

Code of Conduct for HSC Employees



SEPTEMBER 2016

HSC Code of Conduct for Employees

This Code of Conduct is about the values for which we, as HSC staff, stand. The Code sets out the core standards of conduct expected of all HSC Staff. It has been written to complement existing professional codes of practice.

Professional staff are expected to follow the code of conduct for their own professions as well as this code.

The code aims:

- To guide staff, managers and employers in the work that they do and the decisions and choices they have to make; and
- To reassure the public that these important decisions are being made against a background of professional standards and accountability.

Adherence to the Code is mandatory for all employees, regardless of their status and breaches of the Code will be regarded as serious.

HSC staff are highly principled and value-driven people who will welcome this Code and exemplify the expected behaviours. All staff within HSC are responsible for, and have a duty of care, to ensure their conduct does not fall below the standards detailed in this Code and that no act or omission, within the sphere of their role, harms the safety and well-being of patients/clients and service users and their families. The Code is a set of values which should inform development programmes and training for all staff. It should make us all think exactly how we are going to work, how we make the care and safety of patients our first concern and how we respect the public, patients, clients, service users relatives and carers. If, however, the conduct and behaviours of staff falls short of the public's expectations this reflects

poorly on the HSC as seriously as failures by clinical and care staff.

Breaches of the Code must be investigated fairly and employers should adopt a proportionate approach. Just as the Code sets out how all staff should behave and their responsibilities, you also have rights. You have the right to be treated with respect, evaluated consistently and fairly, encouraged to maintain and improve your knowledge and skills and to be helped to balance your work and home lives properly. HSC Employers must provide and promote an organisational culture which values and supports staff and teams.

This Code of Conduct applies to **all** HSC Staff, across all HSC Trusts and HSC Arms Length Bodies. This code incorporates the principles contained within the Code of Conduct for HPSS Managers 2003 and supersedes it.

This Code is also consistent with the 7 principles of public life, ('the Nolan Principles') which applies to everyone working as a public office-holder and therefore should govern the conduct of all health and social care staff.¹

¹ <https://www.gov.uk/government/publications/the-7-principles-of-public-life>

1. INTRODUCTION

This Code of Conduct (the Code) sets out the standards of conduct expected of all staff in the Business Services Organisation.

It presents the standards of conduct and behaviours required of all staff and informs employers, colleagues, patients/clients service users and the public about these.

The Code refers to “employees”, however, for the purposes of this document, this definition also applies to all workers (Agency & Bank), volunteers and work placements.

Adherence to the Code is an integral part of employees’ contractual responsibilities during their employment with the Organisation.

- The behaviour of employees should reflect the organisation’s mission and values at all times.
- Employees must not use their privileged position to neglect, harm, abuse or exploit patients/clients/service users or their families.
- Employees should familiarise themselves with the contents of the Code and should act in accordance with the principles set out in it.

1.1 Overall principles & undertakings

As an HSC employee, I will observe the following principles:

- make the **care and safety of patients and clients** my first concern and act to protect them from risk;

- contribute to improving and protecting the health of the population as appropriate to my role;
- maintain **confidentiality**, respecting and protecting, at all times patients/clients, service users and their families' right to confidentiality, privacy and dignity;
- **communicate openly and honestly** to promote the health and well-being of patients/clients, service users and their families.
- **respect** the public, patients, clients, relatives, carers, HSC employees and teams and partners in other agencies. I will also **show my commitment** to working constructively as a team member by working collaboratively with all my colleagues in the HSC and the wider community;
- **be accountable** and accept **responsibility** for my own work and be **honest and act with integrity**;
- sharing **responsibility for my own learning and development** in order to improve the quality of care to patients/ clients/service users and their families

Employers'/Managers' Responsibilities

I will also endeavour to ensure that;

- HSC staff in my team are:
 - valued as individuals, colleagues and are treated with dignity and respect;
 - appropriately informed about the management of the HSC;
 - given appropriate opportunities to take part in continuous design, review and improvement of services;

- have their ideas and realistic ambitions taken seriously;
- given protection from harassment and bullying;
- provided with a safe working environment;
- helped to maintain and improve their knowledge and skills and developed to achieve their potential; and
- helped to achieve a reasonable balance between their working and personal lives.

These principles are described in more detail in [Section 2](#) below.

2. DESCRIPTION OF PRINCIPLES

2.1 Care & safety of patients & clients

I will;

- use the resources available to me in an effective, efficient and timely manner having proper regard to the best interests of the public, patients and clients;
- be guided by the interests of patients and clients;
- ensure a safe working environment;
- act to protect patients and clients from risk by adhering to relevant legislation and putting into practice appropriate policies and procedures;
- work collaboratively with colleagues across all disciplines to support person-centred care/services.

2.2 Confidentiality

I will;

- respect patient, client and staff confidentiality;
- not, except in the performance my job role and duties with the organisation, divulge to any person in any manner whatsoever, any confidential information covering the business or transactions of the organisation and its activities and/or its patients, clients or employees², unless ordered to do so by a Court or Tribunal. I will make every effort to prevent disclosure of such information. I will not use social media to share information about the environment I work in or the patients/clients/service users for whom I care.
- comply with all relevant organisation policies in relation to the use of information associated with my role and in particular with reference to the personal use of social networking sites³.

² Link to Protection of Patient & Client Information Policies

³ Link to Social Media Policy

- comply with my obligations under the Data Protection Act (1998) and Freedom of Information Act (2000) through the Organisation's information governance training.⁴

2.3 Respect for others & working as a team

I will;

- respect and treat with dignity and fairness, the public, patients and clients, relatives, carers, HSC employees and partners in other agencies. I will not unlawfully discriminate against, victimise or harass against anyone on grounds of their gender, marital/civil partnership status, sexual orientation, community background, political opinion, religious belief, race, age disability, family status, whether or not they have dependents or are persons who have undergone, are undergoing or intend to undergo gender reassignment.
- seek to ensure that anyone with a genuine concern is treated reasonably and fairly
- show my commitment to working as part of the department and Organisation team

I will show my commitment to team working by working constructively with all my colleagues across the HSC and in the wider community, contributing to an environment in which:

- teams of staff are able to work together in the best interests of service users; and
- leadership is encouraged and developed at all levels and in all staff groups

2.4 Accountability, Responsibility, Honesty & Integrity

I will;

- establish and maintain clear and appropriate boundaries at all times in my relationships with patients/clients/service users and their families, and with colleagues, always behaving in a professional manner;

⁴ Link to Data Protection Policy

- accept responsibility for my own work and ensure that I am responsible for answering any questions and complaints in an open, honest way.
- be honest and act with integrity and probity at all times and ensure that HSC resources are protected from fraud, bribery and other forms of corruption⁵
- not use my official position to receive, agree to accept or attempt to obtain any financial or other advantage for doing, or not doing, anything or showing favour, or disfavour, to any person⁶.
- not receive benefits of any kind from a third party which might reasonably be seen to compromise my personal judgment and integrity.
- not deceive or mislead my employer, or any other organisation it deals with, or the public during the course of my employment with the HSC.
- abide by the rules adopted by my employer in relation to private interest and possible conflict with public duty, the disclosure of official information and in any political activities.
- not misuse my official position or information acquired in my official duties to further my private interests or those of others.

I will ensure proper management of the performance of my team and I will seek to ensure that those I manage accept that they are responsible for their actions to both;

- the public and their representatives; and
- service users, relatives and carers by answering questions and complaints in an open and honest manner.

I will also;

- accept responsibility for the management of the performance of the people I manage;
- seek to ensure that judgements about colleagues (including appraisals and references) are consistent, fair and unbiased and include all information which affects a colleague's performance, eligibility for advancement/reward and conduct; and

⁵ Link Theft Fraud & corruption Policy

⁶ Link Standards of Business Conduct

- play my part in making sure that no-one is unlawfully discriminated against and that policies on equality, diversity and human rights are promoted and adhered to at all times.

2.6. Responsibility for my own learning and development

I will seek to;

- Participate in training and personal development required by my employer and take responsibility for the achievement of the competence essential for your role, in line with KSF and organisational requirements
- Keep up to date with best practice and maintain an up-to-date record of your own learning and development
- Share my learning as appropriate and contribute to the learning and development of others

3. Employee concerns about improper conduct

If you believe you are being required to act in a way which:

- is illegal, improper, or unethical;
- is in breach of a professional code;
- may involve possible maladministration, fraud or misuse of public funds; or
- is otherwise inconsistent with this Code

you should either raise the matter through your line management or alternatively, approach in confidence, a nominated officer under your organisation's Public Interest Disclosure (Whistleblowing) Policy⁷.

You should make yourself aware of the provisions of your employer's Whistleblowing Policy

The Chief Executive, who is the designated accounting officer for the organisation, has overall responsibility for propriety in a broad sense, including conduct and discipline.

⁷ LINK

I will;

- act to protect service users from harm, injury or loss by identifying and reducing risk by putting into practice the appropriate support, supervisory and disciplinary procedures for staff;
- seek to ensure that anyone with a concern is taken seriously and treated fairly in accordance with relevant procedures; and
- contribute to the creation of an open and learning organisation where concerns about individuals perceived to be breaking the Code of Conduct can be raised without fear

4. AFTER LEAVING EMPLOYMENT

You should continue to observe your duty of confidentiality after you have left the employment with the HSC.

5. APPENDICES

Relationships with suppliers

Acceptance of gifts by way of inducement or reward

Under the Prevention of Corruption Acts, 1906 and 1916 it is an offence for staff corruptly to accept any gifts or consideration as an inducement or reward for:

- Doing or refraining from doing anything in an official capacity.
- Showing favour or disfavour to any person in their official capacity.

Under the Prevention of Corruption Act 1916 any money, gift or consideration received by staff in public service from a person or organisation holding or seeking to obtain a contract, will be deemed by the Courts to have been received corruptly. The only exception to this would be where the member of staff could provide evidence to the contrary.

Staff will need to be aware that a breach of the provisions of these Acts render them liable to prosecution which may also lead to loss of their employment and superannuation rights in the HSCNI. It is, therefore, their responsibility to ensure that they are not placed in a position that risks or appears to risk conflict between their private interests and their HSCNI duties.

Staff are expected to:

- Ensure that the interests of members of the public remain paramount at all times.
- Be impartial and honest in the conduct of their official business.
- Use the public funds entrusted to them to the best advantage of the service, always ensuring value for money in the fulfilment of their duties.

It is also the responsibility of staff to ensure that they do not abuse their official position for any of the following:

- Personal gain
- To benefit their family or friends
- To benefit individual contractors
- To seek to advantage or further private business or other interests, in the course of the official duties.

Casual gifts offered by contractors or others, e.g. at Christmas time, (may not be in any way connected with the performance of duties so as to constitute an offence under the Prevention of Corruption Acts). Such gifts should, nevertheless, be politely but firmly declined. Inexpensive seasonal gifts, such as diaries, calendars, or small tokens of gratitude (e.g. boxes of chocolates, biscuits or flowers) need not necessarily be refused provided their value is less than approximately £10.00 and that acceptance is reasonable and appropriate in the circumstances. Staff must not compromise themselves or leave themselves open to criticism when accepting token gifts. In case of doubt, staff should either consult their line manager or politely decline acceptance.

If any member of staff is offered what could be perceived to be an inducement he/she should report the matter to their Line Manager immediately, in writing.

Participation in firms, companies or businesses

Members of staff who may be concerned directly or indirectly in any Firm, company or business that engages in any transaction with the Business Services Organisation, whether as Principal, Partner, Director, Associate or participant, must ensure that they register a declaration of pecuniary interest or non-monetary benefit with the Chief Executive. To assist staff in deciding whether to declare an interest they should ask themselves the following questions:

- Am I or might I be in a position were I (or my family/friends) could gain from a connection between my private interests and my employment?

- Do I have access to information, which could influence purchasing decisions?
- Could my outside interests be in any way detrimental to the HSCNI, the Business Services Organisation or to patients/clients interests?
- Do I have any other reason to think I may be risking a conflict of interest?

If the answer to any of the above is yes, the interest should be declared to the Chief Executive where a register of interests will be maintained.

Purchasing contacts

Staff that are in contact with suppliers and contractors, are expected to adhere to professional standards of the kind set out in the Ethical Code of the Chartered Institute of Purchasing and Supply (IPS). This Code is reproduced as Appendix 1. In particular this applies to those who are authorised to sign Purchase Orders or place contracts for goods, materials or services.

Attention is also drawn to the guidance contained in Circular HSS (ESD) 3/91 and its successors, entitled "Work Services Projects - Fraud and Irregularity". A copy of this guidance can be obtained from the Chief Executive's Office.

Purchasing staff are also reminded that they should honour the intellectual property rights, copyrights patents and trademark of all in the supply chain.

Favouritism in awarding contracts

Fair and open competition between prospective contractors or suppliers for HSCNI contracts is a requirement for HSCNI Standing Orders and of EC Public Supply and Public Works Regulations.

It is acknowledged that EC Regulations now permit pre-tender discussions with potential tenderers so that the latter understand the requirements of HSCNI bodies and can, therefore, tender more successfully. This applies to all potential contractors, whether or not there is a relationship between them and the HSCNI employer, such as a long running series of contracts. Each new contract should be awarded solely on the basis of the evaluation criteria, taking into account the requirements of the HSCNI and the ability of the contractor to fulfil them.

Preferential treatment and private transactions

Individual staff must not seek or accept preferential rates or benefits in kind for private transactions carried out with companies they have had or may have official dealings with, on behalf of the Business Services Organisation. This does not apply to concessionary agreements negotiated with companies by the Business Services Organisation or other Health Service organisations or recognised staff interests on behalf of all staff. For example, preferential rates

provided in regard to motor insurance or provision of software under an Enterprise Agreement.

No special favour should be shown to current or former staff, or their close relatives or associates ('Associate' should be interpreted in its widest sense and include "friend, colleague, ally, partner or acquaintance"), when awarding contracts to private or other businesses run by them, or employing them in a senior or managerial capacity. Contracts may be awarded to such businesses where they are won in fair competition against other tenderers. However, scrupulous care must be taken to ensure that the selection process is conducted impartially and that staff who are known to have a relevant interest play no part in the selection.

Commercial sponsorship

Staff will not be allowed to accept commercial sponsorship for attendance at conferences and courses, except when these are bona fide professional, educational, scientific or technical events. The approval of the Chief Executive will be necessary and must be obtained in advance. The Chief Executive will satisfy him/herself that acceptance will not compromise any decisions in relation to the award of contracts or the integrity of the Business Services Organisation and that the conference or course satisfies the above requirement.

Acceptance of sponsorship of conferences, courses or other events organised by the Business Services Organisation may only be accepted if it can be demonstrated that;

- Promotional material of the sponsor does not unduly dominate the venue.
- No particular product is being promoted or deceiving endorsement by association with the Business Services Organisation
- Other competing organisations have been provided with an opportunity to sponsor or be associated with the event or such events over a period of time.

Decisions regarding sponsorship are to be referred to the Business Services Organisation Board for approval.

Relationship to other policies

There are a range of other policies which staff are also required to comply with which directly relate to this Code of Conduct, these include:

- a. Alcohol and Substances at work
- b. Health and Safety at work
- c. Anti-Bribery Policy
- d. Social Media Policy*
- e. Whistleblowing Policy*
- f. Working Well Together
- g. All the Business Services Organisation's Equal Opportunities Policies

These policies are available on the BSO intranet site.

*(*currently under review)*

