



ST CLAIR HEALTHCARE
RECRUITMENT SPECIALISTS

AGENCY WORKER HANDBOOK

ISSUED : November 2023

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1. INTRODUCTION

Please read through the policies, procedures and information contained in this Handbook as it will provide you with assistance during the course of your client assignments. St Clair Healthcare will update the information regularly in order to comply with any changes in legislation or procedures and will notify you when this happens. However, it is the agency worker's responsibility to appraise themselves of these changes and contact us with any queries. Please note that the information contained in this Handbook does not replace national guidelines of the NMC and any other professional membership bodies.

2. BEFORE YOU START WORK

2.1 Your Commitments

As an Agency Worker you need to be aware that at all times whilst on the Client's premises you:

- 2.1.1. are under the direction and control of the Client for the duration of the assignment;
- 2.1.2. must abide by the Working Time Regulations 1998;
- 2.1.3. will not falsify timesheets, records or attempt to defraud the client in any way
- 2.1.4. will be punctual and maintain proper standards of appearance, hygiene, customer care and courtesy whilst at work;
- 2.1.6. shall not act in a manner reasonably likely to bring discredit upon the Client;
- 2.1.7. shall not unlawfully discriminate for any reason;
- 2.1.8. shall not corruptly solicit or receive any bribe or other consideration from any person, or fail to account for monies or property received in connection with duties performed under the provision of the Services on an assignment;
- 2.1.9. shall keep confidential information (however acquired) whether relating to the Client, its business or relating to patients;
- 2.1.10. shall be able to communicate effectively;
- 2.1.11. will display your ID Badge at all times whilst on the client's site;
- 2.1.12. will not be under the influence of alcohol or drugs at any time;
- 2.1.13. shall not smoke whilst on the client's premises other than in areas specifically designated for smokers and with permission from the client;
- 2.1.14. all agency staff should demonstrate a duty of candour; you have an obligation to be transparent in your practice and report all incidents/ clinical issues as appropriate.
- 2.1.15. will safeguard and uphold St Clair Healthcare's and the client's core values by operating in an ethical, professional and lawful manner at all times;
- 2.1.16. shall not abuse the client's property;

2.1.17. will notify St Clair Healthcare immediately if you are charged or convicted with any criminal offence after the Enhanced CRB Check was undertaken.

2.2 Fitness to Practice

Before an agency worker is permitted to work in the NHS, they must complete a health declaration form. This will have evidence of the immunisation status acquired.

Prior to the start of each assignment you are required to confirm that you are fit to practice at that time. If this is not the case, then St Clair Healthcare will need to find a suitable alternative Agency Worker to replace you. **Please note that you will not be allowed to work if you are suffering from Diarrhoea, vomiting or a rash.** You will need to be **cleared of symptoms for 48 hours** before commencing any new assignments. Additionally, if you have been exposed to an infectious ward you must also refrain from working in other wards for 48 hours. Lastly, you must appraise St Clair Healthcare immediately if you become pregnant to enable us to carry out a maternity risk assessment; this is for your wellbeing and that of your unborn child.

Some clients will request that you are medically examined prior to commencing an assignment with them and will provide you with confirmation of the reasons this is required to be carried out. Your refusal to allow a medical examination may result in the client refusing to allow you to carry out the assignment.

Failure to maintain up to date professional registration will result in you being withdrawn from any further assignments during your period of non-registration. **See Section 3 re: NMC Revalidation**

2.3 Rehabilitation of Offenders Act (1974)

Sections 4.2 and 4.3 of the Rehabilitation of Offenders Act 1974 (Exceptions) Order 1975, do not apply to "any employment which is concerned with the provision of health services and which is of such a kind as to enable the holder to have access to persons in receipt of such services in the course of his or her normal duties". This means that no conviction or caution can be considered spent and should be declared during your time as an agency worker with St Clair Healthcare.

2.4 Enhanced Criminal Record Disclosure (CRB)

All applicants who are likely to be in regular contact with vulnerable adults or young people are required to disclose ALL criminal convictions, cautions, reprimands and final warnings and any ongoing criminal investigations as these will ALWAYS appear on an Enhanced CRB Disclosure. The requirement by the NHS is that all agency workers must hold an enhanced CRB disclosure that is less than 12 months old. You will receive a reminder when yours is due for renewal and it is your responsibility to ensure that it is renewed in time to avoid disruption to your continuity of employment.

St Clair Healthcare complies with the CRB Code of Practice and is registered with the ICO under the Data Protection Act with regard to the correct handling, use, storage, retention and disposal of the disclosure data. **Please note that our clients occasionally request to see a copy of your CRB.**

St Clair Healthcare is an equal opportunities company and will therefore not discriminate on the basis of conviction or other information revealed. Having a criminal record will not automatically involve you being removed from our candidate register. Each record will be reviewed and due consideration will be given to the nature of the role and the background of the offence.

If you are a new candidate, you will be expected to make a contribution of £51.60 towards your CRB check.

2.5 Identification

You will be issued with a St Clair Healthcare ID badge prior to commencing work with us. This **MUST** be worn at all times whilst you are involved in the provision of services or on any assignments. You may also be required to produce proof of ID (passport or photo card driving license) prior to commencing any assignment. Failure to comply will most probably result in you being refused permission to work by the client.

Please let us know immediately if you lose your ID badge and we will **replace it at a cost of £5.00**. Badges must be returned when you terminate employment with St Clair Healthcare.

2.6 Immunisation

In accordance with the latest Department of Health guidelines, St Clair Healthcare is required to ensure that all their agency workers undergo health screening and are up to date with their immunisations prior to going out on assignment. You are required to have written evidence of your immunisations.

The immunisations/checks required for Occupational Health Clearance are:

- Varicella (chicken pox/shingles)
- Tuberculosis
- Rubella
- Measles & Mumps
- Hepatitis B

If you are involved in exposure prone procedures (EPPs) you will also need to be checked for

- Hepatitis B Surface Antigen
- Hepatitis C
- HIV

2.7 Insurance

All NHS Trusts (including Foundation Trusts) and Primary Care Trusts in England currently belong to The Clinical Negligence Scheme for Trusts which handles all clinical negligence claims against them. **Whilst you will be covered under this scheme, please note that this may not cover all situations and it is therefore advisable that you obtain your own personal Professional Indemnity cover.**

The use of a private motor vehicle travelling to, from or during an assignment is “own business use” and as such, **you are advised to check with your motor vehicle insurance company** to confirm that you are covered for such risks and to arrange such cover should this be necessary.

2.8 Agency Worker

All temps are entitled to equal treatment and have ‘day one’ rights upon assignment. This means you have the same rights as your permanent employees to use any shared facilities and services provided by client. An example of this could be access to the staff canteen or food and drinks machines, a workplace crèche, car parking subsidies etc. Access to such facilities is subject to what the client currently provides.

3 THE ROLE AND RESPONSIBILITIES OF AGENCY WORKERS

It is the responsibility of St Clair Healthcare to ensure that all its agency workers meet the following criteria:

- Demonstrates Integrity and good character
- Possess the necessary qualifications, skills and experience required for the assignment. (St Clair Healthcare will obtain the documentary evidence of this and ensure that their records are kept up to date and that the agency worker is fit to practice)
- Physically and mentally fit for the role
- Respects the client as an individual
- Obtains consent before providing any care
- Protects confidential information
- To be trustworthy
- To Identify and minimize any risk to clients
- To maintain professionalism; mindful and polite

Registered Nurses will be expected to work in accordance with the guidelines laid down in the NMC Code of Professional Conduct. The same principle is applied to ODPs in relation to the HCPC body and Care certificate standards for HCA's.

NMC Revalidation

All nurses are required to revalidate their NMC. This is to be completed within the given time period that the NMC has outlined for the individual. St Clair Healthcare will support, encourage and assist where possible. However, as a clinical professional it is your responsibility to comply with the re validation requirements in order remain as an active worker. Please see our St Clair Healthcare Re-Validation Guide.

4 TIMESHEETS

THE DEADLINE FOR SUBMITTING TIMESHEETS IN MONDAY 12 NOON

Please complete your timesheet in FULL.

- Print your name, client address, site ward, bleep code, week ending and job title clearly.
- Insert the date worked in the appropriate box below the day of the week on the left-hand side of the timesheet.
- The timesheet needs to be signed at the side of each shift and again at the bottom of the timesheet. St Clair Healthcare will not be able to process the timesheet if it is not signed at the bottom.
- The Blue copy should be left with the client once it is signed. You can retain the Pink copy.
- Please post the top copy or send a scanned copy by e-mail or fax a copy to us. We cannot accept photo images of the timesheets as they are illegible in most cases.
- Please do not use the same timesheet more than once as each timesheet has its own unique number that can only be used once. If you photocopy a timesheet and try and use it again, it will prompt up on the system as a duplicate and we will therefore be unable to pay it
- Pay is weekly and always on a Friday.
- Always carry two or three timesheets with you in case you get moved to another ward part way through your shift.
- Let us know in good time when you are running out of timesheets so that we can send a further supply

5 TEMPORARY ASSIGNMENTS

As stated in your Terms of Engagement, you are under no obligation to accept an assignment. However, once you have accepted an assignment, you will be expected to be consistent and conscientious in your work and stay for the assigned time allocated to that assignment

You will be required to work competently and possess the skills and abilities required for lawful and safe work without being directly supervised. Therefore you must ensure that you are competent and adequately skilled to undertake the roles offered to you.

For the start of your assignment/ shift, please ensure that you arrive in good time.

It is your responsibility to familiarise yourself with the person in charge, the client's policies, procedures and guidelines including health and safety and fire instructions.

During the course of an assignment, the client may ask you to change your hours. Should your hours be reduced, you will only be paid for the hours actually worked and not the hours previously advised to you. Should your hours be increased, please ensure that they do not exceed the maximum safe hours allowable. If you are unable to work the extra hours requested, you must inform the client immediately to allow them enough time to arrange alternative cover. You must notify St Clair Healthcare of any changes to your hours AT ALL TIMES.

In the event that you are unable to attend work during the course of an Assignment, you should inform St Clair Healthcare within one hour before the start of the Assignment or shift.

5.1 Uniform & Appearance

You will be required to wear the full St Clair Healthcare uniform or alternative dress code which will be advised at the time of the booking. This dress code will apply for the whole time you are on duty.

Hair must be clean and well groomed and should be worn away from the face and in the case of long hair, fastened back.

Minimal (natural) make up is suitable

Fingernails must be short, clean and neat – artificial nails and/or coloured nail varnish are not permitted.

The only jewellery that will be permitted whilst on assignment is plain wedding bands and small stud earrings. Wrist watches are not permitted.

Please wear black shoes that cover the whole foot and have heels no higher than one inch (unless you are medically required due to a disability).

You will be expected to maintain a good standard of personal hygiene at all times.

St Clair Healthcare's uniform consists of

- White tunic (General Hospitals | HMPs & IRCs | Care Homes & Nursing Homes)
- Polo shirt, long sleeve shirt (Mental Health Settings)
- Smart black, dark grey or navy-blue trousers
- Smart, flat and practical black shoes
- St Clair Healthcare ID Badge

Clothing worn underneath the uniform, should not be visible (e.g. logos on vest).

Establishments such as hospitals and nursing/residential homes are required to supply you with gloves, aprons and any other protective equipment necessary to carrying out your work under the Personal Protective Equipment Regulations 1992 (PPE). Please ensure that you wear PPE as appropriate.

5.2 Patient Record Keeping Guidelines

Record-keeping is a professional and integral requirement for all agency workers. Records are considered legal documents and include anything that makes reference to the care of a patient. These records can be called as evidence as part of:

- Coroner's inquests or criminal proceedings
- Nursing & Midwifery Council's Fitness to Practice Committee
- Trust Investigation Panels
- NHS Professionals disciplinary investigations

Records are also essential in assisting with clinical decision-making and improved patient care.

The national accepted standards for healthcare records are:

- Handwriting must be legible and written in black ink to enable legible photocopying or scanning of documents if required.
- Records must be accurate and written in such a way that the meaning is clear
- Records must demonstrate a full account of the assessment made and the care planned and provided and actions taken including information shared with other health professionals.
- All entries in a record must be dated (to include date/ month/ year), timed accurately and signed.
- All entries in a record must be recorded as soon as possible after an event has occurred, providing current information on the care and condition of the patient/client
- All entries in a record must be recorded, wherever possible, with the involvement of the patient/ client or their carer and written in language that the patient can understand.
- Records must demonstrate any risks identified and/ or problems that have arisen and the action taken to rectify them
- First entries on each page of the record must include the printed name and signature of the person recording the information.
- Abbreviations, jargon, meaningless phrases or offensive statements must not be included in any records.
- In the event of an error being made, entries must be corrected by striking the error through with one line, and applying the author's initial, time and date, by the correction. The original entry should still be read clearly. Errors must not be amended using white correction fluid, scribbling out or writing over the original.
- Records must never be falsified
- Records must be maintained according to the Data Protection Act 1998

6 **CODES OF CONDUCT**

All St Clair Healthcare workers are required to observe our codes of conduct which emphasize the importance of a professional approach to all our clients and service users. You are therefore required to adhere to the following:

DISCRIMINATION Agency workers should treat everyone equally irrespective of sex, sexual orientation, marital status, age, disability, race, colour, ethnic or national origin, religion or political beliefs.

REPUTATION	Agency workers must not say or do anything that may harm the reputation of either St Clair Healthcare or the hiring client.
OWN DUTIES	Agency workers must never attempt to perform any duties of care or otherwise that may fall outside their expertise and/or qualifications. Specifically, care staff must not attempt to perform the duties of nursing staff.
CONFIDENTIALITY	Agency workers will at times become privy for information concerning a Client or service user, this information must be treated with respect and remain confidential at all times. At no time may any Agency Worker discuss the confidential affairs of St Clair Healthcare, the hiring client or the service user without specific written permission to do so. The only exceptions to this requirement are cases where the law dictates otherwise or if silence may negatively affect a service user's wellbeing.
DIGNITY	Agency workers must not do or say anything that may put the dignity or health of their service users at risk.
PROFESSIONALISM	Agency workers must at all times remain professional whilst on assignment. Agency workers must take specific care to keep the professional nature of the relationships intact in the working environment.
KEEP UPDATED	Agency workers must always keep up to date with policies and procedures and changes to legislation that may affect them.
RESPECT	Agency workers must always respect the working practices and demands of service users unless unreasonable or if a working practice may breach health and safety.
KEEP TO PLAN	Agency workers must always, whenever applicable, keep to the requirements of a care service plan and/or any other agreed role requirement.
BEST INTERESTS	Agency workers must always act with the best interests of the service user in mind.
NOTIFICATIONS	Agency workers should always in the first instance notify the hiring client of any concerns, followed by a telephone call to St Clair Healthcare.
OWN DECISIONS	Agency workers must always allow the service user to make the decisions about what is best for them. This includes decisions about treatment and personal affairs.
COMPLAINTS	St Clair Healthcare has a detailed policy on how to report complaints. In the event of a complaint that may affect your duties and obligations please refer to our policy and notify us immediately.

7 DEALING WITH ALLEGATIONS OF ABUSE

The following guidelines should be followed when dealing with suspicions or allegations of abuse in relation to the Safeguarding of Children, Young People and Vulnerable Adults.

7.1 Definitions of Abuse

Sexual Abuse	includes encouraging relevant individuals to look at pornography, harassing them by making sexual suggestions or comments, or sexual acts where the individual has not consented, or could not consent or was pressured into consenting;
Psychological Abuse	includes emotional abuse, threats of harm or abandonment, deprivation of contact, humiliation, blaming, controlling, intimidation, coercion, harassment, verbal abuse, isolation or withdrawal from services or supportive networks;

Physical Abuse	includes hitting, slapping, pushing kicking or inappropriate sanctions;
Neglect	includes ignoring medical or physical care needs, failure to provide access to appropriate health, social care or educational services, the withholding of necessities such as medication, adequate nutrition and heating, etc;
Discrimination	This includes but is not limited to sexist, racist, disability and other forms of harassment.
Financial Abuse	including theft, fraud, putting pressure in connection with wills, property or inheritance or financial transactions, or the misappropriation of property, possessions or benefits.

7.2 Detecting Abuse, Safeguarding Vulnerable Adults, Young People and Children

This may be raised or brought to your attention via

- A colleague reporting to you that a child/young person/vulnerable adult has confided in them that they are being abused or suspect that a child/young person/vulnerable adult is being abused
- A child/young person/vulnerable adult may confide in you that they are being abused or may display signs of being abused
- The behaviour of a child/young person/vulnerable adult may suggest abuse or there may be a change in their behaviour to suggest that they are being abused
- A colleague may confide in you that they have abused a child/young person/vulnerable adult
- The behaviour of a colleague may suggest that they might be abusing a child/young person/vulnerable adult or there may be a change in their behaviour to suggest that they might be abusing a child/young person/vulnerable adult

7.3 Dealing with a suspicion or awareness of abuse

Below is a list of DO's and DON'Ts in order to assist you if you have a suspicion or are aware that a child/young person/vulnerable adult is being abused:

DO

- ✓ Listen carefully
- ✓ Take it seriously
- ✓ Be reassuring
- ✓ Find help quickly
- ✓ Negotiate getting help
- ✓ Make careful and accurate records of what is said as soon as is practicable following the disclosure. Remember to date, time and sign the record. Please be aware that this record will be used in any subsequent legal proceedings
- ✓ Obtain (where practicable) the contact details for the child/young person/vulnerable adult; details of the allegation or the suspicion, including (where known) the name of the alleged abuser; the circumstances which brought the alleged abuse to your attention
- ✓ Report the suspicion or allegation to the relevant agencies who may include the Police and/or Social Services
- ✓ Ensure at all times that the welfare of the child/young person/vulnerable adult is paramount and the interests of the person against whom the allegation has been made are protected

DO NOT

- Put any suggestions into the mind of the child/young person/vulnerable adult
- Jump to your own conclusions
- Push the child/young person/vulnerable adult to make a disclosure
- Speculate or accuse anybody
- State your opinion rather than adhering to the facts as reported to you
- Make promises you cannot keep

8 TRAINING & DEVELOPMENT

8.1 Appraisal and the Medical Profession (Responsible Officers) Regulations 2010

St Clair Healthcare firmly believes in putting in place governance systems that consistently promote and protect the interests of patients and service users. The introduction in December 2012 of medical revalidation provides a powerful lever on us to ensure that our agency workers strive to improve in the quality of patient care and have annual appraisals. An appraisal is beneficial for CPD, enables personal reflection and assists with feedback and CPD action plans. The appraisal must be carried out by a senior practitioner of the same discipline. The appraiser is required to supply documentary evidence to demonstrate that they have been appropriately trained in the conduct of appraisals and have been regularly re-trained as appropriate.

St Clair Healthcare is required to take into account when assessing the agency worker's clinical practice, the results of any quality assessment questionnaires completed by our clients and the results of any reviews by St Clair Healthcare of the agency worker's clinical practices. This information can contribute to nurses' revalidation portfolios. **See revalidation guide.**

In addition to the above, St Clair Healthcare will request feedback from their clients. This feedback will cover the following areas:

General levels of service including punctuality, attitude and ability to carry out practical tasks
Clinical performance
Training needs
Any other issues (including progress since the last appraisal)

Copies of the completed feedback requests will be forwarded to you, giving you the opportunity to raise any concerns or issues you may have.

You also should ensure that you maintain a written portfolio of your professional experience and attendance at professional development courses. For registered nurses, you are expected as of April 2016 to follow the NMC revalidation criteria for CPD.

8.2 Training

St Clair Healthcare will endeavor to assist you in obtaining training as required. Training is offered by various independent third party suppliers at venues throughout the UK and via online courses. Prices are determined by each individual supplier and St Clair Healthcare obtains no financial benefit from recommending the agency worker to any of these third party suppliers.

8.3 Induction

It is St Clair Healthcare's policy to ensure that their clients provide induction training to our agency workers for their first-time assignments. This ensures that the agency worker is adequately equipped with the pertinent knowledge about the ward/site they will be working on. An induction form will be completed by the ward/department/site at which the agency worker has worked.

Mandatory Training

Below is a list of mandatory training required by the Department of Health for ALL health workers:

- Basic/Immediate or Advanced Life Support (adult or paediatric as appropriate). You must be compliant with the Resuscitation Council of the UK guidelines. Advanced Life Support is valid for 4 years.
- Manual Handling
- Lone worker training
- Handling violence and aggression
- The Caldicott Protocols
- Health and Safety (including COSHH and RIDDOR)
- Infection Prevention and Control
- Complaints handling
- Fire Safety
- Safeguarding Children and Young People
- Protection of Vulnerable Adults

9 COMPLAINTS REPORTING, COMPLAINTS HANDLING & MANAGEMENT

Please refer to the Terms of Engagement you have signed with St Clair Healthcare Group Limited which clarify the position when a hiring client requests that a particular worker no longer be placed within an assignment; equally where an agency worker may wish to terminate an assignment with a hiring client.

If you are on assignment and you receive a complaint from a hiring client, patient or other person, you MUST report any complaint to a senior person in the department where you are working and ensure that you document all the details of the complaint. It is essential that you also report the complaint to St Clair Healthcare. Should you personally be the subject of a complaint, you will be asked to record details as part of an investigation and in some circumstances, it may be necessary to suspend you pending investigation.

Any complaints of misconduct against you will be reported to the Nursing & Midwifery Council or the relevant professional Body.

St Clair Healthcare strictly adheres to the prescribed timeframes set out by the NHS and NHSLA risk standards and requirements.

Procedure

The Managing Director deals with complaints and other matters of concern from service users. ALL complaints are logged, acknowledged, investigated and resolved with the specified time-scale (i.e. acknowledgement within 5 working days and every effort is made to achieve resolution of the complaint within 15 working days) to ensure their clients and agency workers are satisfied that any complaint or suggestion has been taken seriously and dealt with fairly and promptly. The records of the complaints are kept in a secure database and only staff with authorisation relevant to their duties have access to this information.

Complaints need to be sent in writing.

Should the complaint be against an agency worker, St Clair Healthcare ensures that the agency worker is fully informed of the complaint and is entitled to receive a copy of the complaint. The agency worker will be invited to respond to the complaint and provided with the opportunity to give their version of events. Their statement has to be submitted within 7 days of the complaint being logged by St Clair Healthcare. This statement may be shared with the party making the complaint. St Clair Healthcare will immediately exclude the agency worker from its active register whilst an investigation takes place as we have a duty to examine and take such other actions we may consider necessary until we have sufficient information

to resolve the issue to our satisfaction.

St Clair Healthcare will ensure that they keep the complainant informed of any progress or delays in the process, giving reasons and an anticipated response time. St Clair Healthcare will also ensure that the quality of the service provided to the client continues in a seamless manner with no adverse effect.

In the event of evidenced malpractice and a complaint that legally requires notification, St Clair Healthcare will immediately notify the relevant regulatory authority. This may include the Care Quality Commission (CQC), The Regulation and Quality Improvement Authority (RQIA); Nursing & Midwifery Council (NMC); General Medical Council (GMC); Health and Care Professionals Council (HCPC); General Dental Council (GDC).

You are not advised to directly engage with the media without the support of St Clair Healthcare; The Directors of St Clair Healthcare will manage all communications with the media.

There will be cases that will need to be referred to St Clair Healthcare's insurers and we will therefore need to take their legal advice prior to responding to a complaint.

Should a client or agency worker disagree with the outcome of a complaint handled by St Clair Healthcare they can contact their local ombudsman or regulatory body and we will co-operate fully with any appeal raised.

The regulatory body for England is the Care Quality Commission (CQC), contact details are

Website: www.cqc.org.uk

Tel.: 03000 616161

Fax.: 03000 616171

Address: Citygate, Gallowgate, Newcastle upon Tyne NE1 4PA

10 STAFF CONDUCT & DISCIPLINARY PROCEDURES

The disciplinary procedure provides for disciplinary sanctions to be given for failure to meet St Clair Healthcare required standards on job performance, conduct and attendance, or for breach of any terms and conditions of engagement.

In the event of a complaint against an agency worker, the Directors will establish the facts surrounding the complaint and will take into account the statements of any available witnesses.

Where an agency worker is failing to meet the required standards and not deliberately jeopardising the trust and safety of anyone under their care, further training will be provided as necessary. If the Directors consider that it is not necessary to resort to the formal warning procedure, the Directors will discuss the matter with the agency worker suggesting areas for improvement and a possible action plan/ review will be arranged. Discussion will, in so far as is possible, be in private and the agency worker will be informed that no formal disciplinary action is being taken.

If the Directors deem it necessary to invoke a formal warning procedure, the Directors will inform the agency worker.

In the case of general misconduct, the agency worker will be given a formal verbal warning. The agency worker will be advised that the warning constitutes the first formal stage of disciplinary procedure and that a note will be placed on the agency worker's personnel record to remain current for a period of 6 months. The nature of the offence and likely consequences of further offences or a failure to improve will be explained. In the case of more serious offences or repetition of earlier minor offences, the agency worker will be served with a written warning which will set out the precise nature of the offence, the likely consequences of further offences and specifying, if appropriate, the improvement required and the expected time periods. A copy of this letter will be placed on the personnel file with a copy also being sent to the agency worker.

In all cases, before any disciplinary action including warnings is taken, the agency worker will be interviewed by the Directors or a suitable member of the management staff and will be informed of the allegations made against them. The agency worker will be given the opportunity to state their case and at the interview may be accompanied by a work colleague/ union representative of their choice. If the complaint is upheld, the agency worker will be informed of the disciplinary action to be taken, the stage in the disciplinary procedure to be adopted depending upon the seriousness of the offence and the right of appeal.

10.1 Removal from the St Clair Healthcare Register of Agency Workers

Agency workers may be removed from the Register in the following circumstances:

- Where an agency worker's conduct or standard of work has seriously fallen below the level required by the Code of Professional Conduct
- Where an agency worker is deemed to have acted in an unprofessional manner, St Clair Healthcare reserves the right to remove the agency worker from their assignment and not re-assign them until such time as the matter has been investigated and resolved
- If St Clair Healthcare has been alerted by the NMC, GMC or other regulatory body regarding an agency worker

Examples of misconduct or drop in standard work are as follows (although this list is not exhaustive):

- Failure to carry out reasonable instructions of St Clair Healthcare or the hiring client
- Breach of trust involving St Clair Healthcare or the hiring client
- Failure to provide care in compliance with the agency worker's professional Code of Conduct or in a caring and appropriate manner (for example, not adhering to clinical instruction, sleeping on duty, etc.).
- Theft
- Sexual misconduct at work
- Inappropriate relationship with a client or customer
- Conviction of a criminal offence, police caution or being bound over by a court where this is relevant to the agency worker's employment
- Failure to disclose a criminal offence (including those which would be considered to be spent under the Rehabilitation of Offenders Act 1976)
- Abusive or violent behaviour including physical, sexual, psychological, emotional, financial abuse of a client or their representative
- Being under the influence of alcohol or any substance that could adversely affect your performance
- Possession of illegal drugs whilst on duty or the supply of illegal drugs to clients or their representatives
- Harassment, bullying, discrimination
- Aggressive behaviour
- Abusive bad language
- Falsification of records, reports, accounts, expense claims, etc.
- Falsification of a qualification which is a stated requirement of the agency worker's employment
- Disclosure of confidential information relating to a client or St Clair Healthcare to a third party
- Damage to or misuse of the client's property
 - Failure to follow the requirements of the care plan or care instruction which exposes the client, patient, their representatives to unacceptable levels of risk and/or danger

11 **HEALTH & SAFETY**

It is St Clair Healthcare's policy to ensure, as far as is reasonably practicable, the health and safety and welfare of their agency workers. This involves working in partnership with our clients who for the purpose of agency workers, provide the physical setting for the work undertaken by St Clair Healthcare's agency workers. This involves

- Working with the client to ensure that a full risk assessment is carried out at the premises where the assignment is to be performed
- Ensuring that the agency worker has all the necessary qualifications, experience or skills required to carry out the assignments that they will be undertaking
- Ensuring that the agency worker is provided with sufficient information, instruction and training to ensure their own health and safety
- Ensuring that agency workers only use the equipment for which they are trained and that this equipment is in safe working order and all checks are up to date
- Ensuring that all agency workers familiarise themselves with the hiring client's fire evacuation procedure for the area that they will be working in.

Please note that you are responsible for your own health and safety and you have a duty of care to your fellow workers. Your responsibilities include:

- The duty to comply with all safety instructions and directions provided for each assignment
- The duty to use in a proper manner the means and facilities provided on site for health and safety
- The duty to refrain from the willful misuse of anything provided in the interests of health, safety and welfare and any action that may be construed as dangerous
- The duty to report any potential hazards or dangerous occurrences that may cause harm to others

11.1 Safety Instructions

- Always familiarise yourself with the health and safety policies and procedures for the environment in which you are working and pay particular attention to fire and emergency procedures.
- Never attempt a task without first ensuring that you understand the instructions and can carry them out safely.
- Always maintain a clean and safe environment
- If you see, or believe you see, an unsafe act or condition, report it to the client as soon as possible, taking immediate steps to correct it or ask the client to rectify it. You may be assumed to have agreed to an unsafe condition if you do not comment on it and if you continue working.
- Certain jobs require you to wear protective clothing or to use equipment. If you are unsure, ask for advice before you start working.
- You must ensure that all cleaning materials or other potentially hazardous substances are correctly stored, labelled and are used in compliance with the manufacturer's instructions in order to reduce the risk of injury or danger to health. All waste or by-products must be properly disposed of.
- Only use, adjust, alter or repair equipment if you are authorised or qualified to do so.
- If you, or the equipment you operate, are involved in an accident (however minor) you must seek first aid and report it immediately to the client and St Clair Healthcare.
- Ensure that all equipment (e.g. hoists) has been properly maintained and that documentary evidence is supplied.
- Obey all health and safety rules, signs and instructions. If you are unsure as to what they mean, clarify this with the client or a colleague.

11.2 Accident Reporting

Agency workers are responsible for ensuring that all incidents or accidents that relate to the provision, control and maintenance of health and safety in the workplace are reported to the client, St Clair Healthcare and the Local Authority (in the case of serious accidents or dangerous occurrences).

11.3 RIDDOR (Reporting of Injuries, Diseases and Dangerous Occurrences Regulations 1995)

Dangerous and serious occurrences, lost time injuries of over 7 days MUST be reported to the HSE immediately and followed up by a Form 2508 within 10 days. As an agency worker, you have a legal duty under RIDDOR to report and record some work related accidents (e.g. deaths, major fractures, amputations, dislocations, loss of sight and lost time injuries of over 7 days)

11.4 COSHH (The Control of Substances Hazardous to Health Regulations 2002)

This regulation covers the control of the risks to people from exposure to harmful substances generated out of or in connection with any work activity. Therefore the responsibility of these legal duties lie primarily with the client whose site you are working in. Additionally, it is the client's duty to ensure that proper systems of work and management are in place. Under this regulation, your duties are

- Making proper use of any control measures
- Following safe systems of work
- Abiding by local rules and policies
- Reporting defects in safety equipment as appropriate

12 **EQUALITY & DIVERSITY**

St Clair Healthcare is an equal opportunity employer and is committed to treating all of its employees and agency workers equally. It is our strict policy to take all reasonable steps to recruit staff on the basis of their abilities and qualifications without regard to race, religion, colour, sex, age, nationality, disability or sexual orientation. St Clair Healthcare may request information from staff, agency workers, applicants or clients to enable us to monitor the success of our policy. The giving of such information will be voluntary and used solely for monitoring purposes. Individual details will be kept confidential; however group statistics may be released to relevant authorities.

13 **HARASSMENT/BULLYING**

St Clair Healthcare is committed to creating a working environment where every agency worker is treated with dignity and respect and where each person's individuality and sense of self-worth within the workplace is maintained. You also have a duty to treat those with whom you work with the same respect and dignity and to take all steps necessary to ensure that harassment or bullying does not occur.

13.1 What is bullying and harassment?

These terms are used interchangeably by most people, and many definitions include bullying as a form of harassment.

Harassment, in general terms is unwanted conduct affecting the dignity of men and women in the workplace. It may be related to age, sex, race, disability, religion, sexual orientation, nationality or any personal characteristic of the individual, and may be persistent or an isolated incident. The key is that the actions or comments are viewed as demeaning and unacceptable to the recipient.

Bullying may be characterised as offensive, intimidating, malicious or insulting behaviour, an abuse or misuse of power through means intended to undermine, humiliate, denigrate or injure the recipient. Bullying or harassment may be by an individual against an individual (perhaps by someone in a position of authority such as a manager or supervisor) or involve groups of people. It may be obvious or it may be insidious.

Whatever form it takes, it is unwarranted and unwelcome to the individual.

13.2 Examples of bullying/harassing behaviour include:

- spreading malicious rumours, or insulting someone by word or behaviour (particularly on the grounds of age, race, sex, disability, sexual orientation and religion or belief)
- ridiculing or demeaning someone - picking on them or setting them up to fail
- exclusion or victimisation
- unfair treatment
- overbearing supervision or other misuse of power or position
- unwelcome sexual advances - touching, standing too close, the display of offensive materials, asking for sexual favours, making decisions on the basis of sexual advances being accepted or rejected
- making threats or comments about job security without foundation
- deliberately undermining a competent worker by overloading and constant criticism
- preventing individuals progressing by intentionally blocking promotion or training opportunities.

Bullying and harassment are not necessarily face to face. They may also occur in written communications, email, or phone.

Bullying and harassment makes an individual feel anxious and humiliated. Feelings of anger and frustration at being unable to cope may be triggered. Some people may try to retaliate in some way. Others may become frightened and demotivated. Stress, loss of self-confidence and self-esteem caused by harassment or bullying can lead to job insecurity, illness, absence from work, and even resignation. Almost always job performance is affected and professional relationships in the workplace suffer.

Any agency worker who, after proper investigation, is deemed to have subjected a client, a fellow agency worker or anyone else alongside whom they work to any form of harassment or bullying will be dealt with in an appropriate manner under St Clair Healthcare's complaints procedure. This includes removal from our Agency Workers' Register.

14 **GIFTS & GRATUITIES**

It is St Clair Healthcare's policy that their agency workers will not accept gifts, gratuities, favours, rewards for services rendered. If you are offered any of the above, you must explain politely that it is against St Clair Healthcare's policy.

15 **FRAUD AWARENESS**

The Fraud Act came into effect in 2006, recognising fraud as a criminal offence. An individual is guilty of fraud if they are found to be in breach of the following:

1. Fraud by false representation
2. Fraud by failing to disclose information
3. Fraud by abuse of position

Type of fraud within the NHS:

1. **Payroll Fraud** – claims for excess hours or overtime not worked; claims for expenses not incurred; duplicate claims for hours already claimed.
2. **Requisition and Ordering Fraud** – accepting inducements from suppliers; ordering goods and services through the NHS and taking them home.
3. **Overseas Patients Fraud** – people not resident in the UK who come to the NHS for treatment not paying for their treatment before departing the UK.

What do you do if you suspect fraud?

Simple guidelines are:

- DO** make an immediate note of your concerns
- DO** report your suspicions confidentially to someone with the appropriate authority and experience
- DO** deal with the matter promptly if you feel your concerns are warranted
- DO NOT** do nothing
- DO NOT** be afraid to raise your concerns
- DO NOT** approach or accuse individuals directly
- DO NOT** try and investigate the matter yourself
- DO NOT** convey your suspicions to anyone other than those with the proper authority

16 WHISTLEBLOWING

The Public Interest Disclosure Act 1998 came into force in July 2009 and this Act recognises that workers have the right to “blow the whistle” and disclose certain information (e.g. fraudulent activities of management, malpractice and/or concerns about health and safety). This Act introduced specific rights for those who disclose information to a third party about an alleged wrong-doing in defined circumstances. There is no general right for all so-called whistle-blowers to receive special protection. To qualify, the following issues must be met:

- The Disclosure in question **MUST** related to one of the specified categories contained within the Act; and
- The Disclosure must be made in one of the ways specified

Protection under the Act applies to workers and the definition used is substantially wider than that used in other employment legislation. It includes not just employees but also agency workers and third party contractors including limited company contractors whose work is controlled by the hiring client – but not those individuals who are genuinely self-employed.

The Care Standards Act 2000, through the Nurses Agencies Regulations & Domiciliary Care Regulations and the associated standards require the agency or registered person to have robust procedures for responding to suspicion or evidence of abuse or neglect (including whistleblowing) to ensure the safety and protection of service users. However, we would encourage our agency workers to disclose their concerns to the Managing Director of St Clair Healthcare first.

16.1 Procedure for Disclosures

1. Once the Managing Director has received a report, he will immediately make discreet and confidential enquiries in order to establish the level of investigation required. All reports are taken very seriously and will be treated confidentially. He will always try to gain input from any third parties that may assist in establishing the truth of the matter.
2. When the initial enquiries have been completed, the party about who the report was made will be informed that an investigation is taking place into the matter.

3. If the matter does not constitute a serious offence, St Clair Healthcare will use its normal internal procedures to settle matters.
4. If the matter is of a serious nature, St Clair Healthcare will
 - (a) If appropriate, report the alleged offence to the police and appropriate protection registers and bodies should the alleged offence require it. This specifically includes the POVA and POCA registers.
 - (b) Remove all agency workers allegedly involved in the offence from the assignment. A decision may also be taken to exclude these workers from our live register pending resolution of the matter.
 - (c) In criminal law, the Crown or other prosecuting authority has to prove guilt and the individual(s) involved in the alleged offence are presumed innocent until proven guilty.
 - (d) All agency workers involved will be appraised of the allegations against them and of their rights and obligations in the matter.
5. Should St Clair Healthcare find that the alleged offence has indeed occurred or has on the balance of probabilities happened, then St Clair Healthcare will take the appropriate action against the individual(s) concerned and report the matter to all parties it is obliged to by law.
6. Should St Clair Healthcare find that the alleged offence did not occur, all actions taken against the agency worker(s) will be removed and reversed.
7. In the event that it is found that the allegations made are false and malicious, the agency worker will be subject to the appropriate action by St Clair Healthcare.

We hope that you have found this Handbook useful.

Please note that the information within this Handbook is for guideline purposes only.

Feel free to call us for further help or advice - we are always happy to hear from you.

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