

# Employee Handbook



# Welcome

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On behalf of the Canford Healthcare Group, I welcome you and wish you every success here.

We believe that each employee contributes directly to our growth and success, and we hope you will take pride in being a member of our team.

This handbook was developed to describe some of the expectations of our employees, help new joiners understand who we are in terms of our values and vision, while also outlining the policies, procedures and benefits available to eligible employees.

We hope that your experience here will be challenging, enjoyable and rewarding.



**Brian Cooney**  
*Chief Executive Officer,*  
*Canford Healthcare*



# Introduction

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**Welcome to Canford Healthcare Group and joining one of the company's care home or support office teams. This handbook has been developed to provide all employees with an information resource and sets out the core responsibilities we all have to each other.**

Strong and consistent relationships between employees, built on our values, trust, mutual respect and dignity, have been fundamental to the success of our company to date. Our achievements as a caring company are a reflection of the effort, commitment, knowledge and skills of all employees.

Whatever role an employee has working within the company this handbook will provide a guide to how the company expects all employees to conduct themselves in their everyday duties, and in return, how the business will support them during their time with us.

All employees should make themselves familiar with the contents of this handbook. If clarification is required at any time, employees should discuss them with their line manager.

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# Purpose of this handbook

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**The Canford Healthcare Group Handbook (“the handbook”) applies to all employees of Canford Healthcare Ltd and its group companies who are employed in the United Kingdom:**

Ashridge Court Ltd, Barty House Nursing Home Ltd, Cedars Care Home (Southend-on-Sea) Ltd, Hampton Care Ltd, Heathlands Care Home (Chingford) Ltd, Inglewood Nursing Homes Ltd, Maples Care Home (Bexleyheath) Ltd, Mayflower Care Home (Northfleet) Ltd, Parkfield House Nursing Home (Halton Services Ltd), Tunbridge Wells Care Centre Ltd, and Willows Care Home (Romford) Ltd, (together “the Group”).

All managers have a specific responsibility to operate in accordance with Group policy and, with the provisions set out in this handbook, to ensure all employees understand the standards of behaviours expected of them, and to take action when employees’ behaviour falls below those standards.

References to “the company” in the handbook are references to the company by which employees are employed or to which they are assigned.

## **Quality Compliance System (QCS)/ policies and procedures**

The company operates an electronic quality management system (QCS) ensuring that policies and procedures are kept up to date. Employees will be introduced to this system and all company policies and procedures during their induction.

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# Purpose of this handbook

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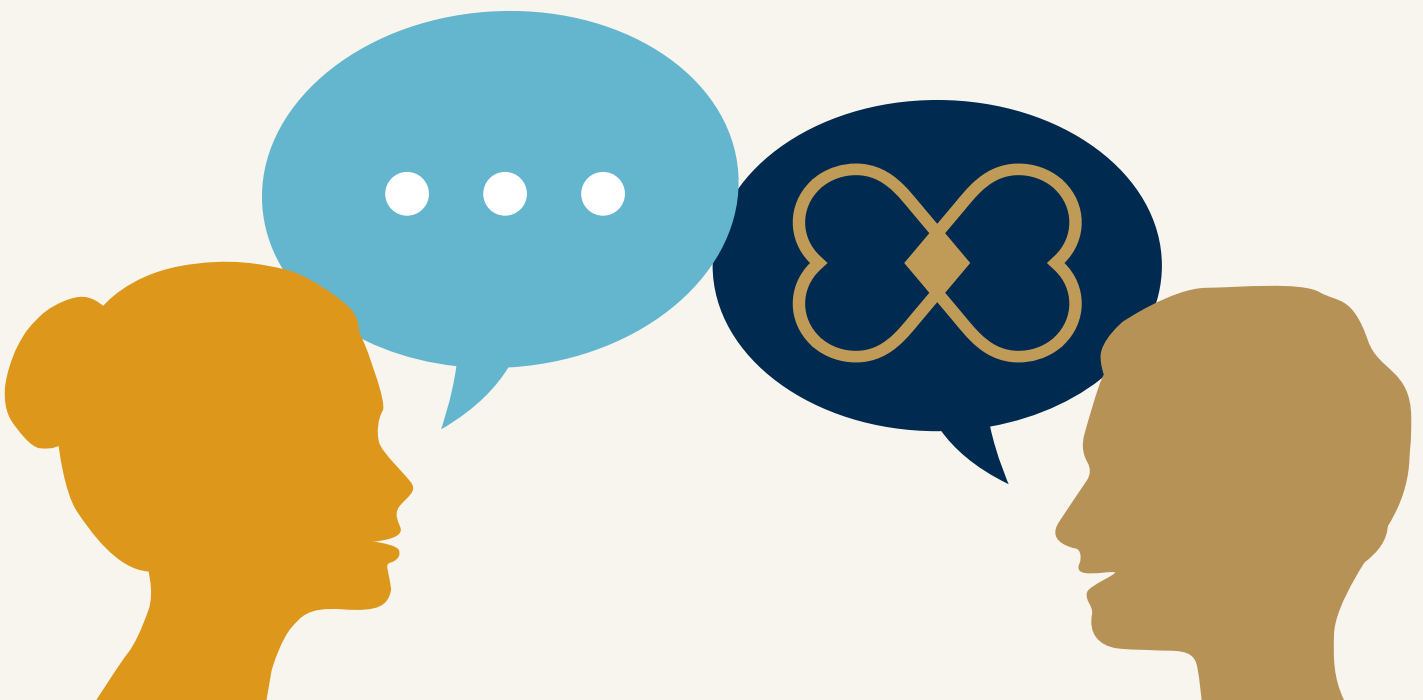
All employees will be given a login to the QCS/policies and procedures system on commencement of employment so they can access key policy reading lists. Throughout this handbook a number of headings have a reference next to the topic heading, e.g. (AB0123). This reference code indicates the policy reference number within QCS.

The policies and procedures set out in the handbook are non-contractual and do not form part of employees' contracts of employment. The Group reserves the right to amend, withdraw or vary policies and procedures in the handbook at any time.

## **Disclaimers/alterations**

The Group acknowledges that since the handbook was produced changes to employment statutes or company policy may have occurred, rendering some clauses out of date. However, the Group always endeavours to fulfil its obligations as an employer by meeting the requirements of current legislation. It is the practice of the Group to revise the handbook from time to time to reflect legislative, commercial or business changes. More details on many of the policies and related forms can be found on the company's QCS policy system or company intranet.

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## The Canford Healthcare Group

Canford Healthcare is the parent company of a group of care homes which specialises in providing quality residential and nursing care. The company's qualified and experienced home managers are supported by an excellent and skilful care team and centralised support office structure. The company aim is to be a home from home for its residents – a place with sparkle where dignity and independence are respected, and care for everyone is cherished.

The Canford Healthcare Executive Management Team believes that it's the little touches that mean so much, and everything the company does ensures the best quality of life for all residents within our care – care is what we do.

Canford Healthcare also recognises that employees are vital to the success of the company and with growth and expansion, the company can invest in the development and progression of employees who have made the company successful and what we are today.

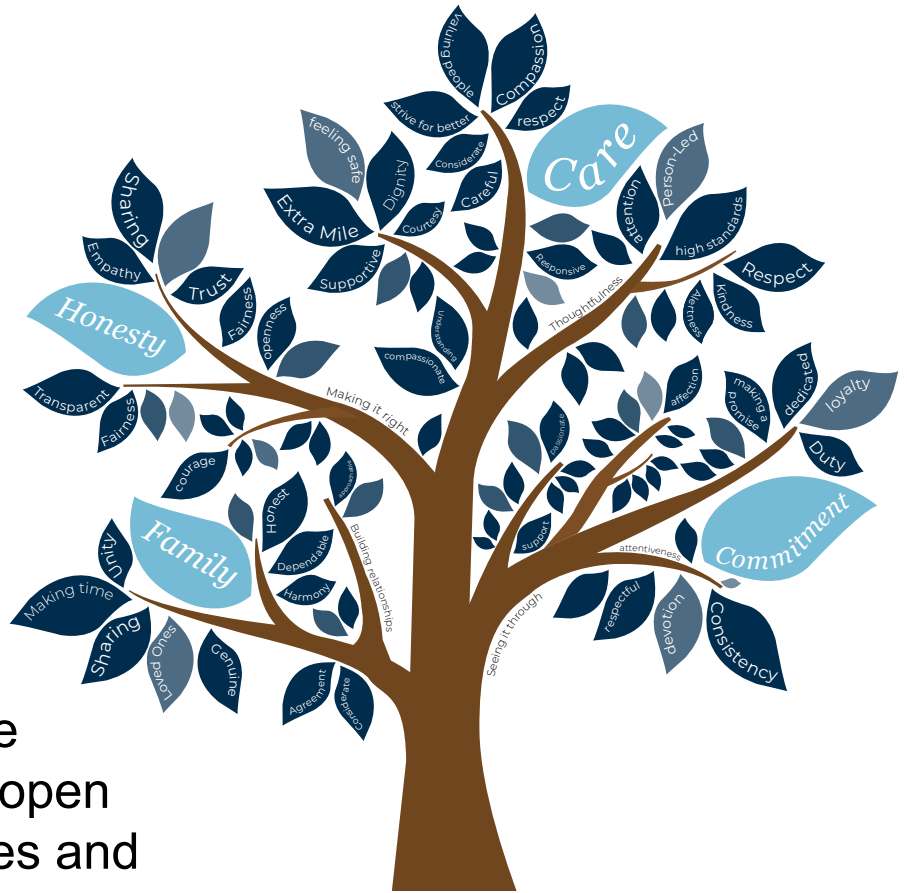
It is our fundamental belief that well-trained and happy employees will provide a better living environment for our residents.



## Our values

### Honesty

We believe in doing the right thing, even though it's not always the easiest option. We are not afraid to be open, but are always so in a compassionate way. To uphold this value we will always encourage open dialogue, sharing stories and anecdotes, to empower everyone in the Canford Healthcare family (staff, residents and their loved ones) to communicate with courage and honesty.



### Care

It may seem obvious, but we are committed to offering care with compassion rather than simply performing tasks out of a sense of duty. We want our residents to feel safe, respected and comfortable, and to retain their sense of dignity. When going about our daily duties, a good mindset to have is, “Would I feel comfortable receiving care this way?” and “How would I want my Mum/Dad/Gran treated in this situation?”

## Family

Within each home and beyond, we care for each other, offering support, tolerance and warmth. We embrace each individual to become part of our Canford Healthcare family, whether they are a resident, a wider family member, colleague or a link to our local community. Like a family, we try to make sure that everyone feels included in a way that feels reassuring and comfortable.

## Commitment

We are committed and passionate in our daily interactions. We take pride in being able to go above and beyond the ordinary for each member of our Canford Healthcare family. We are dedicated to delivering exceptional care for each individual and supporting their family and friends. We are committed to offering a safe, reassuring environment. We always make the extra effort and do our best.

## Our vision

Our company vision is to ensure that Canford Healthcare will deliver outstanding care and will be an employer of choice in the locality in which we operate. Our focus on people, service and profit will drive successful business growth, increasing our care home portfolio on an ongoing basis.

## Employee code of conduct

The Company Employee Code of Conduct sets out the basic standards and requirements that we expect from all Canford Healthcare Group employees (homes and offices), to ensure that we honour our values and continue to protect and enhance our company's reputation.

We depend on our employees to help us maintain our values and continue to support our drive for high standards in care. The company has established an Employee Code of Conduct with eight guiding principles:

- 1. We operate in a compliant and safe business.**
- 2. We treat people fairly.**
- 3. We care about the people and communities in which we work.**
- 4. We act in the best interests of our residents.**
- 5. We comply with the law.**
- 6. We aim to deliver the best resident and customer experience.**
- 7. We respect the environment in which we work.**
- 8. We maintain accurate records and comply with data governance.**

In our everyday activities the company expects the Employee Code of Conduct to be followed.

## **Standards of Conduct, Performance and Ethics (PRN03)**

All employees are expected to be polite, courteous and professional at all times. The company requires high standards of performance at work and within general conduct. At all times you must:

- be diligent, honest and ethical in the performance of your duties, which you will undertake to the best of your ability, using good judgement at all times.
- render your services in a polite, professional and competent manner, in willing co-operation with fellow employees, residents and/or their relatives, customers, suppliers and members of the public, avoiding at all times rude or insulting behaviour and foul or objectionable language.
- comply with all reasonable instructions, limitations, policies, rules and regulations which the company may notify to you from time to time.
- comply with all health and safety instructions, and shall not attend work under the influence of alcohol or drugs, or bring alcohol or drugs onto any working premises.
- endeavour to promote the interests, profitability and reputation of the company, and report the existence of any conflict or change in your personal circumstances which could be viewed as a conflict of interest.

- conduct your personal and professional life in a way that does not risk adversely affecting, in the company's sole opinion, its standing and reputation or which causes or could cause the company to question an employee's integrity.
- dress appropriately and maintain a high standard of tidiness and hygiene.
- not use your mobile phone for personal use during your hours of work except in response to an emergency.
- not add service users or their families and friends to any friends/contact lists in any form of social media or have any contact that could cause a conflict of interest with the company.

## Employee communications

All employees will understand that communication is the key to the provision of a quality service. The company will keep you informed about items of interest via notice boards, newsletters, policies and procedures and meetings.

Statements or opinions relating to service users' physical or mental wellbeing will be given only by approved qualified staff in a confidential area.

Any statements to reporters from newspapers, radio, television etc., in relation to our company will be given only by the nominated individual. Any employee found giving information to an external body without permission may be subject to disciplinary action.

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## Working with us

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## **Induction and Onboarding (PR07)**

During their first few weeks of employment, employees will receive an induction in which they will be provided with specific training for their job and, as part of the company Induction training programme, they will learn what our values mean and the standards and behaviours required as a new employee.

The company is committed to applying equality to all stages of the induction process.

For all new employees the company will ensure that the induction is structured, and if in a care-specific role, it will meet the standards of the Health and Social Care Act 2008 regulations 2014. The company's aim is for all new employees to successfully complete their full induction programme within 12 weeks of appointment. Specific role induction resources will be available and integrated into the induction.

A number of our company policies and procedures will be explained during the induction. Copies of these will also be available on the company's Quality Compliance System (QCS), which employees will be given a login to, or can be obtained from their line manager.

## **Probationary period**

The first six months of employment constitute a probationary period during which the company and employee can determine the suitability of employment. Employees will be



notified of the outcome of the probationary period after the initial six months, which will result in the employment being confirmed, terminated or the probationary period extended. During the probation period full employment benefits may not be available and will be conditional upon satisfactory completion. Employees who are within their probation period at the time of the annual pay review process may not be included in the review, unless they are part of a group pay rate structure such as carers, nurses, and domestics. During the probation period the company also reserves the right not to apply the full capability and disciplinary procedures.

## **Quality Compliance System (QCS)/policies and procedures**

The company operates an electronic quality management system ensuring that policies and procedures are kept up to date. Employees will be introduced to this system and all company policies and procedures during their induction. All employees will be given a login to the QCS/policies and procedures system when they join the company so they can access key policy reading lists.

## **Employee self-service systems**

The company operates a number of online employee self-service systems for time and attendance recording and personal information records. All employees are expected to

use these systems and will be provided with personal logins and training during their induction.

## **Job descriptions and flexibility**

The company gives employees a Job Description which provides an outline of all duties, expectations and standards in the role. These Job Descriptions are not exhaustive and, as such, employees may be requested by their line manager to undertake any other duties deemed reasonable for the employee as long as they are safe, trained and capable to undertake the request. Employees should be prepared, whenever necessary, to transfer to alternative duties within the company. For example, during holiday periods it may be necessary for employees to take over some duties normally performed by colleagues. This flexibility is essential as the type and volume of work across the company is always subject to change, and it allows us to operate efficiently and gain maximum potential from our teams.

## **Mobility**

Employees may be employed at one specific location; however they would be expected, whenever applicable, to work temporarily in any other of our company locations within reasonable travelling distance. This mobility is essential to the smooth running of our company.

## **Working hours (clocking in) and rest breaks**

Employee working hours are detailed in their Contract of Employment. Under normal circumstances the company does not expect any employee to work on average more than 48 hours in any week. If circumstances arise whereby employees are regularly required to work more than 48 hours per week they will be asked to opt out of the Working Time Regulations.

Across our company we operate a time and attendance/clocking-in system to record employee time and attendance at work. Where these systems are present employee wages are paid from data provided by this system. Employees must use this to clock in when they start work and clock out when they finish work. The time and attendance system record actual working time and, if employees present for work later than their scheduled start time, they will only be paid from this time and the belatedness will be recorded. Failure to clock in could result in incorrect or delayed wages, and disciplinary action being taken.

It is an employee's responsibility to ensure that they clock in on every work day/shift. They are not permitted to clock in or out on behalf of any other employee and they should not ask anyone to clock in for them. Falsification of company records is viewed as gross misconduct and could result in dismissal.

Rest breaks across the company are provided in accordance with the Working Time Regulations. For any variation on this condition employees should refer to their Contract of Employment.

## **Overtime/time off in lieu (TOIL)**

Hourly-paid employees may be required to work in excess of normal contracted hours. Hours worked above contracted hours may be eligible for an overtime payment subject to prior approval from your line manager.

Salaried employees are not entitled to any overtime payment but may be required to work additional hours to meet the needs of the role. In certain circumstances, and in advance of working additional hours, they may be granted by their line manager 'Time Off In Lieu' (TOIL). Any TOIL must be authorised by a line manager before it is taken. This should be taken within two weeks of the additional hours being worked and with the approval of the line manager. Days granted in lieu are not normally converted into pay.

## **Temporary lay-offs and short-time working**

The company reserves the right to lay off employees or put them on short-time working where the needs of the business make this necessary, for example because there is a temporary cessation of, or reduction in, work or a temporary closure of the workplace.

In the event that employees are laid off or put on short-time working, their entitlement to pay on workless days in that period of lay-off, or short-time working, will cease and instead, if they qualify, they will be paid statutory guaranteed pay at the prevailing statutory rate during that period, in accordance with statutory requirements.

## **Attendance and Lateness (PP01)**

Employees must attend for work punctually and be ready to commence work at the specified time(s). Employees are required to comply strictly with any time-recording procedures relating to their area of work. Persistent lateness or absence may result in disciplinary action and/or loss of appropriate payment. All absences must be notified in accordance with the company absence reporting procedures laid down in this handbook.

## **On-site facilities/rest rooms**

Parking on company care home premises is at the discretion of the home manager as there may be limited parking which must be reserved for residents' relatives. If employees do park on company premises, this is done so at their own risk and the company will not accept any liability for any damages caused to vehicles.

Rest areas may be provided for employees to take their breaks. All employees are responsible for ensuring that these shared areas are kept clean and tidy after use.

Where lockers are provided for employees to keep personal belongings safe, these should be used to store personal items. The company does not accept liability for any loss of, or damage to, property that employees bring on to the premises. Management reserves the right to open any locker without notice, at any time, to safeguard the security of the home.

## **Appearance Policy (PC06), Uniform Standards and Infection Control Policy (CC18)**

From their start of employment employees will be representatives of the company. It is therefore necessary for an employee's dress, appearance and conduct to match the company's expectations. Employees are expected to maintain a professional appearance which reflects well on the company. Employees' general appearance should be clean and tidy at all times. Employees are required to remove any piercings which may present health- and safety-related risk. The full Appearance Policy and Uniform Standards guide can be viewed in QCS and should be read in conjunction with the Infection Control Policy and Procedure.

Some employees may be provided with a uniform and identity badge by the company which must be displayed at all times while working. If an employee falls within this category, they should ensure that their uniform is worn at all times while on duty and is kept clean, neat, tidy and adheres to the uniform standard set by the company.

Employees may also be provided with Personal Protective Clothing and Equipment (PPE) to assist them in carrying out their duties in a safe manner. Protective Clothing and Equipment is supplied in line with Health and Safety guidelines and legislation. Failure by an employee to wear any protective clothing and equipment supplied by the company may result in disciplinary action.

If no uniform is provided, appropriate smart clothing is to be worn at all times while on duty. The company reserves the right to request that specific items of dress or jewellery should not be worn on duty. Shoes and other visible items of clothing must be appropriate for work. Shoes should be closed in and appropriate for the role.

## **Personal details and changes in circumstances**

In order that records be kept up to date and to satisfy data protection requirements, employees must notify the company immediately, in writing or through the company IT self-service systems, of any changes to the following personal circumstances:

- name (proof required)
- marital status (proof required)
- address and telephone number
- email address



- details of dependants/next of kin/emergency contact
- qualifications
- bank details
- driving licence status (if required for role)

## **Employment checks: References (PR23), DBS (PR04), Right to Work (PR16)**

Employment is conditional on all relevant facts having been disclosed to the company and other information satisfactory to the company being provided. False statements on application forms and unsatisfactory references will be sufficient cause for retracting an offer or even dismissal.

Due to the nature of our business it is an essential condition of employment that employees working within a care home, or if it is a role requirement, are subject to a satisfactory DBS Enhanced Check for Regulated Activity. The company may request at any time a further DBS Enhanced Check to ensure continued employment for which employees may be required to contribute to the cost.

A failure to provide full disclosure of any unspent convictions, warnings, reprimands or cautions in line with the Police Act 1997 (Criminal Records Certificates: Relevant Matter) (Amendment)(England and Wales) Order 2013, may result in the offer of employment being withdrawn. If already employed, an employee may be subject to disciplinary action which could



result in being summarily dismissed for gross misconduct, dependent on circumstances.

During their employment, employees must inform their line manager immediately if they are arrested, charged with or summonsed for a criminal offence of any nature, including traffic offences. This includes, but is not limited to, police investigations, NMC investigations and referrals to the Protection of Vulnerable Adults/Disclosure Barring Lists. Failure to do so may result in disciplinary action.

An employee is required to produce evidence of a right to work in the United Kingdom under the Asylum and Immigration Act 1996 as amended. Original paperwork evidencing eligibility to work in the UK must be produced in accordance with Home Office guidelines. Should an employee require a work permit then the company should be kept updated on any renewal process with copies of paperwork.

The company will require sight of right-to-work evidence when requested, and reserves the right to terminate the contract of employment without notice if it is found that the employee has breached or does not satisfy the above requirements.

It is a term of employment that employees must comply with vaccination legislation and company policy. If specifically identified it may be that evidence of vaccination or exemption must be provided prior to commencing employment in our care homes.

## Housekeeping/personal property/personal use

### Housekeeping

From the point of view of safety and appearance, all employees must always keep their work environment clean and tidy.

### Personal property

The company does not accept liability for any loss of, or damage to property that employees bring onto company premises. Employees are requested not to bring personal items of value onto the premises and not to leave any items when not working.

### Personal use

Incoming personal telephone calls are allowed only in case of emergency. Personal mobile phones should be set to silent or turned off during working hours and left in lockers or a secure location. The making, receiving and the taking of photographs or videos using personal mobile phones is expressly forbidden. Any breach of the IT or Mobile Phone Use policy may result in disciplinary action. All mail received at the company address will be opened, including that addressed to employees. Private mail should not be sent to company addresses.

Employees are not allowed to buy or sell goods on their own behalf on our premises or during their working hours without permission of a company director.

## **Standards of Conduct, Performance and Ethics (PRN03)**

The company will provide opportunities for employees to maintain their learning and development. However, employees delivering care to residents will appreciate and adhere to their Professional Code of Conduct in relation to their own responsibilities in maintaining and updating their knowledge, to ensure that it remains current and evidence based.

The company will maintain an overview of performance and will respond appropriately to shortfalls in professional standards. The Skills for Care Code of Conduct standardises 'best practice' expectations and can form the basis of staff development and review. The company will adopt this code for all employees. If there is any concern regarding any visiting professional's conduct while supporting the company, employees are asked to report this to their line manager and record the incident.

## **Performance Reviews/One-to-One Supervisions (PP08)**

All employees will have their performance monitored throughout their employment and will be required to attend regular performance reviews and one-to-one supervision reviews with their line manager during the year. This is a two-way meeting and gives both employee and line manager a

chance to discuss any issues, look at any ways to improve or enhance and to give feedback on performance. Supervision meetings will be documented with required action plans placed on employee records.

## **Notice Periods (PC10)**

The company hopes that employees have a long and happy career within the company. However, it appreciates that on occasion and for various reasons staff may choose to leave. The company needs to ensure that the quality of service is maintained and that an appropriate period of time is, therefore, given for a full and complete handover. It is therefore essential that employees provide adequate notice should they choose to leave the company. Contractual notice periods are outlined in the Contract of Employment. Where notice periods are not referenced statutory notice periods apply.

## **On-call Arrangements (PM17)**

The company is required to ensure that all emergencies that occur in the evenings, at weekends and at other times when management support is not directly present, are consistently and effectively managed to the satisfaction of the staff and people using the services.

All employees will be made aware of who they need to contact in the case of an emergency. Employees providing on-call support should always be suitably experienced and

knowledgeable about the services provided by the company. The employee providing on-call support should have a good level of understanding about the specific issues that may result in the need for on-call support.

Payment for employees providing on-call support will be agreed in advance and provided separately, in writing or detailed as part of the contractual terms and conditions of employment.

## **Expenses**

The company reimburses employees for authorised and legitimate expenditure, reasonably incurred by them, during their duties, i.e. travel, mileage, accommodation and other pre-agreed out-of-pocket expenses. Employees must complete an expense claim and support such a claim by submitting valid receipts within a timely manner, referring to the company Expenses Policy for further information.

## **Other Employment: Moonlighting (PP05)**

Employees are not allowed, except with prior written consent of a company director, to be directly or indirectly engaged or employed in any business similar to or competing with any business carried out by the company, or in any business which impacts adversely on the employee's performance.

You should not:

- devote any time during your working hours to any business other than the business of the company
- take steps to seek work with any competitor which is likely to put you in a position of conflict
- undertake any external employment, work or other activity which may prejudicially affect or interfere with, in the company's opinion, your ability to properly and efficiently discharge your duties and responsibilities
- solicit or seek to recruit any current employees of the company to be engaged to work for you or any other person, firm, company or organisation and will not make any comment, representation or statement that may facilitate, induce, persuade, procure or howsoever cause any employee to leave the employment of the company
- enter into any contract on behalf of the company, or incur any debt or obligation for the company, except those that are ordinarily incurred in the normal course of your duties.

Should consent be given to undertake duties in addition to an employee's role, we reserve the right to withdraw our consent by giving you at least one month's notice, if, in the company's reasonable opinion, any of the above arise.

## Potential conflict(s) of interest

Employees are required to disclose any potential conflict(s) of interest they may have in writing. The disclosure should be made to a company director. Potential conflicts of interest include the following:

- where a partner, spouse or close relative is employed by, or otherwise connected to, an organisation with which the company has a commercial relationship.
- where the employee has a financial interest in an organisation with which the company has a commercial relationship.
- where an employee, who has the ability to influence or place contracts with subcontractors and suppliers, engages an organisation for personal work, or socialises frequently with employees of an organisation with which the employee has dealings in a professional capacity.

The requirement to provide written disclosure of any potential conflict of interest is intended to protect either party from being compromised. A failure to disclose a conflict of interest will be dealt with under the Disciplinary Procedure, where appropriate.

## **Private work for residents**

Private work for residents is strongly discouraged as it conflicts with our contract of employment, and will probably be regarded as financial abuse, which may lead to disciplinary action. In exceptional circumstances, the line manager (with company director approval) may authorise such work where it is clearly for the benefit of the resident.

## **Varying employment policies, procedures, terms and conditions**

The company reserves the right to vary policies, procedures and terms and conditions of employment at its discretion. This discretion will be exercised reasonably in circumstances where there is a commercial imperative and within the parameters of employment legislation. The employee will be given notice in writing in the case of a major variation and the company will, on request, consult and consider any representations made in writing within a reasonable timeframe of the change.



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## Health and safety at work

The company has a strong commitment to providing and maintaining a safe and healthy environment for residents to live in, employees to work in and for all the visitors who visit company premises, for whatever purpose.

All employees have responsibilities with regard to health and safety and, in particular: to co-operate at all times with management in the implementation of the Health and Safety Policy; to follow all procedures provided for work tasks; take reasonable care for their own safety and the safety of others; to not recklessly interfere or misuse any equipment provided and report all health and safety concerns to their line manager.

### **All employees must comply with:**

- the company Safety and Environmental Policies contained within the QCS and all relevant health and safety legislation. All employees will be provided access to these policies as part of their Induction training.

### **All employees are required to:**

- report all accidents and near misses in accordance with the Accident, Incident Reporting Policy and Procedure.
- actively participate in company health and safety training, and awareness programmes.
- report things they consider to be unsafe or a health hazard to their line manager without delay – nothing is so important that employees cannot take time to do it safely.

## Environmental Policy (HS02)

The company acknowledges the importance of both our immediate and the wider environment. The company is committed to supporting the wider environment, which in turn supports everyone's health and wellbeing. The company will work to integrate environmental considerations into its business decisions and adopt greener alternatives, wherever possible, throughout our operations.

The company understands that decisions made by the service on a day-to-day basis have an impact on both the wider and immediate environment. The company and employees should be committed to reducing the impact on the environment by:

- complying fully with all relevant legal requirements, codes of practice and regulations
- improving efficiency and reducing waste
- minimising the use of non-sustainable resources
- support viable initiatives and ideas to support the environment
- promoting positive change with all stakeholders
- identifying and managing environmental risks and hazards

## **Accident and Incident Reporting (HS01)/ Serious Incident Notifications (HS06)**

Any employee who suffers an injury at work must report it immediately to their line manager. Full details must be recorded in the company's accident book to confirm that a correct record has been made. If any employee witnesses any action or incident that might have resulted in an accident, the line manager must be informed.

## **Health and Safety Training (HR05)**

Training is a vital part of company strategy to manage health and safety issues. When carried out effectively, it can change our employee's perceptions of risk and result in significant improvements in health and safety performance. So, preparing our employees to work safely and reducing accidents and damage to our premises and equipment is important. It is also a general factor in motivating employees, so that improvements are often found in overall commitment and work performance and ensures that employees are competent and confident when carrying out their work. It is the company's legal responsibility to provide adequate health and safety training. The company will ensure that all employees receive full induction, instruction, training and supervision within their area of responsibility, and are kept up to date with refresher training to meet or exceed best industry practice within the health and social care sector.

## **Display Screen Equipment (HS09)**

The company ensures compliance with all legal statutes and industry best practice to promote the safe use of ergonomic equipment used within the work environment. This includes chairs, workstations, display screens and lighting as required to fulfil the task. It also covers all users of display screen equipment and makes any adjustments deemed necessary. All employees who are assessed to be DSE Users (being those who regularly use DSE as a significant part of their normal work) should make themselves familiar with the company policy and are entitled to request and be provided with funded eyesight tests by the company – see Company Expenses Policy (page 29).

## **Hygiene, infectious and contagious diseases**

Employees must wash their hands immediately before commencing work and after using the toilet. Any cut or burn on the hand or arm must be covered with an approved visible dressing.

If employees are suffering from an infectious or contagious disease or illness, such as rubella or hepatitis, or have a bowel disorder, boils, skin or mouth infection, they must not report for work or visit a care home without clearance from their own doctor.

Contact with any person suffering from an infectious or contagious disease must be reported before starting work in a care home. If unsure, please contact a line manager for advice before attending care home premises.

## **Lone Working (PM12)**

The company has a Lone Working Policy and Procedure in place to safeguard, support and promote the health, safety and welfare of employees working alone.

The company recognises the specific, increased risks associated with lone working and will ensure through its policy that:

- all appropriate risks are assessed prior to any lone working
- appropriate resources and processes are in place to support the health, safety and welfare of any lone worker
- if the risks are assessed as being too great, and the health, safety and welfare of the employee cannot be assured, then a service will not be provided by a lone worker
- all risks will be regularly reviewed

## Working Time Regulations (PM13)

The company will ensure that it complies with its obligations under the Working Time Regulations in respect of providing adequate rest breaks, weekly hours of work and weekly rest periods. In general, the Working Time Regulations provide rights to:

- a limit of an average 48 hours a week on the hours an employee can be required to work, though individuals may choose to work longer by “opting out”
- paid annual leave of 5.6 weeks a year
- 11 consecutive hours’ rest in any 24-hour period
- 20-minute break when working more than 6 consecutive hours
- 24 hours’ consecutive rest in any 7-day period or 48 hours’ consecutive rest in any 14-day period (the 7-or 14-day period beginning at midnight between Sunday and Monday and ending at midnight between Sunday and Monday either the following week or week after)

For young persons’ working time requirements refer to the Employment of Young Persons Policy (PR18).

Where employees do wish to sign an opt-out from the 48-hour working week this will be a purely voluntary arrangement, and at any time after entering such an agreement they can change their mind, giving three months’ notice. Please note that bank holidays are considered to be a normal working day.

## **Emergency and Business Continuity Plan (AB02)**

The company recognises the serious, potential impact of a disrupted service on residents. The company will ensure that the right measures are put in place to prevent and limit disruption. All employees have a responsibility to understand their role within the plan and ask for further support where this is not clear. All employees should notify their line manager of any risk or mitigation to a risk they are aware of that is not necessarily documented.

## **Smoking at Work (PM07)**

All company premises, including vehicles, must be smoke free if they are used as a place of work. Smoking may only be permitted in designated areas. The Smoking at Work Policy is available on QCS and employees are responsible for ensuring that they are familiar with the content of the policy. A failure to comply with the policy may result in disciplinary action up to and including dismissal.

Time taken for smoking will be part of the employees agreed break time. Equal importance will be given to the need for breaks for employees who smoke and those who do not.



## **Wellbeing: Stress and Mental Health in the Workplace (PM02)**

The company is committed to protecting the health, safety and welfare of its employees. Workplace stress is a health and safety issue and the company acknowledges the importance of identifying and reducing workplace stressors. The company is dedicated to tackling and preventing the causes of work-related stress and to providing confidential support to employees suffering from stress. If employees need support they are encouraged to speak with their line manager or contact the company's Employee Assistance Helpline.

## **Personal Protective Equipment (PPE) (HS18)**

Employees may be provided with Personal Protective Clothing and Equipment (PPE) to help them carry out their duties in a safe manner. Protective clothing and equipment is supplied in line with Health and Safety guidelines and legislation. Failure by an employee to wear any protective clothing and equipment supplied by the company may result in disciplinary action.

## **First Aid (PM01)**

In accordance with our First Aid Policy, the company will ensure that first aid treatment is available from appointed first aiders during normal working hours. Details of delegated

first aiders will be communicated within your place of work. Employees are advised to seek treatment for any injury sustained at work. No employees are permitted to administer first aid if they are not designated to do so. The location of first aid boxes will be covered as part of the Induction.

## **Driving for work policy**

Safe driving practice is mandated both by law and company policy. Employees who drive for work purposes have a personal responsibility to drive safely, ensure the vehicle used is roadworthy and must comply with the company policy, the Highway Code and any other legislation/regulations that are pertinent to driving for work. It is essential that you make yourself fully conversant with the contents of the Driving for Work Policy. There are legal and financial penalties for both employees, and potentially, the company for non-compliance or inappropriate behaviour.

## **Alcohol and Drugs (PP02)**

The company is committed to ensuring that all employees are fit to carry out their jobs safely. Given the nature of the business, and the duties and responsibilities of each employee, it is essential that company policy is observed in order to ensure a healthy and safe environment for all.

The company operates a zero-tolerance approach to employees who attend work while under the influence of

alcohol or drugs. No alcohol or unprescribed drugs must be brought onto or consumed on company premises during normal working hours. Employees must not consume alcohol or drugs if they are required to drive private or company vehicles on business. Employees must also not drink alcohol when they are on operational standby or on call.

If employees' performance or attendance at work is affected as a result of alcohol or drugs, or we believe they have been involved in any drug-related action/offence, they may be subject to disciplinary action and, dependent on the circumstances, this may lead to dismissal.

On the grounds of protecting health and safety and, only where necessary to achieve a legitimate business aim, the company reserves the right to carry out random drug and/or alcohol screening tests on employees in the workplace whose activities and job duties have a significant impact on the health and safety of others.

If an employee receives a positive test result this will be viewed as a potential gross misconduct offence and renders the employee liable to summary dismissal. Refusal to submit to a drug and/or alcohol screening test may be viewed also as a failed test and will be dealt with through the disciplinary procedure.

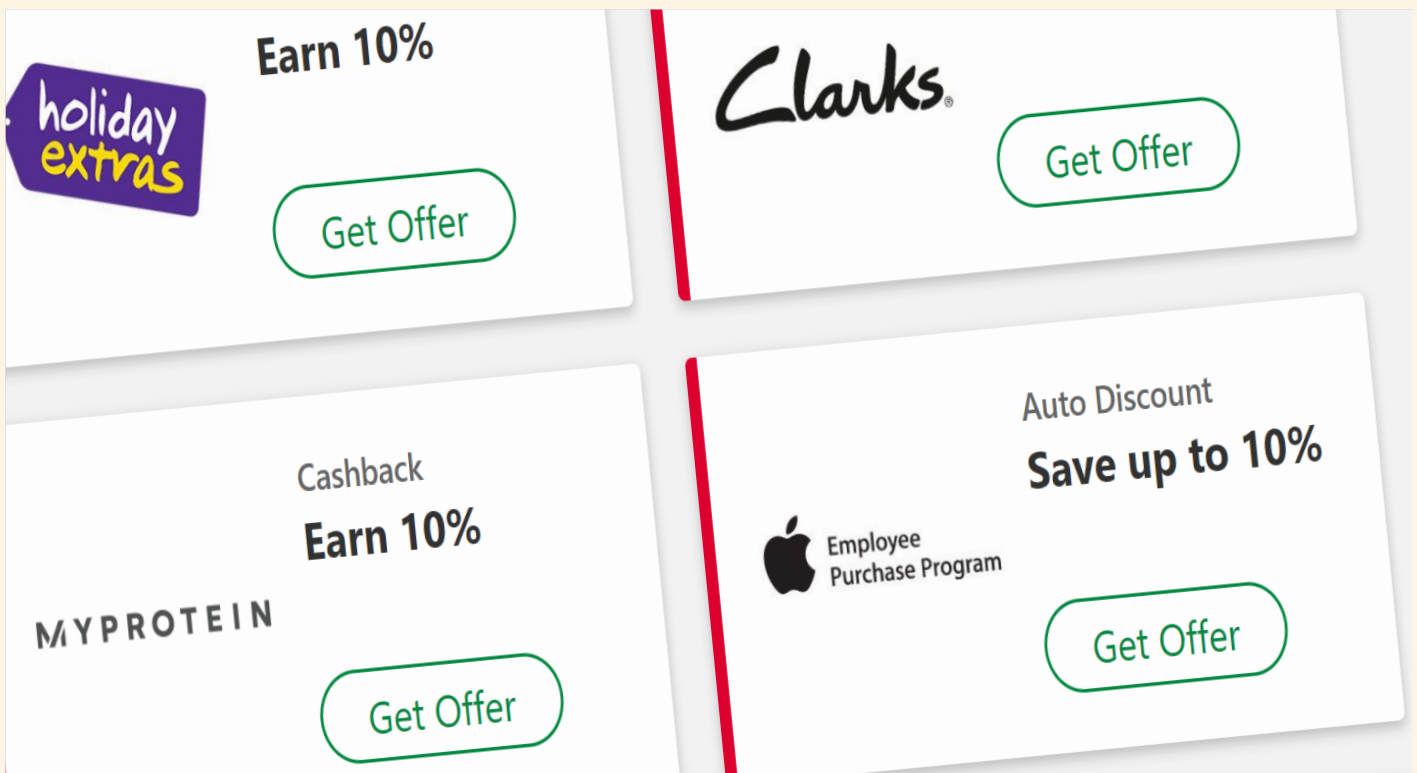
## **Vaccination and Immunisation Policy (CC184)**

All employees on commencement of employment and ongoing will be risk assessed for each available immunisation and recommend to immunise if the risk assessment indicates a benefit or requirement. Where national campaigns are in place for immunisation, e.g. coronavirus or seasonal flu, the company will ensure information is communicated to staff.

# 4

## Rewards & benefits

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## Canford rewards

On commencement of employment, staff will become eligible to join the company employee discounts and rewards scheme known as Canford Rewards. Employees will need to register for the scheme online by providing an email address and employee number. Once registered, employees will have access to hundreds of high-street discounts for various retailers and services. Further details are available from the employee's line manager.

## Life assurance

Eligible employees are covered for a minimum level of life assurance, subject to the terms of the relevant scheme. All payments and benefits under the scheme are strictly subject to the rules of the scheme. The company reserves the right to vary, amend or withdraw the scheme at any time.

## Pay information

Salary will normally be paid in monthly instalments or in accordance with an employee's contract of employment. Payment will be made direct to the employee's bank or building society account in arrears. The pay date will vary, depending on which company the employee is working for within the Group. Employees will be notified of their pay date during the induction. The company reserves the right to

change the date on which employees are paid, but in such circumstances adequate notice will be given.

The company provides payslips in electronic form through the employee online self-service account. Should an employee choose to leave the company they are advised to download/print copies of their payslips before leaving as employee self-service accounts are not accessible once they have left the company. Employee payslips show the total amount of pay and how it has been calculated. It also shows the deductions that have been made and the reasons for them, e.g. Income Tax, National Insurance, etc. No advancements of wages can be made. Employees are responsible for keeping their own copies of these payslips.

If employees encounter any problems with their pay, e.g. incorrect payment, underpayments, overpayments, incorrect deductions, etc., then all such problems should in the first instance be raised with their line manager. In the event of an overpayment, the excess payment will normally be deducted in full from the next payment. Employees will be given advance warning of any deduction, and any individual hardship will be taken into account and may result in repayment over a longer period.

Salaries are normally reviewed annually.

## Minimum Wage Policy (PC09)

The company will comply with the National Minimum Wage Act 1998, the National Minimum Wage Regulations 2015 which came into force on 6 April 2015, and subsequent amendments in 2016 which introduced the current rates for the National Minimum and National Living Wages. The company will always meet its obligations to pay all employees the minimum wage that they are legally entitled to. As a matter of principle, the company wishes to recognise the valuable work that all employees undertake and reward them appropriately, and where possible and practicable (having regard to the financial pressures on the business including contract rates), the company will endeavour to pay above the National Minimum Wage.

## Pension scheme

The company complies with its statutory obligations on auto enrolment and will automatically enrol all eligible employees to satisfy the requirements of the Pensions Act. Employees will be automatically enrolled into the relevant pension scheme in accordance with the company's statutory obligations, and they will pay contributions to the scheme as may be required by the rules of the scheme. The company will also pay contributions to the scheme as may be required by the rules of the scheme. Employee contributions to the scheme will be deducted from wages and paid into the scheme each month. Employee contributions will be increased in line with any statutory changes.



The company reserves the right to vary, amend or withdraw the scheme, or any of its rules or benefits, at any time. Full details of the scheme, including the rules, conditions of eligibility and the rates of contributions and benefits can be obtained from Payroll.

### **Retirements (PM05)**

The company is committed to equal opportunities for all its employees and recognises the contributions of a diverse workforce, including skills and experience of older employees. The company has no fixed retirement age.

If an employee has decided to retire, they should inform the line manager in writing as far in advance as possible and in accordance with their notice period as set out in their contract of employment. This will assist the company with its succession planning. The company will then write to the employee acknowledging the employee's notice to retire. The company will meet with the employee to discuss arrangements for retirement, including an intended retirement date, succession and handover plans and pension details, if applicable. Failure to provide notice of retirement may delay the start of pension payments.

## Employee referral schemes

The company operates an Employee Referral Scheme which provides the opportunity for existing employees to benefit financially from referring family and friends for employment with the company. Details of these schemes can be obtained from their line manager. The company reserves the right to vary or withdraw these schemes at any time.

## Long-service recognition schemes

The company believe that recognising the long service and loyalty of our employees is paramount to the success of our business. Across the company we currently recognise the following service milestones:

- 3 years
- 5 years
- 10 years
- 15 years
- 20 years
- 25 years

## Employee Assistance Programme (EAP)

The company provides a free and confidential external service which offers employees expert advice, invaluable information, specialist counselling and support. This service is to help employees prepare for, and cope successfully with, all major life events – the things that could potentially cause anxiety and stress.

Some events are less easy to predict, such as bereavement or serious illness. The Employee Assistance helpline is there to

# 4

## Rewards & benefits

provide expert, practical assistance and fully trained emotional support to help employees through difficult times.

The service is available to employees 24 hours a day, 7 days a week. Qualified advisers will aim to answer questions immediately or refer employees to the most appropriate adviser, counsellor or source of information, including legal, financial, consumer and personal. If employees feel they need support they can contact the helpline on **0345 074 2799**.

- 53–60** Discipline Policy and Procedure (PP03)
- 60–64** Dismissal Without Notice ('Summary Dismissal')/  
Gross Misconduct
- 64** NMC and DBS Referrals
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## **Discipline Policy and Procedure (PP03)**

The purpose of this policy and procedure is to ensure the safe, effective operation of the company and the fair and equal treatment of all its employees while ensuring continuing high standards. The company views the Discipline Policy and Procedure as a positive contribution to the success of the business for both the company and its employees.

### **A) When may action be taken under this process?**

Action will be taken where the company believes behaviour, actions or omissions constitute misconduct. The seriousness of the misconduct matter will determine the severity of any sanction imposed. Misdemeanors can range from minor through to gross misconduct, the latter justifying dismissal without notice. The company reserves the right to disapply all or part of this policy where the circumstances dictate that this is appropriate. This policy is non-contractual and does not form part of an employee's terms and conditions of employment.

### **B) Minor conduct issues**

Minor conduct issues can often be resolved informally between employee and line manager. These discussions should be held in private and without undue delay whenever there is cause for concern. Where appropriate, a note of any such informal discussions may be placed on the employee record. Formal steps will be taken under this procedure if

the matter is not resolved, or if informal discussion is not appropriate (for example, because of the seriousness of the allegation).

## **C) Investigations**

The purpose of an investigation is a fact-finding exercise. It is an opportunity for the company to establish a fair and balanced view of the facts relating to any disciplinary allegations before deciding whether to proceed with a disciplinary hearing. The amount of investigation required will depend on the nature of the allegations and will vary from case to case. It may involve interviewing and taking statements from the employee and any witnesses, and/or reviewing relevant documents.

Before any formal disciplinary action is taken, a company representative will carry out a full investigation to establish the facts. The investigation will normally include a meeting with the employee. Investigation meetings are not disciplinary hearings and will not automatically offer the right to be accompanied.

Even in the most serious allegations of gross misconduct (see below), a full investigation will be held. In any alleged case of gross misconduct, employees may be suspended pending the outcome of the investigation.

Before any disciplinary hearing, employees will be:

- told in writing of the allegations/complaints against them
- given a reasonable opportunity to consider a response to that information
- offered the opportunity to be accompanied by a work colleague or a trade union representative – family, friends or legal representatives are not permitted
- encouraged to take all reasonable steps to attend the hearing, where employees will be given a full opportunity to comment on the allegations and put forward any defence or arguments

## **D) The informal process/letters of concern**

After establishing the facts, the company may consider that there is no need to resort to the formal procedure, and that it is sufficient to talk the matter over with the employee. A note or letter recording the concern and any improvement required may be issued to the employee and kept on their record. The purpose of an informal process is to provide an opportunity for improvement or for the matter to be corrected without the need for formal disciplinary procedures. If this process is unsuccessful, or the conduct is deemed to be too serious or is repeated, the formal procedure will be instigated.

**E) The formal process**

This procedure is designed to help encourage employees to achieve and maintain the required standards of conduct and to ensure fair and consistent treatment of those who have become liable to disciplinary action as a result of failing to meet standards or to comply with company rules.

Management has the responsibility for establishing and maintaining rules as well as setting standards of behaviour. Employees should familiarise themselves with the full policy, rules and standards that are applicable to their position so that they are in no doubt about what is expected of them.

**F) Principles of the disciplinary process**

- No employee is dismissed for the first breach of discipline except in cases of gross negligence or gross misconduct.
- The company will provide for matters to be kept confidential but cannot prevent any speculative gossip which may occur among other employees.
- Management will investigate fully to establish the facts of the case before any disciplinary action is taken to ensure that there is no pre-judgement of the issues. The employee is required to co-operate with and participate in any investigatory process.
- Employees will be informed of complaints against them and supporting evidence before any disciplinary hearing.



# 5

## Discipline, Grievance & Performance Management

- Matters will be dealt with as speedily as possible but consistent with the time necessary to conduct investigations. The company and the employee should not unreasonably delay meetings or decisions. Where an employee is continually unavailable to attend a meeting, the company may conclude that a decision will be made on the evidence available. The employee will be notified in advance where this is the case.
- The employee will be provided with the opportunity to state their case before management reaches a decision. At any time during the process, management may decide that no further action is appropriate.
- The company will allow the employee to be accompanied at the disciplinary hearing. The companion may be a work colleague of the employee's choice or a trade union official who can participate in the hearing and take notes but cannot answer for the employee.
- An employee is not permitted to audio record any meetings forming part of the disciplinary process without express consent of the manager chairing the meeting. Any covert recording will be dealt with as a disciplinary matter in its own right.
- The formal disciplinary procedure may be implemented at any stage if the employee's shortcomings warrant such action.
- The employee may be suspended on pay where the company takes the view that the investigation would be

carried out more effectively in their absence. Suspension with pay is not an assumption of guilt and is not considered a disciplinary sanction.

- The suspension will be for no longer than is necessary to investigate any allegations of misconduct alleged or so long as is otherwise reasonable while any disciplinary procedure is outstanding. Arrangements would be confirmed in writing. While suspended, employees should not visit our premises or contact any of our clients, customers, suppliers, contractors or staff, unless authorised to do so by their line manager.
- The period of suspension will be under continuous review to ensure it is not unnecessarily protracted. Employees on suspension should be available to return to work at short notice.

## **G) Potential disciplinary actions**

The company will inform employees in writing of the outcome of any disciplinary action decision and the reasons for the decision, usually within one week of the disciplinary hearing.

### **Stage 1: Written warning**

If it is decided that an employee's conduct or performance is unsatisfactory management may give a written warning. This will state the nature of the complaint, the required standards that must be met and, where appropriate, a time limit for improvement. It will also state that further disciplinary action

will follow if the required standards are not met or if there is further misconduct. Employees will be informed of the right of appeal, and how and where this should be made. A record of the warning and related discussions will be placed on the employee's records. A written warning will normally cease to have effect after 12 months. If conduct is sufficiently serious, the company may omit Stage 1, and proceed straight to Stage 2.

## **Stage 2: Final written warning**

For more serious matters, or where employees have failed to meet the required standards after being warned, they may be given a Final Written Warning. This will state the nature of the complaint, the required standards that must be met and, where appropriate, a time limit for improvement. It will also state that the employee could be dismissed if the standards are not met or if there is further misconduct. Again, employees have the right to appeal. A record of the warning and a note of all related discussions will be placed on their personnel records. A final written warning will normally cease to have effect after 12 months.

## **Stage 3: Dismissal**

If there is still no improvement in conduct, where further misconduct occurs whilst the final written warning is active, or conduct amounts to gross misconduct, employees may be dismissed. The employee will be invited to a stage 3 disciplinary hearing and we will discuss a range of options

including dismissal, redeployment or extension of a final written warning. Where dismissal is appropriate, this will normally be on full notice and/or payment in lieu of some or all of an employee's notice period unless their conduct amounts to gross misconduct under these circumstances, employees will not be entitled to notice. This will be confirmed in writing and will include details of the appeals procedure.

## **Dismissal without notice ('summary dismissal')/gross misconduct**

We regard certain issues as serious enough to warrant 'summary dismissal' without prior warning. These issues would constitute gross misconduct – that is a single act of misconduct that is sufficiently serious to break the employment contract between the company and employee. Matters that may justify summary dismissal, include, but are not limited to:

- actions which may harm the wellbeing of a colleague or resident ("abuse")
- acts of dishonesty where employees' conduct affects their ability or suitability for continued employment with us, for example, theft, fraud, the deliberate falsification of records or expenses, a relevant criminal warning or conviction, or inclusion on the DBS register
- serious insubordination or rudeness to customers or suppliers and deliberate damage to property
- a serious breach of Health and Safety policies

- physical violence or aggressive behaviour
- indecent or immoral acts
- being under the influence of, or possessing, alcohol or illegal drugs during employment hours
- bringing the company into serious disrepute
- any breaches of confidentiality requirements in your contract of employment, other than minor breaches
- harassment or bullying, other than minor breaches
- breaches of our Equality and Diversity Policy, other than minor breaches
- wilful misrepresentation at the time of appointment, including:
  - previous positions held
  - qualifications held
  - falsification of date of birth
  - declaration of health
- failure to disclose a criminal conviction/caution within the provision of the Rehabilitation of Offenders Act
- abuse of the protected disclosure provisions
- serious failure to abide by the Professional Code of Conduct which applies to work, a copy of which was issued on engagement, a revised copy of which will have been issued if it has changed since engagement

- deliberate disclosure of privileged confidential information to unauthorised people
- negligent or deliberate failure to comply with the legal requirement for the company's policy and procedure concerning medicines
- working while contravening an enactment or working in such a way that is in breach of rules laid down by statutory bodies, e.g. removal from the register of the Nursing & Midwifery Council
- serious breach of data protection and/or failure to adhere to the policy
- failure to notify the company of an actual or suspected data breach
- a serious breach of trust and confidence.

## **H) Other disciplinary matters**

Matters which may justify invoking the disciplinary procedure but which do not amount to gross misconduct include, but are not limited to, the following:

- refusal to obey a legitimate instruction
- refusal to answer a question during the course of a properly constituted investigation
- absence without permission, or persistent absence
- poor timekeeping
- failure to report damage to company property

- failure to carry out your duties adequately
- breach of company policies, procedures and practices
- continued poor work performance, or a persistent failure to keep up to date with technical developments
- improper use of company equipment
- harassment or bullying (in ways that are not deemed serious enough to constitute gross misconduct)
- breaches of the company Equal Opportunities Policy (in ways that are not deemed serious enough to constitute gross misconduct)
- actions bringing the company into disrepute (in ways that are not deemed serious enough to constitute gross misconduct)
- minor breach of data protection or minor failure to adhere to the data protection policy

The above examples are illustrative and do not form an exhaustive list.

## **I) Alternatives to dismissal**

In some cases, we may, at our discretion, consider alternatives to dismissal. These may be authorised by a manager of sufficient seniority and will usually be accompanied by a final written warning. Examples include:

- demotion
- transfer to another department or job
- a period of suspension without pay



- loss of seniority
- reduction in pay
- loss of future pay increment or bonus
- loss of overtime

## **Nursing & Midwifery Council (NMC) and DBS referrals**

The Nursing & Midwifery Council is the regulatory body for nurses, midwives and specialist community public health nurses. The Disclosure & Barring Service (DBS) helps employers to prevent unsuitable people from working with specific groups, including children and vulnerable adults by ensuring that background checks are conducted. The company has a responsibility to refer an individual to these organisations if their fitness to practice is impaired by misconduct, lack of competence, a conviction or caution (including a finding of guilt by the court), physical or mental health, a finding by any other health or social care regulator or licensing body that a registrant's fitness to practice is impaired and a fraudulent or incorrect entry.

The company may report an employee's conduct to the Care Quality Commission (CQC), and/or the NMC and the Disclosure and Barring Service (DBS) if conduct, while employed by the company, is such as to suggest that an employee should not be employed in a position with access to vulnerable people.



## Short-service dismissals

We retain discretion in respect of the disciplinary procedures to take account of your length of service and to vary the procedures accordingly. If employees have completed a short length of service, they may not be in receipt of any warnings before dismissal, but they will retain the right to a hearing, notice and right of appeal.

## Grievance Policy (PP04)

Grievances are concerns, problem or complaints that employees raise with their employer. This process is intended to allow an individual employee to raise any grievance that they have regarding their employment within the company. Issues that may cause grievances include:

- terms and conditions of employment
- health and safety
- bullying and harassment
- working environment
- organisational change
- discrimination
- personal conflict

### A) Informal grievance procedure

The company expects that most grievances can be resolved informally through discussions between the employee and their line manager or, if the grievance relates to the

employee's line manager, with a more senior manager. Through this process, the company would look to discuss all the issues with the employee, and work towards a satisfactory resolution without the need for a formal process.

## **B) Formal grievance procedure**

Where it is not possible to resolve the grievance informally, the formal procedure will be invoked. The employee should detail their grievance in writing, including facts, times, dates, names and any other details. If the grievance relates to the employee's manager, then the grievance should be addressed to a more senior manager.

On receipt of the formal complaint and, dependent on the content, the company will carry out an investigation. The employee who raised the grievance will be expected to co-operate fully with this investigation.

The company will arrange a grievance meeting to be held usually within 7 days of the formal grievance being received. The employee will be invited to the grievance hearing in writing where you would have the opportunity to explain the grievance, along with views on how they would like it to be resolved. The grievance hearing manager will then make a decision taking into account what has been said and the outcome of any investigation that has taken place. The grievance hearing manager will write to the employee, usually within seven days of the conclusion of the grievance meeting,

with the outcome of the grievance, and details of any action they intend to take.

If the employee is not satisfied with the outcome, they have the right to appeal the decision. The appeal should be in writing, clearly detailing the full grounds of appeal, and be provided within seven days of the grievance outcome being communicated. The company will then hold a grievance appeal hearing, usually within seven days of receiving the notification of appeal and will appoint a manager who had not been previously involved in the grievance process to hear the appeal. The employee has a right to be accompanied by a colleague or Trade Union representative. The appeal outcome will be provided in writing, usually within seven days of the appeal hearing. At this point there is no further right of appeal.

Where an employee raises a grievance during a disciplinary process then, depending on the circumstances, 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 issues concurrently.

## Appeals procedure

If an employee is not satisfied with a disciplinary or grievance outcome decision, they may appeal, in writing, within seven working days. Arrangements to hear the appeal will normally be made within seven working days of receiving the written

request. If the decision appealed against was a decision to dismiss you, the appeal may be heard after the dismissal has taken place. All appeals must set out the grounds on which the appeal is being made.

We will invite employees, in writing, to an appeal hearing and remind them of their right to be accompanied by a colleague or trade union representative.

The appeal hearing will, where possible, be held by someone other than the person who held the original hearing. The outcome of the appeal will be confirmed in writing and will take one of three forms:

- the original decision will be upheld, in which case any disciplinary sanction will be confirmed.
- the original decision will be overturned, in which case any disciplinary sanction will be rescinded.
- the original decision will be substantially confirmed but a less severe sanction will be substituted for that originally imposed (usually in cases of appeals based on extenuating circumstances).

*There is no further right of appeal.*

In the event that an employee has been dismissed, the date of dismissal will not be delayed pending the outcome of an appeal. If the appeal is successful and the decision to dismiss revoked, they will suffer no loss of continuity or pay.

## Suspension

When the decision is taken to suspend an employee, due to conduct allegations or on health grounds, this does not constitute disciplinary action in itself and is simply a decision taken to facilitate a fair and full investigation into the situation or allegations. The decision to suspend will be confirmed in writing and the employee will not be allowed to enter the company premises or make contact with company employees except as instructed by the company to assist the investigatory process. The employee should also refrain from making contact with residents, relatives and company supply chain providers until advised otherwise.

## Performance Management: Capability Policy and Procedure (PP07)

The company will look to apply this policy and procedure when an employee is failing to achieve the levels of performance and standards that are expected of them, and either through a lack of skill, knowledge, experience or medical/health issues.

Given the nature of the company's business it is essential that poor levels of performance are managed correctly and appropriately in order to ensure that standards of care across the Group do not fall below the requisite levels. Where the company establishes that an employee's performance is

below the standard which is expected, steps will be taken to establish the facts and reasons for this and to identify ways to address the issues.

## The informal process

Where the manager/supervisor first establishes that an employee's performance is unacceptable, an informal discussion will be held with the employee to try to establish the reason. The manager and the employee will then work together to bring the employee's performance back to the required level. Informal discussions may help to:

- clarify the required standards
- identify areas of concern
- establish the likely causes of unsatisfactory performance and identify any training needs and/or
- through a performance improvement plan set targets for improvement and a timescale for review

Where issues cannot be resolved informally, or where the informal process has not received the desired outcome, the company will begin the formal performance management/capability process.

## Background to the formal process and key principles

This procedure is designed to help and encourage employees to achieve and maintain the required standards of capability

and performance in their work. It should ensure fair and consistent treatment of employees who fail to meet the required standards of performance. The procedure applies to employees who have successfully completed their probationary period.

Key principles in managing performance and capability through this procedure include:

- No employee will be dismissed for one instance of unsatisfactory performance unless it amounts to gross negligence.
- The company will provide for matters to be kept confidential but cannot prevent any speculative gossip which may occur among other employees.
- The company will allow the employee to be accompanied at any formal performance management hearing. The companion may be a work colleague of the employee's choice or trade union official who can participate in the meeting and take notes but cannot answer for the employee.
- An employee is not permitted to audio record any meetings in the performance management process without the express consent of the manager chairing the hearing.
- The formal performance management procedure may be implemented at any stage if the employee's shortcomings warrant such action.



- Consideration will be given to whether poor performance may be related to a disability and, if so, whether there are reasonable adjustments that could be made to the employee's working arrangements.

## Notification of a performance/capability hearing

If the company considers that there are grounds for taking formal action over alleged poor performance issues/standards, the employee will be required to attend a capability hearing. The employee will be notified in writing of their requirement to attend a hearing to discuss the concerns and the likely outcome, if it is decided after the hearing that the employee's performance has been unsatisfactory.

## Potential actions and outcomes from the procedure

### Stage 1 hearing: letter of concern

Following a stage 1 capability hearing, the company may decide that an employee's performance is unsatisfactory and may issue a letter of concern setting out:

- areas for improvement
- targets for improvement
- any measures, such as additional training or supervision, which will be taken with a view to improving performance



- a period for review
- the consequences of failing to improve within the review period, or of further unsatisfactory performance

The letter of concern will remain on the employee's record. An employee's performance will be monitored during the review period and the line manager will write to confirm the outcome.

## **Stage 2 hearing: first written warning**

If an employee's performance does not improve within the review period set out in a letter of concern, or if there is further evidence of poor performance the company may decide to hold a stage 2 capability hearing.

Following a stage 2 capability hearing, if an employee's performance is unsatisfactory, they may be given a written warning, setting out:

- the areas which have not met the required performance standards
- targets for improvement
- any measures, such as additional training or supervision, which will be taken with a view to improving performance
- a period for review
- the consequences of failing to improve within the review period, or of further unsatisfactory performance

A written warning will normally remain active for six months (though may be extended up to 12 months) from the date

it is issued. After the active period, the warning will remain permanently on the personnel file but will be disregarded in deciding the outcome of future capability proceedings. If the line manager is not satisfied, the matter may be progressed to a stage 3 capability hearing; or if the manager feels that there has been a substantial but insufficient improvement, the review period may be extended.

### **Stage 3 hearing: final written warning**

If there has been no improvement in the employee's performance, the required standard has not been met by the required timescale or where there is further evidence of poor performance during the period where the first written warning is active, the employee will be issued with a final written warning which will set out the following:

- the areas which have not met the required performance standards
- targets for improvement
- any measures, such as additional training or supervision, which will be taken with a view to improving performance
- a period for review
- the consequences of failing to improve within the review period, or of further unsatisfactory performance.

A final written warning will normally remain active for 12 months from the date it is issued. After the active period, the

warning will remain permanently on the employee's record but will be disregarded in deciding the outcome of future capability proceedings. If the line manager is not satisfied, the matter may be progressed to a stage 4 capability hearing; or if the line manager feels that there has been a substantial but insufficient improvement, the review period may be extended.

## **Stage 4 hearing: dismissal**

The company may decide to hold a stage 4 capability hearing if it has reason to believe that:

- the employee's performance has not improved sufficiently within the review period set out in a final written warning
- an employee's performance is unsatisfactory while a final written warning is still active or
- an employee's performance has been grossly negligent such as to warrant dismissal without the need for a final written warning

Following the hearing, if the company finds that an employee's performance is unsatisfactory, the following outcome may be:

- dismissal
- redeployment or
- extending a final written warning and setting a further review period

Where dismissal is appropriate, this will normally be on full notice and/or payment in lieu of notice unless the member of

staff's performance has been so negligent as to amount to gross misconduct.

## Appeals against action for poor performance

Where an employee feels that a decision about poor performance under this procedure is wrong or unjust, they should appeal in writing within seven days of the written decision, clearly stating their full grounds of appeal, to the appropriate appeal manager whose will be confirmed to the employee within one week of the date of appeal.

Where possible, the appeal hearing will be conducted by a more senior manager who has not been previously involved in the case. The employee may bring a companion to the appeal hearing. Following the appeal hearing the company may:

- confirm the original decision
- revoke the original decision or
- substitute a different penalty

The company will inform the employee in writing of the final decision as soon as possible, usually within one week of the appeal hearing. Where possible the organisation will also explain this to the employee in person. There will be no further right of appeal.

## Short-serving employees/probation periods

The company retains discretion in respect of the capability procedures to take account of length of service and to vary the procedures accordingly. If employees have a short amount of service and are within their probation period, employees may not be in receipt of any warnings before dismissal, but will retain the right to a hearing and will have the right to appeal.

## Mediation

In some instances, the company may, and at its own discretion, seek or agree to a process of mediation to help resolve issues of conflict before or during formal procedures. Mediation is an informal process that is voluntarily entered into by both the company and the employee, but cannot be invoked if either party feels that the process is inappropriate. Either party can also withdraw from the process at any time and for any reason.

The role of the mediator is to help the parties in dispute to reach a sustainable agreement – the process may succeed or fail. The mediator is not there to judge, to say one party is right or wrong or to tell those involved in the process what they should do. The mediator, who is normally identified by the company, is in charge of the process of seeking to resolve the problem but not the outcome. Any agreement comes from those in dispute and not the mediator.

## **Disclosures Policy (PR04)**

As an organisation using the Disclosure & Barring Service (DBS) to help assess the suitability of applicants for positions of trust, the company complies fully with the DBS Code of Practice regarding the correct handling, use, storage, retention and disposal of certificates and certificate information. It also complies fully with its obligations under the Data Protection Act 1998 and other relevant legislation pertaining to the safe handling, use, storage, retention and disposal of certificate information. A written policy on these matters is available to those who wish to see it on request. It contains information on the secure storage, handling, use, retention and disposal of DBS certificates and certificate information.

## **Rights of search**

The company retains a right to carry out searches of employees and their property (including vehicles) and clothing while they are on our premises. This is for the purpose of ensuring that no property (including drugs) belonging to the company or any of its' service users or employees is unlawfully removed from its premises. These searches are random and do not imply suspicion in relation to any individual. It is agreed that the conduct of such a search does not constitute an allegation or admission of any wrongful conduct.

Where employees are required to submit to a search, if practicable they will be entitled to be accompanied by a third

party to be selected from a work colleague who is on the premises at the time a search is taking place. This right also applies at the time that any further questioning takes place.

Employees may be asked to remove the contents of their pockets, bags, vehicles, etc. While they have the right to refuse to be searched, any unreasonable refusal to agree to submit to a search when properly asked will be viewed as misconduct leading potentially to disciplinary action, up to and including dismissal.

The company reserves the right to inspect any parcel, package or case before it is brought onto or taken off the premises by employees. We reserve the right to call in the police at any stage.

## **Termination of employment**

If employees leave without giving the contractually required period of notice or leave without permission during their notice period, the company will adjust the final salary payment accordingly and employees will only receive payment for work undertaken. Employees will forfeit any contractual accrued holiday pay due, over and above their statutory holiday pay, if they fail to give or work the required period of notice.

At the termination of employment employees must return all company property in their possession or for which they have responsibility. Failure to return such items will result in the market value cost of the items being deducted from any monies outstanding, including any final payment of salary.



- 81–87 Holiday Policy and Procedure (PA02)
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## Holiday Policy and Procedure (PA02)

### Holiday entitlement

- Unless otherwise stated in the employee employment contract, employees are entitled to 5.6 weeks' (statutory minimum in line with the Working Time Regulations) annual holiday per year (or the pro-rata equivalent if they work on a part-time basis)
- One "week" is defined as the average working week of the twelve weeks prior to the holiday. This may be calculated in days or hours, depending on whether or not the employees working hours vary each week
- If employment starts or finishes part way through the holiday year, holiday entitlement during that year shall be calculated on a pro-rata basis

### Public holidays

Due to the nature of our business employees may be required to work on any of the public/bank holidays listed below, and it may be stipulated in contracts of employment that employees work on these days when required to do so.

The public/bank holidays each year are:

- New Year's Day (1 Jan)
- Good Friday
- Easter Monday
- The first Monday in May

- The last Monday in May
- The last Monday in August
- Christmas Day (25 Dec)
- Boxing Day (26 Dec)

Entitlements are pro rata for part-time employees.

Payment for public/bank holidays will not be made unless both working days preceding and following the holiday have been worked, except where these are part of employees' annual holiday or are covered by an authorised medical statement.

Where public/bank holidays are worked and it is deemed that payment will be made at the bank holiday rate, this will be detailed in the employee's contract of employment. For the purpose of premium payments, the holiday will be deemed to run from midnight to midnight.

### Holiday accrual

During the first year of employment, and for leave purposes only, employees accrue leave entitlement at one-twelfth of annual entitlement for each calendar month in which employees work. Accrued entitlement for leave purposes is rounded to the nearest half-day. No service with any other employer counts when calculating accrued entitlement.

Holidays may not usually be taken in advance of being accrued. If employees wish to exceed this limit they must make the request to their line manager for approval at least three months

in advance. If the holiday is approved and employees leave employment with the organisation, having taken holidays in excess of accrued pay entitlement, the excess will be reclaimed and deducted from their final wages. In the event that the excess owed exceeds the wages owed, employees must refund the difference to the organisation personally.

For the purposes of holiday pay due (or to be repaid) on termination, the accrued holiday is calculated pro rata to the actual days on which employees were employed in the holiday year, irrespective of whether this is their first year of employment or not. For pay purposes, there is no half-day rounding.

Every effort will be made to meet the needs of new employees in respect of commitments to holidays already made. New employees should inform the company of any holiday plans at the earliest opportunity. Where the booked holiday exceeds their annual holiday entitlement, consideration will be given to granting unpaid holiday up to a maximum of two weeks.

## Holiday rules

The following rules apply to all holidays:

- Employees working in care homes are generally not permitted to take annual leave over both the Christmas and New Year period. Employees will generally either work at Christmas or New Year. Specific requests may be considered. Line managers will endeavour to ensure that staff working one Christmas will have the following Christmas off.

# 6

## Holidays, absence & sickness

- The annual entitlement includes the usual eight public holidays. Although our care homes observe these, the company reserves the right to require employees to work during a public holiday on a rota. If employees are required to work during a public holiday, overtime premiums will apply in accordance with the contract of employment.
- Employees who do not regularly work on the weekday on which a public holiday falls, are not entitled to receive pay for the day in question. However, their holiday entitlement will be adjusted to ensure that they receive a pro rata equivalent to that received by full-time employees.
- Where there are conflicting holiday requests, priority will normally be given to the employee whose request was received first. Managers may exercise some discretion to ensure equitable treatment.
- No more than two weeks of annual holiday may normally be taken at one time. Requests exceeding this limit must be made to line managers at least three months in advance.
- If annual holiday is taken without prior approval, employees will be deemed to be absent without authorisation and may be subject to disciplinary action, which could include dismissal.
- The company may require employees to take (or not to take) holiday on particular dates, including when sites or offices are closed, particularly busy or during notice periods. Such days will be notified in a reasonable time ahead of the required dates.

- The company appreciates that some employees may wish to take time off over religious holidays. The company will look to accommodate such requests as best it can, taking into account operational requirements. Such requests should be submitted in accordance with the Annual Leave Policy and Procedure and will be granted on a first-come, first-served basis.

### Obtaining approval

All annual holiday requests must receive line management approval before being taken. When employees wish to take part of their annual holiday entitlement they should follow the procedure set out by the company. This will be advised as part of the employee induction process.

### Carrying holiday over

The company's holiday year runs from 1 April to 31 March for the care homes and from 1 January to 31 December for support office employees.

Employees' full annual holiday entitlement for the year must be taken during the holiday year in which it accrues. No payment in lieu will be made for any untaken holiday, nor will employees be allowed to carry it over to the next year in normal circumstances.

Untaken holiday entitlement can only be carried over into another holiday year, as follows:

- in cases involving long-term sickness absence
- in cases of maternity, paternity, adoption, parental or shared parental leave
- in exceptional circumstances, where a director has given permission in writing or
- if otherwise required by law

### Long-term sickness absence and holiday entitlement

Holiday entitlement continues to accrue during periods of absence through sickness. Employees who are on a period of sickness absence which spans two holiday years, or if they return to work after sickness absence so close to the end of the holiday year may carry over any unused holiday entitlement into the following holiday year. The carry-over of the holiday under this rule is limited to the four-week minimum holiday entitlement under EU law (which includes bank holidays), less any leave taken during the holiday year that has just ended. If employees have taken four weeks' holiday by the end of the holiday year, they will not be entitled to carry any leave over into the next holiday year. Alternatively, an employee can choose to take their paid holiday during sick leave by booking this leave with their line manager. In such a case employees will be paid at their normal rate of pay.

## **Sickness Absence Policy & Procedure (PA07)**

If employees are absent from work due to sickness or an accident, or believe that they may be suffering from an infectious or contagious disease or illness, employees must conform to the following procedure:

- Employees must notify their line manager in person at the earliest opportunity and no later than 30 minutes before the working day/shift starts on the first day of absence, giving the reason for the absence and the date that they expect to return to work. Employees are expected to telephone personally and not to pass a message through a third party. However, if unable to telephone personally due to the circumstances of the illness (e.g. loss of voice), they may ask a relative or friend to telephone on their behalf. Texting or emailing is not acceptable.
- If employees are based in a care home and are reporting the possibility of an infectious or contagious disease or illness, they must obtain clearance from a GP before attending work. The safety of residents is paramount.
- If the absence extends longer than originally anticipated, employees must contact their line manager to advise them of the situation.
- If the employee's absence becomes prolonged, they must keep in regular contact with their line manager, advising on their health, progress and when they are likely to return



to work. If employees do not contact line managers, they should expect to be contacted during their absence.

- For all absences, whatever their length, you must complete a Return to Work Form on the day of return, submit it to your line manager and attend a face-to-face interview to discuss the contents of the form.
- If they are returning to work after no more than seven calendar days of absence, employees must complete a self-certification form.
- If the absence lasts for longer than seven calendar days, they must forward medical certificates covering all days of absence at weekly intervals, in addition to the self-certificate.

## Returning to work

Employees should notify their line manager as soon as they know which day they will be returning to work, if this differs from a date of return previously notified. When they return to work after any period of sickness/injury absence (including absence covered by a medical certificate), they are also required to complete a self-certification and return to work form with their line manager before resuming work.

## Sickness absence and performance

If employee attendance records are poor, significantly worse than those of comparable employees, where it creates a particular operational difficulty, where the absence is for a prolonged period or where it falls below a specified standard



set by the company, line managers will investigate and arrange a meeting to discuss the situation.

Issues of capability arising from poor levels of attendance and/or patterns of absence are distinct from issues of capability involving long-term health problems or disability. The former is dealt with under the Capability Policy and Procedure and the latter under the Sickness Absence Policy. Failure to report sickness or follow local procedures will be defined as unauthorised absence, and dealt with under the Company Disciplinary Policy and Procedure.

### Long-term absence

Should an employee unfortunately become disabled or suffer from a long-term health condition during their employment, it is our policy to make every effort to help them retain their original position. Managers will try and balance the needs of the business with their support for the employee. In the event that the length of absence causes service delivery problems, which require either the employee to return or be replaced, line managers in conjunction with Human Resources and the company occupational health adviser will determine what action is to be taken.

### Short-term/intermittent absence

Short-term sporadic absence is particularly disruptive, as it cannot be planned for and puts more pressure on managers and colleagues. Intermittent non-attendance will be dealt with

in accordance with the stages of the disciplinary procedure, as appropriate.

Where the absences are unexplained, or sickness may be the underlying reason, a medical assessment will normally be requested through the company's occupational health adviser. Their objective is to provide the company with sufficient information to help them balance the employee's needs more effectively with that of the company or to make a decision regarding the employee's continued employment. Employees will be asked to agree that any report produced in connection with any such assessment may be disclosed to us, and that we may discuss the content of the report with our legal advisers or the relevant doctor.

Irrespective of the cause of the intermittent absences, the employee will be warned at each stage of the procedure of the consequences of any further failure to meet attendance targets. If the procedure is exhausted without sufficient improvement in attendance, employees may have their employment terminated with due notice, on capability or conduct grounds. Employees may appeal against the decision to dismiss by writing to their line manager giving the reasons for the appeal. This appeal must be made within five working days.

## Sick pay

### Statutory sickness pay

Employees are eligible for Statutory Sick Pay (SSP) if absent because of sickness or injury, provided that the criteria in the current SSP regulations are met. Qualifying days for SSP purposes are Monday to Friday, or as set out in contracts of employment. The rate of SSP is set by the government in April in each year. No SSP is payable for the first three consecutive days of absence. These days are referred to as 'waiting days'. SSP starts on the fourth day of absence and may be payable for up to 28 weeks. This is treated like wages and is subject to normal deductions. If they are not eligible for SSP or if SSP entitlement is coming to an end, the company will notify the employee.

### Company sick pay/discretionary sick pay

Employees may have a contractual eligibility for company sick pay which means that when they are absent through sickness, pay is paid at their contractual rate. This will be outlined in the contract of employment if eligible. Employees may also receive contractual sick pay at the discretion of a company director.

Once an employee has completed 12 months' service and, subject to the qualifying criteria, they may be awarded discretionary sick pay for any continuous absences over

28 days at their contracted pay rate, for a period up to a maximum of six months. This is non-contractual, subject to a specified criteria with payment at the discretion of a company director.

## Absence Management/Bradford Factor (PP01)

The company will monitor employee sickness and absence through the use of automated records. The company operates the Bradford Factor (BF) system for monitoring sickness absence.

The following formula is used to determine employees' BF scores using employee attendance history over the previous 12 months:

**A x A x D** = Bradford Factor score (BF)

**A** = Periods of absence

**D** = Number of days absence

### Example 1

An employee with an absence of 14 days (D) in one period (A)

**A x A x D** = BF score

**1 x 1 x 14** = 14

### Example 2

An employee with an absence of 4 days (D) in four periods (A)

$$\begin{aligned} \mathbf{A \times A \times D} &= \mathbf{BF \ score} \\ \mathbf{4 \times 4 \times 4} &= \mathbf{64} \end{aligned}$$

### Example 3

An employee with an absence of 14 days (D) in 7 periods (A)

$$\begin{aligned} \mathbf{A \times A \times D} &= \mathbf{BF \ score} \\ \mathbf{7 \times 7 \times 14} &= \mathbf{686} \end{aligned}$$

An employee with a Bradford Factor score of over 64 (four periods of absence, of four days in total, over a 12-month period) will be invited to attend a welfare meeting to discuss their absence. This will be an opportunity to discuss how they can reduce any further sickness absence in an agreed action plan and can, where appropriate, the company can help them to reduce the absence in the future. Any concerns regarding attendance at work should be discussed with their line manager.

## Medicals/Access to Records/Health and Fitness Declarations (PP06)

In the event that an employee is absent through sickness, or appears to be suffering with a physical or psychological complaint, the company may choose to seek medical advice on the employee's condition in order to better understand that condition, and to assist with managing it going forward.

The company will normally first hold an informal welfare meeting with the employee concerned to gain a better understanding of any diagnosis, prognosis or treatment that the employee is receiving. If necessary, the company will seek the consent of the employee to undergo an occupational health assessment and for the occupational health adviser to produce and release a report. The company will explain the employee's rights under the Access to Medical Reports Act 1988 and will provide the employee with a consent form to sign at the welfare meeting, or soon afterwards.

After the occupational health report has been disclosed to the company, the content will be considered and be discussed with the employee with a view to managing their condition going forward. This may be by way of reasonable adjustments, if necessary, or the application of the Capability Procedure.

## **Occupational health and employee wellbeing**

The company has committed to put in place a framework of service provision to support the employment of its employees by creating a safe and healthy environment. Employees are required to co-operate with any occupational health procedure adopted by the company to ensure that there is no conflict between the employee's health and the nature of the work they perform for the company.

## **Working with a Disability (PE06)**

The company selects and employs people solely on the basis of their relevant aptitudes, skills and abilities. The company is committed to comply with its clear legal and moral obligation towards its employees and the community at large, to ensure that people with disabilities are offered equal opportunities to enter employment and progress within the company. In order that the company can support employees with disabilities appropriately new employees should advise the company of any disability they may have at the time of joining. Existing employees should discuss with their line managers or Human Resources any disability which may develop during the course of their employment.

## **Menopause in the Workplace (PM19)**

The company recognises that there are times when female employees are impacted by symptoms of the menopause. Our policy is designed to support them while minimising the risk of disruption if they take time off work because of their symptoms. In such situations, we may need to put in place flexible working solutions and support on an individual basis. Employees should review the policy and discuss any requirements for support with their line manager or Human Resources.



## Hospital/health appointments

Employees are expected to make every effort to ensure that any necessary medical, dental, optical or other health appointments are arranged outside of normal working hours. If appointments can only be arranged to take place during your normal working hours, employees must ask their line manager's permission for time off work as far in advance of the appointment as possible. Employees may be asked to provide evidence of confirmation of the appointment.

## Compassionate/Bereavement Leave (PA13)

The company will look to provide a period of paid leave of up to three days to those employees who are having to deal with the death of a close relative, to allow them the time needed to make arrangements for a funeral, or where compassionate leave may be required for an employee who has a close relative who is seriously or critically ill.

Employees should discuss the circumstances with their line manager to agree the appropriate time off. There is no contractual entitlement to remuneration for absences relating to compassionate or bereavement leave, and any leave is at company discretion, but the company will endeavour to give sympathetic consideration to requests to meet circumstances where the use of holiday entitlement is impossible or inappropriate. Any payment will be made at the absolute discretion of a company director.



## **Other Leave/Unable to Attend Workplace Policy (PA09)**

Any employee who is absent from work, without permission from their line manager, will be considered to be absent without authorised leave (AWOL). This could result in disciplinary action.

If weather and related transport conditions make it impossible for an employee to attend their normal place of work, they should notify their manager of the circumstances by telephone as soon as possible.

The employee may be required to make up lost hours at an agreed later date, work from home (if the role permits and is pre-approved) or, where the previous options are not practicable, the lost time will be unpaid or taken as holiday.

## **Garden leave**

Employees may, at any time, and for any reason, be required not to attend their normal place of work and remain at home on full pay on garden leave. The company will be under no obligation to provide work for the employee and entitled to exclude the employee from any of the Group's places of business. During such a period of garden leave, we will continue to pay salary and provide all benefits (or an allowance in lieu thereof) that form part of the Contract of Employment.

Employees on garden leave should be available to return to work at short notice. They may be required to take their accrued holiday during this period. Employees are not allowed to work for any other employer or on a self-employed basis without express permission of a company director during garden leave.

## **Statutory Time Off Policy (PA08)**

The Statutory Time Off Policy outlines the leave entitlements for employees, which are statutory. The policy outlines when the company is obliged to grant leave. This leave falls under the following headings:

### **Time off for dependants**

Employees will be entitled to take a reasonable period of unpaid time off work to deal with an unexpected or sudden problem. The intention is to provide employees with the ability to deal with the emergency. Reasonable time off in relation to a particular problem will vary depending on the issue. It should be no longer than necessary to address and deal with the emergency. It will not normally be more than two or three days. However, the company will always consider each set of circumstances on their facts.

### **Time off in a redundancy situation**

The company hopes that an employee will never need to exercise this right. However, should an employee be under

notice of dismissal by way of redundancy, they will be entitled to reasonable time off from work to attend interviews for a new job or attend training.

## Public duties

Employees who may need time off for public duties should inform their line manager in writing as soon as is reasonably practicable, after they become aware that they are required to perform these duties. See the full policy for eligible public duty roles.

## Jury service/court duties

An employee should inform their line manager that they have been selected for jury service as soon as possible after receiving the summons. The company reserves the right to request a copy of the summons. The company reserves the right to request that an employee applies to defer or be excused from jury service, should the company determine that this is necessary for operational reasons. Employees should claim from the court the maximum amount to which they are entitled in respect of loss of earnings. Details of the amounts paid should be disclosed in respect of attendance at court (other than reimbursement of expenses) to Payroll. Employee absences will be paid at their normal rate subject to a deduction equal to the amount of the loss of earnings allowance to which employees are entitled to under the Juror's Allowance Regulations in force at the time. Payments made by the company under this paragraph will be paid net of deductions that are legally required.

## Reserve Forces duties

The company understands that there may be employees who are members of the Reserve Forces who may be called up at any time for deployment on full-time operations. The company also understands that those employees will be required to attend regular training. Reserve Force duties are unpaid, and employees should use existing annual leave entitlement to meet training commitments if needed. Detailed below is a list of some of the general policies of the company which may affect an employee's day-to-day-employment. Full details of all company procedures are held and available for viewing on the on-line policy database and within the local care home or support offices.

<b>103</b>	QCS Policy and Procedure System
<b>103–104</b>	Equality and Diversity Policy (PE03)
<b>104</b>	Right to Dignity at Work/Harassment Policy (PE01)
<b>105</b>	Anti-Bullying Policy (PE05)
<b>106</b>	Modern-Slavery and Human Trafficking (PE07)
<b>106</b>	Gender Pay Policy (PE08)
<b>106–107</b>	Transgender Policy (PE09)
<b>107</b>	Redundancy Procedure (PM04)
<b>107–108</b>	Whistleblowing Policy (PM11)
<b>108–109</b>	Relationships at Work (PM18)
<b>109–110</b>	Recruitment and Selection Policy (PR12)
<b>110–111</b>	Right-to-Work Checks Policy (PR16)
<b>111</b>	Employment of Young Persons (PR18)
<b>112</b>	References Policy (PR23)
<b>113</b>	Ex-Offenders (PR08)
<b>114–117</b>	Family-Friendly Policies
<b>114</b>	– Flexible Working (PE02)
<b>114–115</b>	– Adoption (PA01)
<b>115</b>	– Maternity Leave (PA04)
<b>116</b>	– Paternity Leave (PA05)

- 116** – Parental Leave (PA12)
- 116–117** – Shared Parental Leave (PA10)
- 118 –120** Information Technology
- 118–119** – Computers, Email and Internet Usage (AB07)
- 120** – Social Networking Policy (AB26)
- 120** – Monitoring
- 120** – CCTV usage
- 121–122** Anti-Bribery (AB18)
- 122** Data Protection/GDPR
- 122–123** – Intellectual Property Rights
- 123–126** – Employee Privacy Notice (GDPR07)
- 126–127** – Access to Employee Data
- 127** – Rectification of Employee Data
- 127** – Right to Be Forgotten
- 128** – Right to Restrict Processing
- 128** – Data Portability
- 128–129** – Right to Object
- 129–130** – Confidentiality
- 130** Safeguarding
- 131** Sleeping on Duty
- 131** Communications: Public Statements

Detailed below are some of the general policies of the company which may affect an employee's day-to-day-employment. Full details of all the company procedures are held and available for viewing on the online policy database and within the local care home or support offices.

## Quality Compliance System (QCS) online policy database

The company uses QCS for the management of its policies. Employees can access the system in a care home, office or, alternatively, on a smartphone/device or PC at [www.ukqcs.co.uk](http://www.ukqcs.co.uk).

Employees should then select the login button and then enter a username and password which will be provided at the company induction. Employees will then be able to view all the relevant policies online and, if required, these documents can be printed.

## Equality and Diversity (PE03)

The company's Equality and Diversity Policy and Procedure (PE03) helps to ensure that all employees are able to work in an environment to the best of their skills and abilities without the threat of discrimination or harassment. The company is committed to ensuring that all employees and job applicants receive equal treatment regardless of any protected characteristics (age, disability, gender reassignment,

marital or civil partner status, pregnancy or maternity, race, colour, nationality, ethnic or national origin, religion or belief, sex or sexual orientation). This policy applies to all aspects of employment within the company. For the avoidance of doubt this includes recruitment, pay and conditions, training, appraisals, promotion, conduct at work, disciplinary and grievance procedures and termination of employment.

## **Right to Dignity at Work/Harassment Policy (PE01)**

Unwanted behaviour, which an employee finds intimidating, threatening, embarrassing, humiliating, discriminatory or offensive, contravenes the company policy which recognises an individual's basic right to be treated with dignity at work and to work in an environment free from harassment. All employees have a responsibility to ensure that they conduct themselves in a manner that does not cause harassment to others, and line managers have a special responsibility to ensure that harassment, bullying or victimisation does not take place.

Where possible, an employee who believes that they have been the subject of harassment or offensive behaviour should tell the person responsible that they find their behaviour offensive and ask them to stop. If the harassment or offensive behaviour continues, or the employee is unable to confront the alleged behaviour, the employee may pursue the issue through the Grievance Procedure.



## Anti-Bullying Policy (PE05)

The company is committed to providing a caring, friendly and safe environment for all employees and residents, ensuring that they are treated with dignity and respect so they can work and live in a relaxed and secure atmosphere. Bullying of any kind is unacceptable and if bullying does occur, all incidents will be dealt with promptly and effectively.

Bullying is categorised as “offensive, intimidating, malicious or insulting behaviour involving the misuse of power that can leave an employee feeling vulnerable, upset, humiliated, undermined or threatened.”

Bullying can be:

- **emotional** – being unfriendly, excluding and ignoring, tormenting (e.g. hiding or interfering with belongings, threatening gestures, threatening language)
- **physical** – pushing, kicking, hitting, punching or any use of violence
- **verbal** – name-calling, criticising in public, sarcasm, spreading rumours, teasing
- **mobile** – threats by text messaging and calls, misuse of associated technology, e.g. camera and video facilities

If employees believe they are being bullied or witness an incident of someone being bullied, they must report it immediately to their line manager.

## **Modern-Slavery and Human Trafficking Statement (PE07)**

Modern slavery is a crime and a violation of fundamental human rights taking various forms, such as slavery, servitude, forced and compulsory labour and human trafficking. All these have in common the deprivation of a person's liberty by another in order to exploit them for personal or commercial gain. The company is committed to ensuring that its practices combat slavery and human trafficking. Employees are encouraged to raise any concerns in connection with this policy to their line manager. The company policy and statement of intent is made pursuant to section 54(1) of the Modern Slavery Act 2015 and constitutes the company's Slavery and Human Trafficking Statement.

## **Gender Pay Policy (PE08)**

The company understands in accordance with its Gender Pay Policy, that should an individual company within the Group employ more than 250 employees it is required to publish information relating to the difference between male and female pay within 12 months of the snapshot date.

## **Transgender Policy (PE09)**

The company is committed to supporting and understanding any employee who wishes to take, or has taken, steps to present themselves in a gender different to the gender

assigned to them at birth. The company aims to ensure that no individual is treated less favourably on the grounds of gender reassignment – a protected characteristic under the Equality Act 2010.

## Redundancy Procedure (PM04)

While it is the intention of the company to develop and expand its business activities and provide a stable work environment and reasonable security of employment for its employees, it must ensure the economic viability of the enterprise in an increasingly competitive business environment. Circumstances may arise where changes in the market, technology or organisational requirements necessitate the need for redundancies to be made. In order to minimise the impact of such reductions in the workforce, the Redundancy Procedure (PM04) will be adopted wherever possible.

## Whistleblowing Policy (PM11)

The company encourages a free and open culture in its dealings with employees and those with whom it engages in business. The Whistleblowing Policy is intended to provide a safeguard that enables employees to raise concerns about one or more of the following issues that have occurred or is likely to occur:

- that a criminal offence has been committed, is being committed or is likely to be committed

- that a person has failed, is failing or is likely to fail to comply with any legal obligation to which they are subjected
- that a miscarriage of justice has occurred, is occurring or is likely to occur
- that the health and safety of any individual has been, is being or is likely to be damaged

Any concerns should be reported in confidence to the line manager. Refer to the full policy for procedure and action to be taken in any of the above circumstances.

## Relationships at Work (PM18)

The company recognises that there may be family members working together within the business in a care delivery or operational role. The company understands the implications from a human resource perspective but is also aware of the impact that this may have on the management of employees. The company will, wherever possible, not actively place family members together within the same work team. Where this is unavoidable, it will ensure that there are additional spot checks and supervisions to safeguard residents' wellbeing.

The company understands that there may be circumstances in which care is commissioned with the family member recruited to care for their relative. It recognises that this should only be in extenuating circumstances and in discussion with the appropriate stakeholders. There will also need to be additional monitoring in place to safeguard the resident.

The company recognises that it is not uncommon for close relationships to develop between people who work together and that such relationships need not present any difficulty. However, in particular circumstances, relationships between employees may cause concern. For instance, where there is a potential for a conflict of interest, breach of confidentiality or, with regard to financial or audit requirements, there may be cases where the individuals concerned may need to withdraw from making certain decisions or undertaking certain roles to protect themselves and the company. Failure to disclose a close personal relationship will be considered a serious matter and may result in disciplinary action.

## **Recruitment and Selection Policy (PR12)**

The company's Recruitment and Selection Policy ensures that employees are recruited when necessary, that the best person for each vacancy is selected and no discrimination takes place. The company also aims to ensure that it recruits employees who comply with statutes, regulations and quality standards, and adhere to the company's values.

Employees will only be recruited when there is a long-term permanent vacancy, and the best person for each vacancy will be recruited, regardless of age, gender, sexual orientation, race, creed or disability. Wherever possible, existing employees will be invited to apply for promotion opportunities. A decision to interview, shortlist or offer employment will take no account of an applicant's trade union membership or

non-membership. Interviewers will comply with the highest standards of interviewing, testing the applicant against agreed standards. Specific attention will be given to avoiding discrimination of any kind.

All recruited employees will be required to provide a National Insurance (NI) number, with evidence that it is valid (such as a P45 or NI card). All applicants will be required to establish their identity using photographic evidence (such as a photographic driver's licence, passport, etc.) for criminal record checks, and all employees will be required to produce documentation to prove any change of name (e.g. a marriage licence), or sign a declaration stating the reason for the name change.

Because the job requires access to vulnerable people, all employees will be informed that on recruitment they will be subject to a request for their criminal records and that their employment will be conditional on that information being satisfactory. Employees will also agree that the employer may make repeat checks at any time during their employment and disciplinary action taken if the information received indicates that the employee is no longer suitable, by reason of a relevant conviction or listing on the register of unsuitable persons.

## **Right to Work Checks Policy (PR16)**

The company will carry out document checks to ensure that it meets its responsibilities under the Immigration, Asylum and Nationality Act 2006, and its regulations, so that only those who are entitled to work in the UK are employed in accordance

with any restrictions imposed on their employment. Should the company become aware that an individual does not have the right to work in the UK or, following a repeat check, an existing employee is no longer allowed in the UK to carry out work, the company will ensure that they do not continue to employ this person if they do not have the relevant permissions in line with the above policy.

## **Employment of Young Persons Policy (PR18)**

The company will not employ children under the age of 14 years. Employment of all people under the age of 18 will be subject to a health and safety assessment specific to the risks implicit in the age of the person. This assessment must be carried out by an appropriate line manager and acted upon to reduce the risk to that person as much as possible. Employment of children will not be in areas where any contact with personal care needs are required. A health and safety assessment specific to the risks implicit in the age of the person must be carried out, and the results must be communicated to the young person's parents. Children must only carry out 'light work' as work that is unlikely to be harmful to the child's safety, health or development, to their school attendance or participation in work experience.



## References Policy (PR23)

Employees should not be allowed to start work before the company has received responses to its requests for references. Should any reference be deemed by the company to be unsatisfactory, the employee understands it is within their employment contract that their employment may be terminated without notice.

The company expects two previous employer references will be requested from an applicant, one of which must be from their most recent employer. Both references must be in place before the start of employment.

If candidates are unable to provide two employer references, this must be risk assessed on an individual basis. Evidence should demonstrate that the company has gathered all available information to confirm that the person is honest, trustworthy, reliable, respectful, and of a generally good character.

If an employee chooses to leave the company they may be provided with a reference, as appropriate, directly to their new employer. Employees should ensure that all reference requests are directed to their former line manager. No reference should be given by any other employee of the company on behalf of or in connection with the company.



## Ex-Offenders Policy (PR08)

Employees and line managers should reference the Ex-Offenders Policy (PR08) and the DBS Policy and Procedure (PR04) for details of how the company deals with Ex-Offender checks.

The company complies with The Rehabilitation of Offenders Act 1974 and seeks to ensure that any past offences do not impact on an individual's life afterwards, if they have continued to abide by the law. This usually means that we do not consider any spent conviction unless someone wants to work with children, young people or adults at risk.

An employee who has been convicted of a criminal offence but does not re-offend during a specific period will be entitled to treat themselves as having a clean record in certain circumstances. The effect is to treat this conviction as 'spent'. This is unless the occupation for which they are employed is an 'excepted occupation' or if the rehabilitation period has not yet expired.

When someone is working with children, young people or adults at risk, regardless of whether a conviction is deemed spent, they are required by law to inform the company. Failure to disclose this constitutes gross misconduct and may lead to summary dismissal or, if not yet employed, withdrawal of an offer of employment.

## **FAMILY-FRIENDLY POLICIES**

The company complies with all statutory regulations regarding family-friendly rights and policies. Due to the vast amount of information contained within each policy the Employee Handbook provides only an overview of information contained in the various family-friendly policies. For the full policies, refer to the QCS using the number indicated in brackets as a policy reference. Employees should discuss any queries regarding a family-friendly policy with their line manager.

### **Flexible Working (PE02)**

Eligible employees with 26 weeks continuous service have the right to request a permanent change to their working arrangements. Employees should raise their request in writing, setting out the change to the working condition that they are seeking and the effect the requested change would have on the company. The employee will then be invited to a meeting to discuss these impacts, and a decision will be made in accordance with guidelines laid down within the procedure.

### **Adoption Leave (PA01)**

Adoption leave is time taken off by an employee before and after the adoption of a child. The Adoption Leave Policy and Procedure is applicable to all employees, outlining entitlements to adoption leave. The policy contains information on:

- adoption leave and entitlement
- overseas adoptions
- notification requirements
- details on entitlement to Statutory Adoption Pay
- terms and conditions while on leave
- keeping-in-touch days

## Maternity Leave (PA04)

Maternity leave is time taken off by a pregnant employee before and after the birth of their baby. A medical certificate (form MATB1) confirming the date of confinement must be supplied to the line manager who will direct employees to the full guidance on all matters concerning maternity provision.

The policy contains information on:

- entitlements for pregnant employees and those on maternity leave
- details on maternity leave – compulsory, standard and additional
- details on entitlement to Statutory Maternity Pay
- terms and conditions while on leave
- time off to attend antenatal appointments
- keeping-in-touch days
- returning to work

## **Paternity Leave (PA05)**

Paternity leave is time taken off by eligible employees following the birth of their baby. The Paternity Leave Policy and Procedure informs employees of their entitlement to statutory paternity rights. The policy contains information on:

- entitlement for Statutory Paternity Leave
- details on paternity leave – ordinary and additional leave
- details on Statutory Paternity Pay
- terms and conditions while on leave

## **Parental Leave (PA12)**

Parental leave is the right to take time off up to 18 weeks' unpaid parental leave if the employee has at least one year's continuous service. A maximum of four weeks parental leave can be taken in any particular year and a maximum of 18 weeks until the child's 18<sup>th</sup> birthday. Full details of the policy are contained within QCS.

## **Shared Parental Leave (PA10)**

Shared parental leave (SPL) may be available to parents/partners with 26 weeks' service following the birth or adoption placement of a child. The purpose of SPL is to allow the parents/partners to share leave entitlement in order to care for the child in the first year of birth or placement. SPL can be taken in more than one block and parents/partners can choose to be on leave at the same or different times.

The right to SPL is a right for parents/partners to share up to 52 weeks of leave. SPL must end no later than one year after the birth of the child or the anniversary of the child's placement. The policy contains information on:

- conditions of eligibility to receive the entitlement
- explanation of the periods of leave
- pay arrangement
- notification procedures
- rights during leave
- returning to work

SPL should not be confused with parental leave which is an additional unpaid entitlement.

## INFORMATION TECHNOLOGY

### Computer, Email and Internet Usage (AB07)

The company has a number of IT-related policies that outline the standards employees must adhere to when using company computers, internet and email systems. The policy outlines the circumstances in which the company monitors usage and the action that needs to be taken in respect of breaches of the policy.

Use of computer equipment principles include:

- Introduction and downloading of active software, in whatever format, on to company IT equipment must be authorised by the company IT lead, who in turn must check that the software is safe.
- Only authorised staff should have access to company computer equipment.
- Only software that is used for business applications may be used.
- No software may be brought into or taken from the company without prior authorisation.
- There will be no unauthorised copying of data and/or removal of computer equipment/software.
- Use of computer equipment, email and internet systems should be restricted to business use only. A small amount of personal use may be permitted during recognised breaks/ lunch hours with the permission of the line manager.

- Employees must ensure that they protect the network and contents from unauthorised access. They must log off the network when finished working. Employees must ensure that any equipment logged on to the network is protected if they leave it unattended, even for a short time.
- Employees must have their own unique password and **must not share passwords.**
- Any breach of the above principles may result in disciplinary action.

## Social Networking Policy (AB26)

It is recognised that the use of social networking sites such as Facebook and Twitter are widespread. However, use of these sites while at work is not permitted. When not at work and using such sites, caution should be exercised by employees when referring to any work-related matters, as any detrimental comments which are likely to bring the company into dispute will result in disciplinary action being taken. Employees should not have any work-related conversations about residents or post defamatory information about peers or the company on blogging or social networking sites.

This includes participation in chat groups or social media content that discriminates against any protected classification including age, race, colour, religion, gender, national origin, disability, or genetic information, sexual preference and weight. Evidence of this occurring or breach of the Social Networking Policy will be subject to disciplinary action.

## Monitoring

For business reasons, and in order to carry out the company's legal obligations, the use of systems including telephones and computers, and any personal use of them may be continually monitored by automated software or otherwise. Monitoring will only be carried out to the extent permitted or as required by law, and as necessary and justifiable for business purposes.

## CCTV usage

The company CCTV policy covers all employees of the company, those providing a service to the company, residents and visitors. Deployment of CCTV within the business is for the following specific reasons:

- prevention or detection of crime or disorder
- apprehension and prosecution of offenders
- interest of public and employee Health and Safety – protection of public health.
- protection of property and assets

Access to, and disclosure of, the images recorded by CCTV and similar surveillance equipment is restricted and carefully controlled. This ensures that the rights of individuals are preserved, but also that the continuity of evidence remains intact should the images be required for evidential purposes, e.g. a police enquiry or an investigation being undertaken as part of the disciplinary procedure. Employees should make themselves familiar with the full CCTV policy.



## Anti-Bribery Policy (AB18)

The principle of integrity requires that employees should not place themselves under an obligation that might influence or be perceived to influence, the conduct of their duties. Employees receiving or offering gifts, services, benefits or hospitality, where the expectation is that the receiver (or someone connected to the receiver) will act in a way they would not otherwise have done as a result of the gift, service, benefit or hospitality are potentially acting corruptly and violating the Bribery Act 2010 and Proceeds of Crime Act 2002.

Gifts can include cash, tokens, invites and physical items. These should not be accepted unless there is a genuine business benefit and the acceptance is deemed not to influence or compromise the employee's position or any business decision. Any gifts which are offered or received should be declared and the line manager should be notified and if already received should be handed to the line manager and not kept by the individual. The line manager will, in turn, make a company director aware of the gift so that appropriateness can be considered and a decision made as to whether the gift should be accepted. Any gifts that are accepted must be formally recorded.

If employees fail to declare a gift, it will be treated as a potential gross misconduct and they will be subject to the company's disciplinary procedures which may result in summary dismissal. If employees are unsure, they should

always seek the advice of a line manager/Human Resources department.

Employees must not assist residents in the wording of their wills, be executors or beneficiaries of their wills, or in any way abuse the privileged relationship that exists between the employee and a resident. Any breach of this rule will be treated as gross misconduct and may lead to summary dismissal.

## DATA PROTECTION/GDPR OBLIGATIONS

All employees should be aware of the importance and requirement of handling personal data appropriately, whether on computer systems or paper files. Any information held should be as accurate as possible, and not used for any reason other than the express purpose for which it is held. Employees should note that the unauthorised disclosure of personal data may, in some circumstances, be a criminal offence and may be treated by the company as gross misconduct.

## Intellectual property rights

All documentation written or generated by employees in the course of their employment ('the materials') are the company's exclusive property and all copyright and other intellectual property rights in the materials are the company's exclusive property. These materials should be returned to the company

immediately upon request and in the event of employment termination. Employees should take every step necessary to protect the company's confidential information and intellectual property rights in any materials.

During the course of employment, the company hopes that employees will find ways of improving the company processes and systems, and advise their line manager promptly of any and all new company-related ideas and inventions. The Patents Act of 1977 states that any inventions made by an employee in the course of their employment which relate to, or are reasonably capable of being used, in the business belong to the company.

## **Employee Privacy Notice (GDPR07)**

When the company processes personal data it is required to comply with the Data Protection Act 1998 ("DPA") up to and including 24 May 2018, and from 25 May 2018, the General Data Protection Regulation 2016 ("GDPR") (the DPA and GDPR are together referred to as the "Data Protection Legislation").

Personal data includes all the information held that identifies employees, for example, name, email address, postal address, date of birth, location data, medical and health records and information about religious beliefs, ethnic origin and race, sexual orientation and political views.

Everything the company does with personal data counts as processing it, including collecting, storing, amending, transferring and deleting it. The company is therefore required to comply with the Data Protection legislation to make sure that personal information is properly protected and used appropriately. The employee privacy notice, or fair processing notice, provides information about the personal data processed by the company, including why and how it is processed.

The company is the data controller of the personal data provided by employees. The company is appointed as the data controller as it has day to day responsibility for ensuring compliance with Data Protection legislation and for dealing with any requests received from individuals exercising their rights under the Data Protection legislation.

The company will process employee personal data for HR, employment and administrative purposes. Personal data is needed to make sure that employees have all they need to be able to work within the company, to make sure they are safe and secure at work and receive all the benefits and rights to which they are entitled.

The Employment Rights Act 1996 requires the company to obtain certain personal data, such as name. Without it, the company will may be unable to offer employment. The company may need other personal data to be able to enter into a contract with employees. If that personal data is not

received, the company may be unable to offer employment or fulfil its obligations as an employer.

The company processes employee information on the grounds of legitimate interests (e.g. employment obligations as an employer). The company may also rely on the fact that it needs to process personal data to fulfil the contract or to comply with a legal obligation. To process special categories of data about employees, the company will usually do so on the basis that the processing is necessary as part of an employee's employment.

If none of the grounds set out above applies, the company will obtain separate consent to the processing of personal data. Employees can withdraw consent at any time. This will not affect the lawfulness of any processing carried out prior to consent being withdrawn.

The company only transfers employee personal data to the extent that it needs to. Recipients of personal data include:

- company IT system providers/hosted data centres such as payroll, rota and HR databases
- insurers
- healthcare providers
- third parties that provide benefits schemes to the company
- pension providers
- company auditors

The company will not transfer your personal data outside of the European Economic Area (EEA).

The company will retain an employee's personal data for a period of seven years after they leave the company. Employee information is retained for this period in case any issues arise or in case employees have any queries. Information will be kept securely at all times. Following the end of the seven-year period, files and personal data held will be permanently deleted or destroyed. If consent to process personal data is obtained, any information used for this purpose will be kept until consent is withdrawn, unless the company is entitled to retain the personal data on the basis of other grounds set out in the Data Protection legislation.

Employees have a number of rights in respect of the personal data held about them. These are summarised below with more information available from the Information Commissioner's Office website: [www.ico.org.uk/for-organisations/guide-to-the-general-data-protection-regulation-gdpr/individual-rights](http://www.ico.org.uk/for-organisations/guide-to-the-general-data-protection-regulation-gdpr/individual-rights). These rights apply for the period in which the company processes employee data.

## Access to employee data

Employees have the right to ask to confirm that the company processes personal data, as well as having the right to request access to/copies of personal data. Employees can also ask to provide a range of information, although most of

that information corresponds to the information set out in the company's fair processing notice.

## Rectification of employee data

If they believe personal data held is inaccurate or incomplete, employees can ask for that information to be rectified. The company will comply with requests within one month of receiving it unless it is inappropriate, in which case the company will advise as to why. The company will also advise the employee if more time is needed to comply with the request.

## Right to be forgotten

In some circumstances, employees have the right to ask for personal data held about them to be deleted. This right is available when:

- the company no longer needs personal data
- the company has collected personal data where consent is withdrawn
- the company does not have any overriding legitimate interests to continue processing data
- the company has unlawfully processed personal data
- where personal data has to be deleted to comply with a legal obligation

There are certain scenarios in which the company is entitled to refuse to comply with a request. If any of those apply, employees will be advised.



## Right to restrict processing

In some circumstances, employees are entitled to ask to suppress the processing of personal data. This means that the company will stop actively processing personal data but does not have to delete it.

## Data portability

Employees have the right to ask to provide personal data in a structured, commonly used and machine-readable format so that they are able to transmit the personal data to another data controller. The company will respond to the request as soon as possible and, in any event, within one month from the date that it is received.

## Right to object

Employees are entitled to object to the processing of personal data if the processing is based on legitimate interests or performance of a task in the public interest or exercise of official authority. In order to object, they must have grounds for doing so based on a particular situation. The company will stop processing data unless it can demonstrate that there are compelling legitimate grounds which override the interests, rights and freedoms, or the processing is for the establishment, exercise or defence of legal claims.

The company does not carry out any automated decision making using personal data.



If it is believed that the company has processed personal data unlawfully or that it has not complied with GDPR, employees can report concerns to the Information Commissioner's Office ("ICO"). Contact details are set out on the ICO website at [www.ico.org.uk/concerns](http://www.ico.org.uk/concerns). If employees have any questions or would like more information about the ways in which data is processed, they can contact the company GDPR team at [GDPR@canfordhealthcare.co.uk](mailto:GDPR@canfordhealthcare.co.uk).

## Confidentiality

All information relating to the following circumstances shall be confidential:

- That is or has been acquired by employees during, or in the course of their employment, or has otherwise been acquired in confidence
- That it relates particularly to the company, or that of any persons or bodies with whom the company has dealings of any sort, including (but not limited to) residents and their relatives, employees, clients, suppliers, agents and other members of the company.
- Has not been made public by the company, or without authority.

Employees shall not at any time, whether before or after their termination of employment, disclose such information to any person without written consent.

Employees are expected to exercise reasonable care to keep safe all documents or other materials containing confidential information. At the time of termination of employment with, or at any other time upon demand, employees will return any materials stated above in their possession. Employees will inform the company immediately upon becoming aware, or suspecting, that a third party knows or has used any of the company's confidential information. The wrongful disclosure of confidential information or other breach of confidentiality is a disciplinary offence. Depending on the seriousness, the offence may amount to potential gross misconduct and could result in summary dismissal.

## Safeguarding

Abuse may be described as verbal, physical, sexual, psychological or financial. All company employees will receive training regarding these matters and will become familiar with the indicators of abuse. They must report any suspicions to their line manager (or if not available, to the operations manager or support office) immediately. If there is any doubt about any matter regarding safeguarding, employees are required to raise the matter with their line manager.

## Sleeping on duty

Any night duty conducted in a care home is a **waking-night duty**, meaning that employees are not permitted to sleep at any point while on shift. This includes turning off lights,

covering themselves in blankets and lying down on chairs. Designated breaks must only be taken in the staff room. If employees are found sleeping on duty, they may be dismissed for gross misconduct under the company disciplinary policy.

## **Communications: public statements**

Any query received from the media must be passed immediately to the line manager who, in turn, will liaise with the Marketing & Communications Department which will determine an appropriate response. Employees must not attempt to deal with any media query themselves. Employees should always seek advice and support from their manager for any media, social media or public-facing activity which has the potential to impact on the company's reputation. Information concerning residents and staff should be treated as confidential. Any communication involving this information should be treated as confidential and checked with line management.

- 133** Training Policy and Procedure (PR14)
- 133–134** Performance Appraisals (PR01/PR17)
- 134–135** Mandatory Training Requirements
- 135** NMC Membership and Revalidation
- 136** NMC and Professional Body Subscriptions
- 136** Learning Agreements
- 137** Apprenticeships (PR20)
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## **Training Policy and Procedure (PR14)**

By providing opportunities, facilities and financial help, the company aims to ensure that all employees are in possession of the knowledge, skills and experience necessary to perform their jobs to a satisfactory standard.

The company is committed to a positive programme of training and development for all employees. This is intended to develop skills and knowledge for the benefit of the company, as well as for individual employees and the residents. Employees will be given the opportunity to attend courses and seminars that will enhance their skills and knowledge.

The company encourages employees to take professional qualifications and, where appropriate, support (either financially or time off) will be provided. Employees may also make a request for appropriate training which may be eligible for funding support. Each application will be dealt with on an individual basis.

## **Performance Appraisals (PR01/PR17)**

To ensure that all employees have a clear understanding of both their objectives for the year and the direction of the business, the company has a Performance Appraisal structure. This company policy and procedure also ensures:

- A structured opportunity for two-way communication between line manager and employee on past and future performance and the support required to meet objectives

- Assistance is provided to employees in performing their jobs to the best of their abilities, maximising their levels of job satisfaction and their contributions to the organisation's objectives
- A mechanism to identify the individual employee's training and development needs that are required to meet the company's goals
- A structured discussion which highlights the potential for each individual employee to develop within their current position, or into another
- Each employee is aware of the contribution they make to the achievement of the company's objectives

## **Mandatory training requirements**

Mandatory training includes but, is not limited to, the following: fire safety, moving and handling, food hygiene, infection control, health and safety, and safeguarding of vulnerable adults, first aid, mental capacity act and dementia.

Support office inductions may include some of the above training as specified by the employees' line manager.

Where possible, courses will be arranged in working time. However, on some occasions, mandatory training may be held during or outside of regular working hours and employees will be given the maximum practical notice so that they will be able to attend the required training with minimal disruption to "off duty" hours.

Failure to attend the training without good reason may mean that employees are not able to continue in their role until the training is completed and, therefore, will be on unpaid suspension until the training is completed. Failure on more than one occasion to attend mandatory training/refresher courses required by the registration authorities and provided by us may constitute a disciplinary offence. The company reserves the right to deduct from wages the cost of training provided either due to non-attendance or as outlined in any specific training agreement. Non-attendance caused by illness will require a valid GP certificate.

## **Nursing & Midwifery Council (NMC) membership and revalidation**

NMC membership is essential for a practising nurse within the company. Revalidation is the process that all nurses and midwives in the UK are required to follow to maintain their registration with the NMC, enabling employees to practise as a nurse or midwife. Revalidation is straightforward and will help any nurse demonstrate that they practise safely and effectively. It will encourage employees to reflect on the role, the NMC Code of Practice and demonstrate that employees are 'living' the standards set out within it. A nurse will have to revalidate every three years to renew their registration. Failure to revalidate will mean an employed nurse will be unable to fulfil their contractual obligations and may jeopardise their employment with the company.

## **NMC and professional body subscriptions**

If an employee's role specifically requires that membership of a professional register is essential (e.g. registered manager, nurse, professional roles, etc.) or employment is subject to production and maintenance of any statutory registration/certificate/revalidation/enrolment appropriate to support your employment and profession, as part of the company's commitment to employees and their training, the company (with prior agreement) will support the renewal of subscription fees. Reimbursement is through the company expenses process and is subject to evidence of fee payment and the claim being submitted at the latest one month after payment to the NMC. Failure to submit the claim may result in the reimbursement not being paid. See the expenses policy for full details.

## **Learning agreements**

The company may support an employee with sponsored funding for work-related training or professional qualifications. If the company decides to make a financial payment towards the cost of training, employees will be required to enter in to a Learning Agreement which may require them to repay some or all of the costs if they leave the employment of the company within 12 months of finishing the course or choose to not complete the course.



## **Apprenticeships (PR20)**

On-the-job training is an important part of the company's ethos. The company believes that apprenticeships are a great way to support an individual to learn the skills and knowledge associated with a particular career, while earning a wage and gaining experience in the workplace. Apprenticeships can be used to support new employees, or employees already in the company, when they either move into new roles or if they need development to progress into a new role. Employees interested in participating in an apprenticeship should discuss the opportunities with their line manager.

## **Care certificate**

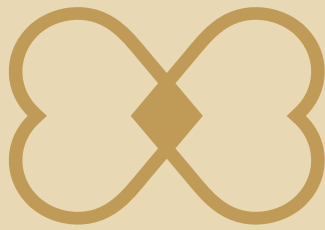
The company care-focused training is fundamentally based on the principles of the Care Certificate. The Care Certificate is a set of standards that social care and health workers follow in their daily working life. It incorporates the minimum standards that should be covered as part of the induction training of new care workers. The Care Certificate was developed jointly by Skills for Care, Health Education England and Skills for Health. It applies across all of the social care and health sector, and covers what is needed to be caring and gives staff a good basis from which they can develop their knowledge and skills.

Designed with non-regulated employees in mind, the Care Certificate gives everyone the confidence that employees

have the same induction – learning the same skills, knowledge and behaviours to provide compassionate, safe and high-quality care and support. Although the Care Certificate is designed for new employees, it also offers opportunities for existing employees to refresh or improve their knowledge. The standards cover 15 areas:

- understanding your role
- your personal development
- duty of care
- equality and diversity
- work in a person-centred way
- communication
- privacy and dignity
- fluids and nutrition
- awareness of mental health
- dementia and learning disabilities
- safeguarding adults
- safeguarding children
- basic life support
- health and safety
- handling information
- infection prevention and control.

V3 March 2023



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