



Family Nursing & Home Care

Family Nursing & Home Care Employee Handbook

2022

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This Handbook is for you to refer to on a range of matters relating to your employment with us. It will be available for all employees to access via FNHC's Procedural Document Library.

The contents of this Handbook generally apply to all employees of FNHC. A certain number of the provisions do not apply to employees on probation, zero hours, temporary or fixed-term contracts and these employees will be advised which provisions do not apply to them.

The purpose of the Handbook is to provide information to employees about their employment within FNHC. It replaces any previous handbook, procedures and policies that may have been issued to employees.

If there are any differing terms between the Handbook and the Statement of Employment Terms or Service Agreement, then the Statement of Employment Terms shall prevail.

Information is divided into a number of sections as follows:

Section One: **Introduction and Definitions** explains the various sections of the Handbook and their effect and gives an explanation of the various terms used in the Statement of Employment Terms and in the Handbook.

Section Two: **Contractual Terms and Conditions** details terms and conditions additional to those set out in the Statement of Employment Terms and that, together with the Statement of Employment Terms, form the Contract of Employment. In the event of any inconsistency between this Handbook and the Statement of Employment Terms, the Statement of Employment Terms will prevail. Any change to the Contract of Employment may be effected as set out in Section Two of the Handbook.

Section Three: **Benefits** provides details of benefits currently available to employees. The information in this section is for guidance and information only, and is not legally binding and does not form part of the Contract of Employment. The contents are subject to amendment or termination at FNHC's discretion at any time.

Section Four: **Employment and HR Policies and Procedures** provides general information on policies and procedures that operate within FNHC that employees are required to follow but that are not legally binding and that do not form part of the Contract of Employment. These policies and procedures will be reviewed from time to time and employees will be notified about changes where they arise.

SECTION ONE - Introduction & Definitions

Family Nursing & Home Care (FNHC) is a Jersey Charity.

We raise money through donations, fundraising activities and legacies and we are contracted by the Government of Jersey for the provision of services. Our ethos is to help islanders start well, live well and age well. We provide expert prenatal and parental care and we support children, young people, families and the members of our community who need healthcare or support in their homes.

Our Services range from the Baby Steps programme, Community Children's Nursing, School Nursing, District Nursing, Health Visiting, Rapid Response and Reablement and Home Care.

Kindness is a priority: to our patients, clients, partners and each other. Our nurses and colleagues work with islanders to understand their needs, applying our expertise to deliver the best possible care with dignity at the core of our service. We have the courage to do things differently and strive to provide innovation and new levels of care to the community. Our carers have earned the trust of our community and with over 100 years of experience in providing care across Jersey, we know what we're talking about.

FNHC is a growing, forward thinking modern charity that has continuously adapted to meet the needs of islanders. FNHC is passionate about delivering care that makes a real difference to people's lives, as we believe that everyone deserves the best health care and support possible, and in order to achieve this we will always try to be there for islanders and their loved ones when they need us.

It is our intention to continue to grow and develop all areas of our organisation to enable us to meet the needs of islanders now and in the future. To achieve this we rely on our charitable work and the generosity that we receive from islanders.

FNHC is a close –knit organisation with over 170 + staff members. It has a truly friendly and supportive culture, which is strongly embedded within our strategy, vision values and behaviours. Our ambition over the next five years is to deliver our strategic plan and to be:

- the employer of choice
- the partner of choice
- the provider of choice

Always putting people at the heart of all we do.

What do FNHC do and believe in?

Our mission is to ensure the best community health care possible is provided to each islander to support them to start well, live well and age well.

Our vision is that

- We will be the Island's leading nursing and care service in the community.
- We will provide services that allow people to be cared for and remain at home.
- We will provide services that support families from pre-birth to adulthood.
- Our care we give will be compassionate and excellent to enable islanders to live their life as fully as possible.
- We will develop and improve to ensure that islanders receive the best care possible.

Our core values are:

To show kindness, be courageous, to care, to be compassionate, to be committed to always providing the best.

Who we are:

We provide care to over 34,000 islanders every year.

We deliver our services from a range of places around Jersey:

- Different community settings – health clinics, GP surgeries, schools and patient's own homes.
- Our headquarters at Le Bas
- Community hubs at Pathways, The Bridge and Gervais Le Gros

We employ just under 200 people from different nations, cultures and backgrounds.

These include highly trained community nurses, health visitors, district nurses, children's community nurses, mental health nurses, midwives, play therapists, nursery nurses, carers. They are supported by dedicated administrative and professional leaders within corporate services

Our Mission and Vision

Mission	Is to ensure the best community health care possible is provided to each Islander to support them to start well, live well and aged well.			
	Vision	<ul style="list-style-type: none"> - to be the Islands' leading nursing and care service in the community, - provide services that allow individuals to be cared for and remain at home, - our care will be compassionate and excellent to enable islanders to live their life as fully as possible, - develop and improve ourselves to ensure individuals receive the best care for their needs. 		
		Values	to show kindness, to be courageous, to care, to be compassionate, to be committed, to always provide the best possible	
			Strategic Priorities	<ul style="list-style-type: none"> - Safe - clinical safety, quality assurance, - Care - delivering high quality care with dignity and respect, - Well led - strong clinical leadership and competent workforce, - Responsive - enhanced partnership and collaboration, - Effective - making every contact count, internally and externally, - To take a leading role in the health of islanders.
				Adult community health and Care services, incl. specialist nursing, Universal and targeted children and family services, Rapid Response and Reablement Services, Children's Community Nursing Team.
			Clinical Strategy	
			Enablers	<ul style="list-style-type: none"> Quality People IT Premises Health and well being Finance Expert Community clinical & care staffing Research and Innovation Partners and charitable donors

High standards of conduct that are in line with our values and organisational priorities are essential.

Everyone employed by FNHC is a member of the team and each employee has a part to play in maintaining our standards of care. In order that we contribute towards the best community health care possible to each islander it is important that we are up to date in our practice and that we observe the policies and procedures affecting our day-to-day activities. These are regularly updated and supported by your mandatory training modules.

Safeguarding is everyone's business

We aim to make sound and consistent decisions as part of implementing the safeguarding procedures. We will try to ensure that safeguarding is everyone's business

- All staff are committed to the importance of safeguarding and promoting child and adult welfare
- Senior management and employees have a clear statement of FNHC's responsibilities for safeguarding children and adults
- FNHC has a clear line of accountability for work on safeguarding and promoting the welfare of children and adults
- Service development takes account of the need to safeguard and promote welfare and is informed by the views of adults, families and carers
- Staff training on safeguarding and promoting the welfare of adults is appropriate and in line with the Safeguarding Partnership Board's strategy
- Safe recruitment procedures are in place
- Effective inter-agency working to safeguard and promote the welfare of children and adults are promoted
- Effective information sharing protocols exist, where appropriate and are implemented

It is the responsibility of all employees to understand and abide by our safeguarding practices. Safeguarding and promoting the welfare of children and adults is the responsibility of everyone who comes into contact with them, including their families and carers.

We hope that you enjoy your role within FNHC and look forward to working together for the benefit of the islanders.

Rosemarie Finley– Chief Executive Officer

Definitions

Throughout the Handbook, the following words shall have the meanings set out below:-

Family Nursing & Home Care (FNHC)	means any company that is a subsidiary of or a holding company of FNHC or a subsidiary of any such company where subsidiary and holding company shall have the same meaning assigned to each of them in Articles 2 and 2A of the Companies (Jersey) Law 1991, as amended, or the relevant provision of the appropriate legislation of the jurisdiction within which that subsidiary or holding company was incorporated
Board of Trustees	means the trustees, senior leadership team and CEO of FNHC (formerly referred to as the 'committee')
Trustee	FNHC means a Trustee of FNHC
Chief Executive Officer	means the most senior executive of FNHC who leads FNHC
Contract of Employment	means the terms and conditions forming the contract of employment between an employee and FNHC as contained in Section Two of the Handbook and the Statement of Employment Terms together with any additional and supplemental terms and conditions issued by FNHC from time to time and that are stated by FNHC to be contractually binding on employees
Delegate	means any person nominated by the relevant person as a delegate to carry out all or any of that relevant person's role or duties
Handbook	means the five sections comprising this document namely the introductory section (section one), the contractual terms and conditions section (section two), the benefits section (section three) the policies and procedures section (section four) and the business policies section (section five) together with any additional or supplemental provisions issued by FNHC from time to time
Line Manager /Team Leader	means a manager of FNHC responsible for the day-to-day operations of direct reports
Manager	means a manager of FNHC responsible for the day-to-day operations of a specific area

Senior Management Team

means the senior managers of FNHC who have overall responsibility for the day-to-day operations of FNHC or any delegates

Operational Lead

means the managers of FNHC who have responsibility for the day to day operations of a specific department of FNHC or any delegates

Registered Manager

means a manager who is registered with the Jersey Care Commission to manage home care services and must ensure that the regulated activity is conducted so as to make proper provision for care receivers in respect of their health, safety and welfare and that the particular needs of each care receiver (whether as to education, treatment, supervision or otherwise) are identified and met.

The registered manager must lead and manage the regulated activity in a way that is consistent the Statement of Purpose.

The registered manager must consider the need to safeguard and promote the welfare of the care receiver; and as far as is practicable ascertain and have regard to the wishes and feelings of the care receiver or his or her representative. A registered person must ensure that the regulated activity is carried on in such a manner as to maintain good personal and professional relationships with both workers and care receivers.

Performance Management Review (PMR)

means a performance management review meeting (described as such or under any other name) conducted to appraise the performance of an employee

Statement of Employment Terms

means the statement of terms of employment that FNHC is required by law to give to employees and that, together with Section Two of the Handbook, forms the Contract of Employment

SECTION TWO - Contractual Terms and Conditions

Please note, failure to comply with FNHC terms & conditions / policies and procedures may result in capability or disciplinary procedures.

Commencement and Previous Employment

An employee's period of employment with FNHC will begin on the date specified in the Statement of Employment Terms. Unless otherwise stated in the Statement of Employment Terms, no employment with any previous employer counts as part of an employee's period of continuous employment with FNHC. An employee's start date for continuous employment purposes is also set out in the Statement of Employment Terms.

In circumstances where an employee's employment is subject to any form of permit, consent, licence or permission from a third party, for example in relation to entry into Jersey, if at any time any such permit, consent, licence or permission is revoked or expires and cannot be renewed, an employee's employment with FNHC will terminate automatically without the requirement for notice to be given.

At the commencement of employment employees will have provided FNHC with various personal details. Employees must notify their Line Manager immediately of any change, e.g. name, address, telephone number, next of kin etc. to those details. FNHC will not be responsible for any issues arising out of an employee's failure to notify changes in their personal details.

Criminal and Civil Offences

Prior to commencing employment, employees must disclose any criminal records (both 'spent' and 'unspent') or any pending charges they may have in any jurisdiction. If during employment an employee is charged with any criminal offences or are subject to a civil action, they must report the matter to a member of the Human Resources (HR) Department providing full details of the actions involved. This information will be shared with the Registered Manager as necessary. The HR Department and Senior Management Team will treat all information provided by the employee in confidence however, if in the opinion of the HR Department or Registered Manager, the alleged offences are considered to be of a serious nature the employee may be suspended from employment with pay pending further investigation. Failure to disclose information about criminal and civil offences will be considered gross misconduct and a cause for summary dismissal.

Disclosure and Barring Service (DBS)

Employees are required to undergo a DBS record check. These checks are normally conducted prior to employment. FNHC, as a specific requirement of its insurance terms and conditions relating to the Protection of Children and Vulnerable Adults, is required to undertake further DBS checks of all relevant current employees. These are currently at least every three years however this is subject to change at the request of its insurers. There may also be a requirement to carry out a further DBS check if an employee is changing job roles, for example from working solely with the care of adults to working with the care of children or minors. Failure of any employee to adhere to the ongoing requirement for DBS checks will be considered gross misconduct and a cause for summary dismissal.

FNHC utilises the services of First Advantage an appropriate and qualified vetting agency to assist it with the required disclosures. FNHC can apply for any one of the three types of

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Policies contained within the handbook may be under review, a printed version may not be up to date. Refer to Central Filing/Procedural Document Library for latest version.

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checks for successful job applicants and existing employees however, FNHC will only ever need to apply for the disclosure checks which are specifically relevant to the job role.

FNHC would like to assure employees that it will comply with the DBS's Code of Practice and confirm the information released will be used fairly. The disclosure of this information is voluntary and FNHC cannot force employees to undergo these checks however, FNHC is within its right to either withdraw any job offers, or terminate current employment, if an employee refuses to comply.

Furthermore, FNHC will ensure that sensitive personal information is handled and stored appropriately and is kept for only as long as necessary.

An employee will be informed by a member of the HR Department if they are required to undertake a DBS check as part of the recruitment process and/or as a requirement for specific areas of work, or as part of any rolling renewal, as may be required under FNHC's liability insurance for the protection of children and vulnerable adults. Employees should feel free to discuss this procedure with the HR Department further if required – any discussions will be kept in the strictest confidence.

Certification – Proof and Renewal

Employees who are employed as a registered practitioner (whether nursing, care related or any other professional body) must produce recognised proof of their certification on appointment. If the certification is subject to periodic renewal, evidence of that renewal will be monitored by the Operational Lead and HR and must be produced on request.

All nurses and other professionals where applicable are reminded that they must hold current registration and re-validation with the Nursing & Midwifery Council and they must also maintain annual registration under the Healthcare (Registration) (Jersey) Law 1995. Details of certification, personal identification numbers and renewal dates will be recorded in personnel files. The appropriate certificates will be held on the personnel file in the HR Office. A registered health care professional must not work (and will not be paid) as a registered health care professional without current and up to date registration.

Medical Requirements

All employees are required to be certified medically fit to perform the duties of their post, both on appointment and at all times during the course of their employment. Should an employee have any doubt over their fitness to perform their duties, they must seek medical advice.

FNHC has the absolute right to refer an employee to their occupational health adviser for an assessment of their fitness for duty and / or request a report from the employee's General Practitioner or FNHC's medical practitioner/specialist advisor. Where a report is required that may necessitate the release of medical history, an employee will be asked to provide their consent for this report to be created. In this instance an employee will be asked to complete a consent form, which will be forwarded to the relevant specialist.

Probation

Any probation period is outlined in the Statement of Employment Terms. Their Line Manager will ensure that employees receive feedback during the probation period. At the end of the probation period a review will take place. If the outcome of the review is satisfactory to FNHC, the employee will receive confirmation that their employment has become permanent from the date of commencement of employment and the employee's notice period will be varied in accordance with the Statement of Employment Terms. If for any reason FNHC requires an employee's probation period to be extended, the employee will be advised of the revised end of probation date. If the outcome of the review is not satisfactory then employment will be terminated in accordance with Statement of Employment Terms.

Employees are expected to work to the highest standards within FNHC and FNHC recognises that support may be required initially in order for those standards to be reached.

If an employee feels that they are not suited to the position at any time, they will be able to terminate their employment in compliance with the minimum notice periods set out in the Statement of Employment Terms. If an employee terminates their employment during the probation period, the notice period must be worked and any failure to do so will result in the employee having to pay FNHC the equivalent of their salary for the period that they do not work.

Holidays cannot normally be taken during the first 12 weeks of the probationary period unless pre-agreed at the interview/offer of employment stage or in exceptional circumstances where authorised by their Line Manager. Any sickness / absence during the probation period will not be paid unless in exceptional circumstances and authorised by the CEO.

Any periods of absences or leave, for whatever reason, may extend the probationary period. Some employee benefits are only available on the successful completion of a probation period.

Infection Prevention and Control

Staff should always demonstrate good hand hygiene practice as this is essential for preventing the spread of infection. Standard precautions should be followed at all times when care is being undertaken.

All staff should ensure that uniforms and clothing are clean and free of unpleasant odours.

FNHC has a range of policies and procedures relating to infection prevention and control. Staff should adhere to these in order to promote best practice in this area.

Sharps injury and/or blood/body fluid exposure

Staff who sustain a sharps injury and/or exposure to blood/body fluid are required to follow the organisation's procedure for the management of this situation.

All such injuries and also near-miss events must be reported via the organisation's incident reporting system 'Assure'.

MRSA Screening

Pre-employment screening of clinical staff for MRSA will be undertaken the Health and Community Services (HCS) Infection Prevention and Control Team, where required.

During employment, routine screening is not deemed necessary at the present time. Staff will only be required to screen if there is a suspicious case (or cases) in the community and the HCS Infection Prevention and Control Team request it.

Work-related Dermatitis

Staff should follow good practice in hand hygiene in order to promote skin health and prevent problems such as work-related dermatitis. Staff are required to report any skin problems to their Line Manager so early help can be initiated. Also it is a requirement to record work-related skin problems onto the ASSURE system or current incident reporting system.

Vaccinations

FNHC offers employees vaccinations which may either:

- be limited to particular staff groups and reflects the work they undertake
- be made available to all staff
- offered according to Public Health recommendations

These vaccinations are provided for the protection and well-being of staff.

Expected Standards of Work and Conduct

Employees are expected to maintain a high standard in terms of both personal and professional conduct. When acting on FNHC's behalf, employees should do so with honesty, good faith and fairness and do nothing that may bring FNHC into disrepute. Employees are expected to comply with all reasonable instructions or requests. Employees must use their skills, knowledge and judgement to the best of their ability. All employees registered with a professional body are bound by that body's professional code of conduct.

FNHC realises the importance of the contribution each employee makes, nothing can be achieved without every employee being a well-trained, informed and knowledgeable professional member of the team. Therefore, FNHC has a commitment to each employee to provide them with all the information and training they require to make their job easier, more enjoyable and to make the business successful. Employees are not expected to know everything straight away – but FNHC does expect all employees to take responsibility for developing their knowledge relevant to their role as a priority.

During their employment with FNHC, employees will diligently and to the best of their ability:

- devote their working time, attention, endeavours and abilities to the business and affairs of FNHC
- faithfully carry out such duties honestly and ethically and exercise such powers and duties in relation to FNHC as from time to time may be assigned to or vested in

employees by FNHC, and not to knowingly or willingly do or permit to be done anything to the prejudice, detriment or injury of FNHC

- comply with any rules, regulations and policies issued from time to time by FNHC
- use appropriate behaviour, language and conduct, both with the public and with colleagues, in accordance with but not restricted to FNHC's policies
- if requested by FNHC, travel as may reasonably be required for the proper performance of an employee's duties

Employees should seek clarification from a member of the Management Team if they are in any doubt about the appropriate standards for their performance and behaviour.

FNHC is at liberty from time to time at its sole discretion:-

- to change the duties to be performed by an employee under the Contract of Employment (provided that FNHC acts reasonably in exercising its discretion)
- to limit an employee's authority and/or change the limits of their authority
- to appoint any other person or persons to act jointly with an employee or solely to discharge the duties previously assigned to them and exercise their powers

Employees will during the continuance of their employment obey all reasonable lawful requests, instructions and regulations made by FNHC and supply such information (in writing if so requested) as may from time to time be reasonably required of an employee by FNHC.

All equipment and stationery on the premises is the property of FNHC and must not be removed without permission.

Administration Procedures

All administrative procedures must be complied with in line with relevant policies, procedures and codes of practice.

Insurance Cover

FNHC provides public liability cover and professional indemnity cover for all staff carrying out their duties under organisational, policies and procedures and also whilst working within the Nursing and Midwifery Council (NMC) Code of Professional Standards of Practice and Behaviour or other professional regulatory body standards where appropriate.

Place of Work

An employee's main place of work will be at FNHC's offices specified in the Statement of Employment Terms. However, to cover operational requirements, many employees will be required to work within the community and at various locations throughout the Island. There are a number of bases used by FNHC that may change from time to time. An employee may sometimes be requested to work on a permanent or temporary basis at other offices/locations.

Other premises are rented from various agencies to provide venues for clinics, primarily health visiting clinics.

The use of FNHC's bases within the community reduces travel time and makes employees more accessible to their patients/clients.

Hours of Work

As FNHC provides care 24/7, 365 days a year, employees may be required to work on a rota basis which could mean working at weekends and on bank and public holidays. Rotas are provided in advance, however, FNHC reserves the right to change rotas at short notice to cover urgent operational requirements. An employee's working hours (including whether they are required to join a rota) will be detailed in the Statement of Employment Terms. Working hours may vary according to the post in question, and the requirements of the business.

An employee's times of work may need to be varied from time to time to meet the business needs of FNHC and employees will be notified in advance of any such variation by their Line Manager. Any variation in hours or times of work must be agreed by their Line Manager.

Whilst the normal working hours are as stated in the Statement of Employment Terms, FNHC reserves the right to change the working hours to suit the needs of the business. Employees are expected to be flexible and to co-operate with FNHC in regard to any changes in working hour proposals.

Employees may be required to work additional hours in order to ensure the proper performance of their duties. The Statement of Employment Terms will stipulate if these additional hours are compensated, and if so, whether they will be paid or given as time in lieu.

It is an employee's responsibility to ensure that they attend punctually for work and follow all timekeeping and absence procedures. If an employee has a need to leave work prior to their normal finishing time or to have time away during the normal working hours, they must first obtain permission from their Line Manager. In such circumstances, an employee must report to their Line Manager upon leaving and, where appropriate, returning to work. Persistent lateness, unacceptable levels of absence and/or unauthorised absence may result in disciplinary action.

Due to the flexible nature of the care industry, the hours and duties an employee is required to work may vary from day to day and whilst employed by FNHC. Any work commitment an employee may have outside their employment with FNHC can only be with the express prior permission and agreement of their Line Manager. Employees working in services that are registered by the Jersey Care Commission must not work over 48 hours per week combined.

Acting Up / Acting Across

There are occasions when staff are requested to act up or across duties for a period of time. This will ensure that the continuity of the organisation's operational business is maintained.

This procedure will be followed when a member of staff with responsibilities for teams of staff or work allocation is absent from their post. This may include for example:

- the CEO
- an Operational Lead
- a Line Manager
- a District Nursing Team Leader
- a Health Visitor Team Leader

Acting up is where an individual assumes the full responsibilities of a higher graded position for a fixed period of time (e.g. extended sick leave or vacancy in a post). Depending on the duration of the “acting up” period the staff member involved may receive an “acting up” allowance, which will be paid monthly but which is non pensionable.

Acting up should not be confused with secondment, which is specifically for development, and where no adjustment in basic pay should be made.

In the case of long term absence, the line manager will discuss the situation with Operational Lead and/or CEO to determine the need for someone to “act up”.

The Operational Lead will raise this item with the CEO to determine what action should be taken.

If the decision is made that a staff member will “act up”, the identified person will be consulted. Subject to their acceptance of the role, responsibilities and information will be provided, the appropriate arrangements made for notifying staff and where relevant, feedback sessions scheduled. Discussion may also be needed concerning a replacement to cover their previous duties.

HR will need to be informed to ensure that appropriate paperwork is in place and payroll is notified.

Acting across is where a staff member with relevant knowledge / experience will be identified to cover short term absences of another employee. These absences may be planned e.g. training, annual leave, or ad hoc e.g. sickness, or other business activities which take the employee away from their normal duties.

The staff member that is “acting across” will continue with their current duties but in addition take on certain delegated responsibilities from the absent employee. This is viewed as a short-term solution therefore additional remuneration is not provided.

In the case of planned absence, the line manager will identify the need for someone to “act across” for them. That manager will request/notify an identified person and discuss written guidance of requirements of that role or specific activities/commitments that are known to be occurring during the period of absence. A feedback session should also be scheduled to take place on the return of the absent employee.

Swapping of Shifts

If an employee would like to request a shift change, this must be negotiated with their Team Leader or their Deputy.

Sleeping on Duty

Sleeping on duty is strictly forbidden (unless it is agreed as part of the client's care package). Sleeping on duty may be regarded as gross misconduct.

Diaries, Care Planners and EMIS

An outlook diary, EMIS or Care Planner will be used as a record of an employee's daily activities. They should only be used for recording work activities and be a complete reflection of the employee's daily work including patient/client visits, meetings, clinics and training as per FNHC's policies.

Refer to 'Staff Work Diary Procedure' in Procedural Documents Library for further information.

Covenants by the Employee

Each of the following clauses will apply to all employees unless waived at the discretion of the CEO.

Employees will not at any time either directly or indirectly for whatever reason on the employee's own account or in conjunction with any other person, firm or company during the employee's employment or for a period of three months after termination:

1. solicit, endeavour to entice away, employ or offer any employment to any current employee of the Company who was employed at the date the employee ceased to be employed
2. canvas or solicit or deal with any client of the Company where the employee has had contact with or has been responsible for such client in the twelve month period prior to the cessation of the employee's employment

Confidentiality

An employee shall not at any time during their employment (except insofar as it is necessary and proper in the course of their employment or unless expressly authorised or required to do so by a member of the Management Team or as required by any duly authorised regulatory authority or court of law) or any time after the termination of their employment (except as required by any duly authorised regulatory authority or court of law) disclose to any person or company or make use of any information, whether considered secret or confidential or otherwise, which may come to an employee's knowledge during the course of their employment, howsoever that information is obtained concerning the existence, identity, business transactions, personal or corporate details, practice, operations, care plans, dealings, affairs or otherwise of FNHC, or their respective trustees, officers, employees or their respective existing, former or potential clients and business contacts. This confidentiality undertaking extends to documents and 'know-how' which are produced by FNHC including but not limited to precedent documentation and 'know-how', such as dealings, policies and procedures. Any breach of this term during the course of employment may lead to an employee's dismissal, with or without notice. FNHC also reserves the right to take whatever legal action it may deem appropriate against an employee or former employee who is found to be in breach of this term.

The confidentiality clause set out above extends to any information obtained through an employee's access to any systems belonging to or operated by FNHC or any associated company, including any data held on such systems and includes any documents created by any employee on any such systems (which documents shall remain the property of FNHC). Any unauthorised copying, reproduction or removal from FNHC's offices of any such information by an employee who has not received express written authorisation from a member of the Management Team may lead to an employee's dismissal, with or without notice.

Remuneration

The starting salary or hourly rate of pay will have been discussed with the employee before joining FNHC. Unless any of the circumstances in the following clause apply, annual salaries are paid by equal monthly instalments on or about the last working day of each month, direct to the bank accounts of employees.

Employees on a temporary contract, an 'annual hours' contract, working part-time with a working pattern consisting of uneven days or where only part of a calendar month is worked, whether on commencement or termination of employment or otherwise, will have their salary calculated on a daily basis (see example below).

$$£ [annual\ salary] \div 52.18 (number\ of\ weeks\ per\ annum)\ inclusive\ of\ allowance\ for\ leap\ years) \times [number\ of\ hours\ worked\ in\ the\ calendar\ week] = salary\ for\ relevant\ week.$$

Alterations to an employee's bank details and any other information affecting the proper functioning of FNHC's payroll system must be notified to the Human Resources Department immediately in writing to ensure payroll security and accuracy.

An employee's remuneration package forms part of a confidential agreement between the employee and FNHC and should not be discussed with other employees. Employees should only discuss their salary with their Line Manager or a member of the Senior Management Team.

Price work

Some employees will be invited to undertake 'price work' on behalf of FNHC and instead of receiving their normal hourly rate of pay, the employee will be given the agreed price for the work undertaken.

Authorised Deductions

Salaries (including any payment due to employees on termination of employment) are subject to any deductions which are required by law (including where appropriate social security contributions and income tax) or as agreed with employee's or as a result of any sums due or becoming due to FNHC.

These include:

- any overpayments made to an employee of any remuneration or any payments made by mistake or through any misrepresentation or otherwise
- any loans made to an employee where the employee does not comply with repayment terms or on termination of employment
- any deductions for payments made in error or work not completed when undertaking piece work
- any deductions necessary in relation to employee pension contributions or other benefits provided by FNHC in respect of which the employee makes a contribution
- any maternity, adoption or parental pay and benefits which is in excess of statute when the employee fails to return to work following a period of maternity, adoption or parental leave, or when an employee fails to remain in employment for a period of 3 months following the return from maternity, adoption or parental leave
- in certain circumstances, including cases where initial investigations demonstrate financial loss or damage to FNHC apparently arising from theft, fraud, other gross misconduct or gross negligence on the part of an employee or employees, FNHC reserves the right to suspend without pay during the completion of investigations.
- any payments received by the employee in respect of sickness benefit whilst they are receiving sick pay from FNHC
- unauthorised absence or persistent lateness
- any loss suffered or damages payable by FNHC as a result of the employees negligence or breach of FNHC policies or procedures
- on termination, FNHC will deduct and/or require payment of any pay for holidays already taken that exceed the proportional allowance for the year worked before leaving – i.e. holiday taken but not yet accrued
- lost equipment, including but not limited to any loss or damage to materials/stationery/computers/equipment obtained from clients or merchants and used by FNHC
- compensation for any damage occasioned by the employee to any FNHC property or for the non-return of any FNHC property by the employee upon termination of their employment
- compensation for any replacement equipment, including but not limited to iPads and mobile phones which are not working as they have been 'locked' or 'blocked' or otherwise rendered unusable
- any purchases, or services used by the employee which have been put onto FNHC's account or credit card and for which the employee is personally liable
- the cost of any personal calls made from FNHC's telephones and/or personal faxing or photocopying carried out on FNHC's equipment
- deductions for parking fines arising from parking infractions and fines that are levied in relation to motor traffic offences incurred by the employee whilst driving an FNHC vehicle
- deductions in regard to any insurance excess arising from an accident whilst driving an FNHC vehicle in which it was established that the employee was responsible
- any bookings made on FNHC account that have not been authorised by a Manager
- union dues

- the costs of any training paid for by FNHC where such costs are required to be repaid under the terms of any training agreement or where such costs are due to be repaid by the employee and any costs which have not been so repaid by an employee on termination of employment for whatever reason or if they leave employment within the timeframe as outlined in the Training Agreement.
- It should be noted that if an employee's salary does not cover any of the above payments, alternative arrangements may be made with FNHC at their discretion, except in cases of termination/summary dismissal whereby these amounts must be paid in full on or prior to an employee's last working day. FNHC reserves the right in all cases to seek the above monies as a debt from the employee and to therefore seek repayment for any fees including but not limited to collection agency and legal fees from an employee to obtain these monies

Salary Review

Salaries and any applicable benefits will be reviewed annually. Any increase will be with effect from 1st January that year. A review does not constitute an increase in salary. Employees will be notified in writing of any changes in salary.

The outcome of any salary reviews will be entirely at the discretion of FNHC and dependent on a number of internal and external factors, including but not limited to, the employee's personal performance, the performance of FNHC, any funding requirements and current market conditions.

Overtime and Allowances

The operational needs of the business may mean that from time to time an employee may be required to work additional hours over and above their normal working hours.

An employee's Statement of Employment Terms will outline if overtime rates and/or time off in lieu are applicable to their role. If part-time hours are worked, any additional hours worked during the normal working week, will be paid at the normal hourly rate until full time hours have been exceeded.

If an employee is entitled to any allowances these will be outlined in the Statement of Employment Terms. Any allowances due will be paid in the current month, save for mileage claims and overtime, which will be paid in the following month's salary upon completion and submission of a duly authorised claim form. Overtime forms must be submitted within the prescribed deadline which is normally on or around the 4th of each month. Where the 4th falls on a weekend or bank holiday, overtime forms must be submitted by the following Monday

Time Off in Lieu (TOIL)

TOIL only accrues if employees have worked for more than half an hour over their normal working day and more than their contracted hours in the current and the previous week. In

other words TOIL hours only accrue when total hours for that and the previous week have been achieved.

For example: TOIL is only given for time in excess of 30 minutes each day (not time aggregated i.e. one day at 25 minutes then one day at 35 minutes only means one day qualifies for a payment).

The regular requirement for TOIL distorts staffing resources, therefore TOIL must be discussed and agreed by the line manager in advance. Toil should be taken within the month that it is accrued where possible and in the manner in which it occurred. For example, if 45 minutes worked over, 45 minutes would be taken back another time, subject to organisational demand.

Sickness Payments

Whilst there is no legal entitlement to sick pay, FNHC offers, at its discretion, sickness payments as outlined in an employee's Statement of Employment Terms.

Should FNHC exercise its discretion, in the first and last year of an employee's period of employment, any sick pay will be adjusted proportionally according to the number of complete months worked.

FNHC will not provide sick pay to employees whose role at FNHC is not their main employment, if an injury outside of work causes the absences (i.e. by participating in an extreme sport), non-essential cosmetic surgery or during any probation or notice period.

FNHC reserves the right to suspend payment for sickness absence at any time, if it is found that the proper procedure has not been followed, if sickness absence is found to be excessive or unreasonable or where FNHC receives information that the employee is undertaking activities prejudicial to their recovery. Following an investigation, either sick pay will be reinstated or the Disciplinary Policy and Procedure will be utilised.

FNHC's right to terminate an employee's employment, in accordance with the notice provisions applicable to the employee or otherwise, still applies when the employee is absent from work through sickness or injury. This applies even if a consequence of exercising this right is that the employee will not be able to benefit from FNHC's payment for sickness absence provisions or any other benefit provided by FNHC.

Annual Leave

FNHC's annual leave year runs from 01 January to 31 December. An employee's annual leave entitlement is set out in the Statement of Employment Terms. A part-time employee will be entitled to a proportion of the entitlement based on their contracted hours or working days per week. An employee, who works on a part time basis or with a working pattern consisting of uneven days, may have their annual leave entitlement specified in hours rather than days. If

an employee works part-time, a day or week of annual leave pay will be the equivalent of that standard part-time working day or week.

Operational demands will primarily dictate when leave may be taken but an attempt will be made to accommodate individual requirements. Annual leave requests in excess of two weeks must be made in writing to the Operational Lead and any authorisation granted will be dependent on the overall staffing levels within FNHC and the particular department, at that time.

A qualifying anniversary to increase annual leave takes effect at the start of the holiday year only. This means that as an example - if an employee reaches 20 years' service on 1st June the increase in annual leave allowance will take effect from the 1st January the following year.

Requesting Annual Leave

Requests for annual leave should be submitted on the appropriate form to the Line Manager a minimum of 4 weeks beforehand. For Nursing and Home Care employees, at least three weeks of annual leave entitlement should be booked at the beginning of the year, with first and second choices identified where appropriate, and these requests must be submitted by the end of January of that year.

Travel arrangements must not be made until annual leave is authorised by the Line Manager. Permission granted for annual leave is dependent on the overall staffing levels within FNHC and the particular department, at that time.

Under normal circumstances annual leave should be taken in the year in which it falls due. In exceptional circumstances a maximum of 3 days annual leave can be carried forward to the next year. Any annual leave that is authorised to be carried forward must be taken by March of the next year.

FNHC will endeavour to allow an employee time off to observe religious holidays, but such holidays will be deducted from an employee's annual leave entitlement unless those holidays fall on a bank holiday or public holiday that is observed. Employees should discuss their requirements with their Line Manager well in advance of the date requested.

Annual leave cannot normally be taken in the first 12 weeks of a probation period (unless agreed at recruitment stage - see section on Probation) or notice period; however, FNHC reserves the right to make employees take annual leave during any notice period.

There may also be busy periods within FNHC when no annual leave may be taken for operational reasons. The Line Manager will provide employees with specific details of times, which may vary from year to year, upon request.

In rare exceptions, even when annual leave has been authorised, there may be occasions due to the business requirements when the Line Manager requests that this leave be postponed to a later date. This would be in exceptional circumstances and FNHC would reimburse any

financial losses in respect of the employee's holiday bookings (e.g. tickets, loss of deposit or holiday payment) due to this request (upon production of receipts of non-transferable or non-refundable elements) to the employee.

Adjustments to Annual Leave Entitlement

An employee's annual leave entitlement is adjusted proportionally according to the number of **complete weeks** of employment in the following circumstances: -

- the year in which an employee commences employment with FNHC
- the year in which an employee leaves employment with FNHC
- during any period of unpaid maternity, parental or adoption leave, save as for legislation or any other period of extended paid/unpaid leave
- if an employee's employment is terminated on the grounds of gross misconduct and if, as a result, they are summarily dismissed (i.e. dismissed without notice and without payment in lieu of notice) FNHC reserves the right to withhold payment for accrued untaken annual leave that is over and above the statutory minimum that would otherwise be payable to the employee on termination under the Contract of Employment. Any annual leave taken in excess of the entitlement will be deducted from an employee's final wage

If an employee is ill during their annual leave, they are not automatically entitled to additional time off, but upon production of a medical certificate certifying illness additional annual leave may be awarded at the discretion of their Line Manager.

If an employee is ill on a bank or public holiday on a day which they would normally work and receives sick pay for that day, they shall not be entitled to receive time off in lieu for that bank or public holiday.

Return to Work from Annual Leave

If returning from abroad from any personal trip off island it is the employee's responsibility to ensure that their travel itinerary (flights, ferries and/or other) allows them to return to work on their agreed date. If for any reason an employee is unable to return to work on the agreed date, they must notify their Line Manager. Failure to do so will be deemed as unauthorised absence and may be subject to disciplinary action.

Bank and Public Holidays

FNHC may be open on bank and public holidays. Certain employees may be required to work on these days. If an employee is required to work, they will be paid for the hours they work and be given an alternative paid day off in lieu, which must be taken in consultation with FNHC. Where employees are required to provide a continuous service, statutory and public holidays are factored into their total leave allocation as identified in the Statement of Employment Terms and are taken as part of their annual leave.

Where Liberation Day falls on a Sunday no alternative day off will be given unless another day is agreed as a public holiday by the Government of Jersey (for the avoidance of doubt, this does not mean the Government of Jersey as an employer, but as the governing body of the Island).

The Battle of Flowers and Battle of Britain Air Display are not bank or public holidays. Employees wishing to take time off on either of these days should book annual leave in the normal way.

Lateness and Absence Procedures

If an employee is likely to be late for work or they are going to be absent for reasons beyond their control on any particular day, the employee must inform their Line Manager by telephone as soon as reasonably practicable on that day and, in any event at least one hour before commencement before the employee's normal start time. On arrival at work they must inform their Line Manager of the reasons for the delay or absence. FNHC reserves the right to withhold salary in the event of unauthorised absence.

FNHC recognises that it may be difficult to organise visits for medical services or dentists outside of office hours. When it is necessary for an employee to visit a doctor or dentist or to be absent for good reason during working hours, they must obtain prior permission from their Line Manager and will be required to make up their time. Employees should minimise time off required by arranging the first or last appointments of the day if possible.

Sickness & Other Absence

If an employee is absent from work through sickness, accident or for any other reason this must be reported to their Line Manager or Operational Lead on call or Human Resources by telephone (text, answerphone messages or emails are not permitted) as soon as reasonably practicable and, in any event, at least one hour before their normal start time on the first morning of the absence and each following day until a medical certificate has been supplied to FNHC. Employees must state the cause and probable duration of their absence.

On their third day of sickness absence employees will need a medical certificate signed by their GP or hospital. Further certificates will be required if an employee is unable to return to work on the dates originally stated on the first certificate. Medical certificates should be sent to FNHC for the attention of the HR Department as soon as possible and in any event within 48 hours of the return to work.

Medical certificates are required for one or more day's illness before or after a bank or public holiday or annual leave, failure to do so will result in a day's unpaid leave.

FNHC has the absolute right to refer an employee to its occupational health adviser for an assessment of their fitness for duty, where it deems it a requirement. Patient welfare is of utmost concern, therefore any employee suspected of being able to transmit infections and/or be likely to compromise patient care, will be required to take appropriate levels of sick leave.

This will be paid in accordance with the sickness entitlement outlined in your statement of employment terms, until a full risk assessment has been undertaken.

Employees must keep in regular verbal contact with their Line Manager throughout the duration of their sickness or other absence and inform their Line Manager of their progress for their return to work. Employees must inform their Line Manager of any temporary or permanent change of address and contact details during their sickness or other absence. Employees should be aware that they may be visited at home during sickness or other absence.

A Back to Work discussion will be carried out by their Line Manager with employees who have been absent from work to ensure that FNHC is aware of any personal circumstances that have led to absence, or if an employee has been absent through sickness that they are fully fit and ready to resume their normal day-to-day duties or whether there are any reasonable adjustments that may be required.

At FNHC's discretion an employee may be required to provide a final certificate at the end of a period of absence, attend Occupational Health during or after absence, or produce a Doctor's Certificate for any period of absence where the total level of absence due to ill health is in FNHC's view, at an unacceptable level.

Sickness Absence and Performance

Sickness absence will often have an impact on performance, both at an individual and at an FNHC level. All sickness absence will therefore be monitored. Where an employee's sickness absence affects an employee's ability to perform their role or the efficiency of the business, FNHC may reassess the employee's role within the business and may take action under the Sickness and Disability Policy and Procedure in Section Four of the Handbook.

Medical Examinations

In addition to those medical examinations which FNHC may request pursuant to its Sickness Absence Procedure, FNHC reserves the right to refer an employee to an FNHC approved doctor or other medical practitioner for an independent medical examination, or to request a medical report from an employee's doctor or other medical practitioner, in cases where, in FNHC's opinion, there is a concern for the well-being of the employee and/or other employees. Where FNHC makes such a referral or requests such a report the cost shall be borne by FNHC.

Unauthorised Absence

Any absence from FNHC, which has not been duly authorised in accordance with FNHC's procedures, is deemed as unauthorised, and may result in disciplinary action being taken, which may lead to an employee's dismissal. It may also lead to an amount being deducted from the employee's salary due to their unauthorised absence in accordance with the clause entitled "Authorised Deductions" earlier in this Section.

Use of Information Technology (IT)

A growing number of devices are used to access FNHC resources, including desktop computers, laptop computers and handheld devices. FNHC reserves the right to access and monitor every employee's access and usage of the Internet, email system, social networking sites, routers and other IT hardware or software.

Much of the information contained on FNHC's IT systems will be extremely confidential and sensitive. FNHC has obligations (moral, legal and regulatory) to protect this information. All employees must therefore:

- treat all information to which they have access with the utmost confidentiality
- not, under any circumstances disclose any information relating to FNHC, its clients or its employees to anyone inside or outside FNHC's premises except with the express permission of the Management Team
- ensure that all information on the IT systems is accurate, up to date and complete
- ensure that all necessary information is available for use as and when required
- not use the IT systems for anything that is illegal or immoral

Intellectual Property and Ownership

The copyright, design and patent rights to all works created by employees during the course of their employment shall automatically belong to FNHC and shall not be removed from the premises except in the ordinary course of an employee's duties hereunder. If necessary, employees should be prepared to take any steps required by FNHC to protect its rights.

Any information of any kind, whether this takes the form of a document or otherwise, regardless of whether it is in hard copy or is held on systems belonging to or operated by FNHC or is a photocopy thereof, which emanates from an employee or is otherwise obtained by an employee during the course of an employee's employment, must not be made use of other than during the normal course of an employee's duties and is the property of FNHC. This restriction applies in full, both during the employment and after the termination of the employment. This shall include the unauthorised copying, reproduction or removal from FNHC premises of any such information. Breach of this provision of the Handbook may lead to disciplinary action being taken up to and including dismissal.

Gifts and Inducements

FNHC recognises that clients often wish to express their appreciation for the care they have received from employees. In some cases, this appreciation may be offered as a personal gift. Employees should politely explain that only gifts of minimal value (e.g. chocolates, biscuits etc.) are permitted and these would be shared with the team. Under no circumstances should staff accept cash/gift cards or vouchers and should refer to their line manager if the individual is persistent. In which case the line manager should explain that any gift of monetary value would be donated to FNHC's charitable fund. It is permissible for employees to encourage donation to FNHC's charitable fund where appropriate.

In order to uphold and protect the integrity and professionalism of FNHC, employees must not:

- under any circumstances, borrow from or accept a legacy whether in monetary form or otherwise from any supplier, client, former client or potential client of FNHC
- without prior authorisation of the CEO and Board of Trustees, enter into any transaction of any kind which provides personal benefit to an employee by reason of employment by FNHC
- accept or offer gratuities, hospitality, corporate entertainment, financial or other inducements, invitations to attend sporting events, invitations to attend social / entertainment events, corporate entertainment, such as lunches and dinners, acceptance of or offering flights/holidays/travel/ gifts/money unless they are representing FNHC with the prior approval of the CEO.

Acting as Executor of a Will

Under no circumstances are employees to act as an executor to or give a signature of witness on a client's will. Failure by employees to follow this clause may result in disciplinary proceedings being taken and may also result in a case of personal litigation if following the death of a client the family decide to contest any form of will or gift made to an employee, and to that end no responsibility for liability will be accepted by FNHC on behalf of the employee.

If an employee has reason to believe that they are a beneficiary of a client's estate, they are required to inform FNHC's Governance Lead/CEO immediately.

From time to time documentation pertaining to a client may need countersigning; this documentation would normally be from a social security department, parish or other welfare/health department. In cases where a signature of witness is required then the employee should contact the Operational Lead in the first instance. FNHC operates a policy that does not allow any employee to witness signatures. Any deviation from this clause may result in disciplinary procedures being taken.

Personal Property

Employees are responsible for their own personal property and must ensure they keep it in a secure place. FNHC does not accept responsibility for any loss or damage to an employee's personal property. Employees should also check that their own personal insurance arrangements provide appropriate cover.

Small items of equipment can be stolen easily and care must be taken to ensure that items are not left unattended. Employees are advised to lock away all valuables when not in use and at night.

Personal Telephone Calls and Mail

Employees must not use a work telephone for non-essential private calls.

Employees may only make personal overseas telephone calls in exceptional circumstances and with the prior approval of a member of the Senior Management Team.

In general, personal mail or electronic communications should not be addressed to FNHC. Mail coming into FNHC may be opened by appointed personnel even if addressed to employees as strictly private and confidential. Outgoing personal mail will not be accepted for posting unless it is either stamped or paid for.

Mobile Phones

Unless otherwise authorised by their Line Manager, private mobile phones should not be used during working hours including in a care setting for either incoming or outgoing calls or messages except in an emergency.

Where mobile phones have been issued to an employee by FNHC, they are the responsibility of each employee and should be fully charged and switched on when on duty.

References to Third Parties

Under no circumstances should an employee use FNHC logo or name on or in any personal correspondence or imply that correspondence of a personal nature emanates from FNHC in any capacity. Employees are not permitted to act as referees other than in a strictly personal capacity, and where FNHC is in no way involved.

Reference requests for clients or businesses must be handled by the HR Department. Potential new employer reference requests sought for former employees must be referred to the HR Department. If an employee receives a personal reference request (i.e. a character reference) this may only be given by an employee in their personal capacity and must state that they are the views of the employee only. FNHC does not accept any liability for personal references given by an employee. Requests from statutory, regulatory or police authorities must be referred in the first instance to the Operational Lead.

Training and Professional Development

Employees may need to undertake work related training, and FNHC may cover some or all costs in relation to training that it requires an employee to undertake. All employees have a duty to make sure they attend mandatory training sessions and/or complete mandatory training and comply with learning and development requirements within the stated timeframes.

In addition, FNHC may support employees to undertake professional or personal training. Where FNHC has agreed to support an employee's development and has funded the cost of any training, then the employee may be required to enter into a training agreement and will be required to reimburse FNHC the costs of such training (including, but not limited to, course fees, exemption fees, revision course fees, examination fees, study pack fees, travel and hotel expenses etc.). This will apply where an employee: fails to complete the training; fails the training; resigns; or, where their employment is terminated by FNHC for whatever reason.

during or within twenty four months (or such other period as may be specified in any training agreement which the employee has signed) of the completion of such training.

Termination of Employment

The notice period required from an employee or FNHC to terminate an employee's employment is contained in the Statement of Employment Terms.

Giving Notice

If an employee intends to terminate their employment with FNHC they should, at the earliest opportunity, inform their Line Manager. An employee must also provide written notice to their Line Manager of their resignation setting out their intended last working day in the office.

If an employee terminates their employment without working their contractual notice or fails to complete the notice period for any reason, FNHC reserves the right to withhold a sum of money commensurate with FNHC's loss. Where the value of pay for the notice period is greater than any outstanding salary or other payments owed to the employee by FNHC, FNHC may take legal action against the employee in relation to the failure to give notice.

If FNHC terminates the employee's employment other than in accordance with its rights, any entitlement to damage for the breach of contract will be assessed on normal common law principles (including the employee's obligation to mitigate their loss).

Notice must be given in writing by both parties and is effective on the date given. Both parties may by written mutual consent vary the notice period.

Payment in Lieu of Notice (PILON)

FNHC reserves the right when either giving or receiving notice of termination to terminate an employee's employment by paying salary entitlements only for the relevant or remaining period of notice (subject to deductions for tax and social security or any authorised deductions). The right of FNHC to make a payment in lieu of notice does not give the employee the right to receive such payment. Where FNHC exercises its right to make a payment in lieu of notice, the effective date of termination will be that notified to the employee regardless of when that payment is actually received.

For the avoidance of doubt, a PILON shall not include any element in relation to:

- any bonus or commission payments that might otherwise have been due during the period for which the PILON is made;
- any payment in respect of benefits which the employee would have been entitled to receive during the period for which the PILON is made; and
- any payment in respect of any holiday entitlement that would have accrued during the period for which the PILON is made

Garden Leave

FNHC reserves the right, at its discretion when giving or receiving notice, to require that an employee does not render all or any of their duties during the relevant notice period and FNHC may exclude them from its premises during the notice period and/or forbid them to contact the employees, clients or suppliers (other than social contact) of FNHC in relation to the business of FNHC with which they were concerned in the twelve months prior to being put on garden leave. However, the employee must at all times during the notice period remain available to attend FNHC's premises and/or carry out special projects that are reasonably commensurate with their position and within their skill and competence as directed by FNHC, and be contactable at all times during the notice period save when the employee is on holiday by prior agreement with FNHC. FNHC may require the employee to take any accrued or untaken holiday entitlement during this notice period.

During their notice period, and whilst on garden leave, the employee shall receive their salary and any contractual entitlements (unless and until their employment is summarily terminated during the notice period) but shall not be entitled to any sum by way of bonus, incentive or commission whether discretionary or otherwise. The employee's holiday will continue to accrue during the garden leave period.

During the garden leave period the employee remains an employee of FNHC and is bound by the terms of the Contract of Employment (other than to perform work for FNHC unless specifically required to do so). In particular, the employee remains bound by their obligations of confidentiality, loyalty, good faith and exclusive service to FNHC and they shall not undertake alternative employment unless agreed by FNHC, although such employment may be sought with a view to commencement after the expiry of the notice period.

This action of placing an employee on garden leave will not constitute a breach of the Contract of Employment for which the employee would have a claim against FNHC.

Holidays and Time Owing on Termination

Holidays cannot normally be taken during the notice period although FNHC reserves the right to require an employee to take any unused holiday and/or time off in lieu owed during the notice period. An employee's holiday entitlement (adjusted proportionally according to the number of complete weeks of service worked) will be calculated by FNHC and the final salary payment will include any additions in respect of untaken holiday entitlement. If an employee has taken more holiday than they are entitled to, FNHC will deduct the outstanding amount from an employee's final salary payment. Subject to any applicable legislation, an employee shall not be entitled to payment in lieu of untaken holiday entitlement in excess of statute in the event that they are dismissed without notice.

Money Owed to FNHC

Whatever the reason for leaving FNHC, an employee must pay all outstanding debts or loans due to FNHC including without limitation any sums due from an employee as a result of FNHC's training policy. FNHC reserves the right to deduct any outstanding amount from an employee's salary or from any other money owed to them by FNHC. FNHC also reserves the right to deduct any monies due from an employee to FNHC in respect of the cost of repairing any damage or loss to FNHC property and render an account for any outstanding balance as outlined in the authorised deductions list.

Directorships and Other Offices

At the end of an employee's employment for whatever reason, or at any time during employment (including during any notice period) an employee must on request by FNHC if they are a Trustee of or hold any other office for FNHC or by virtue of their employment, resign any such directorship or any other offices held by them without compensation for loss of office or otherwise.

If an employee fails to comply with a request made by FNHC in accordance with this clause within 7 days of the request, FNHC is hereby irrevocably authorised to remove the employee from such positions and appoint another person in the employee's position and on their behalf to execute any documents or do any things necessary for such purpose(s).

Exit Interview

Before the end of an employee's employment with FNHC, employees must complete an Exit Interview to be held with a member of the HR Department. At the Exit Interview, employees and the nominated HR representative will have an open and honest discussion of the employee's experience with FNHC. The purpose of the interview is to gain feedback from the employee in order for FNHC to monitor and evaluate terms and conditions of employment, policies and procedures, etc. and to contribute towards its aims and objectives for continuous improvement.

Return of Property

Upon termination of an employee's employment for whatever reason or upon the written request of FNHC during any notice period prior to such termination of employment or during any period of suspension, an employee shall: -

- immediately return to FNHC all property belonging to FNHC or its clients including, without limitation, any correspondence, databases, drawings, documents, know-how, precedents, spread-sheets, papers and memoranda, notes, records, video tapes or clips (including such as may be contained on magnetic media, hard discs, computer programs, computer discs, internet or cloud storage accounts, portable devices including USB sticks and mobile phones or other forms of digital storage and all copies thereof) (together the "Documents"), credit and charge cards, telephones, mobile

phones, tablet devices, computer laptops, , cards or fobs and other property of FNHC or of any member or client of FNHC that may be in an employee's possession or control (including such Documents as may have been prepared by an employee) and an employee shall not allow the same to be used by any party whatsoever before giving up possession to FNHC and an employee shall not make or retain any copies thereof

- immediately, without copying, delete all Documents relating to, or all programs licensed to, FNHC or any client of FNHC that are saved on computer discs, internet or cloud storage accounts or the hard disc of all or any computers that an employee may own or have utilised for the purposes of undertaking FNHC business at home or elsewhere
- disclose all passwords to all password protected files, software and hardware that have been created or protected by the employee and that are on any computer belonging to or operated by FNHC

Dismissal without Notice (Gross Misconduct/Negligence)

FNHC may terminate an employee's employment without notice or payment in lieu (and an employee will not be entitled to compensation or damages) where this is justified by an employee's behaviour or conduct and without prejudice to any remedy that it may have against an employee for the breach or non-performance of any of the provisions of the Contract of Employment. The following are non-exhaustive examples of such behaviour or misconduct: -

- failing or neglecting efficiently and diligently to discharge their duties or otherwise being in serious breach of their obligations under the Contract of Employment
- breach of the confidentiality or intellectual property provisions of the Contract of Employment
- any breach of Data Protection legislation
- being unable to discharge their duties by reason of being under the influence of drink or drugs during working hours
- being charged or convicted of a criminal offence involving dishonesty, drink, drugs or other intoxicants, or any charge or conviction resulting in a prison sentence
- discrimination, bullying, victimisation or harassment
- using the e-mail or internet web services contrary to the provisions of the Contract of Employment or the relevant IT policies
- being in serious breach of FNHC's rules and procedures and/or any other material rules applicable to FNHC affecting the good conduct or reputation of FNHC
- any breach of the safeguarding procedures
- misappropriation of or causing or allowing deliberate damage to the property of FNHC, its clients or employees
- assaulting, physically threatening or causing, attempting or threatening to cause injury, or using abusive language towards an employee or a client of FNHC or anyone on FNHC's premises
- providing misleading information or failing to provide relevant information prior to commencing employment

- committing in the opinion of FNHC any dishonest or fraudulent act in relation to FNHC, its clients or otherwise, including but not limited to falsification of time sheets or time recording
- theft in relation to clients, suppliers, FNHC or colleagues
- smoking on FNHC's premises including the use of e-cigarettes
- persistent refusal to carry out reasonable instructions from a superior, and other forms of serious insubordination
- prescribing or administering medication contrary to FNHC's policy
- failure to adhere to a client's care plan or medication sheet or any other instruction given by an authorised individual
- failure to comply with FNHC's health and safety procedures
- accepting any type of reward or gift from a client, their family and/or supplier in connection with employment that has not been authorised by FNHC
- sleeping on duty, where not authorised
- unauthorised use of any facility or equipment of FNHC
- any act or omission which brings or is likely to bring serious disrepute to FNHC

Suspension

Suspension is a neutral act and is a standard procedure in certain circumstances and does not indicate guilt in anyway. Suspension does not constitute disciplinary action and disciplinary action will not necessarily be a result of this process.

FNHC reserves the right to suspend all or any of an employee's duties and powers, with or without pay, on such terms as it considers expedient (including the term that the employee shall not contact or have dealings with any client, supplier or employee of FNHC) save that in cases where an employee is required to attend work on FNHC's premises during an investigation or disciplinary hearing.

Employees shall be given a point of contact within FNHC who they may contact for the purposes of any investigation or disciplinary hearing.

FNHC may require the employee to carry out the duties of another employee instead of an employee's usual duties during any period of suspension. FNHC shall be under no obligation to assign any duties to suspended employees and shall be entitled to exclude employees from FNHC's premises.

If an employee is suspended from duty pending investigation and is not exonerated, if not dismissed, the employee may, as part of the disciplinary sanction, be deprived of any or all of the salary accruing in respect of the period of suspension.

The employee may be asked to return any of FNHC's property in their possession during any period of suspension, including any keys or passes to FNHC's premises.

Health and Safety

FNHC is required to ensure that the premises, all equipment and tools and work practices meet the relevant standards laid down across the Island. It is a condition of employment that all health and safety instructions and rules are rigidly adhered to. Employees must familiarise themselves with all health and safety procedures issued by FNHC and they must follow the advice given. Any act or omission which puts the health and/or safety of the employee, other employees or a member of the public at risk in any way may be treated as an act of gross misconduct, and failure to comply with FNHC's procedures may lead to disciplinary action including summary dismissal.

Employees also have obligations under the Health and Safety at Work (Jersey) Law 1989 and must familiarise themselves and comply with them at all times. In the community where individuals are often working alone or in small groups, they also need to remain watchful for their own safety and that of their colleagues. Any urgent health, safety or security difficulty should be notified to a Manager at the earliest opportunity.

Environmental Assessment

The staff safety check list must be used by staff to record specific problems, hazards or dangers that have been identified in a client/patient's environment. Appropriate action should be taken to ensure staff safety including communication of the identified risks and remedial action.

Security

Employees are requested to be very careful about office security and not leave valuables in the office overnight. FNHC accepts no liability for personal items of employees.

Employees are requested, where possible, to discuss client business in interview areas or private meeting rooms. If such discussions are to take place in an open plan office, it is the responsibility of the employee to ensure it is an appropriate environment. Employees are requested to keep their working desks clear and tidy at all times but especially at the end of the working day. Any confidential or sensitive documents or data must be locked away each night or when not in use.

Closed Circuit Television (CCTV)

CCTV maybe operated on some FNHC or client premises. This is for a number of reasons, including the prevention of crime and the safety of employees. CCTV footage is monitored regularly.

While the primary purpose of having CCTV is not to monitor employees' activities, employees should be aware that where there is CCTV footage that demonstrates breaches of disciplinary rules FNHC may take disciplinary action relying on the CCTV footage. (Similarly, if there were allegations of criminal activity by employees or claims brought against FNHC leading to civil proceedings by clients or employees FNHC would make use of any relevant CCTV footage).

Employees are not permitted to make any unauthorised copies of any CCTV footage or to interfere with the system of footage. Any breach of this requirement may lead to disciplinary action.

Keys

If employees are responsible for FNHC keys, including keys to external doors, equipment, vehicles, offices or safes, they are obliged to look after those keys and keep them secure. If keys are left lying around or are lost, or if premises or equipment are wrongly left unlocked, disciplinary action may be taken.

Keys and/or key fobs must not under any circumstances (unless otherwise agreed by their Line Manager) be issued to anyone who does not work for FNHC.

Security Breaches

There is an obligation on each individual employee to ensure that appropriate security measures are always taken. If an employee becomes aware of any lapses in security or potential risks they must complete an incident on FNHC's incident reporting system.

If an employee does or fails to do anything that puts FNHC, its employees or clients at risk, financially or physically, disciplinary action is likely to be taken. In serious cases, this may include summary dismissal.

Other Employment, Directorships and Public Duties

All employees are required to seek authorisation to undertake alternative employment outside FNHC by giving prior written notice to their Line Manager. Insofar that employment is deemed by FNHC to affect or potentially affect the performance of an employee's duties pursuant to the Contract of Employment, FNHC reserves the right to refuse to allow an employee to carry out other employment, or to take disciplinary action.

In some cases, if an employee's performance at work is detrimentally affected by their outside employment, disciplinary action may have to be taken and/or FNHC may have to ask the employee to cease working for the other employer. A refusal to comply with any measures laid down as a result of steps taken under the disciplinary procedure or to comply with FNHC's request to give up other employment may mean that FNHC will be required to evaluate continued employment.

Employees are required to give prior notice to their Line Manager of any public duties that they are requested or required to perform including but not limited to the territorial army, jury service or attendance at any official occasions. Pay for time taken in performance of these duties (other than jury service which is dealt with below) shall be at the discretion of FNHC.

If an employee is required to attend jury service, they must notify their Line Manager immediately and produce the summons. FNHC reserves the right to require an employee, if

possible, to postpone the jury service. An employee will normally be paid in full during any periods of jury service. However, in the event that the employee is allocated to the jury of a potentially lengthy trial, FNHC reserves the right to require the employee to claim any juror's allowance to which they are entitled and to make the equivalent deduction from the employees' salary.

Employees are required to disclose to FNHC and may, at FNHC's absolute discretion, be required to account to FNHC for any sums of money, allowances, commissions, discounts or any other benefits whatsoever, whether financial or otherwise, which may be given or granted to the employee as a result of public service, consultancy work or other employment whatsoever that is undertaken during normal working hours.

Policies and Procedures

FNHC may introduce from time to time policies and procedures relating to employment and working practices. These policies and procedures ensure that FNHC meets its statutory requirements and are regarded as very important.

All policies and procedures will be revised over time or additional policies and procedures may be developed to reflect best practice and changes to business needs and employees will be advised of these accordingly. It is important that employees conduct themselves in accordance with the policies and procedures. Any decision to deviate from policies and procedures should be documented with a clear rationale explaining why it was not possible/appropriate to comply.

Failure to follow the requirements set out in the policies and procedures may result in action being taken under the disciplinary procedure that, in the case of gross misconduct, could result in dismissal without notice. In specific circumstances such misconduct may also be a criminal offence for which any employee would be liable to prosecution.

If an employee is unclear about any aspect of a policy or procedure then, in the first instance, they should seek guidance from their Line Manager.

Governance Arrangements

As part of FNHC's commitment to best practice and for compliance reasons, all employees are required to comply with procedures and assist and support Managers in also meeting governance standards. Employees are required to comply with all Family Nursing & Home Care's governance arrangements and support the organisation to:

- deliver safe and effective care
- be the employer of choice
- be financially secure

Governance arrangements include, but not limited to:

- care regulations
- safeguarding processes
- health and safety requirements
- infection prevention and control
- policies and procedures
- education and development requirements
- financial processes
- risk management
- audit
- incident and near-miss reporting processes
- information governance and GDPR compliance
- data protection and security

Medicines Management

Refer to the relevant Policies and Standard Operating Procedures in the Procedural Documents Library for further information

Data Protection and Caldicott Principles

All employees should be aware of their responsibilities under the current Data Protection legislation and Caldicott Principles. These principles must be adhered to at all times. If an employee is unsure or have any concerns regarding the handling of information they must contact FNHC's Data Protection Officer.

Escalation Procedures

There may be a requirement for operational reasons for FNHC to delay, suspend, stop or alter working practices, meetings, training or non-working time arrangements. Decisions to do so are not taken lightly and will be made in conjunction with Management Team and the Chief Executive Officer.

Revision of Terms

The Contract of Employment and any policies, procedures, manuals or other guidance issued to employees are subject to revision by FNHC. Any revision will be notified in writing within four weeks of it coming into effect and, wherever reasonably possible, in advance.

Supplementary Terms

Supplementary terms and conditions may be annexed to or incorporated in other documents as explicitly indicated and brought to the attention of individual employees as appropriate and in writing from time to time.

SECTION THREE - Benefits

The following sections are not legally binding and do not form part of the Contract of Employment. FNHC reserves the right to vary, replace or discontinue any of the benefits referred to below in its absolute discretion. An employee may only be entitled to certain benefits upon satisfactory completion of the probation period.

Some benefits provided to employees are provided under policies of insurance. Where this is the case, any decisions as to whether an employee will be entitled to benefit from that policy will be made by the insurance company and not by FNHC and accordingly FNHC is not directly liable for any such benefit or claim.

FNHC shall have no liability to the employee for any act, omission or default of any of the insurers, issuers or providers of any of the benefits specified below or otherwise provided to the employee during their employment. The maintenance of these benefits could be a taxable benefit in the employee's hands and will if required be disclosed to the Income Tax Department.

Cars and Car Parking

If an employee holds a clean valid Jersey driving licence, they may be insured to drive FNHC's vehicles (which shall include any vehicle hired to FNHC) with prior permission from the Management Team. Employees will be responsible for any FNHC vehicle and for the cleanliness and condition of the vehicle that they are given permission to drive whilst it is in their care.

If an employee is asked to drive from time-to-time by a Manager, they should ensure that the Human Resources Department has a copy of their driving licence.

Employees must immediately inform the Management Team if:

- they are prosecuted or are to be prosecuted for any road traffic offence
- their driving licence is endorsed
- they are disqualified from holding a driving licence

In the event that an employee is involved in an accident whilst driving FNHC's vehicle, if the vehicle is damaged and the employee is responsible (i.e. there is either no third party involvement or any third party is proven not to be responsible), then the employee may be liable to pay any insurance excess. If an employee is responsible for the accident and/or the damage and if the cost of the repair is less than the insurance excess, then the employee shall be responsible for the cost of that repair. If a third party is proven responsible for the accident or the damage, then the employee will not be liable either for the cost of the repair or the insurance excess. FNHC reserves the right to deduct any such sums from an employee's salary.

Employees will be liable to pay any parking or traffic offence fine incurred by them when using any FNHC vehicle. Employees must notify all fines and infractions to the Human Resources Department immediately.

Where issued with a parking permit in order to carry out their work employees must not use this outside of their work requirements

Any employee who is in receipt of a lease car is bound by the terms and conditions contained within the lease car policy. All charges due must be paid in accordance with the policy. FNHC reserves the right to make any deductions necessary from salary in respect of monies owed.

Neither animals nor any persons not in the employ of FNHC should be carried in cars whilst employees are on duty unless relevant to undertaking your duties.

Staff using their own cars for the performance of their duties are required to ensure they have the appropriate car insurance cover. A copy of the proof of insurance will be required by FNHC and annually thereafter.

Use of car parking spaces shall only be used in agreement with the Management Team due to limited availability.

Eye Tests

If an employee is required to use display screen equipment regularly for work purposes and to comply with obligations under Display Screen Equipment legislation, FNHC will reimburse the employee for the cost of an eye test, up to a maximum of £25 (every two years) on production of an invoice stating that the purpose of the test was to check eyesight for Display Screen Equipment (DSE) use.

Corrective Appliances

Where a special corrective appliance is prescribed FNHC will (every two years) reimburse the employee up to a maximum of £60 on receipt of an invoice from the optician confirming that the appliance is required by the employee for the use of DSE.

Flexible Working

Refer to Flexible Working Policy in Procedural Documents Library.

Long Service Awards

FNHC recognises that a key factor in its success is the loyalty, dedication and quality of its employees. In recognition of this FNHC is committed to formally recognising the contribution of employees who have reached significant milestones in their working life. Awards are given for exceptional service and long service.

Parental Leave

Refer to Parental Leave Policy in Procedural Documents Library.

Pension scheme

Details of the Pension scheme eligibility and associated terms and conditions are outlined in the Statement of Employment Terms.

Sick Pay

Any entitlement to sick pay is in the Statement of Employment Terms. Any sick pay awarded is less sickness benefit provided by Social Security, whether the employee receives such sickness benefit or not.

Special Leave

Compassionate Leave

In the case of a family bereavement or funeral of a family member, an employee may be granted appropriate time off work with pay at the discretion of FNHC, after careful and sympathetic consideration has been given to the circumstances surrounding each bereavement. Employees should discuss any bereavement leave requirements with their Line Manager in the first instance.

Emergency Leave

Employees may be entitled to reasonable time off with pay for urgent incidents of real need involving a dependant if they are ill or injured or for making arrangements for them to be cared for. Subject always to prior authorisation, employees will be allowed up to six emergency leave days in any rolling 12-month period.

Authorisation must be granted by the Line Manager in advance of the days being taken.

SECTION FOUR - Policies and Procedures

Adverse Weather Procedure

In the event of adverse weather conditions or lack of available transport, FNHC accepts that certain employees may not be able to attend work. The safety of employees is paramount and if an employee feels that they cannot attend work safely and if they have the facility to work from home then they should do so. However, if an employee is able to work from another FNHC location, they should do so but must call to request permission from their Line Manager to do this. If an employee does not have the facility to work from home or another location then annual leave must be requested or the time off must be made up at a later date, or use a carers day, again this is subject to approval by their Line Manager.

If nurseries or schools are closed due to adverse weather conditions, then parents will have the same options as those outlined above for emergency leave.

Alcohol, Drugs and Gambling Policy

FNHC will take a sympathetic view of and will seek to provide appropriate support to employees with drug and/or alcohol dependencies and other drug or alcohol related illnesses provided that the employee demonstrates a commitment to undergo treatment.

Consumption of alcohol on FNHC's premises or during work time is prohibited unless it is part of a formal client or FNHC function or if prior authorisation has been obtained from the Chief Executive Officer.

The abuse of alcohol, drugs or other intoxicants during working hours or that has an effect upon the employee's ability to perform their duties or has an adverse effect upon work colleagues, may result in disciplinary action being taken. Employees drinking at weekends and evenings should ensure that such drinking does not impair their performance at work or the security of FNHC.

Employees are not permitted to bring drugs onto or take drugs on FNHC premises other than medicines prescribed by a medical practitioner or over the counter medications suitable for minor ailments. All medicines should be stored securely.

Where an employee has been prescribed medicinal cannabis, they must inform the Human Resources Department when they first receive their prescription, prior to attending work on this medication and whilst FNHC will act sympathetically, an open discussion is required to ensure not only the employee's health, safety and welfare, but also those in contact with the employee.

Employees are expected to maintain standards of conduct and act safely, not putting themselves or others at risk.

Betting and gambling are not permitted on FNHC work premises unless authorised by the SMT. Staff must not gamble online during working hours or frequent betting shops.

Loans between employees are discouraged and employees should discuss money issues with their Manager in the first instance, particularly where such money issues could be linked directly or indirectly to any form of addiction.

Anti-Bullying and Harassment Policy

The following section describes FNHC's policy on bullying and harassment. This policy has been designed to enable employees to carry out their duties in a pleasant working environment where their rights and dignity are maintained and protected at all times. FNHC aspires to create such an environment but recognises that in any organisation it is inevitable that instances of unsociable behaviour will arise from time to time whether unintentional or deliberate - there will always be personality clashes and misunderstandings in any group of people. The following policy is intended to provide some guidelines which should help to remind employees of their responsibilities and to ensure that anyone who feels that they are being harassed or bullied knows that FNHC will not tolerate such behaviour and that they do have access to help.

The aims of this Anti Bullying and Harassment Policy are to:

- ensure that employees achieve their full potential
- promote a good and harmonious working environment in which all people are treated with respect
- prevent occurrences of bullying and harassment
- ensure FNHC meets its legal obligations under the relevant (local) legislation

FNHC does not want to promote an atmosphere in which there is no room for friendly banter and normal sociable relationships. The objective is to help employees eliminate the kind of behaviour that can cause discomfort or distress.

Bullying

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. The key is that the actions or comments are viewed as demeaning and unacceptable to the recipient.

Bullying can occur over a period of time and be targeted at certain people but sometimes a single incident can be serious enough to fall within the general definition.

On occasion, behaviour that is considered bullying by one person may be regarded as firm management by another. There are bound to be occasional differences of opinion, conflicts and problems in working relationships; these are part of working life. Conversely, some people will excuse bullying behaviour as a necessary means of motivating workers in today's highly competitive commercial environment. FNHC considers each alleged case on its own merits: if the behaviour is unreasonable and offends or harms any person, then workplace bullying exists and must be stopped.

Harassment

Harassment includes all unwanted conduct of a physical, verbal or non-verbal nature which, whether or not intentional, is offensive to the recipient or which affects the dignity of any individual.

Harassment can occur over a period of time and be targeted at certain people but sometimes a single incident can be serious enough to fall within the general definition.

On occasion, behaviour that is considered harassment by one person may be regarded as harmless banter by another. There are bound to be occasional differences of opinion, conflicts and problems in working relationships; these are part of working life. Conversely, some people will excuse harassment behaviour as a necessary means of motivating workers in today's highly competitive commercial environment. FNHC considers each alleged case on its own merits: if the behaviour is unreasonable and offends or harms any person, then workplace harassment exists and must be stopped.

Examples of bullying and harassment

The following list of actions gives some examples of what may constitute as unacceptable bullying or harassment behaviour. It is not exhaustive, of course, and is not in any order of importance or severity, but includes:

- Physical
 - inappropriate physical contact
 - assault: restraining; fighting; pushing; pinching
 - uninvited and unwanted sexual propositions, such as petting; kissing; stroking; groping; cuddling; or massaging
 - intimidation such as staring; suggestive looks; invading personal space; sitting or standing too close
- Verbal
 - derogatory nicknames or name calling
 - unwanted comments related to race, gender, gender re-assignment, sexual orientation, pregnancy and maternity, age, religion, political opinion, disability, or personal characteristics. This can include actions designed to undermine someone's confidence, whether personal or in their ability to do the job
 - ridiculing or impersonating someone
 - participating, enjoying or spreading malicious gossip
 - offensive banter
 - intimate questions
 - whispering
- Non-Verbal
 - excluding victim from normal work place conversation or activities
 - isolating victim
 - inappropriate gestures

- stereotypical assumptions
- sending inappropriate communications
- displaying inappropriate material: pornography; scantily clad people; posters; or body art
- inappropriate social media content
- interfering with victim's work
- orchestrating meetings to be alone with someone
- undue pressure, unequal treatment and unfair criticism and abuse of power

Expected standards – all employees

Whilst overall responsibility for the effective operation of this policy lies with FNHC, employees are also responsible for ensuring its effective implementation. As such, employees can be held personally liable for any acts of harassment. In this respect, employees should ensure that they:

- co-operate with any measures introduced by FNHC to prevent and eradicate bullying and harassment in the workplace
- refrain from taking any actions or decisions which are contrary to the letter or spirit of this policy
- do not bully or harass other employees
- do not instruct or pressurise others to act in breach of this policy
- advise their Line Manager if they are aware of any bullying or harassment, either against themselves or any third party contrary to the spirit of this policy, so that FNHC can take steps to deal with it at an early stage
- use the Whistle Blowing Policy and Procedure as outlined in this section

Whilst it is hoped that the majority of cases can be resolved on an informal basis between the parties concerned, all formal complaints will be investigated and if necessary be dealt with through FNHC's Disciplinary Policy. FNHC will not tolerate any form of bullying or harassment and will treat all complaints seriously, sensitively and with as much confidentiality as reasonably practicable.

Approaches from the Press/Media

Refer to the FNHC Media and Social Media Standard Operating Procedures on Procedural Document Library.

Capability Policy and Procedure

FNHC endeavours to ensure that employees achieve and maintain a high standard of performance in their work. To this end, FNHC will aim to establish standards, monitor performance, raise concerns, set objectives, and provide employees with appropriate guidance, training and support to meet those standards.

All employees are expected at every level of FNHC to perform at the expected level and/or hold the relevant qualification for the role. The primary aim of this policy is to provide a framework within which FNHC can work with employees to maintain satisfactory performance standards and to encourage improved performance where necessary. Unfortunately, there are occasions when despite training and support, employees may be unable to meet the levels of standard expected.

This policy needs to be read in conjunction with other policies. FNHC recognises the difference between a deliberate or careless failure on the part of an employee to perform to the standards of which they are capable, in which case FNHC will use the Disciplinary procedure. However, where there is a case of incapability, due to a lack of knowledge, skill or ability, or where employees are not performing at the expected level, including a single serious act of negligence or incompetence or small persistent errors, or where employees are intransigent, inflexible or difficult in their approach, or where they fail to secure or maintain the relevant qualifications to hold their position, then this Capability Policy will be utilised.

FNHC also recognises that during an employee's employment capability to carry out their duties may deteriorate. This can be for a number of reasons; the most common ones being that either the job changes over a period of time and the employee fails to keep pace with the changes or the employee changes and can no longer cope with the work, in which case this policy will be used, however, should the capability issue be related to any underlying illness, FNHC may invoke its Sickness and Disability Policy. At all stages FNHC will give consideration to whether the unsatisfactory performance is related to a disability and, if so, whether there are any reasonable adjustments that could be made to the requirements of the employee's job or other aspects of the working arrangements.

Principles

- FNHC will seek to treat all poor performance issues with consistency, to identify and address any underlying causes, where appropriate. The main objective of instigating the procedure for poor performance is corrective rather than punitive, with the aim of assisting the employee to achieve and maintain the required standards
- Where possible, before convening a capability hearing under the formal part of the process, FNHC should use the informal route to try to resolve any poor performance as early as possible
- As FNHC recommends that employees take an active involvement in their own development they may request appropriate training relevant to their development areas
- Managers should take human resources advice throughout the procedures
- Before convening the formal process, FNHC should carry out an investigation aimed at discovering the facts
- At any formal capability hearing or appeal, the employee will have the right to be represented by an authorised trade union representative or another employee. For the avoidance of doubt, there is no right to be represented during any investigation meeting or during any informal meetings

- Prior to any capability hearing, the employee will be advised of the poor performance and be provided with copies of any relevant documentation which are to be considered during the hearing
- Employees must use all reasonable endeavours to attend hearings
- Notes will be taken of the hearing and this may necessitate a third party attending
- The hearing may be conducted by a chair and/or a panel
- The employee will be given the opportunity to state their case before any sanctions are imposed. Whether or not a capability sanction is imposed, the employee will be informed of what improvements are required, the timescale for the improvements to be made and the consequences if the improvements are not met or sustained. Any sanction imposed should be proportionate to the concerns and appropriate in the circumstances
- An employee will not normally be dismissed for a first incident, other than in cases of gross negligence or gross unsuitability
- Where FNHC has given a sanction, the employee will have the right of appeal

Stages of Capability Procedure

These stages form the basis of FNHC's capability procedure and may be recorded on the employee's employment record. In cases other than those that result in dismissal, FNHC will consider what positive action can be taken to ensure that the individual reaches the required standard. The process may be implemented at any stage if the employee's alleged performance issues warrant it. The point at which the process is entered will depend entirely on the seriousness of the employee's alleged performance issue.

Stage 1 - Informal Process

Before taking any formal action in relation to an employees suspected incapability or lack of qualification, an informal meeting will be held between the employee and a Manager with a view to identifying areas of concern, establishing the likely causes of poor performance, clarifying the required work standards and the level of performance expected of the employee, identifying any training or supervision needs, setting targets for improvement.

The possible outcomes of this informal meeting could include the Manager deciding:

- there is no incapability or lack of qualification in which case the matter will cease
- that the expected standard(s) are not reasonably attainable in which case those standards will then be reviewed
- the employee's incapability or lack of qualifications emanate from a change in FNHC requirements. The new requirements will be explained to the employee, with training and support offered as appropriate, and targets for improvement set
- the employee's incapability or lack of qualifications relates to their personal life. The employee will be offered appropriate support and counselling and targets for improvement will be set

- the employee's incapability or lack of qualifications is related to a lack of skills, aptitude or flexibility. The employee will be provided with additional support, training, and/or coaching, and targets for improvement will be set
- the employee is unable to perform to the standards required because they have failed to achieve a required qualification. The Manager may consider whether a re-sit is possible before deciding what action to take. Where the qualification is mandatory and a re-sit is not possible, FNHC will consider whether there are alternative vacancies that the employee would be competent to fill and if they hold the relevant qualification (if required) they will be given the option of accepting such a vacancy (which may require redeployment to a lesser graded role) or their continued employment will be considered

Following any informal outcome, the employee's performance will be monitored thereafter for an appropriate period of time. The length of time and manner of monitoring may be set out in a performance improvement plan or other appropriate notifications.

The Manager should document any issues raised and discussed, including any agreed outcomes, support and timescales and retain these securely and confidentially in accordance with the data protection principles.

Informal Process - Review

If it has been established that the employee is required to undertake additional training, coaching, support or counselling, an informal review date will be set between the employee and the Manager. Monitoring meetings may also be required in between the informal meeting and the informal review meeting to provide additional support during the process.

At the informal review, the following outcomes will be possible:

- if the required improvement has been made, that will be confirmed to the employee who will be encouraged to maintain the improvement
- if, in the Manager's judgement, some progress has been made but the employee has not yet met the required standard, the period of review may be extended at the Manager's discretion
- if the required improvement has not been made, the Manager may instigate the formal process

Stage 2 - Formal Process

If, following the review of the employee's performance, there has been inadequate improvement (or if the informal process would be inappropriate), a more formal approach should be adopted. Prior to entering the formal stage, the Manager should ensure that the employee has had the necessary training and the guidance and support required to undertake the job. Formal action is also appropriate where the capability issue is of a serious nature.

Before convening a capability hearing, a preliminary investigation of the facts will be undertaken, and the investigating officer (an appropriate individual either within or from outside

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FNHC) should establish the failings, the identification of the problem whilst taking account of all the factors which might have had an effect on the employee's performance, including: the volume of work, available resources, training, personal matters, ill health and changes in management or working practices.

In order to establish the facts, the investigator will collate all the relevant information, conducting further necessary enquiries, as appropriate. The investigator will decide if there is a case of incapability to answer. An employee will be notified in writing as to the outcome of this investigation.

At this stage, it may become apparent that another procedure is more suitable to resolve the concern. For example, the Disciplinary Policy or the Sickness and Disability Policy & Procedures may be more appropriate.

Where there is found to be a need to proceed to a formal hearing, the employee will be invited, in writing, to attend the hearing. Notice will usually be given within seven calendar days in advance of the hearing.

The employee will be advised in the letter of the reasons for the hearing, including the details of the incapability or lack of qualifications. The employee may also be advised of the possible outcomes. In advance of the hearing, the employee will be provided with all the evidence that will be referred to during the hearing. This may include written documents depending upon the details of the case. The exact material to be provided to employees shall vary according to the details of the case.

If the employee decides to provide any documentation in support of their case, the employee should provide these in advance of the hearing. The employee will be advised in writing of the timescales and the process for providing such information.

At the capability hearing, the chair should:

- complete a full review of the facts of the case
- review the performance issues
- review the training and support offered by FNHC

The employee will be invited to give their views before any decision is taken. Once an adjournment has occurred, the chair will consider the case and decide what the appropriate sanction should be.

Formal sanctions can be any of the following, which could include more than one sanction:

- no sanction
- referral to another more relevant procedure
- decision deferred pending further information
- first or final written warning
- formal improvement plan

- demotion, redeployment or alteration of duties (which may include a transfer to a lesser grade or post)
- dismissal (including summary dismissal)

Employees will be informed of the outcome, in writing usually within seven working days following the hearing. Where this timeframe is not practicable, the employee will be advised.

Where a sanction other than dismissal is identified, the letter will advise of the improvements in performance required to be achieved and maintained, a reasonable timescale for improvement, the training/support available (if appropriate), and the consequence that should the chosen option not result in necessary improvements or prove unsuccessful, within the defined timescale, dismissal could result.

A copy of the outcome letter and sanction given will be placed on the employee's personnel file. After a period of 12 months (or such other period specified in any warning), it will not be used or taken into account if capability action is taken in the future. Employees will also be advised of the right of appeal.

Prior to dismissal the chair will consider whether there are any alternative vacancies that the employee would be competent to fill. Should no alternative be found, the employee will be provided with written reasons for dismissal, the date on which the employment is terminated, the right of appeal and other arrangements.

Stage 3 – Appeal Process

If an employee is not satisfied with any decision made under this policy they may appeal, in writing, within seven calendar days of being given an outcome, to the individual as outlined in the Outcome Letter.

This right also applies to 'actions short of dismissal' such as warnings, transfer, demotion and alteration of duties.

Wherever possible, appeals will be held within seven working days of the appeal being made. The purpose of the appeal is not to repeat the procedure but to focus on specific factors which may have received insufficient consideration e.g. extenuating or mitigating circumstances.

Where the result of the capability hearing is dismissal, the commencement of the notice of termination will be the date on which an employee is informed of the decision to dismiss them and not the subsequent date of appeal.

The decision at this stage is final.

Other Provisions

At any stage of the capability process, the employee may be suspended from work whilst investigations take place. During any period of suspension, the employee will not be entitled

to access FNHC premises, except with the prior consent of FNHC, and subject to other such conditions as FNHC may (at its discretion) impose.

When there is evidence of gross unsuitability or gross negligence, or where the failings are so extreme that there is irredeemable incapability, FNHC has the ability to summarily dismiss an employee without warnings, the chance to improve or without notice.

Communication in the Workplace

It is very important that employees and FNHC's clients all understand each other and can work together smoothly. Communication between everyone must be clear, professional and at an appropriate volume (not audible throughout the premises). There should never be discussions in any language that could cause disruption. In order to help FNHC achieve good levels of communication it would ask employees to speak to their colleagues and clients in English while at work.

There will be some limited exceptions to the general position, where this has previously been agreed with FNHC. In particular, in the following situations an employee may choose to communicate with colleagues or clients in a language other than English:

- during breaks, when clients are not nearby and it is not likely to cause offence to any other employees
- if an emergency situation arises and it is necessary and/or will assist in the safety and direction of others
- if it can assist a client who may not speak English
- if an employee is employed in a role that requires individuals to speak a language other than English

Complaints Policy

Refer to the Policy for the Management of Complaints in Procedural Documents Library.

Consent Policy

Refer to Consent to Treatment and Care Policy in Procedural Documents Library.

Disciplinary Policy

FNHC aims to ensure that there will be a fair and systematic approach to the application of standards of conduct affecting all employees of FNHC. To this end, FNHC will ensure that standards are established, behaviour is monitored and, if necessary, employees are given appropriate instruction, training and advice to meet these standards.

If a safeguarding allegation has been raised, this policy (at FNHC's absolute discretion) may not be used in its entirety or it may be used in addition to other procedures that FNHC may need to follow.

This policy needs to be read in conjunction with other policies. Where there is a case of incapability, due a lack of knowledge, skill or ability or where employees are not performing at the expected level, including a single serious act of negligence or incompetence of small persistent errors, or where employees are intransigent, inflexible or difficult in their approach, or where they fail to secure or maintain the relevant qualifications to hold their position, then the capability policy will be utilised. Matters relating to absences where there may be an underlying medical cause will be dealt with under the Sickness and Disability Policy.

All employees are required to make themselves fully aware of all of FNHC's rules and regulations and to observe and carry out their duties in accordance with them. All employees are also required to carry out reasonable and lawful instructions of supervisory and management employees at all times.

Principles

- The policy is designed to establish the facts quickly and to deal consistently with any allegations raised. Action should not be taken in the heat of the moment, but only after appropriate consideration and reflection
- Before convening a disciplinary hearing, FNHC should carry out an investigation aimed at discovering the facts
- Before convening a disciplinary hearing, the employee will be advised of the details of the allegation or concerns made against them and will be given the opportunity to state their side of the story before any decision is made
- At all disciplinary hearings the employee will have the right to be represented by an authorised Trade Union representative or another employee. Prior to any hearing, the employee should notify the person chairing the hearing of the name of the person that they wish to attend. For the avoidance of doubt, there is no right to be represented during any investigation meeting or during any informal meeting
- Prior to a disciplinary hearing, copies of any relevant witness statements, or other documentation or evidence, which would be considered during the hearing, will be made available to the persons conducting the hearing and to the employee and/or their representative
- Employees must use all reasonable endeavours to attend disciplinary hearings
- Notes will be taken of the disciplinary hearing and this may necessitate a third party attending
- The hearing may be conducted by a chair/and or a panel
- Any explanation put forward by the employee should be considered by the chair/and or a panel with an open mind
- Any disciplinary sanction should be proportionate to the offence committed and appropriate in the circumstances

- If any new allegations or circumstances are raised, whether by FNHC or the employee, in any disciplinary hearing, the hearing may be adjourned for the allegations or circumstances to be investigated further
- Where FNHC has taken disciplinary action and given a sanction, the employee will have the right of appeal
- Wherever possible a hearing should not be conducted by the same person who conducted the investigation. However, the appeal should be conducted by a more senior level of Manager than presided over the disciplinary hearing, if possible, or at least someone who has not previously been involved in the case

Stages of Disciplinary Procedure

These stages form the basis of FNHC's disciplinary procedure and may be recorded on the employee's disciplinary record. In cases other than those that result in dismissal, FNHC will consider what positive action can be taken to ensure that the individual reaches the required standard. Employees should note that there may however, be occasions when, depending upon the nature of the issues or concerns, it may be appropriate to commence the procedure at any stage.

Stage 1 - Informal Process

Many low level problems of misconduct can be dealt with informally without the need for a hearing. Often a 'quiet word' with the employee is all that is needed to solve the problem.

Dealing with matters informally is a normal part of everyday management and there is no need to follow a particular procedure. However, the Manager should document any issue raised and discussed, including any agreed outcomes, support and timescales and retain these securely and confidentially in accordance with the data protection principles.

However, if despite informal discussions, the employee's conduct does not meet acceptable standards the formal process will commence.

Stage 2 - Formal Process

If an informal meeting is perceived not to be appropriate or there is still a failure to improve or there is reasonable belief that gross misconduct has occurred, then following an investigation a formal disciplinary hearing should be scheduled.

Before convening a disciplinary hearing, a preliminary investigation of the facts and circumstances of the alleged misconduct will be undertaken and the Investigating Officer (an appropriate individual either within or from outside FNHC) should be satisfied that there are grounds for proceeding with the disciplinary hearing. FNHC must look for evidence that tends to show that the employee is innocent just as much as evidence tending to show that they are guilty. An employee will be notified in writing as to the outcome of this investigation.

If FNHC, in its absolute discretion, considers that an investigation will be hampered by the presence, of one or more parties or witnesses to an allegation FNHC may suspend any employee(s) with or without pay whose presence is considered to be unhelpful to the progress of the investigation. Alternatively, FNHC may choose to require that the employee(s) work from somewhere other than their normal place of work for the duration of the investigation. Suspension or temporary relocation in these circumstances should be considered to be a neutral act, the purpose of which is to aid the speedy conclusion of the investigation.

During the investigation, it may become apparent that another procedure is more suitable to resolve the concern. For example, the Capability Policy or the Sickness and Disability Policy and Procedures may be more appropriate.

In the event where the alleged misconduct is a breach of a Safeguarding Partnership Board (SPB) requirement, FNHC may withhold any initial internal investigations until SPB have completed their relevant investigations. Further details can be found within SPB manual.

Where there is found to be a need to proceed to a formal hearing, the employee will be invited, in writing, to attend the hearing. Notice will usually be given within seven calendar days in advance of the hearing.

The employee will be advised in the letter of the nature of the allegation(s), the date, time and place of the disciplinary hearing. In advance of the hearing the employee will be provided with all the evidence that will be referred to during the hearing. This may include written documents depending upon the details of the case. The exact material to be provided to employees shall vary according to the details of the case. This should allow the employee time to prepare their case, arrange representation and provide witness details (if required). The hearing should be conducted in private, away from other employees.

If the employee decides to provide any documentation in support of their case, the employee should provide these in advance of the hearing. The employee will be advised in writing of the timescales and the process for providing such information.

At the formal hearing the employee will again be informed of the allegation(s) made against them and be given the opportunity to explain. If the employee admits the allegation(s) at this stage of the proceedings, the chair/panel shall, after a period of adjournment, determine a sanction detailed below, which is appropriate to the facts and seriousness of the case.

Where the employee denies the allegation(s), the chair/panel must decide whether there is sufficient information on which to make a decision. Witnesses/and or written evidence may be considered. If the Chair/Panel decides that the employee is guilty of misconduct a sanction detailed below will be determined.

The following sanctions are permitted under this policy:

- no sanction
- referral to another more relevant procedure
- decision deferred pending further information

- first or final written warning
- suspension from duty without pay for up to 12 working days
- withdrawal of any performance bonus, downgrading or redeployment to a lesser grade or post
- dismissal (including summary dismissal)

Employees will be informed of the outcome, in writing usually within seven working days of the hearing. Where this timeframe is not practicable, the employee will be advised. A copy of the outcome letter and sanction given will be placed on the employee's personnel file. After a period of 12 months (or such other period specified in a warning), it will not be used or taken into account if disciplinary action is taken in the future.

In the case of termination, a formal letter of termination of employment will be issued that will record the reason(s) for dismissal, the date on which the employment will terminate, the right of appeal and arrangements and, where appropriate and relevant, the previous warning(s) given.

Stage 3 – Appeal Process

If an employee is not satisfied with any disciplinary decision they may appeal, in writing, within seven calendar days, to the individual as outlined in the Outcome Letter, who will either deal with the appeal themselves or will assign management of the appeal to an appropriate person.

Wherever possible, appeals will be held within seven working days of the appeal being made. The purpose of the appeal is not to repeat the detailed investigation of the disciplinary hearing (unless required), but to focus on specific factors which may have received insufficient consideration, e.g. inconsistent sanction, extenuating circumstances, new evidence coming to light.

Once the appeal has been heard, the person conducting the appeal should adjourn the appeal to consider the information before making a decision.

The decision of the chair/panel hearing the appeal may confirm, vary or cancel the outcome. The decision will be confirmed in writing to the employee, together with any appropriate warning as to future conduct (if applicable).

Where the result of disciplinary action is dismissal, the commencement of the notice of termination will be the date on which an employee is informed of the decision to dismiss them and not the subsequent date of appeal. The decision at this stage is final.

Gross Misconduct

The full disciplinary procedure detailed above may not apply if there is conduct that FNHC views as gross misconduct. FNHC will carry out an investigation and, if gross misconduct is established, the employee's employment may be terminated summarily, following a disciplinary hearing. In such circumstances, no payment of notice or payment in lieu of notice

will be made to the employee. In the event of such an allegation, an employee may be immediately suspended with/without pay during investigations. A non-exhaustive list of gross misconduct can be found in Section Two of the Handbook.

Equal Opportunities Policy

FNHC is committed to the policy of exercising equal and fair treatment of all employees and job applicants and to providing an environment where employees are treated with respect and dignity. FNHC will not tolerate discrimination on any of the following grounds; race (defined as colour, nationality, ethnic or national origin), gender, gender re-assignment, sexual orientation, civil partnership, marital status, pregnancy or maternity, age, religious and political beliefs or disability. Furthermore, FNHC will endeavour to provide those employees who have physical or mental disabilities known to FNHC with specific assistance and arrangements to enable them to work for FNHC wherever this is reasonable and practical.

The aims of this Equal Opportunities Policy are to:

- promote equal opportunities
- ensure that employees achieve their full potential and that all employment decisions are taken without reference to irrelevant or discriminatory criteria
- promote a good and harmonious working environment in which all people are treated with respect
- prevent occurrences of unlawful discrimination, harassment and victimisation
- ensure FNHC meets its legal obligations under the relevant (local) legislation

Discrimination

Discrimination in employment happens as a result of prejudice, misconception and stereotyping which in turn hinders the proper consideration of an individual's talents, skills, abilities, potential and experience. It can be direct or indirect, intentional or not intentional. What is most important is that certain forms of discrimination are not just unfair - they are illegal.

Discrimination includes:

- any act or omission of an act, which results in an employee or applicant suffering less favourable treatment or a disadvantage
 - Direct discrimination is when an individual is treated less favourably than another person would be under the same circumstances on the grounds of race, gender, gender re-assignment, pregnancy and maternity, sexual orientation, age, religious belief, political opinion, civil partnership, marital status or disability

- Indirect discrimination is when the application of an unjustifiable condition or requirement, adversely affects one particular group of people and an individual within that group suffers a disadvantage as a result

Victimisation or harassment of an employee:

- victimisation occurs where a person is treated unfavourably because, for example, they have brought proceedings or given evidence or information in a case relating to discrimination
- harassment is defined as any unwanted behaviour or provocation that is deemed offensive to the individual and related to a protected characteristic, whether physical, verbal, aural or visual and whether actual or by innuendo or any other means

Expected standards – all employees

Whilst overall responsibility for the effective operation of this policy lies with FNHC, all employees, whatever their position, are responsible for ensuring its effective implementation. Employees can be held personally liable for any unlawful acts of discrimination. In this respect, all employees should ensure that they:

- co-operate with any measures introduced by FNHC to promote equal opportunities in the workplace
- refrain from taking any actions or decisions which are contrary to the letter or spirit of this policy
- do not harass, victimise or otherwise discriminate against employees, clients or potential clients
- do not instruct or pressurise others to act in breach of this policy
- advise their Line Manager if they are aware of any discriminatory conduct, either against themselves or any third party contrary to the spirit of this policy, so that FNHC can take steps to deal with it at an early stage

Apart from being subject to potential disciplinary sanctions, an individual who breaches FNHC's policy may become personally liable to compensate their victim.

Expected standards – Managers and the Senior Management Team

Managers and the Senior Management Team in particular have a responsibility to understand and promote the policy. The following standards should be adhered to:

- Advertising: Care should be taken to ensure that advertisements for job vacancies are drafted in such a way that all interested candidates may consider they are eligible to apply. Equal opportunity factors should be considered when compiling FNHC's publications and communications.

- Monitoring: Recruitment documentation may seek details on gender, age and ethnic group but make it clear that such information is required for monitoring purposes only. Procedures should be monitored to ensure that prejudice has no influence on decisions concerning recruitment, promotion, training opportunities or any terms or conditions of employment.
- Selection criteria: Short listing for interview should be carried out against selection criteria based on essential competencies associated with the job and the personal qualities and level of experience required. These criteria should be drawn up as objectively and as inclusively as possible.
- Selection decision: All interviewers should be fully aware of this Equal Opportunities Policy and base their assessment on using competency-based interviewing. Wherever possible, brief records should be kept at short listing and final selection stages to assist with recording the reasons for short listing or rejecting the candidates.
- Promotion decisions: All promotion decisions will be governed by an objective assessment of individual merit, standard of work performance and development potential.
- Training: Employees will receive the appropriate training to perform their job competently and to develop professionally in order to fulfil realistic career opportunities. In cases where any employee becomes disabled, re-training will be provided wherever possible to help the individual continue in the current role or to carry out a new role where this is available.
- Termination of employment: If an employee's contract is terminated for whatever reason, FNHC should not discriminate against employees and decisions to terminate employment will be based upon non-discriminatory grounds. All employees who resign from FNHC may be asked to participate in an exit interview in order to ascertain their reasons for leaving. If these interviews reveal that employees are leaving on grounds of perceived discrimination, a full investigation will be carried out.

Whilst it is hoped that the majority of cases can be resolved on an informal basis between the parties concerned, all formal complaints will be investigated and if necessary be dealt with through FNHC's Grievance Policy or Disciplinary Policy as appropriate.

FNHC will not tolerate any form of discrimination and will treat all complaints seriously, sensitively and with as much confidentiality as reasonably practicable.

Flexibility in the Workplace

Employees within FNHC work closely together to produce the best outcome for the business. Although an employee may have a specific job title and role, there will be times when FNHC needs employees to undertake other duties, particularly at very busy times. It is very important to FNHC that every employee is prepared to be flexible and assist whenever necessary. If an employee feels that they are not able to undertake a particular kind of work because of a

medical condition, lack of training or because it may breach legislation, they must inform their Line Manager. In all other cases, employees will be expected to undertake such tasks as are assigned to them.

Grievance Policy and Procedure

Principles

FNHC recognises that from time to time employees may wish to seek redress relating to matters where they feel they have been unfairly/unreasonably treated during the course of their employment.

In this respect, FNHC's policy is to encourage free communication between employees and the Managers and the Senior Management Team to ensure that any questions and problems arising during such times can be aired and, where possible, resolved quickly and to the satisfaction of all concerned in an informal way.

There is no real substitute for a good manager/employee relationship for the solution of work related problems. Nevertheless, when that relationship fails to resolve a serious issue FNHC provides a formal process whereby the problem can be aired and resolved quickly at an appropriate level of management.

The key aim of the grievance procedure is to provide an internal mechanism for dealing with such matters. It should aim to deal with these issues quickly, fairly and at the lowest possible level within FNHC. However, in cases where the matter cannot be resolved in an informal way, the following procedure should be adopted, except where the matter constitutes an appeal against a disciplinary decision, which should be taken up in accordance with FNHC's separate Disciplinary Policy.

As an alternative to the formal procedure, FNHC may offer the services of a trained mediator to assist the parties to resolve their differences. Use of mediation does not preclude the use of the formal procedure if the mediation process is unsuccessful.

Stage 1 - Raising a Grievance

Where an employee has a grievance arising from employment, they should initially raise the matter in writing with their Line Manager or the next level of management where the grievance relates to their Line Manager. Where the grievance relates to a Senior Manager, an employee should raise the matter in writing with another Senior Manager or the Chief Executive Officer. If the complaint relates to the Chief Executive Officer, an employee should raise the matter in writing with Vice Chair of the Board.

The Manager or their delegate would then investigate the grievance (or delegate this to an appropriate person) and should invite the employee to attend a formal meeting to discuss the grievance. A work colleague or a trade union official may represent the employee in the proceedings.

After due consideration, the person hearing the grievance will provide the employee with a decision in writing.

Stage 2 - Appeal

If the matter is still not resolved and the employee remains dissatisfied, they may raise the grievance in writing with the individual as outlined in the Outcome Letter, (the “Appeal Chair”). The appointed Appeal Chair will obtain the records from previous meetings and investigations and invite the employee to attend a formal meeting to discuss the grievance. A work colleague or a trade union official may represent the employee in the proceedings.

A decision will be given in writing, if possible, within ten working days of the matter being heard. This decision will be final.

Health and Safety Policy

Refer to Health & Safety Policy on Procedural Document Library.

Information Governance Policy

Refer to Information Governance Policy on Procedural Document Library.

Performance Development Review (PDR)

Performance and development planning aims to provide employees with an in-depth understanding of their role and responsibilities, feedback on their performance, and an opportunity to discuss their career development. PDR meetings are held at least once a year.

PDRs should be regarded as an opportunity for a constructive review of performance that is beneficial to both sides. The employee will be asked to comment upon and discuss their future development. A summary of the review and the discussion signed by the employee will be kept in the employee’s personal file. The employee will be given a copy to retain for their personal use.

Completed Individual Performance Development Plans (PDP) forms, which included any Education and Development plans, should be copied to the Line Managers and Human Resources. Any training requirements identified within PDPs are not guaranteed. Employees will need to follow the Education and training application process and all Training Agreements will be kept on personnel files.

Statutory and Mandatory Core Training

For the purposes of this policy statutory and mandatory training is any compulsory training that refers to any subjects or knowledge required either by statute or policy; by legal obligations of FNHC, its managers and individuals; guidance or requirements from professional and

regulatory bodies (such as the Nursing and Midwifery Council, the Health & Safety department); FNHC requires its employees to undertake in order to:

- Comply with the law and requirements of regulatory bodies
- Carry out duties safely and efficiently
- Reduce risks associated with all aspects of service provision
- Maintain competence to the required standards

All Staff (excluding agency and co-located staff)

Individual staff members are responsible for:

- Understanding and monitoring their own compliance with the mandatory training requirements for their role
- Liaising with their Line Manager to agree release from normal work duties to enable attendance/completion of mandatory training
- Prioritising attendance at mandatory training and completing the training within the timescales to ensure ongoing compliance
- Completing the e-learning modules within the timescales shown on their training matrix
- Signing an attendance sheet and checking that their attendance has been recorded
- Completing training evaluation forms to enable continuous review and development of courses where relevant
- Informing the Education, Training & Development Department and their Line Manager that they need to cancel and rebook any classroom mandatory training sessions should they be unable to attend
- Raising any questions they have regarding mandatory training with either the Education, Training & Development Department or their Line Manager
- Keep any information which will be useful evidence for discussion during their Performance Development Plan meeting
- Ensuring that the training and development received is applied in the workplace, particularly around identifying risk and raising potential hazards to their Line Manager
- Taking responsibility for their safety and welfare and others they work with and care for
- Ensure that they do not use equipment, conduct specific clinical procedures or access any systems unless they have received prior training and are safely able to do so.

Co-Located Staff and Staff on Secondment

Staff who are employed by another employer and co-located with a team or department are expected to follow the mandatory requirements of their employers and role and should provide evidence of compliance to the manager of the team they are co-located with and the Education

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and Training Department unless the service level agreement states otherwise. This does not preclude this staff group from accessing the Organisation's mandatory training programme if deemed appropriate by the team manager.

Redundancy Policy

FNHC recognises that all employees value secure employment and that uncertainty about future employment prospects is likely to damage employee morale and may reduce employee commitment. In consequence, FNHC will make every effort to maintain continuity of employment. However, it is recognised that financial, operational or business needs may from time to time affect the requirements for manpower, both in terms of numbers, job roles and types of personnel.

In recognising the effect which redundancy may have on employees, FNHC will seek to handle redundancies with care and consideration and, importantly, to take all reasonable steps to ensure that decisions about redundancy are consistent, fair and non-discriminatory.

Consultation

If the need for compulsory redundancies arises, employees who may be affected by redundancy will be notified and fully consulted by management as soon as practicable, and throughout the process, about the likelihood of a redundancy situation. In addition, employees will be placed 'at risk' formally to ensure they are aware of the seriousness of the situation.

Collective Consultation

Where 12 employees or more may be affected by redundancy in addition to one-to-one consultation, FNHC will commence a collective redundancy process, where employee representatives may be appointed and a minimum of a 30 day consultation period will be applied.

Avoiding Compulsory Redundancies

Steps to avoid compulsory redundancy will, wherever possible, be considered in the first instance. These steps, which are not exhaustive, may include:

- restrictions on recruitment of permanent employees
- investigate measures, such as short time working and/or layoffs
- reduction or elimination of overtime working
- consideration of voluntary redundancies and/or early retirement and/or alternatives

Whilst FNHC will aim to keep the number of compulsory redundancies to a minimum, the overriding consideration will always be the future needs of the business.

Voluntary Redundancy/Early Retirement

FNHC may offer voluntary redundancy to the affected group of employees. Volunteers from outside the pool of affected employees may also be considered. However, the Employer reserves the right not to accept volunteers (including those outside of the pools) who possess key skills that the business may require to maintain its operations.

FNHC may also invite applications for early retirement from all employees. However, the Employer reserves the right not to accept volunteers who have key skills. Early retirement will be in accordance with the terms of any relevant pension scheme and will be at the discretion of FNHC and/or the actuaries for acceptance.

FNHC has the absolute discretion to decide whether or not to accept an employee's application for voluntary redundancy or early retirement.

Redeployment/Alternatives

Wherever possible, FNHC will aim to re-deploy employees that are at risk of redundancy into other areas of work within FNHC.

Where alternative employment is offered and accepted, it is FNHC's policy to operate a trial period of four weeks in the new post. If it is established that the post is not objectively suitable for the employee, and FNHC is unable to identify or secure any other reasonable alternative, it may result in the employee being made compulsory redundant.

An employee who unreasonably refuses an offer of suitable alternative employment may forfeit their right to a redundancy payment.

Selection Criteria

If, having taken steps to avoid or minimise redundancies, the number of employees still exceeds the number of people required, FNHC will use fair, consistent, and non-discriminatory methods of selection to ensure the retention of a balanced workforce, appropriate to the future needs of the business.

Compulsory Redundancy

Employees who are provisionally selected for redundancy will be invited to meet with FNHC to discuss the basis for their selection for redundancy. Employees will be given the right of representation by either an authorised Trade Union official or another employee at this meeting and will be asked to put forward any representations as to why they should not be selected for compulsory redundancy, which FNHC will fully consider, before making a final decision on which employees are to be made redundant.

Subject to the receipt of any appeals, employees will be notified that they have been made compulsory redundant. Those employees will be given notice of termination in accordance with their contractual or statutory entitlement, whichever is the greater.

Employees under notice of redundancy will be granted permission to take reasonable time off work to look for alternative employment or to undertake development training.

Appeal

Any employee selected for compulsory redundancy will be entitled to appeal against their selection for dismissal. They should do so as quickly as possible, but no later than 7 working days after the redundancy notice has been served. Appeals should be made in writing, clearly stating the reason for the appeal.

An appeal hearing will be called, and the employee will have the right to be represented by an authorised Trade Union official or another employee. The outcome of the appeal will be given to the employee and this decision will be final.

Severance Payments

Compensation for loss of employment due to redundancy will be in accordance with statutory requirements current at the time of termination.

Sickness and Disability Policy & Procedure

FNHC is committed to promoting the health, safety and wellbeing of all employees. It supports employees in achieving good attendance levels although it recognises that an employee experiencing ill-health may require periods of sickness absence from time to time.

Sickness in employment is defined as personal illness or injury which prevents an employee from pursuing normal working activities or attendance. Absences can be long term or frequent short absences over a period of time or intermittent short term potentially as a result of an underlying condition or other factors e.g. infection etc. Sickness absence or ill health should be managed in line with FNHC's sickness provisions and, where appropriate, a risk assessment may be undertaken as part of the activity to prevent any continuing risk to employees or clients.

This policy is designed to promote good practice aimed at preventing ill health, the effective management of sickness absence when it occurs and the rehabilitation of employees where reasonable, including taking all reasonable measures to support those with a disability.

This policy needs to be read in conjunction with other policies. Matters relating to unauthorised absences or where there is no identified medical underlying cause or there is reasonable belief that the absence is not genuinely due to ill health, shall be investigated and may be dealt with under the relevant Disciplinary Policy. Matters relating to work performance shall be dealt with via the Capability Policy.

Principles

- To monitor levels of sickness/absence and seek to reduce such absence through early intervention and/or support
- To ensure that all reasonable measures are taken to support disabled employees in employment, as part of FNHC's commitment to equal opportunities
- To ensure a fair and reasonable approach to the active management of sickness absence
- To limit the impact on other employees and FNHC's activities when such absence does occur and to support employees where possible with the aim of securing their early and sustained return to work
- FNHC will seek to treat all sickness and/or disability issues with care and sensitivity, to identify and address any underlying cause(s) where appropriate and to take external professional and or medical advice which could include, where appropriate, request for a medical report from a doctor or consultant/specialist or referral on to another service or practitioner such as occupational health
- Managers should ensure they take human resources advice throughout the procedures
- Before convening the formal process, FNHC should carry out an investigation aimed at discovering the facts. The employee will be advised of the details of the concerns made against them and will be given the opportunity to state their case before any decision is made
- At any formal hearing or appeal the employee will have the right to be represented by an authorised trade union representative or another employee. Prior to any hearing, the employee should notify the person chairing the hearing of the name of the person that they wish to attend in this capacity. For the avoidance of doubt, there is no right to be represented during any investigation meeting or during any informal meeting
- Prior to a hearing, copies of any relevant information (including medical reports) which would be considered during the hearing will be made available to the persons conducting the hearing and to the employee and/or their representative
- Employees must use all reasonable endeavours to attend hearings
- Notes will be taken of the hearing and this may necessitate a third party attending
- The hearing may be conducted by a chair/and or a panel
- To encourage employees and managers to consider the extent to which there may be a work-related element affecting or contributing toward absence, so that arrangements for an effective return to work are implemented, and appropriate reporting and safe systems of work are in place
- To fully consider and explore possibilities of making reasonable adjustments or redeployment if an employee is unable to continue in their current role

- At all stages FNHC will give consideration to whether the unsatisfactory attendance is related to a disability and, if so, whether there are any reasonable adjustments that could be made to the requirements of the employee's job or other aspects of the working arrangements or environment
- Any outcomes given should be proportionate to the concerns and appropriate in the circumstances
- Not to terminate a contract of employment where an individual becomes incapable of performing the duties due to ill health unless other reasonable solutions have been given due consideration
- Where FNHC has given an outcome, the employee should have the right of appeal

Stages of Sickness and Disability Procedure

These stages form the basis of FNHC's procedures and may be recorded on the employee's employment record. In cases other than those that result in dismissal, FNHC will consider what support, advice, rehabilitation or other positive action can be taken to ensure to assist the individual back into the workplace. Employees should note that there may however, be occasions when, depending upon the nature of the illness or concerns, it may be appropriate to commence the procedure at any stage.

Stage 1 - Informal Process – Short Term Persistent Absence

During periods of sickness absence, employees will be responsible for keeping in regular contact with their Line Manager. Each period of sickness absence should be discussed with the employee, by their Line Manager, upon their return to work (RTW) via a RTW discussion or interview.

Where a potential cause for concern is identified, the Manager should review the sickness absence record of the employee and explore any concerns with them, agreeing any appropriate action or support needed, and setting review dates.

The Manager should seek to resolve minor issues informally and expediently, whenever possible. The Manager may be required to seek medical advice via occupational health professionals, if appropriate, prior to determining the most appropriate course of action in order to support a sustained improvement in attendance.

The Manager should document any issue raised and discussed, including any agreed outcomes, support and timescales and retain these securely and confidentially in accordance with the data protection principles.

Review meeting(s), at agreed time(s), should be scheduled to monitor/review the situation, and assess whether or not attendance has improved to a satisfactory level. Where expectations/targets have been met no further action will be required, though depending upon the circumstances of the case, it may be appropriate to continue to monitor the situation.

If there has been insufficient sustained improvement in attendance levels or if the employee has not reached the targets set, the Manager should decide (together with any medical advice) whether an employee's continued failure to attend work justifies further action.

If attendance has not reached sufficient sustained improvement, the Manager should refer the matter to a formal resolution hearing.

Stage 1 - Informal Process – Long Term Absence

The Manager should seek medical advice in cases of long-term sickness absence of 4 weeks or more, or sooner if there is an indication that the health issue may be related to work or is expected to last for six months or life.

The Manager, or other nominated employee, should also maintain regular contact, where possible, with the employee in order to reduce feelings of isolation, to keep them up to date with departmental or FNHC issues (e.g. office moves, changes within a team etc.) where appropriate, and to remain informed about the likely duration of the sickness absence and possible support that may be appropriate.

The Manager should document any discussions, including any agreed support and retain these securely and confidentially in accordance with the data protection principles.

Employees should continue to provide medical certificates as appropriate and provide information to their Line Manager on their progress and/or future medical consultations so that FNHC is kept up to date on their condition.

The Manager may make a referral to occupational health or the employee's doctor, consultant /specialist (with the employees' consent) to gain advice on the employee's fitness for work, a likely date of return and where relevant any rehabilitation programme.

Where there is a prospect of recovery within a reasonable timeframe, with or without reasonable adjustments, the employee should be supported in that recovery and in a return to work. In such cases a return to work plan should be developed and reviewed in discussion with the employee, and where appropriate a risk assessment undertaken. The Manager will be responsible for ensuring that the return to work plan is implemented. The employee will also be responsible for cooperating with the implementation of the plan.

Where the medical opinion suggests that a return to the employee's existing role, within a reasonable timeframe, is not deemed possible due to the nature of the condition/circumstances (resulting in an actual or anticipated prolonged or indefinite absence) it may be necessary for the Manager to refer the matter to a formal resolution hearing.

Stage 2 - Formal Resolution Hearing

Formal proceedings shall not begin until an investigator has established the facts.

Before convening a hearing, a preliminary investigation of the facts will be undertaken, and the investigating officer (an appropriate individual either within or from outside FNHC) should establish the nature of the illness or injury and the prognosis through thorough medical investigation and the duration and frequency of absences and decide if there is a case of unsatisfactory attendance to answer. In order to establish the facts, the investigator will collate all the relevant information, conducting further necessary enquiries as appropriate. An employee will be notified in writing as to the outcome of this investigation.

During the investigation, it may become apparent that another procedure is more suitable to resolve the concern. For example, the Capability Policy or the Disciplinary Policy may be more appropriate.

Where there is found to be a need to proceed to a formal hearing, the employee will be invited, in writing, to attend the hearing. Notice will usually be given within 7 calendar days in advance of the hearing.

The employee will be advised in the letter of the reasons for the hearing, the nature of the proposed discussion and possible outcomes. In advance of the hearing the employee will be provided with all the evidence that will be referred to during the hearing. This may include written documents depending upon the details of the case. The exact material to be provided to employees shall vary according to the details of the case.

If the employee decides to provide any documentation in support of their case, the employee should provide these in advance of the hearing. The employee will be advised in writing of the timescales and the process for providing such information.

In cases where an employee chooses to withhold consent to disclose medical reports or to access medical information, decisions regarding continued employment shall be made on the basis of the information available.

At the hearing the chair should discuss with the employee:

- the nature of the various illness or injury
- the likelihood of their reoccurrence
- the reasons for any uncertified absences
- the length and frequency of absence compared to the intervals of good health
- FNHC's need for the role
- the impact of the absence on the rest of the workforce
- the extent the employee has been made aware how their absence can affect continued employment

The employee will be given the opportunity to state their case.

The chair should seek to explore with the employee their opinion of their illness or injury and what options may be available to try and get the employee back to work (if possible), including looking at alternative employment (if appropriate) and any other reasonable adjustments. The chair will consider the case and decide what the appropriate sanction should be.

Formal remedies/action can be any of the following, which could include more than one sanction:

- no sanction
- referral to another more relevant procedure
- decision deferred pending further medical information
- first or final written warning
- consideration in relation to reasonable adjustments or alteration of duties which may include changing an employee's working arrangements, duties, or hours, or providing additional equipment or training, supported by further monitoring/review periods
- consideration in relation to redeployment/alternative role (on a lesser grade/post), or retirement options
- dismissal (including summary dismissal)

Employees will be informed of the outcome, in writing usually within seven working days following the hearing. Where this timeframe is not practicable, the employee will be advised. Where a sanction other than dismissal is identified, the letter will advise of any agreed action/support, and caution that should the chosen option not result in necessary improvements or prove unsuccessful, within a defined timescale, dismissal could result. Employees will also be advised of the right of appeal.

A copy of the outcome letter and any sanction given will be placed on the employee's personnel file. After a period of 12 months (or such other period specified in a warning), it will not be used or taken into account if further action is taken in the future.

In reaching a decision on dismissal careful consideration of other options will be given. If, on balance, the other options are deemed inappropriate due to the circumstances of the case, and the employee is dismissed, they will be provided in writing with reasons for dismissal, the date on which the employment will terminate, and the right of appeal and arrangements.

Stage 3 – Appeal Process

If an employee is not satisfied with any decision made under this policy they may appeal, in writing, within seven calendar days of being given an outcome, to the individual as outlined in the Outcome Letter.

This right also applies to 'actions short of dismissal' such as warnings, transfer, demotion and alteration of duties.

Wherever possible, appeals will be held within seven working days of the appeal being made. The purpose of the appeal is not to repeat the procedure but to focus on specific factors, which may have received insufficient consideration e.g. extenuating circumstances.

Where the result of the policy is dismissal, the commencement of the notice of termination will be the date on which an employee is informed of the decision to dismiss them and not the subsequent date of appeal.

The decision at this stage is final.

Other Provisions

Suspension - It may be appropriate at any stage of this procedure to suspend the employee on medical grounds, (e.g. where the health and /or safety of the employee or other FNHC employees or clients are placed at a risk which cannot be reasonably mitigated or removed). The reasons for such a decision will be provided to the employee in writing and reviewed regularly.

Face to Face - FNHC acknowledges the sensitivities surrounding ill health/disability and deems it preferable that the employee attends any meeting in person. Appropriate arrangements, including travel arrangements, should be made to ensure that this is possible. However, in exceptional circumstances where the employee is unable to travel to FNHC, all reasonable efforts should be made to enable the meeting to take place at a mutually agreed alternative location.

Attendance - If an employee is absent due to sickness prior to the hearing, they may be required to attend FNHC's doctor to assess their fitness to attend a hearing, and to give advice on any special requirements or adjustments for the hearing. Every effort should be made by all participants to attend hearings as arranged. Hearings should be made at date/time that is mutually acceptable, wherever possible. However, where an employee fails to attend on more than two occasions, FNHC may decide that a decision should be made in their absence on the evidence available at the third scheduled hearing.

Complaints - Where an employee seeks to activate a formal procedure e.g. submits a grievance or an appeal within another procedure during a sickness absence management process, which is related to the case, it may be appropriate to deal with the issues as part of, or concurrently with, this procedure. Alternatively, the chair may deem it appropriate to temporarily suspend the sickness absence proceedings pending the outcome of the other procedural process in order to safeguard the fairness of the process.

Confidentiality - Records of action taken under the sickness absence management procedure should be kept confidential and retained in accordance with the relevant data protection law. When discussing issues relating to ill health and sickness absence with an employee, the employee should be advised that the conversation will remain confidential, but that it may be necessary to disclose certain details to relevant parties to ensure all relevant support is considered, the procedure can be implemented, and FNHC's duty of care is met.

Recovery - All employees have a general duty not to do anything that may be prejudicial to their recovery. Employees should note that FNHC already reserves the right to monitor and use data from any open social media accounts when undertaking these procedures.

Pregnancy/Maternity - Where any absences relate to pregnancy or maternity related matters, further human resources advice should be sought before any formal procedures are undertaken. If the employee is absent and the absence is related to pregnancy, the return to work interview should become a support meeting to ensure that adjustments can be discussed and implemented, if practicable. In addition, the Manager can hold support meetings with the employee throughout the pregnancy to consider what reasonable adjustments can be put in place to support the employee in work. For the purposes of monitoring level of attendance, those absences related to the pregnancy may be discounted by the Manager. All other sickness absences will continue to be monitored in accordance with this policy. If an employee is absent after maternity leave, human resource advice should be sought. Further information can be found in the Maternity Policy.

Disability - Where an employee believes that an aspect of a disability (e.g. hearing difficulties, chronic fatigue or language impairment) may impact on their ability to participate in the procedure, it is the employee's responsibility to raise this with their Line Manager or the chair as soon as possible. In such cases FNHC may consider providing appropriate reasonable support/adjustments during formal proceedings.

FNHC should consider whether any reasonable adjustments can be made in the employment of a disabled person and this can include adjustments to working arrangements and physical changes to the premises or equipment on a permanent or temporary basis. In considering whether reasonable adjustments can be made, the following points may be taken into account:

- will the adjustment be effective in preventing the disadvantage
- is the adjustment practical
- the extent of any disruption
- the extent of financial resources
- the financial or other assistance which may be available to FNHC to help make the adjustment

Identifying a reasonable adjustment can be a creative process as there is no "one situation fits all" method to use. FNHC must determine what reasonable adjustments based on the requirements of the role and service provided, the information provided by the employee, and if required, advice from the employee's doctor.

Alcoholism and Drug Dependency - It is FNHC's intention to deal constructively and sympathetically with an employee's alcohol or drug related problem, if there is an underlying medical illness for such dependency, and where the employee seeks support to help themselves. This type of support could include counselling and/or specialist advice. The primary objective of any discussions will be to assist the employee with the problem in a compassionate and constructive way as possible. Any discussions of the nature of an

employee's alcohol or drug problem and the record of any treatment will be strictly confidential unless the employee agrees otherwise.

Whilst the aim is to assist employees with alcohol or drug problems, action will nevertheless be taken under FNHC's disciplinary and/or capability procedure if misconduct takes place at work as a result of drinking or taking drugs, or if an employee is found to be under the influence of alcohol or drugs whilst at work, and this includes when driving private or FNHC vehicles on FNHC business.

Mental Illness - It is important that contact between employee and the Line Manager is maintained during any period particularly for those absences relating to a mental illness. In this policy mental illness covers a range of conditions such as anxiety, depression, bipolar disorder, schizophrenia, personality disorder, and / or obsessive disorders. These conditions can give rise to a number of difficulties at work such as poor performance, long or frequent absence, erratic or irrational behaviour and as such human resource advice should be taken in the first instance. Whilst medical advice will still be required, FNHC should handle all cases with understanding and support.

HIV/Aids - If an employee is diagnosed with such condition, they should not be treated differently from any other employee with a non-contagious life-threatening illness. Accordingly, where an infected employee is absent from work for long or short periods of time, FNHC will follow the normal absence procedures of investigation, consultation and consideration of alternative employment. FNHC will not tolerate pressure from other employees and will provide reasonable support to any employee who may be harassed.

Poor Performance - If during the process it is established that there is no sickness, disability or impairment, but instead relates to an employee's ability, intransigent, inflexibility or gross negligence or unsuitability in the role then the Capability Policy should be used.

Smoke/Vape Free Policy

It is the policy of FNHC that our workplaces are smoke-free, this includes electronic cigarettes and 'vaping'. This policy applies to all employees, consultants, contractors, clients or members of the public and visitors.

Smoking or vaping is prohibited throughout the entire workplace and client premises with no exceptions. This includes FNHC vehicles and vehicles of employees who receive a car allowance, so that their vehicle may be used for business purposes. This applies specifically during working hours.

Employees who do smoke or vape will be advised by a Manager where they can smoke or vape. However, smoking/vaping breaks should be limited to reasonable periods of time and not be excessive. Employees are reminded that all working hours are paid working time.

Employees should not smoke whilst in their uniform.

Implementation

Overall responsibility for policy implementation and review rests with Chief Executive Officer and the Senior Management Team. All staff are obliged to adhere to and facilitate the implementation of the policy.

The persons responsible shall inform all existing employees, consultants and contractors of the policy and their role in the implementation and monitoring of the policy.

Appropriate 'No Smoking' signs will be clearly displayed at the entrances to and within the premises.

Non-compliance

Disciplinary action may be taken if a member of staff does not comply with this policy. Those who do not comply with applicable smoking legislation may also be liable to prosecution under that law.

Help to Stop Smoking

Support for smokers who want to stop will be provided by FNHC via the Wellbeing programme or the Human Resources Department.

Theft Policy & Procedure

FNHC has a responsibility to all employees and its clients to provide a suitable environment where trust and honesty is not only implied but is an integral philosophy and practice of both FNHC and its employees. Therefore, FNHC considers theft as a gross misconduct matter as it compromises an employee's honesty and reliability and breaks down the trust between the employee and the employer. All instances of alleged or proven theft must be reported to the Human Resources Department immediately and an investigation will take place. This investigation may lead to use of FNHC's Disciplinary Procedure. FNHC reserves its right to report any suspected theft to the Police.

Training and Professional Development

Family Nursing & Home Care, regards education, training and development as a priority, and believes that a well-trained and highly motivated workforce will help ensure the delivery of the Organisation's objectives.

The Organisation has a legal, ethical and moral obligation to ensure that its employees are safe and competent, with the appropriate knowledge and skills to ensure high standards of care. To minimise risk to both patients and staff, all staff are required to complete the relevant mandatory training for their role in order to deliver a safe effective service in their area of work.

The Mandatory Training policy aims to ensure that Family Nursing & Home Care (FNHC) and its employees meet their duties with regard to mandatory training. The policy unless stated is

applicable to all staff employed by the Organisation, including permanent, temporary, bank, agency, voluntary, students and trainees.

The Non-Mandatory Training policy outlines key responsibilities for those who co-ordinate, deliver and undertake non-mandatory training. This policy should be read in conjunction with the Mandatory Training policy as well as other relevant guidelines and procedures on the Procedural Document Library.

The Organisation supports employees to undertake professional training relevant to their role. Where FNHC has agreed to support an employee's development and has funded the cost of any training, the employee will be required to reimburse FNHC the costs of such training in the following circumstances. This applies where an employee: fails to complete the training; fails the training; resigns; or, where their employment is terminated by FNHC for whatever reason during or within twenty four months of the completion of such training. This includes, course fees, exemption fees, revision course fees, examination fees, study pack fees, travel, study time and hotel expenses etc.

Uniform and Dress Code Policy

Refer to Uniform and Dress Code Policy in Procedural Documents Library.

Wellbeing

FNHC recognises the value of its staff in meeting the charity's mission and vision and aims to develop a positive, healthy culture to improve personal and organisational resilience. FNHC conducts an annual staff survey and has a staff wellbeing group who propose and develop wellbeing processes and initiatives.

Sustaining Resilience at Work (StRaW) and Trauma Risk Management (TRiM) are evidence based peer support programmes available to staff. Further information is available from Line Managers or Human Resources.

Whistle Blowing Policy

Refer to Whistleblowing Policy in Procedural Documents Library.