the public.

### **7.1 Therefore you must...**

- Arrive at work punctually, at the time agreed with your line manager.
- Be at work at the times you should be working, as agreed with your line manager.
- Tell your manager if you are not going to be at work, e.g. for a doctor's appointment.
- Provide evidence, as requested, of medical appointments, e.g. hospital, antenatal, dentist or GP appointment cards.
- Agree with your manager any TOIL (Time Off in Lieu), annual or flexi leave you want BEFORE you take any time off.
- Attend any medical examination the Trust require.

### **7.2 You must not...**

- Take sick leave when you are not sick.

### **7.3 If you are sick, you must...**

- Report your sickness absence appropriately.

For more information please see the 'Managing Attendance' policy.

## **8. Honesty and Integrity**

It may be a criminal offence for employees to give, get or ask for any gift, reward or advantage for work done in their official capacity. It is up to the employee to show that any such reward was not corruptly obtained and that prior permission to accept it (other than for token gifts) was obtained from his/her Director/Assistant Director.

Failure to declare offers/receipts and refusals/acceptances of gifts and/or hospitality may lead to disciplinary action being taken.

## **9. Working for Yourself and Outside Bodies**

Public confidence in the work and decisions of the PCTs may be lowered if employees take on outside work (even if it is unpaid) that gives them the opportunity to misuse the Trusts' time, money or materials. Outside work may also be unacceptable if it reduces the energy or enthusiasm employees can give to their full time service or results in the total hours that they work averaging more than 48 hours per week.

### **9.1 Therefore you must...**

- Get written permission from your Director/Assistant Director BEFORE you carry out any private work (even if it is unpaid). For example, private work includes being a director, agent or professional advisor to a company. If your Director/Assistant Director refuses permission s/he will write to you to explain the decision.
- Notify your HR team and manager if the work that you do privately, added to the work that you do for the Trust, means that you are working, on average, more than 48 hours per week.

### **9.2 You must not...**

- Undertake private work when you should be at work for the Trusts unless given permission to do so; or you are on sick leave.
- Do private work using any Trust property or equipment, e.g. making phone calls or photocopies, unless given permission to do so.
- Use your position within the Trusts for private gain.
- Carry out private work for, or supply goods or services to the Trusts; its contractors; its suppliers; or its service users, UNLESS you have written permission from your Director/Assistant Director.
- Use your work to further the aims of an organisation in conflict, or thought to be in conflict, with Trusts' policy.

### **9.3 You MAY do private work...**

- When you are off duty, UNLESS this outside work:
  - is seen to be against the interests of the Trusts;
  - may reduce public confidence in the Trusts; or
  - is not permitted by your Director/Assistant Director.

### **9.4 You must...**

- Declare any consultancy work that you do, and pay to the Trusts any fees you get from outside bodies for work you do in the course of your job with the Trusts, e.g. fees for a lecture done in work time, unless otherwise agreed.

## 9.5 You MAY...

- Keep any fees for lectures or other work which:
  - the Trusts do not pay you for, AND
  - is carried out in your own time.

## 9.6 Private Practice

There are special conditions relating to Hospital Medical and Dental Staff as specified in the relevant terms and conditions and national circulars. Specific guidance can be obtained from the Human Resources Department.

## 10. Property and Equipment

NHS equipment is provided so that we can provide health services to the public. Although private use of NHS facilities, e.g. Internet facilities, is allowed with certain restrictions, use of equipment for NHS business **must** take priority. Employees must be scrupulous in avoiding any theft or abuse of NHS property or equipment. Computer software licensed for use by the NHS must be used in line with that licence.

Please refer to the E-mail and Internet Policy for further clarification.

### 10.1 You must not...

- Make private use of PCTs' property or equipment, e.g. telephones and photocopiers, **UNLESS** there are arrangements at your workplace for paying for these.
- Take or use Trust vehicles for private journeys.
- Copy or take Trust software for your own use.
- Copy software from one personal computer to another, e.g. screensavers should not be downloaded from the Internet or copied from another personal computer, as this may introduce viruses to the Network. Only authorised members of IT are permitted to install software onto Trusts' PCs. If you require new software to be installed you must place a request via IT Helpdesk as appropriate.

### 10.2 You MAY ...

- Use the Trust's Internet facilities for private use provided this is outside core working hours and is not excessive. Examples of permitted use include transmission and receipt of personal e-mails, registering with/subscribing to sites to facilitate on-line flight bookings, shopping and banking. You must be careful that subscribing to sites does not result in the receipt of unsolicited mail and/or attachments, which may slow down the e-mail system and/or trigger blocked sites. If you are in doubt about the suitability of a particular site or the contents of an e-mail you should not attempt access.
- Make essential personal phone calls without paying for them **if agreed by your manager**. An essential call is one that you cannot delay until you finish work, examples are to tell a spouse/partner or child care provider of late departure from work, to re-

arrange a private appointment that cannot be kept because of demands at work or to make a health appointment that benefits work efficiency, e.g. to arrange an eye-test.

- Use the Trust's employee 'bulletin board' for limited private purposes, e.g. to advertise the private sale of your own car.

Facilities for accredited Staff representatives are detailed in the Trusts' Facilities and Time off Work for Accredited Representatives and Members of Staff Organisations policy

## **11. Working With, Being Paid From, and Paying Into, Public Funds**

The PCTs must be aware of all cases where an employee, or someone closely associated with her/him, has a significant financial interest, directly or indirectly, or holds a position of authority, in any business, voluntary or charitable body, or in any other activity or pursuit, which may compete for a contract to supply goods or services to the PCTs, or be in any way in conflict or competition with the PCTs. All Directors and Assistant Directors, will be required to complete a declaration of interests form (appendix 1) on starting employment and on an annual basis thereafter.

Those staff who are not required to make a formal declaration are still required to declare their interests when a potential conflict could arise.

## **12. Commercial Sponsorship/Fundraising**

Offers of commercial sponsorship for courses, conferences and funding of posts should not compromise purchasing decisions in any way. Staff should always seek the permission of the relevant Director before accepting sponsorship and any sponsorship involving overseas travel must be approved by the Chief Executive.

Similarly, staff should always obtain the prior permission of the relevant Director before seeking donations of cash, goods or services from the business community as part of fund-raising activity.

## **13. Inspection of Equipment**

When it is considered necessary for staff to inspect equipment prior to purchase at locations other than those of the PCTs, all expenses must be paid for by the PCT. Offers from suppliers must be declined on the basis that acceptance could jeopardise the integrity of the purchasing decision.

Any overseas visits must be approved by the Chief Executive.

## **14. Personal Relationships**

It is desirable that people in a close personal relationship are not in a line-management relationship at work or work together in the same unit/section where the personal relationship causes or appears to cause a problem. This is to avoid real and/or perceived difficulties arising, e.g:

- perception of others that an individual is receiving more favourable treatment;
- deterioration in work performance;

- damage to the PCTs' image; and
- divulgence of confidential information.

#### **14.1 Employee Responsibilities**

Employees with close personal ties, who work in the same departments will not often encounter any problems. However, where employees work in the same section or unit, it is their responsibility to ensure that their relationship does not affect their work or the work of the section/unit. Employees should also advise their line manager of the situation.

In addition, employees should not have personal relationships with clients/patients who receive a service from the PCTs. Any situation of this nature that could potentially lead to a conflict of interests for the PCTs, must be raised with the line manager immediately.

### **15. Sensitive Information**

#### **15.1 You must...**

- Comply with the Confidentiality Policy and IT Security Policies and get to know what information the NHS is/is not open about.
- Use personal data held on computer in line with the principles of the Data Protection Act. For further details on the Data Protection Act please see the Data Protection policy.

#### **15.2 You must not...**

- Disclose confidential information
- Mislead service users, or lie about Trust business.
- Disclose, or gossip about, or use any information (either Trust business, or about members of the public) given to you in confidence.
- Disclose confidential information useful to anyone who is (or may become) one of the Trust's competitors.

### **16. Intellectual Property Rights**

If at any time during an employees' normal duties she/he:

- makes or discovers any invention (or participates in making or discovering any invention)
- makes an improvement or addition to any invention (or participates in making an improvement or adding to any invention)
- creates any design (whether registrable or not) or other work in which copyright may exist. However, at the discretion of the PCTs, copyright may be vested in another body (e.g. publisher).

They must report this immediately to the relevant Director. The invention, design or other work, as appropriate, shall belong absolutely to the PCT.

## **17. Contractors, Consultants and Community Groups**

The process for assessing tenders and grant applications must be open and above board.

### **17.1 You must...**

Notify your line manager/Assistant Director if potentially, through your position at work, you are able to influence Trust decisions affecting an organisation or group with which you or your partner, friends or relatives, have links. These organisations/groups may:

- work for, or supply goods or services to the Trusts;
- tender for a contract to supply goods or services to the Trusts;
- get grants from the Trusts, e.g. a community group; or
- get access to Trust property or land at less than market rates e.g. housing associations.

### **17.2 You must not...**

- Disclose confidential information useful to anyone who is (or may become) one of the Trust's competitors.

## **18. Working Within the Law**

Managers and employees must act lawfully. Criminal behaviour at, or even away from, work may result in a loss of public confidence in the integrity of the Trusts.

### **18.1 You must:**

- Notify your line manager/HR Adviser in writing if:
  - you are convicted of a criminal offence UNLESS it is 'spent' under the terms of the Rehabilitation of Offenders Act 1978 ('spent' convictions MUST be declared if your job allows you regular contact with children and vulnerable adults);
- you are charged with a crime which (if convicted) may impact on your job;
- you receive mileage expenses and allowances for driving at work, and you are charged with a driving offence and/or are awarded points on your driving licence.

## **19. Working and Contact with the Media**

Relations with the media require specific skills and expertise. All contact with the media should be conducted through the Communications and Public Involvement Team. This is both to protect individual employees from unwanted media attention and to promote the policies and reputation of the Trusts.

## **20. Gross Misconduct**

The Standards Of Practice must be followed at all times and any breach of the standards could lead to possible disciplinary action.

Serious breaches could result in gross misconduct. This is misconduct that is so serious that it would justify the Trusts in dismissing you on a first offence, and without notice. It would mean that the PCTs could no longer put its trust in you or allow you at work. For example:

You fail to disclose that you have been convicted, cautioned or charged with an offence that would make you unfit for your job, OR

You ask for bribes, gifts or favours or accept offers of these (other than token gifts), without PRIOR permission from your line manager/Director/Assistant Director.

For further information surrounding 'Gross Misconduct' and wider disciplinary issues please refer to the Disciplinary and Grievance Policy and Procedure.

## Appendix 1

**DECLARATION OF INTEREST FORM**  
(Directors & Assistant Directors - to be completed upon employment and annually thereafter)

1 NAME:

2 POSITION HELD:

3 OTHER EMPLOYMENT:

4 RELEVANT INTERESTS IN BUSINESS FIRMS, PARTNERSHIPS, LIMITED COMPANIES:

5 RELEVANT MEMBERSHIP OF VOLUNTARY AND CHARITABLE ORGANISATIONS:

6 OTHER

SIGNED: ..... DATE: .....

NAME: .....

COUNTERSIGNED: ..... DATE: .....

NAME: .....

**NB. Form to be completed with reference to the PCT Standards of Employment Practice**

## DECLARATION OF INTEREST FORM NOTES FOR COMPLETION

### 1 OTHER EMPLOYMENT

Please list any other employers you may have. Please also list any employers of your immediate family (i.e. spouse/partner, sons and daughters).

### 2 RELEVANT INTERESTS IN BUSINESS FIRMS, PARTNERSHIPS, LIMITED COMPANIES, AND ANY OTHER EXTERNAL COMPANIES

Please list your own interests and those of your immediate family (as defined in 1) in the following:

- Directorships in all limited companies
- Proprietorship of business firms doing business or possibly seeking to do business with the NHS
- As a partner of any business or professional partnership doing business or possibly seeking to do business with the NHS
- Shareholdings in companies doing business or possibly seeking to do business with the NHS. In addition shareholdings need not be disclosed if:

the total nominal value of the shares do not exceed £5,000 or one hundredth of the total nominal value of the issued share capital of the company, whichever is less; and,

If the share capital is of more than one class, the nominal value of shares of any one class in which the beneficial interest does not exceed one hundredth of the total issued share capital of that class.

### 3 RELEVANT MEMBERSHIP OF VOLUNTARY AND CHARITABLE ORGANISATIONS

Please list any memberships held by yourself and your immediate family (as defined in 1) of charitable or voluntary bodies in the field of health social care, indicating any positions of responsibility.

### 4 OTHER

Please detail any other matter relevant to yourself and your immediate family (as defined in 1) which could possibly lead to any conflict of interest.

### NOTES

- Completion of this declaration does not diminish the responsibility of Directors and senior staff **always** to ensure that they do not participate in any activities within the Trust which may lead to a conflict of interest.
- Although completion of the declaration will be required annually, Directors and senior staff should immediately advise the Director of Finance of any material changes which occur during the year.

## Appendix 2

**DECLARATION OF PRIVATE / CONSULTANCY WORK FORM  
(To be completed by all staff prior to undertaking additional work)****1 NAME:****2 POSITION HELD / DEPARTMENT:****3 DETAILS OF PRIVATE / CONSULTANCY WORK**

Private address / name of organisation where work is to be undertaken:

Type of work to be undertaken:

Dates / number of hours to be worked:

Fees to be received\*:

**SIGNED:** ..... **DATE:** .....**NAME:** .....**\*Fees agreed to be paid to the PCT:.....**  
(ie. For any work done during the course of your job with the PCT)**COUNTERSIGNED:** ..... **DATE:** .....**NAME:** .....**POSITION:** .....**NB. Form to be completed with reference to the PCT Standards of Employment Practice**