



Corinium Care Ltd

Employee Handbook

Published: November 2018 v.1.1

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## 1. WELCOME

Welcome to Corinium Care. I hope that our relationship with you will be a long, happy and mutually productive one. This staff handbook is issued to all staff and it provides information on a wide range of subjects relating to the Company and how we expect you to conduct yourself when on assignment with us.

It is aimed to help you settle into the Company by telling you a little about our background, structure and objectives and sets out the way in which we must all work. It is therefore important that you read and familiarise yourself with this handbook as it contains much important information related to your work with us. However, it is not a substitute for reading the policies, guidelines and procedures.

This handbook will be used as part of your induction to the Company. It will be reviewed and amended from time to time to reflect developments within the Company and employment legislation.

We hope that you will find this handbook a useful reference and that it will assist you when you work with the Company. Although this is designed to answer many of your questions, please feel free to ask your manager about anything that remains unclear.

Stephen Booty  
Chief Executive

## 2. INTRODUCTION

Corinium Care was established by a team of like-minded health care professionals, each with an impressive background in tailoring quality home care on a one-to-one basis.

Our high standards combined with a compassionate approach and excellent customer service have been central to our growing success. Over recent years, we have expanded our offices across England, growing to be one of the leading providers of live-in care and visiting care across the UK. Our field-based care management team also help to ensure that our care is always responsive and accessible to a nationwide audience.

We listen to each individual that uses our service to ensure that they and their family are fully involved and in control of decisions that relate to their care. Our person-centred matching service not only takes into account health care requirements but also looks at compatible personalities, interests and hobbies, to ensure that our clients receive a true companion – someone they look forward to seeing and whose company they enjoy.

As a fully managed and regulated service by the Care Quality Commission (CQC) we are proud to offer unprecedented levels of support. Our care management team are available round-the-clock to offer help and guidance whenever it is needed. Similarly, our carers are the very best of the bunch – well trained, caring and compassionate who champion an individual's independence and respect privacy, dignity and choice at all times.

Our tailored live-in care and visiting care services provides peace of mind to the individuals and their families that they can remain well cared for at home, in a safe and secure environment, whilst continuing to live an enriched, fulfilled and independent life.

## MISSION STATEMENT

To provide person centred care to our Clients enabling individuals to remain in their own homes.

Employing suitably qualified caring staff to deliver personalised support to our Clients.

To work as a team, involving our Clients in all aspects of the care they receive, acting in an open, honest and transparent way, adhering to all legislation and governing bodies.

### 3. RECRUITMENT AND SELECTION

#### SUMMARY

Corinium Care is committed to employing only the best individuals on the basis of merit and accurate up to date job descriptions/person specifications. We comply with all legislation relating to equality of opportunity.

The selection process is conducted in line with the Domiciliary Care Agencies Regulations 2002, the Protection of Children Act (PoCA) 1999 and current UK Employment Law.

All offers of employment are conditional on evidence of the right to work in the UK, character and employment references which are acceptable to the Company and the results of a DBS (Disclosure Barring Service). If you are not able to satisfy us as to your right to work and/or satisfactory references and successful completion of our Company mandatory induction training, your offer of employment will be withdrawn.

All potential employees will be asked to sign a declaration stating whether they have a criminal record and failure to do so will be considered a disciplinary offence and will likely result in dismissal. As all positions within the Company bring our employees into contact with vulnerable adults and/or children, all positions are exempt from Section 4 (2) of the Rehabilitation of Offenders Act 1974 and Exemptions Order 1975 and so details of cautions or convictions which are spent should also be declared.

When we receive an overseas criminal record check we validate the content by seeing the original document, translating all that are not in English (completed by designated staff). If we do not have an internal person who is able to translate, we will ask our overseas recruiter to translate the document.

Further conditions of employment will be set out in your Contract of Employment.

#### REFERENCES

All staff employed by Corinium Care must have at least two professional references that have been verified by us. One of the professional references must be from the candidate's most recent employer. Where the candidate is unable to provide two professional references or a reference from their most recent employer, a reference risk assessment will be completed and the candidate may have to provide further references in the form of character references. Further conditions upon employment during the probationary period may be set in these circumstances including but not limited to more regular supervisions or observations.

## 48 HOUR OPT OUT

You can't work more than 48 hours a week on average, normally averaged over 17 weeks. This law is sometimes called the 'working time directive' or 'working time regulations'.

You can choose to work more by opting out of the 48-hour week.

## OTHER EMPLOYMENT (MOONLIGHTING)

All Corinium Care employees are bound by a 'Duty of Loyalty' and are therefore required to act in the best interests of the Company during their employment. Moonlighting or having a second employment may hurt an employee's performance, attendance, attentiveness or dependability and therefore may impact on their ability to perform their duties as an employee of the Company. Moonlighting or having a second employment may also be in direct conflict with an employee's employment where the employee is working for another company in the same role.

It is Corinium Care's policy that employees:

- Have no second jobs at all unless agreed in writing by your line manager
- Are required to inform the Business Manager of any intent to work for another company and the nature of the work to be completed
- Must not work for a competitor
- Must not share any intellectual property owned by Corinium Care

## EQUAL OPPORTUNITIES POLICY

We are unreservedly opposed to any form of discrimination being practised against our clients and carers on the grounds of age, disability, gender reassignment, marriage or civil partnership, pregnancy and maternity, race, religion or belief, sex and sexual orientation (defined as Protected Characteristics). We are committed to creating and sustaining a safe, positive and supportive environment for both clients and carers.

It is Company policy to ensure that there is no unlawful discrimination and that equal opportunity is genuinely available. It is our view that a diverse workforce brings fresh views, new ideas and valuable opportunities for improvement to the business. It enables the Company to draw on a wide spectrum of experience, creativity and information in meeting business objectives.

We all have a responsibility to embrace and support this vision and must challenge behaviour and attitudes that prevent us from achieving this. Using fair and objective practices, our aim is to ensure that all clients, carers and employees:

- are treated fairly and with respect at all times.
- have the right to be free from harassment and bullying of any description, or any other form of unwanted behaviour. Such behaviour may come from other employees or by people (third parties) such as clients.
- have an equal chance to contribute and to achieve their potential, irrespective of any defining feature that may give rise to unfair discrimination.
- have the right to be free from discrimination because they associate with another person who possesses a Protected Characteristic or because others perceive that they have a particular Protected Characteristic, even if they do not.

## PROBATIONARY PERIODS

During your probationary period with us we will monitor your suitability for the job. During that period your performance will be under constant review and we will assess your suitability to continue in your role.

We reserve the right to extend the probationary period or to terminate your employment at any time, in line with your right to Notice if we do not consider you to be suitable for the position you hold.

## NOTICE PERIODS

Your notice period will be set out in your Contract of Employment, which will be given to you when you start employment with us.

The organisation reserves the right to pay you in lieu of notice at its sole discretion.

If it is discovered at any time after you have commenced your employment that your references are not genuine, that you have misrepresented any information about yourself on the application form or at the selection interview, that you have not provided appropriate documentation which proves your right to work in the UK, or that you have not disclosed a relevant conviction, your employment will normally be terminated without notice. It is your express responsibility that you notify us straight away of any further convictions.

The organisation expressly reserves the right to terminate your employment without notice if it has grounds to believe that you have committed any material breach of these terms and conditions or any gross misconduct or act of gross incompetence, any such action under this paragraph being without prejudice to any other of the organisation's rights.

It is important to emphasise that we want new employees to successfully pass probation and every support should be given to ensure that this happens.

Although there will be regular reviews throughout the induction process, it is important that any concerns are brought to the employee's attention as they arise so that the employee has the opportunity to address these concerns. This should be done in an individual meeting and notes should be taken as a record of what was discussed and any targets or actions agreed.

Employees should always be made aware if there are any concerns about standards of performance before the probationary period ends. If the employee has not met the required standards of performance, despite all the help and support that has been offered, a decision will be taken to terminate the probationary period. This decision will be made before the probationary period has ended.

It should be noted that "successful performance" does not just mean the outputs from the job. A probationary period can be unsuccessful for other reasons – such as persistent lateness, absenteeism, unacceptable behaviour etc.

It is usual that employees will complete the whole probationary period as this allows an appropriate amount of time for them to settle in, to learn the job and receive any required training. However, in some circumstances it may become apparent through the regular review process that the employee has some fundamental difficulties with the work. In such circumstances it may unfortunately mean that a decision will be made to terminate the probationary period early.

## INDUCTION

All new employees will follow a structured induction programme that will help them to understand the following

- the structure of the organisation and how it operates
- the work of different departments
- the culture of the organisation
- the aspirations of the organisation
- how their role fits into the team and the organisation as a whole
- their objectives during their probationary period and beyond
- full mandatory training for carers

As part of the induction process, all line managers will ensure that all employees are aware of the probationary period. They will discuss the expectations of the employee with them and they should set dates with the employee to review their performance at four-weekly intervals. The purpose of these meetings is for the line manager to inform the employee of any concerns and to indicate whether the probationary period is proceeding satisfactorily or not.

All new employees need help and support as they settle into a new job. The line manager is responsible for ensuring that the employee is made aware of all relevant company procedures and is introduced to all members of the team, key customers and suppliers.

## TRAINING AND DEVELOPMENT

### TRAINING

Corinium Care firmly believes that a quality service can only be delivered by a skilled, knowledgeable, competent and experienced workforce.

Corinium Care recognises that a training, learning and development event is an opportunity for the employee to acquire or develop knowledge or skills in order to meet statutory requirements or other requirements to ensure a safe level of organisational functioning.

Employees are encouraged to fulfil their responsibilities to the required standard and in a professional manner and are supported in adapting to the changing needs of the Company.

All employees will be given comprehensive induction training. This will comprise training derived from the Skills for Care, Care Certificate and is followed by a workbook for all care staff.

All care staff will also attend mandatory update training.

### PERSONAL DEVELOPMENT

Whilst Corinium Care is committed to the personal and professional development of all employees, all applications for personal study will be reviewed by the designated Line Manager and Budget holder, ensuring the process is transparent and equal to all staff.

Recognising and improving performance to achieve high standards is an essential part of the Company's success. Managers will have regular meetings with each employee to discuss their performance and identify opportunities for improvement. Objectives and targets for the year ahead will be agreed and reviewed on a regular basis, and training and development needs will be identified. The process helps improve individual performance and the performance of Corinium Care as a whole.

The majority of study and training requests, and corresponding entitlements to time off should be agreed as development requirements during the supervision and appraisal process.

After completion of the development activity, its effectiveness in meeting the learning objectives is evaluated. The extent to which the activity will impact on the performance of the team and Company as a whole, will also be discussed. The need for further support from the manager to help implement the new skills/knowledge is also discussed.

The Operations Director will monitor the contribution that training and development activities make to the success of the Company by reviewing the costs and feedback from training.

Whilst employees are expected to take responsibility for their own learning and development, the Operations Director has overall responsibility for control of the employee development budget and for ensuring that funds are made available in each financial year for this purpose.

## 4. DIGNITY AT WORK

All employees are entitled to a working environment which respects their personal dignity and which is free from such objectionable conduct. We all have a responsibility to behave in a way that is not offensive to others and to ensure a working environment in which each person's dignity is respected.

Harassment pollutes the working environment and can have a devastating effect on the health, confidence, morale and performance of those affected by it. We must be aware of the impact that our words and actions may have on others and recognise that what we find acceptable may be regarded by others as offensive.

Harassment is a disciplinary offence and incidents will be dealt with under our Disciplinary Procedure.

Wherever possible, an employee who believes that he or she has been the subject of bullying or harassment should, in the first instance, ask the person responsible to stop the harassing behaviour as it is unacceptable to them. If an employee witnesses behaviour that they find offensive in relation to age, disability, gender reassignment, race, religion or belief, sex and sexual orientation, even if it is not directed at them they should consider tackling it informally in the first instance. Person to person reproof at an early stage will often be sufficient to stop the behaviour that is causing the offence without involving third parties.

If the recipient needs help or advice, they should seek the involvement of a trusted work colleague or their line manager informally. An informal approach to your Line Manager will be treated as confidential and will not result in any report to anyone within the business unless there is a health and safety risk to other employees or a criminal offence is involved.

If the harassment continues or the employee does not feel able to tackle the situation informally, they should raise it with their line manager if possible or take their complaint through the Grievance Procedure. Employees should also use this formal approach where they are subject to harassment by a third party.

Employees should be aware that this policy covers behaviour in the workplace and when engaged in work-related activities such as social activities held off site or out of normal working hours. In addition, this policy also covers behaviour as outlined in the Anti-Harassment and Social Media Policies.

All complaints will be handled in a timely and confidential manner. Employees shall be guaranteed a fair and impartial hearing and the matter will be investigated thoroughly.

If the investigation reveals that the complaint is valid, prompt attention to stop the harassment immediately and prevent its recurrence will be taken.

Employees shall be protected from intimidation, victimisation or discrimination for filing a complaint or assisting in an investigation. Retaliation for complaining about harassment is a disciplinary offence.

NB: Whilst the objectives of this policy are clearly stated and are to be followed, for reasons of equity and justice, it must be advised that any employee who raises a complaint, which upon investigation is proven to be deliberately false, then that employee may themselves become the subject of disciplinary proceedings.

## 5. CODE OF CONDUCT

### SUMMARY

Corinium Care adopts the Skills for Care Code of Conduct for Healthcare Support Workers and Adult Social Care Workers in England.

As an employee you must:

- Be accountable by making sure you can answer for your actions or omissions.
- Promote and uphold the privacy, dignity, rights, health and wellbeing of people who use health and care services and their carers at all times.
- Work in collaboration with your colleagues to ensure the delivery of high quality, safe and compassionate healthcare, care and support.
- Communicate in an open, and effective way to promote the health, safety and wellbeing of people who use health and care services and their carers.
- Respect a person's right to confidentiality.
- Strive to improve the quality of healthcare, care and support through continuing professional development.
- Uphold and promote equality, diversity and inclusion

Corinium Care employees have an obligation to do their job to the best of their ability and in such a way that the interests of the Company, colleagues and clients are safeguarded.

Employees are expected to carry out all proper instructions and to observe the policies, procedures and rules of the Company, which are laid down to ensure efficient working and the safety of themselves and others.

Employees have responsibility to treat colleagues and others with dignity and respect.

Corinium Care is all about quality and we expect employees to operate and behave to the highest standards. It is important that these standards are reflected in day-to-day activities.

### PERSONAL APPEARANCE

Corinium Care expects you to attend work dressed in a clean and tidy fashion and to wear a uniform where a uniform has been provided to you. Trainers and denims are not permissible and it is expected that all employees dress as befits the nature of our business.

Office staff are to be mindful that unannounced visitors can and do come to our office and staff must be appropriately dressed to receive visitors.

All employees must adhere to the Dress Code Policy.

## STANDARDS OF PERFORMANCE

Corinium Care expects certain standards of performance from all its employees in the course of their day to day duties and responsibilities. This includes but is not limited to such things as having a good relationship with colleagues and clients and maintaining a high quality of work. We ensure that all employees have regular meetings with their line manager to discuss their performance.

## REVIEW OF PERFORMANCE

A performance review or appraisal will be carried out in relation to conduct and performance annually. The annual review will include

1. Individual performance to date against targets, activities and outcomes
2. Individual development and training needs
3. Employee aims and aspirations for the future

It is essential that employees participate fully in these discussions. In the assessment of performance, the employee and their manager must have a clear and shared understanding of the job. To enable this, all employees have an up to date job description, which will describe the main purpose of the job:

- Responsibilities
- Tasks and objectives
- Key skills required to perform the job effectively

In addition, you will have regular one to one reviews/supervisions with your line manager throughout the year.

## TIMEKEEPING

Good timekeeping is an essential part of working at Corinium Care and lateness is not acceptable.

Employees must ensure they are present and ready in good time to start work. It is the responsibility of the employee to ensure that they take into account potential transport delays in order to ensure their prompt arrival at work.

Should an employee be late for any reason they must inform their manager at the first opportunity. Persistent attendance issues will be dealt with and may result in disciplinary action.

## ON-CALL ROTA

Depending on the nature of the role, certain employees will be required to be on call at evenings and weekends on a rota basis. Any employee on call must familiarise themselves with the full details of the On-Call Procedure, including always being in a full mobile signal area and either able to access the client database remotely from home.

The purpose of the on-call process is to ensure that those on call will be able to deal with all enquiries/emergencies. The expectation is that all calls will be answered and if a message has been left, that the call is returned as a matter of urgency.

Employees who are on-call are deemed to be working for the purposes of the policy relating to Alcohol and Drugs and should an incident require a considerable amount of extra work during the night, the employee should discuss with their line manager about taking an appropriate rest break either when the incident is resolved or handed over to a colleague.

Those on-call will also have access to confidential data and employees should ensure that this is stored securely and cannot be accessed inappropriately.

Employees should contact their Business Manager if they receive a serious complaint or call of a serious nature and should be fully aware of the Safeguarding policies.

Full details of any calls received and action that has been taken or needs to be followed up should be reported immediately to staff members the next working day. An email should be sent as soon as the employee on call is in the office at 9am. Relevant information should be call logged where appropriate.

## CONDUCT OUTSIDE OF HOURS OF WORK

Corinium Care expects that all employees will conduct themselves in an appropriate manner outside of their hours of work, including their use of social media (please see social media policy for further detail). Any conduct that is not in keeping with the Company's standards and brings the Company into disrepute may be considered as a serious disciplinary offence.

## FAILURE TO COMPLY WITH CODE OF CONDUCT

Serious breach or failure to comply with the Code of Conduct may render employees liable to disciplinary action which could result in termination of engagement.

## OFFICE ARRANGEMENTS

## SECURITY OF PREMISES

Employees must sign for any keys that are issued to them. If you have been issued with keys, it is the responsibility of the employee to ensure that they are kept safe and secure at all times. They must not be copied or allowed to be used by any unauthorised person. If the keys are lost or stolen at any time, the Operations Director must be informed immediately. Failure to comply with these requirements will result in disciplinary action being taken.

The last person to leave the premises at the end of each day must ensure that windows and doors are locked, electrical equipment, as appropriate is switched off, alarms are activated and that the premises are left safe and secure.

Corinium Care does not accept liability for any loss of, or damage to, property that employees bring onto the premises. As such, employees are requested not to bring personal items of value onto the premises and, in particular, not to leave any items overnight.

## HOUSEKEEPING

Both from the point of view of safety and of appearance, all work areas, including the kitchen area, must be kept clean and tidy at all times. Fire exits must be kept clear of obstructions at all times. Desks must be kept clear of confidential information.

## 6. SAFEGUARDING

The aim of Corinium Care is to safeguard our clients and employees as far as possible from any form of abuse. We are committed to the principles of equal opportunities in respect of race, culture, disability, gender, age or sexual orientation. The safeguarding of adults at risk will be a high priority and we will respond to abuse with prompt, timely and appropriate action in line with our training.

We implement a robust recruitment policy that has been designed to identify those individuals that may pose a potential threat to our clients, due to the disclosure of a previous history of abusive behaviour. These people will not be offered employment within the company.

All successful candidates will be vetted prior to appointment and subject to a Disclosure and Barring Service (DBS) check. We will also take up satisfactory references before the individual starts work – see Recruitment policy.

All employees will be trained to have an awareness of Safeguarding issues during their comprehensive staff training programme.

All employees will be reminded during their training programme, and subsequent training updates, of their personal, moral and legal roles and responsibilities concerning Safeguarding.

Training will also include what action employees should take if they suspect abuse is occurring and who they should report this matter to. Employees will be trained to recognise the signs of the different types of abuse.

A climate of 'openness, honesty and awareness' will be encouraged among employees, clients, families and relatives through regular telephone/email support, face-to-face meetings and an open-door policy for people to raise concerns with Care Managers/Field Care Supervisors or the Business Manager.

Clients will be reassured by employees that they will not be victimised for speaking out to report any concerns around Safeguarding issues.

Any employee who suspects that abuse has taken place, or who witnesses a situation in which a client may be suffering from abuse, should report the incident to Corinium Care, no matter what time of day or night.

Any employee that is afraid that they may be victimised because of their disclosure should be made aware by the Business Manager, that Corinium Care has a Public Disclosure Best Interest (Whistleblowing) Policy in place.

If a Care Manager/Field Care Supervisor or On-Call is alerted to any suspicion or alleged abuse affecting a client, they should take immediate action to ensure the danger is removed. The matter should be reported to a senior person on duty or to the Business Manager, as necessary.

An employee who is accused or suspected of abuse, will be dealt with according to the company's disciplinary procedure which, subject to risk assessment, will usually mean the individual being suspended, without prejudice to that individual, pending investigation. Legal guidance should be sought by the Business Manager prior to this decision being taken. The Care Quality Commission will be notified that an allegation of abuse has been raised.

Any employee dismissed for misconduct which harmed, or placed at risk of harm, a vulnerable client, will be reported to the Care Quality Commission and Disclosure Barring Service.

Employees will work closely with other relevant organisations where and whenever required, including the Police and Local Safeguarding Boards, and will always cooperate in any abuse investigations.

Employees will follow any protection plan agreed through multi-agency procedures in order to reduce the risk of further abuse after an actual or suspected case of abuse

Records of all adult protection issues and relevant decisions that have taken place, will be stored in the office.

#### THERE ARE 6 KEY PRINCIPLES THAT UNDERPIN ALL ADULT SAFEGUARDING WORK:

1. Empowerment – People being supported and encouraged to make their own decisions and informed consent
2. Prevention – It is better to take action before harm occurs
3. Proportionality – The least intrusive response appropriate to the risk presented
4. Protection – Support and representation for those in greatest need
5. Partnership – Local solutions through services working with their communities who have a part to play in preventing, detecting and reporting neglect and abuse
6. Accountability – Accountability and transparency in delivering safeguarding

#### TYPES OF ABUSE

- **Physical Abuse** – this includes assault, hitting, slapping, pushing, giving the wrong (or no) medication, restraining someone or only letting them do certain things at certain times.

- **Domestic Violence and Domestic Abuse** – This includes psychological, physical, sexual, financial or emotional abuse. It also covers so-called 'honour' based violence.
- **Sexual Abuse** – This includes rape, indecent exposure, sexual harassment, inappropriate looking or touching, sexual teasing or innuendo, taking sexual photographs, making someone look at pornography or watch sexual acts, sexual assault or sexual acts the adult didn't consent to or was pressured into consenting.
- **Psychological Abuse** – this includes emotional abuse, threats of harm or abandonment, depriving someone of contact with someone else, humiliation, blaming, controlling, intimidation, putting pressure on someone to do something, harassment, verbal abuse, cyber bullying, isolation or unreasonable and unjustified withdrawal of services or support networks.
- **Financial or material Abuse** – This includes theft, fraud, internet scamming, putting pressure on someone about their financial arrangements (including wills, property, inheritance or financial transactions) or the misuse or stealing of property, possessions or benefits.
- **Modern Slavery** – this covers slavery (including domestic slavery), human trafficking and forced labour. Traffickers and slave masters use whatever they can to pressurise, deceive and force individuals into a life of abuse and inhumane treatment.
- **Discriminatory Abuse** – This includes types of harassment or insults because of someone's race, gender or gender identity, age, disability, sexual orientation or religion.
- **Organisational Abuse** – this includes neglect and poor care in an institution or care setting such as a hospital or care home, or if an organisation provides care in someone's home. The abuse can be a one-off incident or repeated, on-going ill treatment. The abuse can be through neglect or poor professional practice, which might be because of structure, policies, processes and practices within an organisation.
- **Self-Neglect** – This covers a wide range of behaviour which shows that someone isn't caring for their own personal hygiene, health or surroundings. It includes behaviour such as hoarding.
- **Neglect or Acts of Omission** – This includes ignoring medical, emotional or physical care needs, failure to provide access to appropriate health, care and support or educational services, or not giving someone what they need to help them live, such as medication, enough nutrition and heating.

## EMPLOYEES HAVE A DUTY TO

- Provide clients with the best possible care available and be mindful of having a zero tolerance to any form of abuse.
- Participate in training activities either by e- learning or 'face to face' workshops relating to Safeguarding issues. Training to be updated every year.
- Co-operate fully in any investigation into an alleged abuse.

## RESPONSIBILITIES

- It is the responsibility of the Business Manager to ensure that all employees follow the guidance set out in the Safeguarding Policy.
- It must be stressed that all employees have a personal responsibility to report any suspicion, or evidence of abuse, immediately to their Line Manager or to the Registered Manager.

## 7. PUBLIC INTEREST DISCLOSURE (WHISTLEBLOWING)

Corinium Care aims, as far as possible, that our employees are able to tell us about any wrongdoing at work which they believe has occurred or is likely to occur. The Public Interest Disclosure Act 1998 protects employees who report wrongdoing within the workplace.

The company is committed to developing a culture where it is safe and acceptable for all employees to raise genuine concerns about any potential malpractice or misconduct.

To ensure that employees can pass on their concerns knowing that they will be taken seriously and acted upon.

To ensure that when individuals are troubled about something serious that involves danger or risk to clients, the public or colleagues, or where they see professional misconduct or financial malpractice, they know how to raise their concern.

To encourage employees to raise concerns with the company directly and to ensure that the whistleblower is not adversely affected, victimised or dismissed as a direct result of their disclosure.

To deter malpractice throughout the company. All staff should aim to prevent and eliminate wrongdoing at work. Staff should be watchful for illegal or unethical conduct and report matters arising.

To assure clients, relatives, funders, inspection and registration bodies that the company is committed to providing the highest standards of behaviour from all its staff.

Staff are encouraged to use these whistleblowing procedures as set out in the Public Interest Disclosure (Whistleblowing) Policy.

Any matter raised under this procedure will be investigated thoroughly, promptly and confidentially and the outcome of the investigation reported back to the employee.

Employees raising concerns shall have their confidentiality respected if they wish, however, the company may pass on information if required to do so by law or in the public interest. For example, if evidence is required in court or if the company is involved in legal proceedings. If this needs to happen, the company will discuss this with the staff member.

Serious concerns may include:

- Suspicions or allegations of abuse or potential harm to individuals receiving care services, which cannot be raised under the company's normal safeguarding procedure
- Fraud
- Financial irregularities

- Corruption, bribery or dishonesty
- Criminal activities
- Failing to comply with a legal obligation and creating or ignoring a serious risk to health and safety or the environment
- A deliberate “cover up” of any of the above.

The policy does not release employees from their duty:

- To maintain confidentiality in the course of their work
- To participate in any investigations
- To follow company procedures.

This policy is to be used in conjunction with the Safeguarding policies.

An instruction to “cover up” wrongdoing is itself a disciplinary offence. If told not to raise or pursue any concern, even by a person in authority such as a manager, employees should not agree to remain silent. They should report the matter to a Director.

Maliciously making a false allegation is a disciplinary offence. Using the whistleblowing process should not be seen as a route for taking up a grievance about a personal situation.

## THE PROCEDURE

All employees have a duty to raise concerns regarding inappropriate behaviour, unlawful conduct, poor practice or behaviour to ensure standards of quality care.

If appropriate, discuss the matter with your Line Manager in the first instance. If you feel you are unable to raise the concern with your line manager or the concern relates to or involves the line manager, or you have raised it with the line manager and no action has been taken, then you should escalate your concerns to the Business Manager.

If the concerns relate to the Business Manager, concerns should be escalated to the Regional Director.

If concerns relate to the Regional Director, concerns should be escalated to the Operations Director.

If your concerns relate to the Operations Director or you feel that it is best resolved by an external and independent source, then you can contact Safecall by phone 0800 915 1571 or online [www.safecall.co.uk/report](http://www.safecall.co.uk/report) .

Your concerns will be treated as confidential and will not result in any report to anyone within the business unless there is a safeguarding or health and safety concern. Your manager will inform you if they are unable to keep it confidential.

It may be necessary to involve external authorities. Where this is necessary we may make

such a referral without your consent.

When your complaint has been fully investigated you will be informed of the result and action that has been taken.

If you are unhappy about the speed or conduct of the investigation or the way in which the matter has been resolved, you should refer the matter to the Operations Director.

When they have investigated your complaint, they will tell you the result of the investigation and what, if any, action has been taken.

Any employee who makes a bona fide report under this procedure will not be subjected to any detriment as a result, in accordance with section 47B of the Employment Rights Act 1996.

In the event that you believe you are being subjected to a detriment by any person within the business as a result of your decision to invoke the procedure you must inform the Operations Director immediately and appropriate action will be taken to protect you from any reprisals.

If it should become clear that the disclosure has not been made in the public interest, for example for malicious reasons or to pursue a personal grudge against another employee, this will constitute misconduct and will be dealt with in accordance with the terms of our Disciplinary Procedure.

We are keen to hear of any concerns that you may have about wrongdoing at work and encourage you to use the procedure described above wherever possible.

## 8. PAY AND BENEFITS

### PAY RATE AND TERMS

Your salary and/or hourly rate, the payment method and intervals are set out in your contract of employment and/or pay schedule.

A payslip will be issued to you at each pay period. If at any time you have any queries, you should raise them with the office in the first instance.

You will be notified of any changes to your pay in writing; the Company cannot guarantee that there will be an annual pay increase.

### DEDUCTIONS

The Company reserves the right to make necessary deductions from your pay.

You will always be advised when a deduction is required. Please find below a list of possible reasons for deductions

- Overpayments
- Holiday taken in excess of entitlement
- Unauthorised absence
- Advances

### BENEFITS

#### *Pension Scheme*

The Company operates an Automatic Enrolment pension scheme. Following a pension assessment, you will be notified of your eligibility and enrolled where applicable.

#### *Other Benefits*

Should the Company offer any other benefits that you may be eligible for, you will be notified in writing.

## 9. ABSENCE AND SICKNESS

This policy outlines the procedure to be followed when a member of staff is unable to attend work due to sickness, illness or injury. It covers both short and long-term sickness. Following the procedures detailed in this policy will enable the Company to ensure all sickness records are accurate, up-to-date and processed in a timely and consistent manner.

### OVERVIEW

During periods of absence due to sickness, illness or injury it is the responsibility of the individual member of staff to keep in regular contact with their Line Manager to keep us informed of progress and when they are likely to return to work.

Unauthorised absence (except emergency leave) may make you liable to disciplinary action and could ultimately lead to dismissal. Please refer to the Emergency Leave Policy.

Wherever possible and in order to ensure the minimum level of disruption to the business, you are requested to make GP, dental, optician or hospital appointments in your own time in order that they do not interrupt your normal working day.

### THE PROCEDURE (OFFICE AND REMOTE WORKING STAFF)

For an absence of seven consecutive calendar days or less, you are required to telephone your line manager on a daily basis in accordance with the reporting procedure set out above. However, the Company may relax this requirement in exceptional circumstances, for example in the case of a pandemic virus affecting a large percentage of the Company's employees. You will be advised about any modified sickness absence reporting requirements at the appropriate time. You must also complete a self-certification of sickness absence form immediately on your return to work. You are reminded that it is a serious disciplinary offence to provide false information on a self-certification form.

Should your sickness absence be for a period in excess of seven calendar days, you are required as an absolute minimum to contact your line manager on a weekly basis in order to provide an update on your illness or injury. A doctor's certificate, called a Fit Note, must also be obtained. A new Fit Note should be provided at all times and when one runs out a new one must be provided within a reasonable time. Your Fit Note must be forwarded to your Manager.

You should have certificates (either self-certification of sickness absence forms or doctor's certificates) to cover the entire period of your sickness absence.

The Company reserves the right to request a doctor's certificate for any period of sickness absence even though this may be less than eight calendar days. If you incur costs in relation to obtaining a doctor's certificate, the Company will reimburse those costs upon production of a receipt.

For all periods of sickness absence of half a day or longer, your line manager may require you to attend a "back to work" interview on your return to work to discuss the reasons for your absence and, in particular, whether it was work-related. Sickness is monitored on a rolling year basis; payment is SSP only or at the discretion of your line manager.

For long-term sickness absence, your line manager may request to visit you at home and will ask for your consent to do this and provide you with advance warning of their intentions to do this.

For long-term sickness absence or frequent periods of sickness absence, the Company may request a medical report from your GP or consultant or alternatively request that you visit a doctor selected by the Company to undergo a medical examination. The cost of any such report or examination will be met by the Company. The Company will only request you to undergo a medical examination where reasonable to do so and with your consent.

The Company reserves the right to withhold sick pay in circumstances where the certification procedure described above has not been followed or where there is sufficient reason to doubt the validity of your sickness absence claim. In the latter circumstances, the Company may request you to undergo a medical examination by a doctor selected by it.

On being fit to return to work, you must contact your line manager and let them know as far in advance as possible of the proposed date of your return.

If you have been suffering from an infectious or contagious disease such as measles or chicken pox, or a pandemic virus, you must not report for work until you are medically fit to do so. This is a precautionary measure to prevent the spread of the disease or virus in the workplace.

Persistent short-term sickness absence is, in the absence of any underlying medical condition or other reasonable excuse, a disciplinary matter and will be dealt with in accordance with the Company's disciplinary procedure. If it is subsequently discovered that your sickness absence was not genuine, this will also be treated as a disciplinary matter.

### *Sick Pay*

To qualify for Statutory Sick Pay (SSP) you must have adhered to the procedure set out above. SSP is payable for days that you would have worked except for the first three days of illness which are considered the 'Waiting Days'.

You will not qualify for SSP where your earnings are below the lower earnings limit in force

(averaged over the eight weeks preceding illness). If you are not eligible for SSP you will receive form SSP1 from the company setting out the reasons for non-payment.

Any sick pay in addition to SSP will be discretionary.

### *Back to Work Interview*

Your Line Manager will arrange for a back to work interview on your return from any absence.

### **PROCEDURE (CARE STAFF)**

Whenever possible you should call the Bookings Coordination to let them know of the problem at your earliest convenience and not later than one hour from when you are due to start work (whether you are between assignments or on assignment) so that appropriate cover can be organised in advance of your assignment or urgently if you are on assignment. Only when you are physically unable to telephone personally should someone else notify the Care Coordination Team on your behalf. If you are late notifying absence you may lose part of your sick pay.

For an absence of seven consecutive calendar days or less, you are required to telephone Care Coordination on a daily basis. You must also complete a self-certification of sickness absence form immediately on your return to work. Self-certification forms are available from the office. Once you have completed the form it should be sent to the office. It is a serious disciplinary offence to provide false information on a self-certification form.

Should your sickness absence be for a period in excess of seven calendar days, you are required as an absolute minimum to contact Care Coordination on a weekly basis in order to provide an update on your illness or injury and you must provide us with a medical certificate by the eighth day of sickness and for any continued periods of sickness. The medical certificate should be sent to office.

### *Health and Safety*

If you are unwell when on assignment care should be taken so that you do not pass on your illness or infection to the client.

If you are unable to continue with your assignment you should contact the Care Coordination Team immediately.

### *Sick Pay*

Statutory Sick Pay (SSP) is payable for where you are scheduled to be working ('Qualifying Days').

You will not qualify for SSP where you have not started your first assignment or your earnings

are below the lower earnings limit in force (averaged over the eight weeks preceding illness). If you are not eligible for SSP you will receive form SSP1 from the company setting out the reasons for non-payment.

To qualify for Statutory Sick Pay (SSP) the following conditions must be observed:

- If you are absent from work or unable to work for between four and seven working days including weekends and statutory public holidays you must fill in a self-certification form on returning to work. Forms can be obtained from the office.
- If you are absent from work or unable to work due to sickness or injury for more than seven days (including weekends and statutory public holidays) you must provide us with a medical certificate by the eighth day of sickness or injury. It should state your reason for absence and how long you may be away. For continued periods of sickness or injury you must provide us with medical certificates on a weekly basis (or longer period if agreed by us) to cover the entire period of absence.

Any sick pay in addition to SSP will be discretionary.

## 10. DISCIPLINARY

The board of directors are committed to ensuring that Corinium Care fosters a culture where initiative, hard work and competence is rewarded in a fair and equitable manner. In order to achieve this and to serve our customers better, guidance is given to staff in the form of procedures, appraisal and mentorship. The company is determined to maintain its brand reputation. Therefore, individuals who harm or potentially harm their colleagues, clients, customers or company assets will be disciplined in accordance with this procedure.

### OBJECTIVES

- To ensure that managers are aware of the disciplinary process, the sanctions available and the steps to be taken at each stage.
- To ensure transparency for staff who are subject to the disciplinary process.
- To ensure that any party involved in the disciplinary process considers any alternative sanctions that may be available.
- To ensure Corinium Care follows best practice and acts in accordance with the ACAS Code of Conduct when required.

### THE POLICY

#### *When may action be taken under this process*

Action will be taken where Corinium Care believes your behaviour, actions or omissions constitute misconduct. The seriousness of the misconduct matter will determine the severity of any sanction imposed. Misconduct can range from minor misconduct through to gross misconduct, the latter justifying dismissal without notice.

Corinium Care reserves the right to disapply all or part of this policy where the circumstances dictate that this is appropriate. This policy is non-contractual and does not form part of an employee's terms and conditions of employment.

#### *Minor conduct issues*

Minor conduct issues can often be resolved informally between you and your line manager. These discussions should be held in private and without undue delay whenever there is cause for concern. Where appropriate, a note of any such informal discussions may be placed on your personnel file. Formal steps will be taken under this procedure if the matter is not resolved, or if informal discussion is not appropriate (for example, because of the seriousness of the allegation).

### *Confidentiality*

Our aim is to deal with disciplinary matters sensitively and with due respect for the privacy of any individuals involved. All employees must treat as confidential, any information communicated to them in connection with an investigation or disciplinary matter.

You and anyone accompanying you (including witnesses) must not make electronic recordings of any meetings or hearings conducted under this procedure.

### *Investigations*

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

You must co-operate fully and promptly in any investigation. This will include informing us of the names of any relevant witnesses, disclosing any relevant documents to us and attending investigative interviews if required.

Before any formal disciplinary action is taken, the relevant person will carry out a full investigation to establish the facts. The investigation will normally include a meeting with you. Investigatory meetings are not disciplinary meetings and you will not necessarily be offered the right to be accompanied.

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

Before any disciplinary meeting, you will be:

- Told in writing of the allegations/complaints against you, and the basis of those allegations
- Given a reasonable opportunity to consider your response to that information
- Offered the opportunity to be accompanied by a work colleague or a trade union representative
- You must take all reasonable steps to attend the meeting. At the meeting, you will be given a full opportunity to comment on the allegations, to put forward any defence or arguments you want, and to comment on what disciplinary sanction (if any) is appropriate.

### *Informal Warning / Letter of Concern*

After establishing the facts, we may consider that there is no need to resort to the formal procedure, and that it is sufficient to talk the matter over with you. A note of the informal warning / letter of concern may be kept on your personnel file; however, they are there for background and would not normally be taken into account in the event of subsequent disciplinary procedures.

The purpose of an informal warning / letter of concern is to provide an opportunity for improvement or for the matter to be corrected without the necessity for formal disciplinary procedures to be enacted.

### *Suspension*

In some circumstances we may need to suspend you from work. The suspension will be for no longer than is necessary to investigate any allegations of misconduct against you or so long as is otherwise reasonable while any disciplinary procedure against you is outstanding. We will confirm the arrangements to you in writing. While suspended, you should not visit our premises or contact any of our clients, customers, suppliers, contractors or staff, unless you have been authorised to do so by your manager.

Suspension of this kind is not a disciplinary penalty and does not imply that any decision has already been made about the allegations.

Any data collected as part of this policy will be processed in accordance with current Data Protection legislation, the Privacy Notice issued to staff and Corinium Care Limited's Data Security and Data Retention Policy and Procedure.

## THE PROCEDURE

### *Formal Disciplinary Process Right to be Accompanied*

You have the right to be accompanied at any disciplinary hearing by a single companion who is either:

- A work colleague or
- A full-time official employed by a trade union

Your representative has the right to explain and sum up your case, and to respond to any views expressed at the hearing. They may not answer questions on your behalf. If your representative cannot attend on the date we have set for the hearing, you must inform us immediately and we will arrange an alternative time for the hearing to take place. A companion is allowed reasonable time off from duties without loss of pay but no-one is obliged to act as a companion if they do not wish to do so. If your companion is unavailable at the time a meeting is scheduled and will not be available for more than five working days afterwards, we may ask you to choose someone else. You must make every effort to attend the hearing, and failure to attend without good reason may be treated as misconduct in

itself. If you fail to attend without good reason or are persistently unable to do so (for example for health reasons), we may have to take a decision based on the available evidence.

### *Procedure at the Disciplinary Hearing*

The hearing will be chaired by a manager of the appropriate seniority. A note-taker will also be present and this person will be confirmed to you prior to the hearing date. As stated above, you may bring a companion with you to the disciplinary hearing.

At the disciplinary hearing we will go through the allegations against you and the evidence that has been gathered. You will be able to respond and present any evidence of your own. Your companion may make representations to us and ask questions but should not answer questions on your behalf. You may confer privately with your companion at any time during the hearing.

You may ask relevant witnesses to appear at the hearing, provided you give us sufficient advance notice to arrange their attendance. You will be given the opportunity to respond to any information given by a witness.

We may adjourn the disciplinary hearing if we need to carry out any further investigations such as re-interviewing witnesses in light of any new points you have raised at the hearing. You will be given a reasonable opportunity to consider any new information obtained before the hearing is reconvened.

We will inform you in writing of our decision and our reasons for it, usually within one week of the disciplinary hearing.

### *Stage 1: Written Warning*

If it is decided that your conduct or performance is unsatisfactory your manager may give you a Written Warning.

This will state the nature of the complaint, the required standards that must be met and, where appropriate, a time limit for improvement. It will also state that further disciplinary action will follow if the required standards are not met or if there is further misconduct.

You will be informed of your right of appeal, and how and where this should be made. A record of the warning and related discussions will then be placed on your personnel file. It will normally cease to have effect after 12 months.

If your conduct is sufficiently serious, we may omit stage 1, and proceed straight to stage 2.

### *Stage 2: Final Written Warning*

For more serious matters, or where you have failed to meet the required standards after being warned, you may be given a Final Written Warning. This will state the nature of the complaint, the required standards that must be met and, where appropriate, a time limit for improvement. It will also state that you will be dismissed if the standards are not met or if there is further misconduct.

Again, you have the right to appeal. A record of the warning and a note of all related discussions will be placed on your personnel file. A final written warning will normally cease to have effect after 12 months.

### *Stage 3: Dismissal*

If there is still no improvement in your conduct, where further misconduct occurs whilst the final written warning is active, or your conduct amounts to gross misconduct, you may be dismissed. You will be invited to a stage 3 disciplinary hearing and we will discuss a range of options with you including dismissal, redeployment or extension of a final written warning. Where dismissal is appropriate, this will normally be on full notice and/or payment in lieu of some or all of your notice unless your conduct amounts to gross misconduct, in which circumstances, you will not be entitled to notice.

This will be confirmed in writing and will include details of the appeals procedure.

### *Gross Misconduct*

If, after investigation, it is deemed that the employee has committed an offence of the following nature, the offence will normally be regarded as an act of gross misconduct, however this is not exhaustive: -

- Actions which may harm the well-being of a Client ("abuse")
- Acts of dishonesty where your conduct affects your ability or suitability for continued employment with us; for example, theft, fraud, the deliberate falsification of records or expenses, a relevant criminal warning or conviction, or inclusion on the DBS register
- Serious insubordination or rudeness to customers or suppliers; deliberate damage to property
- A serious breach of Health & Safety policies
- Physical violence or aggressive behaviour
- Indecent or immoral acts
- Being under the influence of, or possessing, alcohol or illegal drugs during employment hours
- Bringing Corinium Care Limited into serious disrepute
- Any breaches of confidentiality requirements in your contract of employment, other than minor breaches
- Harassment or bullying, other than minor breaches

- Breaches of our Equality and Diversity Policy, other than minor breaches
- Wilful misrepresentation at the time of appointment, including:
  - Previous positions held
  - Qualifications held
  - Falsification of date of birth
  - Declaration of health
  - Failure to disclose a criminal conviction/caution within the provision of the Rehabilitation of Offenders Act
- Abuse of the protected disclosure provisions
- Serious failure to abide by the professional code of conduct
- Deliberate disclosure of privileged confidential information to unauthorised people
- Negligent or deliberate failure to comply with the legal requirement for Corinium Care Limited's policy & procedure concerning medicines
- Working whilst contravening an enactment or working in such a way that is in breach of rules laid down by statutory bodies
- Serious breach of data protection and/or failure to adhere to the policy
- Failure to notify Corinium Care Limited of an actual or suspected data breach

If an employee is accused of gross misconduct, he/she may be suspended from work without pay. Such suspension is not to be regarded as a form of disciplinary action and will be for as short a period as possible to allow the investigation to take place. Any decision to dismiss will be taken only after a full investigation.

If an employee is found to have committed an act of gross misconduct, we will issue a statement of the grounds for action, together with copies of supporting evidence and an invitation to attend a meeting. Employees have the right to be accompanied by a work colleague or trade union representative and will have the opportunity to state their case and any evidence. If an act of gross misconduct is found and proven, the Company reserves the right to dismiss without previous warning. The employee will be dismissed without notice or payment in lieu.

### *Appeals*

Employees have the right to appeal at any stage of the disciplinary procedures. A notice of appeal should be lodged without reasonable delay from when the employee was notified of the decision which forms the subject of the appeal.

We will invite the employee to attend an appeal meeting as soon as possible thereafter at which they will be given an opportunity to state their case and will be entitled to be accompanied by a work colleague or trade union representative. Where possible a senior manager who was not involved in the original disciplinary action will attend the appeal meeting and decide the case as impartially as possible.

The final decision of the appeal process will be confirmed in writing as soon as possible after the meeting.

### *Suspension*

In certain situations, and almost always in the case of gross misconduct, it may be necessary to suspend an employee pending investigation. The Company may suspend the employee without pay during the period of an investigation. During that suspension the employee's contract of employment will be deemed to continue, but the employee will not be entitled to access to any of the Company's premises or IT systems without the prior consent of the Company and subject to such conditions as the Company may impose. The decision to suspend the employee will be confirmed in writing, along with a brief description of the alleged breach of discipline.

### *Criminal Offences*

Employees must immediately declare to their manager any act or incident in which they are involved if it is likely to lead to criminal proceedings being brought against them. This is regardless of whether it occurs during or outside the course of their employment.

The employee must immediately inform their manager as soon as any such proceedings are commenced and must keep their manager informed of all material developments in the case.

## 11. CAPABILITY PROCESS

The primary aim of this procedure is to provide a framework within which managers can work with employees to maintain satisfactory performance standards and to encourage improvement where necessary. Whilst ensuring consistent and fair treatment for all in the Company without having to resort to the Disciplinary Procedure.

It is our policy to ensure that concerns over performance are dealt with fairly and that steps are taken to establish the facts and to give employees the opportunity to respond at a hearing before any formal action is taken.

### THE POLICY

#### *Principle*

This policy is used to deal with poor performance. It does not apply to cases involving genuine sickness absence, proposed redundancies or misconduct. In those cases, reference should be made to the appropriate policy or procedure in the Staff Handbook.

The Company will endeavour to meet the training and development needs of its employees in order to achieve agreed objectives and create a professional, committed and flexible workforce.

It is recognised that there will be situations where employees, after receiving appropriate training, fail to carry out required duties to an acceptable standard. In such cases a solution will be sought through:

- i. informal support and guidance;
- ii. formal counselling; or
- iii. redeployment

There may be a small number of cases where, after support has been provided the employee proves unsuited to any acceptable role within the Company, in which case the employment will need to be terminated.

At all stages of the Employees Capability Procedure the employee will have the right to be accompanied by a trade union representative or work colleague.

An employee will have the right to appeal against any capability decision.

In any case of doubt or ambiguity reference will be made to the advice contained in the ACAS guide to the new UK Code of Practice for Dispute and Grievance Resolution.

### *General*

The first stage in dealing with poor job performance is to determine whether the matter is of a capability or disciplinary nature. This can be ascertained by counselling / investigation. Incapability is where the Employee has been set realistic targets/objectives and cannot achieve them through no fault of their own. An example of incapability is failure to achieve the objectives of work after appropriate training and reasonable time to improve. If objectives are highlighted but the Employee fails to take action of which they are capable, it will be treated under the Disciplinary Procedure as an act of Misconduct.

### *Internal Promotions*

Where the Employee is promoted, the consequences of 'failing to make the grade' should be explained. In some cases, the Employee will be promoted on the basis of a probationary period with the condition that the Company has the right to transfer or downgrade should the Employee fail to satisfy a Director that they are competent in the promoted post. In other cases, the 'promoted' Employee will remain on the same grade and salary for the duration of the probationary period and will receive an 'acting up' allowance during such time. If the probationary period is not confirmed, the Employee will not transfer to the higher grade.

### *Identifying performance issues*

In the first instance, performance issues should normally be dealt with informally between you and your line manager as part of day-to-day management. A note of any such informal discussions will be kept by your line manager. You may be issued with an **informal improvement note** in writing from your line manager clearly stating the areas of concern, required standards and a timeframe for improvement. Any informal improvement note will not form part of your formal capability records.

Informal discussions should help:

- clarify the required standards;
- identify areas of concern;
- establish the likely causes of poor performance and identify any training needs; and/or
- set targets for improvement and a time-scale for review.

Employees will not normally be dismissed for performance reasons without previous warnings. However, in serious cases of gross negligence, or in any case involving an employee who has not yet completed their probationary period, dismissal without previous warnings may be appropriate.

If we have concerns about your performance, we will undertake an assessment to decide if there are grounds for taking formal action under this procedure. The procedure involved will depend on the circumstances but may involve reviewing your personnel file including any appraisal records, gathering any relevant documents, monitoring your work and, if appropriate, interviewing you and/or other individuals confidentially regarding your work.

Please note that if an acceptable level of performance /conduct is not achieved during the period of probation despite guidance, the employee may have their probationary period extended or shortened at the discretion of the employer, during which time regular appraisals will be undertaken or their service may be terminated without recourse to the Company's disciplinary procedure. The Company reserves the right to use truncated versions of the Disciplinary and Capability Policies and Procedures contained within this Employee Handbook during an employee's initial 24 months of employment and in exceptional circumstances to refrain in totality from following the same.

### *Disabilities*

Consideration will be given to whether poor performance may be related to a disability and, if so, whether there are reasonable adjustments that could be made to your working arrangements, including changing your duties or providing additional equipment or training. We may also consider making adjustments to this procedure in appropriate cases.

If you wish to discuss this or inform us of any medical condition you consider relevant, you should contact your line manager.

### *Confidentiality*

Our aim is to deal with performance matters sensitively and with due respect for the privacy of any individuals involved. All employees must treat as confidential any information communicated to them in connection with a matter which is subject to this capability procedure.

You, and anyone accompanying you (including witnesses), must not make electronic recordings of any meetings or hearings conducted under this procedure.

You will normally be told the names of any witnesses whose evidence is relevant to your capability hearing, unless we believe that a witness's identity should remain confidential.

### *Notification of a capability hearing*

If we consider that there are grounds for taking formal action over alleged poor performance, you will be required to attend a capability hearing. We will notify you in writing of our concerns over your performance, the reasons for those concerns, and the likely outcome if we decide after the hearing that your performance has been unsatisfactory. We will also include the following where appropriate:

- A summary of relevant information gathered as part of any investigation.
- A copy of any relevant documents which will be used at the capability hearing.
- A copy of any relevant witness statements, except where a witness's identity is to be kept confidential, in which case we will give you as much information as possible while maintaining confidentiality.

We will give you written notice of the date, time and place of the capability hearing. The hearing will be held as soon as reasonably practicable, but you will be given a reasonable amount of time, usually two to seven days, to prepare your case based on the information we have given you.

### *Right to be accompanied at hearings*

You may bring a companion to any capability hearing or appeal hearing under this procedure. The companion may be either a trade union representative or a colleague. You must tell the manager conducting the hearing who your chosen companion is, in good time before the hearing.

A companion is allowed reasonable time off from duties without loss of pay but no-one is obliged to act as a companion if they do not wish to do so.

If your choice of companion is unreasonable we may require you to choose someone else, for example:

- if in our opinion your companion may have a conflict of interest or may prejudice the hearing; or
- if your companion works at another site and someone reasonably suitable is available at the site at which you work; or
- if your companion is unavailable at the time a hearing is scheduled and will not be available for more than five working days.

We may, at our discretion, allow you to bring a companion who is not a colleague or union representative (for example, a member of your family) where this will help overcome a particular difficulty caused by a disability, or where you have difficulty understanding English.

### *Procedure at capability hearings*

If you or your companion cannot attend the hearing you should inform us immediately and we will usually arrange an alternative time, usually within 1 week of the original date set. You must make every effort to attend the hearing, and failure to attend without good reason may be treated as misconduct in itself. If you fail to attend without good reason, or are persistently unable to do so (for example, for health reasons), we may hold the meeting in your absence and have to make a decision based on the available evidence.

The hearing will normally be held by your line manager or a more senior manager and will normally be attended by a member of Human Resources. In exceptional circumstances it may be appropriate for an impartial external party to conduct the hearing. You may bring a companion with you to the hearing. Your companion may make representations, ask questions, and sum up your case, but will not be allowed to answer questions on your behalf. You may confer privately with your companion at any time during the hearing.

You may ask relevant witnesses to appear at the hearing, provided you give us sufficient advance notice to arrange their attendance. You will be given the opportunity to respond to any information given by a witness. However, you will not normally be permitted to cross-examine witnesses unless, in exceptional circumstances, we decide that a fair hearing could not be held otherwise.

The aims of a capability hearing will usually include:

- Setting out the required standards that we believe you may have failed to meet, and going through any relevant evidence that we have gathered.
- Allowing you to ask questions, present evidence, call witnesses, respond to evidence and make representations.
- Establishing the likely causes of poor performance including any reasons why any measures taken so far have not led to the required improvement.
- Identifying whether there are further measures, such as additional training or supervision, which may improve performance.
- Where appropriate, discussing targets for improvement and a time-scale for review.
- If dismissal is a possibility, establishing whether there is any likelihood of a significant improvement being made within a reasonable time and whether there is any practical alternative to dismissal, such as redeployment.

A hearing may be adjourned if we need to gather any further information or give consideration to matters discussed at the hearing. You will be given a reasonable opportunity to consider any new information obtained before the hearing is reconvened.

We will inform you in writing of our decision and our reasons for it. Where possible we will also explain this information to you in person.

#### *Stage 1 hearing: first written warning OR improvement note*

Following a Stage 1 capability hearing, if we decide that your performance is unsatisfactory, we will give you a first written warning OR an improvement note, setting out:

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

A first written warning OR an improvement note may be authorised a senior manager.

The warning OR improvement note will normally remain active for six months from the end of the review period, after which time it will be disregarded for the purposes of the capability procedure.

After the active period, the warning will remain permanently on your personnel file but will be disregarded in deciding the outcome of future capability proceedings.

Your performance will be monitored during the review period and we will write to inform you of the outcome:

- if your line manager is satisfied with your performance, no further action will be taken;
- if your line manager is not satisfied, the matter may be progressed to a Stage 2 capability hearing; or
- if the manager feels that there has been a substantial but insufficient improvement, the review period may be extended.

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

If your performance does not improve within the review period set out in a first written warning OR an improvement note, or if there is further evidence of poor performance while your first written warning OR improvement note is still active, we may decide to hold a Stage 2 capability hearing. We will send you written notification.

Following a Stage 2 capability hearing, if we decide that your performance is unsatisfactory, we will give you a final written warning, setting out:

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

A final written warning may be authorised by a senior manager.

A final written warning will normally remain active for twelve months from the end of the review period. After the active period, the warning will remain permanently on your personnel file but will be disregarded in deciding the outcome of future capability proceedings.

Your performance will be monitored during the review period and we will write to inform you of the outcome:

- if your line manager is satisfied with your performance, no further action will be taken;

- if your line manager is not satisfied, the matter may be progressed to a Stage 3 capability hearing; or
- if the manager feels that there has been a substantial but insufficient improvement, the review period may be extended.

### *Stage 3 hearing: dismissal or redeployment*

We may decide to hold a Stage 3 capability hearing if we have reason to believe:

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

We will send you written notification of the hearing.

Following the hearing, if we find that your performance is unsatisfactory, we may consider a range of options, including:

- Dismissing you.
- Giving a final written warning (where no final written warning is currently active).
- Extending an active final written warning and setting a further review period (in exceptional cases where we believe a substantial improvement is likely within the review period).
- Redeploying you into another suitable job at the same or a lower grade with your agreement.

The decision may be authorised by a senior manager.

Dismissal will normally be with full notice or payment in lieu of notice, unless your performance has been so negligent as to amount to gross misconduct, in which case we may dismiss you without notice or any pay in lieu.

### *Appeals against action for poor performance*

If you feel that a decision about poor performance under this procedure is wrong or unjust you should appeal in writing, stating your full grounds of appeal, to your line manager within one week of the date on which you were informed in writing of the decision.

If you are appealing against dismissal, the date on which dismissal takes effect will not be delayed pending the outcome of the appeal. However, if your appeal is successful you will be reinstated with no loss of continuity or pay.

If you raise any new matters in your appeal, we may need to carry out further investigation. If any new information comes to light we will provide you with a summary including, where appropriate, copies of additional relevant documents and witness statements. You will have a reasonable opportunity to consider this information before the hearing.

We will give you written notice of the date, time and place of the appeal hearing. This will normally be two to seven days after you receive the written notice.

The appeal hearing may be a complete re-hearing of the matter or it may be a review of the fairness of the original decision in the light of the procedure that was followed and any new information that may have come to light. This will be at our discretion depending on the circumstances of your case. In any event the appeal will be dealt with as impartially as possible.

Where possible, the appeal hearing will be conducted by a more senior manager who has not been previously involved in the case. A member of Human Resources and/or the manager who conducted the capability hearing will also usually be present. You may bring a companion with you to the appeal hearing.

A hearing may be adjourned if we need to gather any further information or give consideration to matters discussed at the hearing. You will be given a reasonable opportunity to consider any new information obtained before the hearing is reconvened.

Following the appeal hearing we may:

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

We will inform you in writing of our final decision as soon as possible, usually within one week of the appeal hearing. Where possible we will also explain this to you in person. There will be no further right of appeal.

### *Probationary Employees*

The formal Disciplinary and Capability Procedure does not apply to probationary employees who may be dismissed summarily for committing an act of misconduct or poor performance during their probationary period. There will be no right of appeal against any such decision to dismiss in such circumstances.

## 12. GRIEVANCES

At Corinium Care, we consider it important that good working relationships are maintained at all levels. To achieve this, the following procedure has been established to provide an effective, fair and consistent method of dealing with any problems arising from a grievance. The purpose of this is to ensure that any employee with a grievance is given the earliest possible opportunity to discuss the matter with the appropriate person. This policy should be seen in conjunction with the Complaints Procedure outlined elsewhere.

The basic aim of the grievance procedure is to try and arrive at a mutually satisfactory solution of the grievance as quickly as possible. Employees are therefore encouraged to deal with the problem informally in the first instance with their manager. If it is not possible to resolve a grievance informally, employees should then formally raise the matter without unreasonable delay with a manager who is not the subject of the grievance. This should be done in writing and should set out the nature of the grievance.

The objective of a grievance procedure is to provide a recognised channel through which a grievance can be brought to the attention of management by providing the right for an employee to have their grievance heard, investigated and, if proved justified and remedied.

Corinium Care Limited will ensure that grievances are dealt with suitably and swiftly in accordance with this policy.

### THE PROCEDURE

#### *Informal Grievance Procedure*

Corinium Care expects that most grievances can be resolved by raising these informally with the employee's manager or, if the grievance relates to the manager, with a more senior manager. Through this process Corinium Care would look to discuss all the issues with the individual with a view to establishing a suitable outcome without the need for a formal process.

Most difficulties will be settled at this stage, however if it is felt that all informal avenues have been exhausted and the grievance is still not resolved, the formal procedure laid out below should be followed.

#### *Formal grievance procedure*

The employee should outline their grievance in writing in as much detail as possible including facts, times, dates, names and any other details. Again, if the grievance relates to the individual's manager, then the grievance should be addressed to a more senior manager.

On receipt of the formal complaint and dependent on the content, Corinium Care may carry out a formal investigation. The individual who raised the grievance will be expected to co-operate fully with this investigation.

Corinium Care will arrange a grievance meeting to be held within 7 days of the formal grievance being received. The individual who raised the grievance is entitled to be accompanied to this grievance meeting by a fellow colleague or Trade Union Representative. The individual should inform the manager who has conduct of the grievance meeting who their intended companion is in a reasonable time before the grievance meeting takes place. If the individual or their companion are unable to attend the meeting, the individual should inform the manager who has conduct of the grievance meeting and a suitable alternative date for the meeting to take place will be arranged.

The purpose of the grievance meeting is to allow the individual an opportunity to provide an explanation for the grievance that they have raised along with a view on how they would like it to be resolved. The manager will then make a decision taking into account what has been said and the outcome of any investigation that has taken place. If further investigations are required dependant on what is said in the grievance meeting, the meeting will be adjourned for these further investigations to take place and will be re-convened once these are completed.

The grievance manager will write to the individual within 7 days of the grievance meeting being held or the adjourned meeting being re-convened and concluded with the outcome of the grievance.

### *Appeals*

Should the individual not be happy with the outcome they have the right to appeal the decision within 7 days of it being communicated to them. Any appeal should be in writing and set out the full grounds of appeal. Corinium Care will then hold a grievance appeal meeting within 7 days of receiving the notification of appeal and will appoint a manager to hear the appeal who had not been involved in the previous grievance process. Again, the individual has a right to be accompanied by a fellow colleague or Trade Union Representative. Following the appeal hearing, the manager will write to the individual with the appeal outcome within 7 days. At this point there is no further right of appeal.

Where an individual raises a grievance during a disciplinary process then depending on the circumstances, the disciplinary process may be temporarily suspended in order to deal with the grievance. Where the grievance and disciplinary cases are related, it may be appropriate to deal with both issues concurrently.

The Grievance Procedures do not seek to exclude employees from exhausting their statutory rights under the Public Disclosures Act 1998.

## 13. HEALTH & SAFETY

### SUMMARY

Health and safety is everyone's business and everyone's responsibility. In summary Corinium Care requires that the following standards are met: -

- Compliance with the Health and Safety at Work Act 1974 and all other relevant statutory provisions.
- Compliance with any other guidance relevant to business.
- Where the company has control or influence, the provision and maintenance of structure, fabric, plant, equipment and of a working environment that is safe and without risk to health, to include all means of access and egress.
- The protection of staff and other persons from foreseeable work hazards.
- The design, operation and maintenance of safe systems and methods of work based on risk assessment.
- The provision to staff and others of information, instruction, training and supervision, relevant and appropriate to company business.
- The provision of adequate welfare facilities.
- Arrangements in place for consultation on health, safety and welfare issues between the company staff groups and other interested parties.

Compliance with, and establishing a robust health and safety framework, is a legal requirement. Corinium Care is committed to the welfare of all staff, clients and other stakeholders. Individuals have a responsibility to adhere to this document and highlight areas of concern to their manager.

### ROLES AND RESPONSIBILITIES

#### DEPARTMENTAL HEADS

Departmental Heads must ensure that: -

- So far as is reasonably practicable, compliance with this policy framework
- Risk assessments are prepared
- The safety management system is enacted
- The prioritised action plan from risk assessments is enacted within their areas of responsibility

- Human resources are allocated to key tasks
- Best practice is adopted to ensure the objectives of this policy are met
- The health, safety and welfare of staff in their area is paramount
- They support, adopt and enforce this policy.
- Suitably qualified and competent staff are appointed
- Staff are where necessary, supervised.
- Risk assessments are carried out, kept under review and communicated to those at risk
- Environmental area inspections are routinely carried out and action taken to remedy shortcomings
- Area health and safety procedures are in place, and are reviewed
- New staff receive induction training at the first available opportunity
- Provision and recording of health and safety training to meet the needs of staff
- Staff are consulted on information or activity likely to affect their work
- All accidents, incidents, and near misses are recorded and where necessary investigated.
- Co-operation with the audit arrangements of the company
- Safe working policies, procedures and good housekeeping are monitored
- Records are maintained in a retrievable format
- Any health or safety problems which cannot be resolved locally on a timescale appropriate to the risk are referred to the Operations Director without delay.
- Any personal protective equipment (PPE) needed is carefully selected, monitored, maintained and replaced when defective.
- Co-ordinating day to day issues relating to the fabric of the head office building and in particular where health, safety or welfare is a factor
- Undertaking regular inspections of common areas not directly under the control of the company such as lobbies, stairways, fire escape routes and car parks etc. and ensuring that any shortcomings identified are rectified by the organisation in control
- Holding relevant staff training records
- Making reports to the Health and Safety Executive where 'RIDDOR' regulations apply.
- Being the point of competent advice of moving and handling issues
- Reporting to the Care Quality Commission
- Ensuring each care package is established with due regard for client and carer health and safety

Departmental Heads are defined as: -

- Operations Director
- Finance Director
- Regional Director
- Registered Manager

## EMPLOYEES

Employees have a duty to make themselves familiar with and carry out their responsibilities in accordance with this policy.

Employees must co-operate with the Company so far as it is necessary for them to perform or comply with the implementation of relevant legislation. However, employees are reminded of their own personal responsibility towards Health & Safety in the Company under the Health & Safety at Work Act 1974. That is, to take reasonable care for the health and safety of themselves and any others who may be affected. Employees should note particularly that they must adhere to the prescribed safe system of working. It is vital that any faults or defects in machinery or equipment or anything which can possibly cause an accident is immediately reported to your manager.

Employees should be aware that irrespective of any action taken by the Company, if you are found to be contravening safety regulations you could be liable to criminal proceedings under the provisions of the Health and Safety at Work Act 1974 and any subsequent legislation relating to the workplace.

Employee's responsibility includes:

- Observing all Health and Safety rules, company policies and guidelines
- Following instructions given by their Managers
- Reporting promptly to their Managers, all accidents near misses and damage, whether or not injury has occurred
- Reporting promptly, to their immediate superior, all hazards of which they are aware
- Co-operating with the Company to enable it to carry out statutory duties imposed on them in respect of Health and Safety whilst at work
- Attending mandatory training
- Not to interfere with, or misuse any equipment or materials provided in the interest of a healthy and safe environment at work

### *Accidents at work*

All employees are responsible for ensuring that accidents and near misses in which they are involved are reported to their line manager and that all injuries are reported by completing an accident report form.

### *Fire Safety and Evacuation*

Employees should familiarise themselves with what to do in the event of fire or other emergency, including where the exits and assembly points are located. Employees should also familiarise themselves with the location of the fire extinguishers but should only use them in the event that they feel safe and confident to do so, otherwise an employee's first responsibility is the safe evacuation of the building.

In the event of a fire the first priority must be to escape from the building and to assemble at the designated assembly point so that a roll call can be taken by the Fire Marshall. The Fire Brigade will need to know if everyone has been accounted for as soon as they arrive on site.

It helps to minimise the spread of fire if doors and windows are closed as upon evacuation. Electrical equipment should preferably be switched off if this will not delay escape. Employees must never re-enter the building until instructed to do so by the Fire Brigade Officer in charge (or the Senior Fire Marshall present in the case of a false alarm).

### *Sight Tests & Computer Users*

Under the Health and Safety (Display Screen Equipment) Regulations 1992, an employer has the duty to ensure the provision, on request, of eye tests for anyone who regularly uses display screen equipment as a significant part of their job. All employees who are required to habitually use computers in carrying out their work are entitled to appropriate eye and eyesight tests for display screen work. Tests are not obligatory, but if the entitlement is exercised an examination must be carried out by a registered ophthalmic optician or a suitably qualified medical practitioner.

Where an employee already wears glasses to correct a visual defect (normal corrective lenses) and a routine change of lenses arises, if the glasses are adequate also for VDU work, the employee is liable for meeting the cost.

The cost of dealing with more general eye problems which are revealed as a result of the tests and which are not directly related to working with a VDU is a matter for the employee as part of his/her general health care, taking account of health care entitlements.

However, where an employee of Corinium Care requires an eye test that is carried out by a doctor or optometrist and reveals that particular lenses are required for VDU work, the basic costs of providing the glasses or of new lenses, will be paid by the company, taking account of any social welfare that might apply.

An employee should notify their manager before the test is carried out and advise of the outcome. Authorisation for any such expenses must be sought in advance and the expense claim made in the usual way to include valid receipts.

### *Alcohol and drugs policy*

Corinium Care endeavours to ensure that employees' use of either alcohol or drugs does not impair the safe and efficient running of the Company or the health and well-being of employees and clients.

Corinium Care will operate a full and fair procedure aimed at supporting employees who have informed the Company of their dependency on drugs or alcohol. In other circumstances all employees should be aware of the following important rules:

- If an employee is known to be, or strongly suspected of being, intoxicated by alcohol or drugs during working hours or whilst at a placement, arrangements will be made for the employee to be relieved of his or her responsibilities immediately. Disciplinary action will take place when the employee has had time to become sober.
- Employees who take drugs which have not been prescribed on medical grounds or who have misused prescribed drugs, will, in the absence of mitigating circumstances, be deemed to be committing an act of gross misconduct and will thus render themselves likely to be summarily dismissed as will any employee believed to be buying or selling drugs, or in possession of unlawful (i.e. un-prescribed) drugs.
- Employees are reminded that the consumption of alcohol outside of working hours can remain in the blood stream and, as such, are encouraged to exercise caution in particular where they are required to drive the following day.

### *Driving to Work*

If you use your own vehicle whilst on company business you must ensure that you have the relevant provisions for business use on your car insurance and you must provide a copy of this annually for our records. Employees will not be able to claim travel mileage without a valid insurance certificate.

Employees are responsible for ensuring their vehicles are safe and roadworthy, including regular checks of tyre tread depth and all other ancillary devices and safety related equipment.

### *No Smoking Policy*

Corinium Care has a duty to protect people from harm while on its premises. Everyone working and visiting the Company premises has a right to be in a completely smoke-free environment. For the avoidance of doubt this includes e-cigarettes. This policy does not intend to dictate whether or not people smoke, however it has been developed to protect all employees and visitors from exposure to second-hand smoke or passive smoking and to comply with the Smoke-Free (Premises and Enforcement) Regulations 2006, effective from 1 July 2007.

It is the policy of Corinium Care that the workplace is smoke-free and that all employees have a right to work in a smoke-free environment. If a client smokes, it is their right to do so in their own home, however an employee retains the right to refuse to attend an assessment visit on these grounds.

Smoking is prohibited throughout the entire workplace, with the exception of designated areas, and in company vehicles with no exceptions. This policy applies to all employees, consultants, contractors, customers and visitors to Corinium Care premises.

It is each employee's responsibility to ensure that their visitors adhere to the no-smoking rule.

### *Lone working*

The purpose of this policy is to protect employees as far as reasonably practicable from the risks of lone working associated with the service they provide to clients. This policy should be read in conjunction with all other policies and procedures relating to health and safety.

Corinium Care recognises it has an obligation under the Health and Safety at Work Act 1974 and the Management of Health and Safety at Work Regulations 1999 for the health, safety and welfare at work of its employees.

The aim of the policy is to increase awareness of safety issues relating to lone working.

The Company is responsible for:

- Ensuring that all employees are aware of this policy.
- Ensuring that risk assessments are carried out where appropriate and reviewed regularly.
- Putting procedures and safe systems of work into practice which are designed to eliminate or reduce the risks associated with working alone.
- Ensuring that all employees are given appropriate information, training and support as necessary.
- Managing the effectiveness of preventative measures through an effective system of reporting, investigating and recording incidents.

Employees are responsible for:

- Taking reasonable care of themselves and others affected by their actions.
- Have an awareness of their surroundings and the possible threats to their personal safety when working alone.
- Co-operating by following rules and procedures designed for safe working.
- Leave the working environment if there is an imminent danger to their safety.
- Reporting all incidents that may affect the health and safety of themselves or others and asking for guidance as appropriate.
- Taking part in training designed to meet the requirements of the policy.
- Use equipment in accordance with the training given and not misuse it.
- Reporting dangers or potential dangers they identify or any concerns they might have in respect of working alone.

Guidance for lone workers

- Identify potential risks i.e. location of client's premises in potential trouble spot areas.

- Consider whether it may be appropriate to be accompanied by a colleague.
- Advise their manager if there is an accident to or from a client's premises.
- Advise their manager if there are serious concerns about lone working at a client's premises.
- Employees to contact their manager as soon as an incident or near miss occurs.

## 14. PARENTAL LEAVE

The Company is a family friendly employer and implements parental leave rights as set out in legislation. We wish to make it as easy as possible for parents to continue their career and maintain career prospects whilst raising a family.

### OVERVIEW

This policy sets out the statutory rights and responsibilities of employees who are pregnant or have recently given birth or become a father or require leave in conjunction with family emergencies.

### THE PROCEDURE (PREGNANCY & MATERNITY LEAVE)

The following abbreviations are used in this section:

- EWC – expected week of childbirth starting on a Sunday
- SMP – Statutory Maternity Pay
- QW – the qualifying week for SMP - this is the 15th week before EWC

You have the right to time off for ante-natal care; maternity pay linked to your level of earnings; maternity leave.

#### *Notification of Pregnancy*

You should notify your Line Manager as soon as you feel able to do so and no later than 15 weeks before the QW.

By the end of the QW, or as soon as reasonably practical, you are required to provide the following in writing to the company:

- That you are pregnant
- Your EWC
- The date on which you intend to start your maternity leave.
- MATB1 certificate issued by your doctor or midwife.

You are permitted to bring forward the start of your maternity leave providing you advise the company in writing no later than 28 days prior to the start of the new date or as soon as reasonably practical. The company will formally respond in writing to your notification

of maternity leave plans within 28 days confirming the date on which you are expected to return to work if you take your full 52-week entitlement.

### *Time off for Ante-Natal Care*

Once you have advised the company of your pregnancy and have provided the company with a certificate from your doctor or midwife stating you are pregnant, you are entitled to take reasonable time off to attend ante-natal appointments.

You must produce an appointment card to your line manager and arrange appointments as close to the start or end of the working day as possible.

### *Health & Safety*

The company has a duty of care for the Health & Safety of all employees. We are required to carry out a risk assessment to the workplace of pregnant women, those who have recently given birth and who are breastfeeding. The company will provide you with details of any risks identified during the risk assessment. If this assessment reveals you would be exposed to health hazards in carrying out your job, the company will take reasonable steps to avoid these risks. This could include offering you alternative work, if available, on terms and conditions which are not substantially less favorable.

If this is not possible, the company may suspend you from work until such time as there is no longer any risk to your health. Your employment will continue during the period of suspension and it does not in any way affect your statutory, contractual or maternity rights.

### *Sickness Absence*

If you are absent from work due to sickness during your pregnancy, normal sick pay policy applies unless you have already commenced your maternity leave. If you are absent from work due to a pregnancy related illness after the beginning of the 4<sup>th</sup> week before the EWC but before the date you have notified, or before you have notified a day, on which your maternity leave is due to start, then your maternity leave will begin automatically on the day after the first day of absence. Until your maternity leave commences you are required to advise the company of sickness as per the sickness absence policy.

### *Maternity Leave*

All pregnant employees are entitled to take 26 weeks ordinary maternity leave and up to 26 weeks additional maternity leave, making a total of 52 weeks. Additional maternity leave begins on the day ordinary maternity leave ends.

Ordinary maternity leave can start at any time after the beginning of the eleventh week before your EWC unless your child is born prematurely before that date. If you give birth before the start date of your maternity leave, you must notify the company in writing as soon as is reasonably practicable.

The law requires all employees to take a minimum of two weeks maternity leave immediately after the birth of their child and there is no requirement to take 52 weeks.

### *Ordinary Maternity Leave*

During the period of Ordinary Maternity Leave your contract of employment continues in force and you are entitled to receive all your contractual benefits except for salary. Annual leave entitlement will accrue and salary will be replaced by SMP if you are eligible to receive it. On resuming work after maternity leave, you will be entitled to benefit from any general pay increases that may have been awarded in your absence.

You should where possible take all outstanding leave before the start of your ordinary maternity leave. Holiday must be taken in the year that it is accrued and if the holiday year is due to end during maternity leave; you should take the full year's entitlement before starting your maternity leave.

While on maternity leave, employees continue to accrue holiday entitlement just as they would if they were absent due to illness. If employees cannot take all the leave they're entitled to during a particular year, they can carry it over to the following year.

### *Additional Maternity Leave*

During the period of additional Maternity Leave, your contract of employment continues in force and, as is the case during the period of ordinary maternity leave, you are entitled to receive all your contractual benefits, except for salary. Any benefits in kind will continue and annual leave entitlement will continue to accrue. Salary will be replaced by statutory maternity pay (SMP) for the first 13 weeks of additional maternity leave if you are eligible to receive it. The remaining 13 weeks of maternity leave will be unpaid.

### *Statutory Maternity Pay (SMP)*

SMP is payable for up to 39 weeks during your maternity leave provided you:

- Have been continuously employed by the Company for at least 26 weeks at the end of the QW and are still employed during that week;

- Have average weekly earnings in the eight weeks up to and including the QW not less than the lower earnings limit for National insurance contributions;
- Are still pregnant eleven weeks before the start of your EWC or have already given birth
- Provide a MATB1 certificate stating your EWC
- Give the Company proper notification of your pregnancy in the rules set out above.

For the first six weeks, SMP is paid at the higher rate of 90% of average weekly earnings calculated over the period of eight weeks up to and including your QW.

The standard SMP rate is paid for the remaining 33 weeks at a rate set by the government for the relevant tax year. If your average weekly earnings are less than the Governments set weekly rate over the eight-week period up to and including QW, then 90% of this lower rate is paid.

SMP is paid into your nominated bank account and is treated as earnings and is therefore subject to income tax and national insurance deductions.

If you do not qualify for SMP you may be able to apply to the Department of Work and Pensions for Maternity Allowance if you meet their qualifying conditions.

### *Contact during Maternity Leave*

Shortly before your maternity leave starts, the company will discuss arrangements for you to keep in touch during your leave should you wish to do so. The company reserves the right in any event to maintain reasonable contact with you from time to time. This may be to discuss your plans to return to work or to discuss any special arrangements to be made or training to be given to ease your return to work or to update you on developments during your absence.

### *Keeping in Touch Days*

Except for the two weeks immediately following childbirth, you may agree to work for up to ten days during ordinary or additional maternity leave without that work bringing your maternity leave to an end or loss of SMP. These are known as keeping in touch days. Neither the company nor you have any right to insist on these work days. Any work undertaken, including salary paid, is for agreement between the company and you. Keeping in touch days do not extend your maternity leave however any days worked beyond ten days during your maternity leave will result in a loss of SMP for those additional days worked.

### *Returning to work*

You will have been formally advised in writing by the company of the date on which your maternity leave will end and the date on which you are expected to return to work if you take your full 52-week entitlement. If you are unable to return to work on this date due to sickness or injury, the company's normal arrangements for sickness absence will apply. In any other cases, late return without prior authorisation will be treated as unauthorised absence. Whilst you are under no obligation to do so, it would assist the company if you could confirm as soon as possible during your maternity leave that you will be returning to work as expected.

If you wish to return to work earlier than your expected return date, you must give the company, preferably in writing, at least eight weeks' notice. If you fail to do so, the company may postpone your return to such a date as will give the company eight weeks' notice up until the date of your original return.

If you decide not to return to work after maternity leave, you must give notice of resignation as soon as possible and in accordance with the terms of your contract of employment. If the notice period would expire after the end of your maternity leave, the company may require you to return to work for the remainder of your notice period.

### *Your Rights on Return to Work*

On returning to work after ordinary maternity leave, you are entitled to return to the same job as you occupied before commencing maternity leave on the same terms and conditions.

On returning to work after additional maternity leave, you are entitled to return to the same job as you occupied before commencing maternity leave on the same terms and conditions. However, if there is some reason why it is not reasonably practicable for the company to take you back in your original job, you will be offered suitable alternative work of equivalent status and responsibility and on terms and conditions that are no less favourable than would have applied had you not been absent.

If you are a full-time employee you have no right to return to work on a part-time basis. See Flexible Working policy.

## THE PROCEDURE (PATERNITY LEAVE)

The company implements the paternity leave rights set out in legislation.

Fathers and partners of pregnant women are entitled to reasonable unpaid time off to attend two ante-natal appointments. You must produce an appointment card to your line manager and arrange appointments as close to the start or end of the working day as possible.

In order to qualify for paternity leave you must have worked for the company for a continuous period of 26 weeks by the week that falls 15 weeks before the child is expected to be born. You must also meet each of the following eligibility criteria:

- You have or expect to have responsibility for the upbringing of the child
- You are either the biological father or adopter of the child or you are married to or are the cohabiting partner of the child's mother or adopter
- You are making the request to help care for the child or support the child's mother
- the intended parent (if you're having a baby through a surrogacy arrangement)

Assuming you are eligible, you are able to take up to two weeks paid paternity leave. You can take this in a single block of either one or two weeks. Odd days cannot be taken. Paternity leave can start from the date the child is born or from a chosen number of days or weeks following this (or in the case of adoption from the date of placing for adoption.) It can start on any day of the week but must be completed within eight weeks of birth or date of placement for adoption. If the child is born early it must be completed within the period from the date of childbirth up to eight weeks after the expected date of childbirth.

Only one period of paternity leave is available and paternity leave does not multiply with multiple births.

During paternity leave, employees are entitled to SPP (statutory paternity pay). The weekly rate of SPP is set by the government for the relevant tax year or 90% of your average weekly pay if this is less than the government rate. SPP is treated as earnings and is subject to income tax and national insurance contributions.

If you wish to take paternity leave, you must inform your line manager in writing no later than 15 weeks before the expected week of childbirth. You must provide details of the due date and how and when you wish to take the leave. In the case of an adopted child, you must give written notice to your line manager no later than seven days after the date on which notification of the match is given by the adoption agency. The same information is required as for childbirth.

You are able to change the date of your paternity leave by giving 28 days' notice in writing to your line manager.

### *Additional Paternity Leave (APL)*

You may qualify for Additional Paternity Leave if you meet the above requirements of Paternity Leave.

Additional Paternity Leave is for a maximum of 26 weeks. If your partner has returned to work, the leave can be taken between 20 weeks and one year after your child is born or placed for adoption.

To qualify for APL you must be taking the time off to care for the child and the child's mother or adopter must have:-

- Been entitled to Statutory Maternity Leave, Statutory Maternity Pay, Maternity Allowance or Statutory Adoption Leave or pay.
- Returned to work and ceased claiming any relevant pay.

### *Additional Statutory Paternity Pay (ASPP)*

To qualify for Additional Statutory Paternity Pay the above also applies. ASPP is only payable to you during the mothers or adopters 39-week Maternity Allowance, Statutory Maternity or Statutory Maternity Allowance.

The standard ASPP rate is paid for the 26 weeks at a rate set by the government for the relevant tax year. If your average weekly earnings are less than the Governments set weekly rate over the eight-week period up to and including QW, then 90% of this lower rate is paid.

ASPP is paid into your nominated bank account and is treated as earnings and is therefore subject to income tax and national insurance deductions.

If you do not qualify for ASPP you may be able to take annual leave or unpaid parental leave instead.

### THE PROCEDURE (PARENTAL LEAVE)

The company implements the parental leave rights set out in legislation. Parental leave is in addition to maternity, paternity, adoption and emergency leave and is unpaid.

In order to qualify you must have worked for the company for a continuous period of one year and are entitled to up to 18 weeks leave in order to care for a natural or an adopted child if you meet one of the following conditions:

- You are the natural parent of the child or have acquired formal parenting responsibility and the child is under 5 years old
- You have adopted a child under the age of 18

If the child is disabled and has been awarded Disability Living Allowance, you are entitled to take up to 18 weeks leave until the child's 18<sup>th</sup> birthday.

You can take parental leave up until the child's 5<sup>th</sup> birthday or in the case of adoption within five years of the placement providing the child is under 18 years old.

Parental leave is per child, so in the case of twin, you can take up to 18 weeks per child. Parental leave is to be taken in blocks of one week, excepted where the child is disabled where

blocks of one day are permitted, and a maximum of four weeks per calendar year per qualifying child.

You are required to give at least 21 days written notice and you must specify the dates on which the leave is to start and finish.

The company has the right to postpone a block of parental leave for up to six months where the leave would unduly disrupt normal business operations. The company will confirm in writing any postponement no later than seven days after receipt of the parental leave request.

You will be required to produce evidence that you are the parent or the person who is legally responsible for the child. This will take the form of production of a copy of the child's birth certificate or adoption papers and/or a copy of the disability living allowance award letter. For new employees, the company reserves the right to contact previous employers to find out how much parental leave has been taken.

Following parental leave an employee will be entitled to return to the same job provided always that your period of parental leave was four weeks or less.

There is no contractual or statutory entitlement to be paid for absences relating to parental leave. Any payment of salary is made at the absolute discretion of the company. If an employee dishonestly requests parental leave, this is a disciplinary offence and will be dealt with under the company's disciplinary procedure.

## THE PROCEDURE (SHARED PARENTAL LEAVE)

The company implements the Shared Parental leave rights set out in legislation.

You may be able to get Shared Parental Leave (SPL) and Statutory Shared Parental Pay (ShPP) if you're having a baby or adopting a child.

If you're eligible for SPL you can use it to take leave in blocks separated by periods of work, instead of taking it all in one go.

To start SPL or ShPP the mother must end her maternity leave (for SPL) or her Maternity Allowance or maternity pay (for ShPP). If she doesn't get maternity leave (but she ends her Maternity Allowance or pay early) her partner might still get SPL.

If you're adopting then you or your partner must end any adoption leave or adoption pay early instead.

If you're eligible you can take:

- the remaining leave as SPL (52 weeks minus any weeks of maternity or adoption leave)
- the remaining pay as ShPP (39 weeks minus any weeks of maternity pay, maternity allowance or adoption pay)

If neither of you is entitled to maternity leave or adoption leave then SPL will be 52 weeks minus any weeks of maternity pay, Maternity Allowance or adoption pay.

You can share SPL and ShPP between you if you're both eligible

SPL and ShPP must be taken between the baby's birth and first birthday (or within one year of adoption).

To qualify for SPL, you must share responsibility for the child with one of the following:

- your husband, wife, civil partner or joint adopter
- the child's other parent
- your partner (if they live with you and the child)

You or your partner must be eligible for maternity pay or leave, adoption pay or leave or Maternity Allowance. You must also have been employed continuously by the same employer for at least 26 weeks by the end of the 15th week before the due date (or by the date you're matched with your adopted child) you must also stay with the same employer while you take SPL.

## 15. GENERAL

### CHANGE OF PERSONAL DETAILS

In order that records may be kept up to date, employees must notify Corinium Care of any changes to the following personal details:

4. Name
5. Address and/or telephone number
6. Marital status
7. Next of kin
8. Bank/building society details
9. Driving licence / MOT / Motor Insurance
10. Right to Work documents

An employee is also required to inform Corinium Care if they have been charged with any criminal offence such as theft or offences against another person.

### COMPLAINTS PROCEDURE

It is the aim of the company to provide the highest quality of care and service to clients. Complaints occur when the actual service is perceived not to have reached the anticipated standard.

Complaints represent an excellent opportunity for learning and improvement, and as such Corinium Care encourage client and customer feedback. All complaints will be managed in accordance with procedure and resolved within appropriate time scales.

Some of our clients, particularly those suffering with dementia may react in what appears to be an aggressive manner if they feel frightened, humiliated or frustrated because of an inability to understand or make themselves understood. The disease may have eroded their sense of judgement and self-control so that they are no longer subject to "normal" inhibitions and cannot remember what behaviour is expected of them.

A minor outburst or criticism may evoke a reaction which appears aggressive e.g. verbal outbursts, agitation and aggression. Although any form of aggression is very upsetting it is important to remember it is not deliberate and that the person cannot help themselves. Also, the incident is likely to be forgotten very quickly.

However, any incident where an employee feels they have been verbally or physically abused should be reported using the Accident and Incident Reporting Procedure, as well as also informing either their line manager as soon as possible so that it can be dealt with appropriately.

Should an employee be involved in a complaint, they may be required to write a "statement of events". When writing the statement, employees are reminded not to exaggerate or invent incidents. If it cannot be remembered, say so. Do not blame someone else – they may have good reason for what they did or said. Employees are advised to keep copies of any statements made for their own records.

## CONFIDENTIALITY & DISCLOSURE

### CONFIDENTIALITY

All clients have an absolute right to privacy and confidentiality. In the course of its business employees of Corinium Care have sight of certain privileged information. This must be kept confidential at all times and such information shall not be disclosed to any unauthorised third party without the express consent of the client.

Clients have a right to expect that any information they give about themselves will be used only for the purposes for which it is given. It is essential that the client has confidence in Corinium Care's ability to keep personal details to themselves, disclosing only to people immediately involved in the client's care. Even when a client has died, the obligation to retain confidentiality remains.

Upon termination of employment, all documents and tangible items which belong to the Company or which contain or refer to any confidential information which is in possession by an employee must be returned. If requested by the Company, an employee must delete all confidential information from any re-usable material and destroy all other documents and tangible items which contain or refer to any confidential information.

An employee must not make any statement, give any interviews or have any other communication with the media relating to the Company or during the course of employment with the Company, unless authorised to do so in writing by the Directors.

Employees in the course of their employment may be made aware of certain commercial information about the company. This must be kept confidential at all times – even after the employee has left Corinium Care.

In order to protect the interests and rights of our clients, our employees and the Company, all employees working with Corinium Care agree that they will not use, divulge or communicate to any person, firm or organisation (except in the proper course of their duties during their

employment by the Company) any of the trade secrets or other confidential, technical or commercial information of the Company relating to the business, organisation, accounts, analysis or other affairs of the Company which they may have received or obtained while working for the Company. This includes:

1. Any information relating to the trading position of the Company including in particular names of suppliers, clients or customers
2. Any document or item marked as confidential
3. Any information relating to the business processes, work patterns, terms and conditions of employment and care planning

In particular, all representatives of the Company will not, without the prior written consent of the Company, permit any confidential information:

1. To be disclosed, whether directly or indirectly, to any third party, except to those authorised by the Company to know or as required by law; or
2. To be copied or reproduced in any form or to be commercially exploited in any way; or
3. To be used for your own purposes or for any purposes other than those of the Company or to be used or published by any other person; or
4. To pass outside of their control

This restriction will continue to apply after the termination of your employment but will cease to apply to any information which may come into the public domain through disclosure by the Company.

If there is any doubt in your mind about security of confidential information or you believe this policy has been breached you should immediately seek the advice of a member of the Data Protection Officer.

The wrongful disclosure of confidential information or other breach of confidentiality is a disciplinary offence. Depending on the seriousness of the offence, it may amount to gross misconduct and could result in summary dismissal.

## DISCLOSURE

Personal information or data on clients, their representatives, staff, and employees will, in the first instance, only be discharged to Corinium Care management who require access to the information in order to carry out their official duties.

We will only break the general rule of confidentiality in very extreme circumstances that justify our taking action for the good of the carer or person with care needs or others in exceptional circumstances. Such cases may involve releasing information to protect vulnerable adults.

Only the manager or nominated representative should make the decision to break confidentiality (make a disclosure). This decision should not be taken lightly and should follow strict procedures. All such decisions and the circumstances in which the decision was made should be meticulously recorded.

However, there are circumstances when information may be shared as a requirement of care provision or employment. An example of this is a routine inspection by the Care Quality Commission. These bodies are also bound by rules of confidentiality and data protection.

## HANDLING OF INFORMATION

Employees assisting a client have access both to the information passed to them when they start work and to knowledge which accumulates in the course of providing care. Employees who do not provide direct care must also occasionally see confidential information. They all have a duty of confidentiality to the client and their representatives as follows:

1. to treat all personal information with respect and in the best interests of the client to whom it relates
2. must never gossip about a client or their representatives or to pass information to any other individual other than for professional reasons
3. must never discuss commercially sensitive information, such as, pay rates, details of accounts or new project ideas, with people who are not directly involved with Corinium Care.
4. to report back to the Business Manager any concerns that other colleagues are not keeping to the confidentiality policy, according to the Public Interest Disclosure (Whistleblowing) Policy.
5. to share with their manager or nominated person, when appropriate, information given to them in confidence and pass on any concerns
6. to share confidential information when appropriate with colleagues with whom they are sharing the task of providing care
7. pass and receive confidential information to and from colleagues, on occasions when they have to be replaced because of sickness, holidays or other reasons, in a responsible and respectful manner
8. direct all requests for information from outside agencies and individuals to the manager or nominated person
9. to pass confidential information to other social and healthcare agencies only with the agreement of the client or their representative, the permission of their Care

Manager/Field Care Supervisor, or in emergencies when it is clear that it is in the best interest of the carer or person with care needs, or is urgently required for the protection of the client or another person

10. to refer to confidential information in training or group supervision sessions with respect and caution and preferably in ways which conceal the identity of the client and their representatives to whom it relates
11. to keep secure and safe any records that may identify the person concerned, such as, communication records. Similarly, any information relating to staff and employees, such as, supervision notes or files, must be kept confidential
12. to maintain confidentiality when dealing with sensitive information about other staff and carers.

There are rare emergency situations when it is necessary for a staff member or carer acting in good faith to breach confidentiality without obtaining the permission of the person to whom it applies — for example to protect the client or another person from grave danger. In such a situation, the staff member or carer should use their best judgement and if possible should consult the clients' representative and should inform the client's Care Manager/Field Care Supervisor or Business Manager of what has happened as soon as possible.

## TRAINING

Staff must be given guidance and training on maintaining confidentiality and the implications of breaches of confidentiality at induction. They should also have opportunities to explore any problems they encounter and be supported through appropriate supervision. Inappropriate breaches of the rules of confidentiality may be treated as a disciplinary matter.

## COMPANY COMPUTERS, INTERNET, EMAIL AND PHONES

The Company's computers and other electronic devices including mobile phones are for business use only and in order to safeguard their function, there is to be no exchange of data or programs between these and employees' own computers, electronic devices or mobile phones.

All employees are expected to adhere to the Computer Misuse Act 1990, therefore employees must not:

1. Obtain or attempt to obtain unauthorised access to any computer program or data held in a computer.
2. Obtain or attempt to obtain unauthorised access with the intent to commit or facilitate the commission of other offences.

3. Make an unauthorised modification of a computer.

Some employees are given access to email and the Internet for use in connection with their role and the normal execution of their job duties. Employees are not permitted to use the Internet or to spend excessive time sending personal emails during working time. Employees who are found to be contravening these rules may face disciplinary action under the Company's Disciplinary Procedure.

The Company reserves the right to monitor employees' email and use of the Internet both during routine audits of the computer system and in specific cases where a problem relating to excessive or unauthorised use is suspected. When monitoring emails, the Company will, other than in exceptional circumstances, confine itself to looking at the address and heading of emails. However, where circumstances warrant it, the Company may open emails and access the content. In this case, the Company will avoid if possible, opening emails clearly marked as private or personal.

The following are regarded as incorrect use of the internet and email systems:

1. Accessing or sending messages which may be considered pornographic, offensive or defamatory or may constitute bullying or harassment, e.g. on the grounds of age, sex, race, disability, gender specific comments, religious or political beliefs or sexual orientation or which may cause offence other employees.
1. Disclosing confidential information about other employees, the Company or its customers.
2. Personal emails must not be sent to the work email address and a personal email address must not be used for sharing work related or confidential information.
3. Employees should not use the email system to display, generate and/or pass on to others material which may be regarded as annoying or offensive by others, whether it was intended to be or not.

If a mobile phone is provided, this should be for business use only. The Company will monitor call usage to ensure that there is no abuse of this facility. An employee may be asked to contribute to towards the cost of excessive personal phone calls.

The mobile phone will also remain the property of the Company throughout the duration of employment and therefore must be immediately surrendered upon termination of employment. The mobile phone may not be retained by the employee during any period of garden leave. Mobile phones must also have a cover for protection and be kept secure and protected at all times.

## SOCIAL MEDIA POLICY

All staff are responsible for protecting our business reputation. Corinium Care recognises that the internet provides unique opportunities to participate in interactive discussions and share information on particular topics using a wide variety of social media, such as Facebook, Twitter, blogs and forums.

However, employees' use of social media can pose risks to our confidential and sensitive information, our reputation, and can jeopardise our compliance with legal obligations such as Information Governance and Data Protection. To minimise these risks and to ensure that our IT resources and communications systems are used only for appropriate business purposes, we expect employees to adhere to this policy.

### *Definition of social media*

Social media includes, but is not limited to:

- Social networking sites, for example Facebook
- Blogs and microblogging sites, for example Twitter
- Media sharing services, for example YouTube
- Business networking sites, for example LinkedIn
- Online discussion forums, such as Ning
- Collaborative spaces, such as Wetpaint

Although social media is largely used in a personal context, it is important for employees to remember that the Internet is a public space and posts on such sites are in the 'public domain'. Even with stringent security settings, content is at risk from security breaches and / or being published elsewhere. As such, content posted online by an employee could have adverse effects on Corinium Care and its associated parties.

### *The use of social media outside of work:*

If social networking sites are used outside of work, the employee must not:

1. Discuss work related issues
2. Disclose key business knowledge that could be used by competitors
3. Cite or reference any colleagues, clients, customers, partners or suppliers without obtaining their express permission to do so, even if their specific names are not mentioned

4. Post content or behave in such a way that could bring the company name into disrepute
5. Insult or disparage Corinium Care, its products or services
6. Publish any content which may result in actions for defamation, discrimination, breaches of copyright, data protection or other claims for damages. This includes but is not limited to material of an illegal, sexual or offensive nature that may bring the Corinium Care into disrepute.
7. Breach Corinium Care's misconduct, equal opportunities or bullying and harassment policies

The employee is responsible for reading, knowing and complying with the Terms of Service of the sites they use.

Breach of this policy will be taken seriously and can result in disciplinary action, up to and including dismissal, depending on the nature and impact of the breach.

## GIFTS

Occasionally clients may seek to reward Employees with gifts, particularly at Christmas and birthdays. For these purposes a "gift" is any payment or item given to an employee on an apparently ex-gratia basis.

As refusal may offend, Employees are not prohibited from accepting small tokens but any gift must be declared to the office and where the gift exceeds the value of £20, the gift must not be accepted until the Business Manager has authorised the acceptance of the gift and it has been documented.

Failure to inform the office of a gift of this value or above may constitute a disciplinary offence and will be dealt with in accordance with the Corinium Care Disciplinary Procedure. If an employee in a clear position of trust fails to report a gift of high value, this may be treated as gross misconduct in accordance with Corinium Care's Disciplinary Procedure and could render the employee liable to summary dismissal.

If Corinium Care discovers that a supplier has been used by an employee wholly or mainly because of the incentive of a free gift (and as such, the employee has not acted in the best interests of the Corinium Care), it will constitute a disciplinary offence and will be dealt with under Corinium Care's Disciplinary Procedure. Depending on the seriousness of the offence, it may again be treated as gross misconduct and could render the employee liable to summary dismissal.

## FRAUD

Any attempt to commit fraud against the Company, including dishonesty in such matters as submitting expenses, sickness forms etc. will lead to disciplinary proceedings.

## EXPENSES

All reasonable expenses exclusively incurred by employee in the discharge of their duties will be reimbursed and authorised by the Company upon production of receipts or other evidence as the Company may reasonably require.

Anyone wishing to claim expenses should complete an expense claim form as required by the Company. Expenses are paid in arrears at set intervals and failure to submit a claim by the deadline will result in payment being delayed until the following expense pay period.

## 16. TERMINATION OF CONTRACT

### NOTICE PERIODS

#### BY YOU

If you wish to resign, you should do so in writing giving such notice as is specified in your Contract of Employment.

#### BY THE COMPANY

You will be entitled to receive from the Company the notice as is specified in your Contract of Employment.

#### GROSS MISCONDUCT

You may be summarily dismissed (i.e. without notice) if there has been an act of Gross Misconduct. Generally this includes any breach of duty, conduct which brings the Company into disrepute or action which is inconsistent with the relationship required between employee and employer.

### OBLIGATIONS ON TERMINATION

On termination employment, employees will:

1. Deliver to the Company all materials, records and other information (including without limitation, in written, oral, visual or electronic form or any magnetic or optical disc or memory and wherever located) made, compiled or acquired during the period of employment and relating to the Company or any group Company or their business contacts, any keys, credit cards and any other property of the Company or any group Company including any car provided by the Company which is in the possession, custody, care or control of the employee
2. Irretrievably delete any information relating to the business of the Company or any group Company stored on any magnetic or optical disc or memory and all matter derives from such sources which is in your possession, custody, care or control outside the premises of the Company.

## GARDEN LEAVE

During any period of garden leave, the Company shall be under no obligation to provide any work to, or vest any powers in, the employee, who shall have no right to perform any services for the Company or any group Company.

During any garden leave an employee shall:

1. Continue to receive their salary and all Contractual benefits in the usual way and subject to the terms of any benefit arrangement.
2. Remain an employee of the Company and bound by the terms of this agreement.
3. Not without the prior written consent of the Operations Director, attend the place of work or any other premises of the Company or group Company.
4. Not without the prior written consent of the Operations Director contact or deal with (or attempt to deal with or contact) any officer, employee, consultant, client, candidate, customer, supplier, agent, distributor, shareholder, advisor or other business contact of the Company or any group Company.
5. Except during any periods taken as holiday in the usual way, ensure that the Operations Director knows where they will be and how they can be contacted during each working day and shall comply with any written requests to contact a specified employee of the Company at specified intervals.

Where an employee is on garden leave, they shall not be required to return to the Company any property provided as a contractual benefit.

## PROVISION OF REFERENCES

In the event that Corinium Care is approached by another employer for a reference for a former employee we will provide a standard reference detailing the period of engagement and job title. References will be provided by the Payroll Team and no other employee is permitted to provide a reference without the express permission of the Operations Director. Corinium Care accepts no responsibility for references that fall outside of the company policy. Our approach to references is to protect both the employer and carer in the event of a misrepresentation of facts or opinions expressed.

## RETIREMENT POLICY

Corinium Care is committed to supporting all employees, irrelevant of age. When employees are approaching retirement Corinium Care is committed to supporting them in the transition from work to retirement.

There is no retirement age applying to employees at Corinium Care. Employees should notify the organisation when they intend to terminate their employment due to retirement. If you wish to retire, you should resign in writing to your line manager. You will be required to give the amount of notice set out in your contract of employment.

To support the on-going development of Corinium Care and its employees, there will be an annual appraisal discussion as part of the formal appraisal process to identify your aims and aspirations in the short, medium and long term. If you are considering retirement you may find it useful to raise this as part of the discussion. Although there is no requirement for you to do this, it may help you if you are considering requesting adjustments to your working arrangements or hours in the lead up to retirement. You may also wish to have a planned period of handover with your successor.

Such discussions are not binding and unless you have already given formal notice to leave, you may decide to change your plans at a later date. However, if you do decide to change your mind for whatever reason you are encouraged to highlight this to your line manager at the earliest opportunity to discuss the reason as Corinium Care may be able to help to resolve any issues that have arisen.

## 17. PRIVACY NOTICE

We ask that you read this privacy notice carefully as it contains important information on who we are, how and why we collect, store, use and share personal information, your rights in relation to your personal information and on how to contact us and other organisations in the event you have a complaint. Please see the section on **'Your rights'** for more information.

### INTRODUCTION

We are Corinium Care Limited. In order that we can provide care and support services to the people we support we collect and use certain personal information about you.

Personal information means any information about you from which you can be identified, but it does not include information where your identity has been removed (anonymous data).

As the 'controller' of personal information, we are responsible for how that data is managed. The [General Data Protection Regulation](#) ("GDPR"), which applies in the United Kingdom and across the European Union, sets out our obligations to you and your rights in respect of how we manage your personal information.

As the 'controller' of your personal information, we will ensure that the personal information we hold about you is:

- used lawfully, fairly and in a transparent way.
- collected only for valid purposes that we have clearly explained to you and not used in any way that is incompatible with those purposes.
- relevant to the purposes we have told you about and limited only to those purposes.
- accurate and kept up to date.
- kept only as long as necessary for the purposes we have told you about.
- kept securely.

If you have any questions about this privacy notice or would like further explanation as to how your personal information is managed, please send an email to [info@berkeleyhomehealth.com](mailto:info@berkeleyhomehealth.com), write to DPO, Unit 5 Abbey Business Park, Monks Walk, Farnham, Surrey, GU9 8HT.

Please note when we refer to:

- A "**public body**" we mean any organisation in the United Kingdom which delivers, commissions or reviews a public service and includes (but is not limited to) the Ombudsman, local authorities, councils, unitary authorities, clinical commissioning groups, health and social care trusts, the National Health Service as well as their arm's length bodies and regulators.

- A **“social or health care professional”** we mean any person who provides direct services, acts as consultant or is involved in the commission of your healthcare or social care services, including (but not limited to) your General Practitioner (GP), dental staff, pharmacists, nurses and health visitors, clinical psychologists, dieticians, physiotherapists, occupational therapists, hospital staff, social workers and other care and support related professionals.

## THE PERSONAL INFORMATION WE COLLECT AND USE IN RELATION TO OUR STAFF AND APPLICANTS

### INFORMATION COLLECTED BY US

When you apply to us and during the course of your employment we collect the following personal information when you provide it to us:

- your name, home address, date of birth and contact details (including your telephone number, email address and emergency contacts (i.e. name, relationship and home and mobile numbers), employee number, National Insurance Number, bank account details, bank statements
- characteristics information such as gender, age, ethnic group
- contract information such as start dates, hours worked, position, roles and salary/wage information
- work absence information such as number of absences, reasons and fit notes, Mat B1 forms, scheduled doctor’s appointments and hospital appointments
- DBS certificate information
- qualifications and training certificates
- County Court Judgments
- your allergies and any medical, physical or mental conditions relating to your ability to provide safe and adequate care and support to our clients
- your likes, dislikes and lifestyle preferences (including your religious beliefs or other beliefs of a similar nature, racial or ethnic origin, and sexuality as provided within equal opportunities monitoring forms
- photograph and video footage for use as part of your company ID and for marketing purposes where you have specifically consented to this

### INFORMATION COLLECTED FROM OTHER SOURCES

We also obtain personal information from other sources such as:

- your allergies and any medical, physical or mental conditions, from any appropriate external social or health care professionals (including your GP) where you have specifically given us consent to access this information in order to provide safe and adequate care and support to our clients
- your name, home address, date of birth, contact details, needs assessments and financial assessments from any appropriate external social or health care professionals (including any relevant public body regardless of whether you are publicly funded), HMRC, pension regulator, pension provider, local council
- information on your previous work experience and suitability for the position which you have applied for from your previous employers and others that may have known as provided on your application form as referees

## HOW WE USE YOUR PERSONAL INFORMATION

We use your personal information to:

- to communicate with you about up to date policies and procedures, your rota, newsletter and other information that is relevant to providing a health and social care service to our clients
- make reasonable adjustments, when required, to meet your individual needs and to ensure we have suitable facilities to ensure your safety
- pay you and make pension contributions
- carry out quality assurance procedures, review and improve our service (please note that feedback can also be provided anonymously)

## WHO WE SHARE YOUR PERSONAL INFORMATION WITH

We regularly share your payroll information with HMRC, pension regulator, pension provider, banks, the office of national statistics and local council or CQC. We may share your medical information in the event of an emergency where you have been in an accident whilst at work and you are unable to provide your consent at the time. We may also share your personal information such as your name and sex with our clients as part of providing them with health and social care services. We may share information with your NOK in circumstances where personal injury is involved. This data sharing enables us to ensure your safety as an employee and enables us to meet our legal requirements with HMRC and other authorities.

We will share personal information with law enforcement or other authorities if required by law. This includes information required by public bodies to evidence our compliance with the applicable regulatory framework. We are also required to share personal information with external social or health care professionals,

including public bodies including CQC and local safeguarding groups (in some circumstances) to ensure your safety.

We will not share, sell or trade your personal information with any other third party.

#### WHETHER INFORMATION HAS TO BE PROVIDED BY YOU, AND IF SO WHY

The provision of your medical, physical or mental condition is necessary to enable us to ensure that as an employer we take reasonable steps to ensure your safety at work. Under CQC Regulation 19 it is a requirement that all carers are fit and proper. Without this information, we will not be able to offer you employment.

The provision of your ID i.e. passport, driving licence or other photo card ID which includes your name, home address where applicable is required to ensure you have the Right to Work in the United Kingdom and to satisfy recruitment checks.

#### HOW LONG YOUR PERSONAL INFORMATION WILL BE KEPT

We will hold the personal information kept within your carer file for 7 years from the date you leave our service as required by law/our insurers

### THE PERSONAL INFORMATION WE HOLD

#### REASONS WE CAN COLLECT AND USE YOUR PERSONAL INFORMATION

We rely on the following grounds within the GDPR:

1. Article 6(1)(b) – processing is necessary for the performance of our **contracts** to provide individuals with care and support services
2. Article 6(1)(c) – processing is necessary for us to demonstrate compliance with our **regulatory framework** and the law
3. Article 9(2)(h) – processing is necessary for the **provision of social care** or the management of social care systems and services

as the lawful basis on which we collect and use your personal data and special category data (such as your health).

## TRANSFER OF YOUR DATA OUT OF THE EEA

We may transfer your personal information outside the European Economic Area (EEA) as follows:

- Where your personal email address is hosted outside of the EEA in order to send you your payslip, newsletter or other information as part of your contract of employment. This may include personal information and sensitive personal information held on health questionnaires and other paperwork required for such purposes as recruitment, payroll or your employment. If you do not wish this information to be sent outside of the EEA then you will need to have an email address hosted within the EEA.
- When your personal postal address is situated outside of the EEA in order to send you your payslip, newsletter or other information as part of your contract of employment. This may include personal information and sensitive personal information held on health questionnaires and other paperwork required for such purposes as recruitment, payroll and your employment. If you do not wish this information to be sent outside of the EEA then you will need to have an address within the EEA.

Such third party countries do not have the same data protection laws as the United Kingdom and EEA. We will not otherwise transfer your personal data outside of the EEA or to any organisation (or subordinate bodies) governed by public international law or which is set up under any agreement between two or more countries.

If you would like further information please contact us (see 'How to contact us' below).

## YOUR RIGHTS

Under the [GDPR](#) you have a number of important rights free of charge. In summary, those include rights to:

- fair processing of information and transparency over how we use your use personal information;
- access to your personal information and to certain other supplementary information that this Privacy Notice is already designed to address;
- require us to correct any mistakes in your information which we hold;
- require the erasure (i.e. deletion) of personal information concerning you, in certain situations. **Please note that if you ask us to delete any of your personal information which we believe is necessary for us to comply with our contractual or legal obligations, we may not be able to do so and will inform you.**

- receive the personal information concerning you which you have provided to us, in a structured, commonly used and machine-readable format and have the right to transmit those data to a third party in certain situations;
- object at any time to processing of personal information concerning you for direct marketing;  
object to decisions being taken by automated means which produce legal effects concerning you or similarly significantly affect you;
- object in certain other situations to our continued processing of your personal information;
- otherwise restrict our processing of your personal information in certain circumstances;
- claim compensation for damages caused by our breach of any data protection laws;

For further information on each of those rights, including the circumstances in which they apply, see the [Guidance from the UK Information Commissioner's Office \(ICO\) on individuals' rights under the General Data Protection Regulation](#).

## HOW TO CONTACT US

If you would like to exercise any of those rights, please:

- email or write to us
- let us have enough information to identify you (eg your name and address),
- let us have proof of your identity and address (a copy of your driving licence or passport and a recent utility or credit card bill), and  
let us know the information to which your request relates, including any account or reference numbers, if you have them

If you would like to unsubscribe from any email newsletter you can also click on the 'unsubscribe' button at the bottom of the email newsletter. It may take up to 5 days for this to take place.

## KEEPING YOUR PERSONAL INFORMATION SECURE

We have appropriate security measures in place to prevent personal information from being accidentally lost, or used or accessed in an unauthorised way. We limit access to your personal information to those who have a genuine business need to know it. Those processing your information will do so only in an authorised manner and are subject to a duty of confidentiality.

We also have procedures in place to deal with any suspected data security breach. We will notify you and any applicable regulator of a suspected data security breach where we are legally required to do so.

All our software is kept up to date and devices including computers and laptops are password protected. Our servers are kept secure with the latest software updates and are situated within the United Kingdom.

If you want detailed information from Get Safe Online on how to protect your information and your computers and devices against fraud, identity theft, viruses and many other online problems, please visit [www.getsafeonline.org](http://www.getsafeonline.org). Get Safe Online is supported by HM Government and leading businesses.

## HOW TO COMPLAIN

We hope that we can resolve any query or concern you raise about our use of your information.

The [GDPR](#) also gives you right to lodge a complaint with a supervisory authority, in particular in the European Union (or European Economic Area) state where you work, normally live or where any alleged infringement of data protection laws occurred. The supervisory authority in the UK is the Information Commissioner who may be contacted at <https://ico.org.uk/concerns/> or telephone: 0303 123 1113.

## CHANGES TO THIS PRIVACY NOTICE

This privacy notice was published on 22 May 2018.

We may change this privacy notice from time to time, when we do we will inform you.