## CODE OF CONDUCT FOR EMPLOYEES

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<tr>
<th>POLICY REFERENCE NUMBER</th>
<th>HR 001</th>
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<tr>
<td>DATE RATIFIED <em>(This version)</em></td>
<td>March 2015</td>
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<td>March 2018</td>
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<tr>
<td>APPROVED BY <em>(state group)</em></td>
<td>Executive Management Team (EMT)</td>
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<tr>
<td>ACCOUNTABLE DIRECTOR</td>
<td>Director of HR</td>
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<td>POLICY AUTHOR</td>
<td>HR Consultant</td>
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**Policy Statement/Key Objective:**

The Code provides a clear framework for the standards of conduct expected of all working at the Trust.
## Executive Summary

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<th>Code of Conduct</th>
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<td>Subject</td>
<td>To confirm the expectations and responsibilities for all staff employed by LCFT.</td>
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<tr>
<td>Applicable to</td>
<td>This policy is applicable to all employees, temporary employees working under a contract of service, Apprentices and Students.</td>
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<td>Understanding individual responsibilities concerning the Trust Values. To outline the expected level of behaviours for all staff.</td>
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<td>Workforce Consultant</td>
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<td>Policy Lead</td>
<td>HR Director</td>
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1.0 Introduction

This document sets out the Code of Conduct for all employees of Lancashire Care NHS Foundation Trust.

The Code encompasses the Trust’s Strategies, Values, and desired Behaviours, which in turn support and drive our business. Together these help ensure our actions and decisions, are integrity-based, connecting with clinical, ethical, social and environmental objectives.

The Code is intended to provide a clear framework for the standards of conduct expected of all working at the Trust, and should be read in conjunction with the Trust’s Disciplinary Policy and Procedure, which highlights the procedure for ensuring misconduct is managed appropriately.

As an NHS organisation, we aim to provide a behavioural and value-driven framework within which all involved in delivering health and social care services act in accordance with their relevant codes of professional conduct.

2.0 Scope

This policy is applicable to all employees, temporary employees working under a contract of service, Apprentices and Students.

3.0 Definitions

The Code has been developed using the Trust’s core strategic aims as an over-riding principle:

- “To deliver high-quality, person-centred, compassionate services.”
- “To maintain the highest standards of financial, corporate and clinical governance”
- “To safeguard the welfare and promote the well-being of patients and staff”
- “To maintain and enhance the reputation of the organisation”

In addition, the Trust’s Values underpin all that we do:

These values are:

- Teamwork
- Compassion
- Excellence
- Accountability
- Respect
- Integrity

TEAMWORK
We believe that teamwork is a key feature of organisational effectiveness, and aim to develop and sustain a collaborative working environment.

COMPASSION

We will strive to be fair, and treat people with dignity and respect, and seeing our services through the eyes of our service users.

EXCELLENCE

We expect excellence at all levels and provide opportunities to recognise and reward high performance, and to identify and address poor performance.

ACCOUNTABILITY

We will deliver on our commitments and hold ourselves accountable

RESPECT

Our communication will always be respectful, honest, and clear.

A sixth value, INTEGRITY, underpins all our actions and decisions.

In addition, the Trust recognises that effective people management is vital to the achievement of a climate of good employee relations across the organisation, and as such the Code of Conduct for NHS Managers has been used as a framework for defining standards of good management practice.

4.0 Duties

All staff members are required to participate and comply with this Code and other related policies.

The Trust expects all staff to:

• Make the duty of care to and safety of patients our first concern and act quickly to protect patients from risk.

• Respect the public, patients, service users, relatives, carers, NHS staff and partners in other agencies.

• Be honest and act with integrity at all times.

• Accept accountability for our own work, and ensure that we inform other appropriate persons within the organisation when problems occur.
• Demonstrate a commitment to team and partnership working by co-operating with colleagues within the NHS and in the wider community.

• Safeguard the health and safety of ourselves, colleagues and anyone else who may be affected by what we do or fail to do.

• Create and maintain an environment free from harassment, victimisation and violence.

5.0 The Policy

5.1 Equality and Diversity

5.1.1 The Trust and Trade Unions are jointly committed to creating a culture in which every individual is treated with dignity and respect, regardless of race, colour, ethnic or national origins, social group, gender, marital status, pregnancy, disability, sexual orientation, religion, age, or other material factor.

5.1.2 All staff members are required to ensure that there is appropriate equality of opportunity in relation to the recruitment for posts and access to training and development opportunities, and that no applicant receives less favourable treatment than any other for reason other than merit.

5.2 Patient/Service User Care

5.2.1 In ensuring that the best service is provided we must:

• Respect and protect patient confidentiality, adhering to the Caldicott principles, demonstrating awareness of the procedures and Data Protection Act.

• Use NHS resources in the best interests of the public and patients, ensuring effective and efficient use of resources is achieved.

• Strive to provide excellent patient care by being clear in our communications and proactively involving patients in their care.

• Work towards health improvement through developing person-centred planning, ensuring that service users are included in the development of their care and support and actively listened to in respect of their needs.

5.3 Learning & Developing
5.3.1 The Trust recognises that in order for us all to be able to give our best we must create an environment that encourages all staff to develop appropriate skills and a sound knowledge base. To do this effectively the Trust will:

- Encourage staff to admit to errors or incidents when these occur, so that we can effectively learn from our mistakes and put into place future safeguards.
- Ensure that staff are appropriately supervised, through an effective supervision and appraisal system.
- Develop annual personal development plans with staff to enable them to undertake continuous personal and professional development.
- Invest in training and development for all staff and ensure equality of access.
- Ensure staff are briefed and kept up to date with Trust policies and initiatives and are encouraged to use their learning to actively develop services.

5.3.2 Staff must ensure that they keep up-to-date with professional developments in their field and adhere to professional codes of practice.

5.4 Performance of Duties

5.4.1 A climate of mutual confidence, trust and respect between managers and employees is critical to achieving work objectives and providing a high quality service.

5.4.2 Employees are expected to:

- Carry out any reasonable instruction. This includes general instructions, legal requirements, safety or other policies and rules that apply in the workplace.
- Work flexibly within the scope of their contract.
- Work to the accepted standard of their job.
- Accept responsibility for their own work and performance and for their actions.
- Complete mandatory training as required.

5.5 Timekeeping
5.5.1 All employees are required to comply with their official starting and finishing time, including those for breaks.

5.5.2 The nature of work of some employees is such that starting, finishing and break times have to be flexible. Such arrangements will be confirmed specifically by their manager. Employees are expected to be responsible regarding flexible time and not to abuse it.

5.6 Absence from Work

5.6.1 There should be no absences from work other than for legitimate and acceptable reasons e.g. sickness, annual leave, study leave or special/compassionate leave.

5.6.2 When absent from work due to sickness, any employee found to have been engaging in activities that are not consistent with their reason for sickness absence, or not conducive to their recovery, may face disciplinary action.

5.6.3 Employees should not leave their work place at times they are required to be working, without obtaining the express approval of their manager or delegated supervisor.

5.7 Notification of Sickness and Approval for Other Leave

5.7.1 Employees must follow the Trust procedure for notifying sickness absence, as detailed in the Managing Attendance Policy and local departmental procedures. Failure to do so without acceptable reason will be treated as unauthorised absence.

5.7.2 Employees must follow the appropriate procedure for obtaining approval for annual leave, study leave etc and should not assume approval in advance, or take leave from work without prior approval.

5.8 Complaints and Untoward Incidents

5.8.1 Employees are required to report to their manager any complaints about service or treatment, or any incident of unacceptable behaviour to patients, public or employees (particularly alleged maltreatment of patients), which have been noted, reported or alleged. Employees can also refer to the How to Raise Concerns (Whistleblowing) Policy and Procedure. The victimisation of any employee who has raised a concern is expressly prohibited.

5.8.2 It is the responsibility of all employees to ensure any incidents are appropriately reported in a timely manner and that accurate records of any untoward incidents are documented on the appropriate systems e.g. Datix.
5.8.3 Employees are required to assist in any investigation, including attending meetings, giving evidence, providing written statements.

5.8.4 Staff may need to take advice from the Trade Union/a colleague if desired.

5.8.5 It should be clear to employees that written statements are expected to be an honest record of what they know at the time and should be as full as possible. If such a statement or other evidence from an employee is relevant to an investigation by a manager, he/she may be asked questions about it in a formal setting.

5.8.6 Any action by an employee, which hinders or delays an investigation, will be treated as a serious offence.

5.9 General Duty of Care

5.9.1 All employees have the responsibility to ensure that in their work they take constant care of the health, safety and welfare of themselves and others who may come into contact with them, or be affected by them, or their work, and that they do nothing to put this at risk. Health and Safety Policies are available on the Trust intranet.

5.9.2 Under the provisions contained in the Health and Safety at Work Act 1974, the Trust undertakes to ensure, so far as is reasonably practicable, the Health, Safety and Welfare at work of all its employees.

5.9.3 It is the duty of every employee to:

- Take reasonable care of themselves and others at work.
- To co-operate with the Trust, as far as it is necessary, to enable them to carry out their legal duties.
- Not intentionally or recklessly interfere with anything provided, including personal protective equipment, for Health, Safety of Welfare at work.
- Comply with hygiene requirements.
- Report any accidents or ‘near misses’ at work
- Know and follow Trust procedures.
- Awareness of the policies.

5.10 Confidentiality of Information

5.10.1 Patients and employees have the right of protection in terms of the confidentiality of information. All employees are expected to treat each other with dignity and respect.

This means that:
Employees will not at any time during the course of their employment (except as so far as is necessary and with permission of their line manager), or afterwards, view or disclose to any person any information as to the business, dealings, practice, accounts, finances, trading, software, know-how, affairs of the Trust of any of the Trust’s patients, prospective patients, employees, distributors, firms or companies otherwise connected to the Trust.

All information held about the Trust or in connection with the Trust is to be regarded as confidential. All notes, memoranda, records and other documents in the employee’s possession are and shall remain the property of the Trust and shall be returned on demand and upon the ending of employment with the Trust of an employee.

Personal information, including medical information, concerning employees may be viewed or divulged only with their consent or if the giving of it is a necessary part of official procedures. Unauthorised disclosure or viewing of such information will result in disciplinary action and may lead to dismissal.

The Trust takes confidentiality very seriously and all staff have a responsibility to ensure the confidentiality and security of service user information held within the Health Records. The Trust’s Health Records Service and Security and Confidentiality Policy (IMT & T 004) identify the key principles that must be applied by all Health Record staff in the execution of their duties and covers information whether held manually or on a computer.

All NHS bodies and agencies working for or with them have a common law duty of confidence to service users and carers together with a duty to comply with professional ethical standards of confidentiality.

Accessing information on service users whose care you are not directly involved in, for example, other members of staff or family members is a breach of confidence and will be dealt with under the disciplinary procedure.

Under no circumstances may any employees act as a spokesperson of the Trust to representatives of the media on subjects concerning the Trust’s facilities, its patients, or employees, without the specific authority of the Chief Executive. Unauthorised disclosure of confidential information will result in disciplinary action, and may lead to dismissal. All communication with the media must be channelled through the Head of Communications.

The Data Protection Act 1998 regulates the use of computerised information and paper records of identifiable individuals (including patients and staff). The Trust is registered in accordance with this legislation.

5.10.2 None of the foregoing prevents a representative of a recognised employee organisation from communicating with the media in his/her official capacity as a representative and on behalf of his/her organisation.
5.11 Declaring Interest

5.11.1 Employees must declare any interests of a nature personally beneficial, either directly or indirectly to them, which may affect, or be affected by, a contract other than their own employment contract, which the Trust has let or is considering letting. Employees may not use their position to influence the awarding of any contract in which they have any interest, whether director indirect.

5.11.2 Similarly employees must declare any interest, of a nature personally beneficial, either directly or indirectly, to them in any enterprise associated with healthcare, e.g. Nursing Homes. Further more detailed information is contained within the Standards of Business Conduct Policy.

5.12 Intellectual Property Rights

5.12.1 If at any time during an employee's normal duties she/he:

- makes or discovers any invention (or participates in making or discovering any invention)
- makes an improvement or addition to any invention (or participates in making an improvement or adding to any invention)
- creates any design (whether registerable or not) or other work in which copyright may exist

5.12.2 They must report this immediately to the relevant Director. The invention, design or other work, as appropriate, shall belong absolutely to the Trust unless specifically approved by the Chief Executive.

5.13 Acting with Integrity

5.13.1 All employees must act in a manner that is honest and open and ensure that they:

- Are at all times objective, impartial and act without favour.
- Use NHS resources in an appropriate and effective way; ensuring ‘Best Value’ principles are applied.
- Understand and comply with all Standing Financial Instructions that are relevant to individual roles.
- Promote public and patients’ interests.
- Are not influenced by gifts or inducements.
- Do not carry out private work using any Trust property or equipment e.g. phone calls or photocopies unless given prior permission to do so.
- Do not undertake private work during work’s time.
• Bring to the attention of the Trust any act they witness, or anything they are made aware of, which is detrimental to the well-being of another or the organisation.

5.14 Accountability

5.14.1 Employees will ensure that they are:

• Impartial and honest in the conduct of their official business (e.g. staff who have interest in a private nursing home and who are involved with the discharge of patients to residential facilities).
• Do not seek to advantage or further private business or other interests, in the course of their official duties.
• Do not abuse their position for personal gain or to the benefit of their family, friends, or other individual or organisations with which they are associated
• Do not undertake outside employment that could compromise their duties.
• Do not seek to advantage or further their private business or interest in the course of their official duties.
• Protect themselves and the Trust from any allegations of impropriety by seeking advice from their line manager, or from the appropriate contact point, whenever there is any doubt as to the interpretation of this section.
• Appropriately report any serious incidents in a timely manner and make accurate records of any such incidents on the appropriate systems e.g. Datix

5.15 Acceptance of Gifts or Hospitality

5.15.1 Under the Prevention of Corruption Acts 1906 and 1916, it is an offence for employees to corruptly accept any gifts or considerations as an inducement or rewards for:

• Doing, or refraining from doing, anything in their official capacity;  
Or,
• showing favour or disfavour of any person in their official capacity;

Or,
• If it will compromise their personal and professional integrity

5.15.2 However, where staff receive a small gift where refusal would cause needless offence and the giver is not seeking a decision or business but merely wishing to express thanks this can be accepted and not deemed as corrupt, along with acceptance of items of low intrinsic value such as diaries, calendars and other items of work related stationery and equipment. There is no requirement to record such gifts the Register.
5.15.3 Receiving other small value items, for example from a patient or relative in appreciation of the treatment and care received, or seasonal items, if it is made clear to the party making the offer that it is accepted on behalf of the Ward or Department (and is shared with colleagues) or donated to the Trust’s Charitable Fund is acceptable.

5.15.4 In cases of doubt advice must be sought from your line manager and in no case must the value of the gift exceed the £50.00 limit.

5.15.5 Under no circumstances must staff accept personal gifts of cash, even below the £50.00 threshold. Further information is contained within the Standards of Business Conduct Policy.

5.16 Fraud

5.16.1 If an employee believes they have reason to suspect a colleague, patient, contractor or other person of fraud or an offence against the Trust or a serious infringement of Trust or NHS rules, they have a responsibility to inform the Director of Finance in the first instance.

5.16.2 Employees suspected of fraud – for example, submitting or approving fraudulent expense claims, falsifying time sheets – will be investigated under the Trust’s Disciplinary Policy and Procedure, and may face disciplinary action up to and including dismissal.

5.16.3 Employees suspected of claiming or knowingly authorising incorrect expenses, or fraudulently claiming other monies e.g. sick pay, will be reported to the Trust’s Local Counter Fraud Specialists. This may result in legal action.

5.17 Professional Registration

5.17.1 Where required (e.g. for Registered Nurses or Allied Health Professionals), employees must at all times be professionally registered or comply with any other specific requirements to be properly authorised to do their job. It is the responsibility of the individual to ensure that professional registration is maintained, as per the Trust’s requirements for Professional Registration.

5.18 Disclosure

5.18.1 It is every employee’s responsibility to:

- Disclose any convictions, even ‘spent’ convictions, under the Rehabilitation of Offenders Act 1974.
- Disclose the details of any crime that they have been charged with, at the point of being charged.
• Disclose when applying for a post subject to business mileage or involving driving duties, if they have any points or endorsements on their driving licence.

5.19 Relationships between Employees

5.19.1 Whilst the Trust does not seek to define standards for personal relationships between employees outside of the workplace, the Trust does not find acceptable, a close personal relationship which impacts on role performance in the workplace. This may relate to situations where formal decisions are being made, for example, in relation to recruitment and selection, organisational change, disciplinary and grievance issues. In particular, this applies to jobs where:

• There is a direct line management/ supervisory relationship between the two individuals;
• The line manager does not manage the employee directly but is the manager’s manager.

See Appendix 1 for further information.

5.19.2 Where employees work in the same section or unit, it is their responsibility to ensure that their relationship does not affect or comprise their work or the work of the unit or department.

5.19.3 Where there is the potential for a conflict of interest due to the nature of a personal relationship between employees or prospective employees, for example, in making recruitment and selection decisions, or undertaking a formal Trust procedure, employees are required to inform their line manager of the situation.

5.20 Relationships between a Trust Employee and a Service User

5.20.1 The Trust regards as wholly unacceptable any close personal relationship between an employee and a vulnerable client whom they meet as a result of their employment.

5.20.2 If this type of relationship exists/develops, the situation can be regarded as:

• An abuse of the employee’s position of trust;
• A breach of the standards of propriety expected in the post;
• A compromise of professional standards/code of conduct.

5.20.3 Where there are concerns about the relationship between an employee and a child service user, theNamed Nurse/ Named Doctor/ Child Protection must be informed by managers, and the named professionals
will instigate the Local Safeguarding Children Procedures which will run parallel to the Trust's disciplinary procedures.

5.21 Non-reciprocated Behaviour

5.21.1 Employees must be aware that behaviour towards another employee that is not reciprocated and not acceptable can amount to harassment, which may be dealt with under the Trust's Dignity at Work procedure.

5.22 Social Media and Communication Systems

5.22.1 The Trust considers the use of social media and/or any other communication system to communicate derogatory or inappropriate messages about the NHS, the Trust, patients/service users and/or any employee of the Trust as a serious issue.

5.22.2 The Trust recognises that employees may use social media to communicate their interests and activities outside of the workplace. Where it becomes apparent that a member of staff has engaged in activities which are not conducive to any reported sickness absence, or not conducive to their recovery from reported ill-health, disciplinary action may be taken.

5.22.3 All employees are required to bear this in mind when using social media and other communication systems (whether Trust systems or otherwise).

5.22.4 Below are examples of (gross) misconduct relating to the use of social media:

- Bringing the NHS or Lancashire Care Foundation Trust into disrepute; including the use of social media to communicate derogatory comments about the organisation, its employees or patients/service users.
- Maintaining a social networking site which contains identifiable information on, or photographs of, Trust patients/service users, or their relatives.
- Damaging working relationships between members of staff, and/or clients of the Trust through the use of social media or other forms of communication.

5.22.5 The Trust considers excessive and inappropriate personal use of Trust communication systems, such as e-mail and OCS, a disciplinary issue.

5.22.6 Where staff suspect or become aware that Trust communication systems are being used inappropriately, they are required to inform their line manager (or other designated manager) or the Human Resources
Code of Conduct Policy

department immediately. It is not acceptable for staff to covertly monitor the use of Trust communication systems by other members of staff.

5.23 Conduct

5.23.1 For guidance on conduct issues please refer to the Trust Disciplinary Policy

5.24 Management Standards

5.24.1 In addition to the principles outlined above which apply to all staff, those with responsibility for the management of staff must also:

- Ensure that they are consistent, fair and unbiased in their judgements about colleagues or staff (including appraisals or references), including all information which has a bearing on their competence, performance, eligibility and conduct.
- Be responsible for the performance of those staff they manage and ensure that they accept that they are accountable for their actions.
- Represent the organisation to the public and partner organisations in a positive manner.
- Answer questions and complaints from patients, service users and carers in a manner which accepts the responsibility for the individual and collective patients’ experience, giving a full explanation of what has happened and what will be done to deal with poor performance, ensure patient safety and improve delivery
- Be open and honest in their explanations and justification for decisions on the use of resources and respond positively to suggestions for improvements.
- Be accountable for the use of resources, the performance of the team and the implementation of policy and delivery of targets.

5.24.2 In line with the ‘Code of Conduct for NHS Managers’, the Trust expects that our managers will;

- make the care and safety of patients a first concern, and act to protect them from risk
- respect the public, patients, relatives, carers, NHS staff and partners in other agencies
- be honest and act with integrity
- accept responsibility for their own work and the proper performance of the people they manage
- show commitment to working as a team member
- take responsibility for their own learning and development

5.25 Breaches of the Code

5.25.1 Breaches of this code will be investigated fairly and consistently. Where an individual’s conduct is not conducive to the principles set out
in the code, it is right that individuals should be held to account for their actions—in particular if there is evidence of gross negligence, recklessness or criminal behaviour.

5.25.2 Where the failure is symptomatic of wider issues, particularly where they demonstrate organizational defects, the Trust will ensure that it takes action to learn from these and actively put into place appropriate mechanisms to manage the identified issues.

6.0 Training

No training has been identified for this Policy.

7.0 Monitoring (Including Standards)

The effectiveness and the compliance of this policy will be monitored by the HR Department.

8.0 References

Lancashire Care Disciplinary Policy
Lancashire Care Managing Performance Policy
Appendix 1

Personal Relationships at Work

Introduction

The Trust is committed to building an organisation in which high standards of conduct in the area of close personal relationships at work are maintained.

This will be achieved by:

- Promoting high standards of conduct and integrity among Trust employees
- not interfering unduly in employees’ private lives but taking legitimate action when close personal relationships at work have an actual or potential impact on Trust services
- managing issues involving close personal relationships at work promptly, effectively, fairly and lawfully

Definition of Related Persons

A “close personal relationship” can be defined as:

- a family/close personal relationship
- a business/commercial/financial relationship
- a romantic/sexual relationship

And includes:-

- spouse/partner
- parent including in-laws and step parents
- children, including in-laws and step-children
- siblings
- grandparents, grandchildren
- aunts, uncles, cousins

A relationship can be with an existing or prospective employee; a contractor; a Non-Executive Director; or a child/young person or vulnerable adult client whom an employee meets as a result of their employment.

Relationships between existing staff

Existing relationships which do not comply with this policy will be reviewed by the relevant Senior Manager and HR in consultation with the members of staff concerned. An appropriate course of action will be determined following this consultation.

Responsibilities

Managers will:
• Deal promptly and sensitively with issues involving close personal relationships at work in a consistent, fair and reasonable way whilst maintaining confidentiality where possible.
• deal with any matter requiring formal disciplinary action using the Trust’s disciplinary procedure.

Employees will:

• Ensure that any close personal relationship at work does not interfere with or prejudice their employment.
• if a close personal relationship at work does interfere with or prejudices their employment, co-operate under this procedure to resolve the situation
• bring to the attention of Management any issues with close personal relationships at work

Types of close personal relationships

Close personal relationships between employees where there is no line management relationship

This type of close personal relationship at work does not of itself constitute a difficulty. However, employees are expected to conduct themselves in a professional manner and to deal sensitively with any confidential information which one or both individuals may possess.

Employees are encouraged to bring to the attention of their manager any difficulties they are experiencing which may not be apparent. A close personal relationship, particularly between two employees working in the same team, may begin to have an adverse effect on their own and/or their colleagues’ work. The following list is not exhaustive but includes some examples of this: neglecting work, communicating confidential information to each other, behaving in a way which may cause difficulty or embarrassment to others, e.g. arguing in the workplace not communicating with each other as the result of a disagreement or the breakup of relationship, inflexibility in working arrangements.

It is any negative impact on work that would cause this procedure to be implemented, not the relationship itself.

Close personal relationships between employees with a line management relationship

The Trust does not find acceptable a close personal relationship in jobs where there is a direct line management/supervisory relationship between the two individuals or where the line manager does not manage the employee directly but is the manager’s manager. This is because of the potential conflict of interests, which could cause significant problems with employee management (e.g. appraisal, grievance, discipline, etc.) by creating the potential for claims of favouritism or unequal treatment.
Relationships between a Trust employee and a child up to age 18

It is illegal for a person in a position of power to groom or have a sexual relationship with a child under 18yrs of age. Any Trust employee would be deemed to be in a position of power. The Named Nurse / Named Doctor Child Protection must be informed by managers if this is suspected and the named professionals will instigate the Trust’s Safeguarding Children Procedures which will run parallel to the Trust’s disciplinary procedures. Staff can contact Bridgett Welch – Named Nurse LCFT on 01772 645790 or email Bridgett.welch@lancashirecare.nhs.uk for advice if they suspect professional abuse is occurring.

Relationships between an employee and vulnerable adult client

The Trust regards as wholly unacceptable (and may in some circumstances be illegal) any close personal relationship between an employee and a vulnerable adult client whom they meet as a result of their employment. If this type of relationship exists/develops, the situation can be regarded as:

- an abuse of the employee’s position of trust
- a breach of the standards of propriety expected in the post
- a compromise of professional standards/code of conduct.

The manager must invoke the Trust’s Vulnerable Adult Protection procedure immediately. This type of relationship will be treated as potential gross misconduct and the line manager will invoke the disciplinary procedure without delay.

Action to be taken if the matter is not considered to amount to gross misconduct and cannot be resolved informally.

Where action is taken under the procedure and no agreement can be reached on an informal and voluntary basis it will become necessary to invoke the disciplinary procedure. This could result in an employee being required to accept redeployment. However, if no suitable alternative post can be found and no other suitable alternative courses of action can be identified; or the employee(s) refuse(s) to accept redeployment, it may ultimately be necessary to dismiss the employee(s). Every opportunity would be taken to resolve the matter without recourse to dismissal.

Managers considering redeployment and/or disciplinary action must seek early advice from the Director of Workforce and Organisational Development.

Close personal relationships between an employee and a contractor

This type of relationship does not necessarily create a difficulty in itself. However, a close personal relationship between an employee and a contractor can create the potential for conflict of interests, and particularly concern about divulging confidential and/or commercial information. Employees must declare to the appropriate manager all relationships of a
business or personal nature with a contractor or potential contractor. A close personal relationship between an employee and a contractor is not acceptable if it involves:

- an abuse of the employee’s position of trust
- a breach of the standards of propriety expected in the post
- a compromise of professional standards
- a conflict of interests.

**Non-reciprocated behaviour**

Employees must be aware that behaviour towards another employee that is not reciprocated is not acceptable and can amount to harassment which would be dealt with under the Dignity at Work Policy/Disciplinary Policy.

**Link with grievance procedure**

If an employee feels they are being victimised and/or unfairly treated they have recourse to the grievance procedure (unless disciplinary proceedings have begun).

**Close Working Relationships at Work Procedure**

This procedure will only be used where a close personal relationship which is adversely affecting/could adversely affect the work of the employee(s) concerned or others. Every effort will be made to resolve any issues on an informal basis. However if the situation cannot be resolved on an informal and voluntary basis by using this procedure it will be necessary to invoke the disciplinary procedure.
### The Manager will:

- Decide whether the matter is potentially misconduct and should be dealt with under the disciplinary procedure – if this is the case this procedure will not be used

Give the employee(s) appropriate notice of an informal meeting to discuss the matter with the employee(s) to inform them of the nature of their alleged inappropriate behaviour/the reasons why their relationship is considered incompatible with their work situation; and that this cannot continue, listen to any response the employee(s) may wish to make and provide the opportunity for them to propose possible solutions.

- Discuss actions that can be taken by the line manager to assist the employee(s) (e.g. change in reporting arrangements, duties performed within the team; investigating the possibility of redeploying the employee if this is appropriate in the circumstances; investigating the possibility of changing the service provision to a client)

- Advise the employee(s) that the disciplinary procedure will be invoked if their inappropriate behaviour continues/the situation is not resolved by other means

- Ensure the employee is treated fairly and with due regard to equality of treatment issues.

### The Employee is entitled to:

- Be told the purpose of the meeting, including details of the nature of the problem, give their response to the problem and to put their side of the case, a copy of this procedure, the opportunity to be accompanied/represented by a trade union representative or work colleague at any meeting at which their potential redeployment is discussed (it is the employee’s responsibility to arrange representation if they so choose)

- A letter within 7 calendar days following the meeting confirming the main issues considered, the outcome and the right to invoke the grievance procedure if dissatisfied with the outcome

- Be treated fairly