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5.3. Human Resources Policies and Procedures

NB:

- **Extract Cover Sheet Must Remain with Extract**
- **Extracts are Uncontrolled Documents and are only Valid at Point of Submission**
- **Where Possible an Extract should be Read in Conjunction with the Parent Document**

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17 Conduct

Kibble wants to be an efficient and effective organisation. As part of this, the Centre wishes to be seen as an employer of choice and to be seen by all as an organisation that operates according to high ethical standards, policies and processes.

Kibble aims to have a policy framework which is clear, accessible and compliant with current employment law which conforms to the current ACAS Code of Practice, and promotes equality and diversity in the workplace.

The aim of this policy is to define the Kibble framework for a consistent and fair approach in order to help and assist all employees to achieve and maintain an agreed standard of conduct, performance and behaviour in the work place.

The Code of Conduct set out below is designed to cover the required standards of behaviour and performance Kibble expects from employees. The code includes Centre Rules, with which all employees are required to comply, and examples of misconduct that the Centre normally regards as Gross Misconduct. A breach of the Centre Rules will render an employee liable to disciplinary action in accordance with the Disciplinary Procedure. An instance of Gross Misconduct will render an employee liable to dismissal without notice.

The Centre Rules and the examples of misconduct are not exhaustive. Employees are under a duty to comply with the standards of behaviour and performance required by the Centre, and to behave in a reasonable manner, at all times.

17.1 Professional Conduct

All staff within Kibble will be expected to adhere to the values and principles of the Code of Practice for Social Service Workers, published by the Scottish Social Services Council in addition to those of any other professional body of which the employee is a registered member i.e GTCS, HCPC, CIPD etc.

The Code of Conduct is in two parts. The first part is the Code of Practice for Social Service Workers developed by the Scottish Social Services Council. The second part gives additional specific points relevant to working in Kibble. Failure to comply with either part of the Code may lead to disciplinary action being taken against you.

17.2 SSSC Code of Conduct

With the introduction of a registration system for all social service staff in Scotland, adherence to this code will be vital for residential staff in Kibble. However, as the code is also relevant to all work within Kibble, management considers the code to apply equally to all staff within the Centre and would also expect our teaching staff to follow its principles.

Social service workers must:

- 1) Protect the rights and promote the interests of service users and carers
- 2) Strive to establish and maintain the trust and confidence of service users and carers
- 3) Promote the independence of service users while protecting them as far as possible from danger or harm.
- 4) Respect the rights of service users while seeking to ensure that their behaviour does not harm themselves or other people
- 5) Uphold public trust and confidence in social services

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- 6) Be accountable for the quality of their work and take responsibility for maintaining and improving their knowledge and skills

17.2.1 As a social service worker you must protect the rights and promote the interests of service users and carers

This includes:

- 1) Treating each person as an individual;
- 2) Respecting and, where appropriate, promoting the individual views and wishes of both service users and carers;
- 3) Supporting service users' rights to control their lives and make informed choices about the services they receive;
- 4) Respecting and maintaining the dignity and privacy of service users;
- 5) Promoting equal opportunities for service users and carers; and,
- 6) Respecting diversity and different cultures and values.

17.2.2 As a social service worker you must strive to establish and maintain the trust and confidence of service users and carers.

This includes:

- 1) Being honest and trustworthy;
- 2) Communicating in an appropriate, open, accurate and straightforward way;
- 3) Respecting confidential information and clearly explaining agency policies about confidentiality to services users and carers;
- 4) Being reliable and dependable;
- 5) Honouring work commitments, agreements and arrangements and when it is not possible to do so, explaining why to service users and carers;
- 6) Declaring issues that might create conflicts of interest and making sure that they do not influence your judgement or practice; and,
- 7) Adhering to policies and procedures about accepting gifts and money from service users and carers

17.2.3 As a social service worker you must promote the independence of service users while protecting them as far as possible from danger or harm.

This includes:

- 1) Promoting the independence of service users and assisting them to understand and exercise their rights;
- 2) Using established processes and procedures to challenge and report dangerous, abusive, discriminatory or exploitative behaviour and practice;
- 3) Following practice and procedures designed to keep you and other people safe from violent and abusive behaviour at work;
- 4) Bringing to the attention of your employer or the appropriate authority resource or operational difficulties that might get in the way of the delivery of safe care;
- 5) Informing your employer or an appropriate authority where the practice of colleagues may be unsafe or adversely affecting standards of care;
- 6) Complying with employers' health and safety policies including those relating to substance abuse;
- 7) Helping service users and carers to make complaints, taking complaints seriously and responding to them or passing them to the appropriate person; and,
- 8) Recognising and using responsibly the power that comes from your work with service users and carers.

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17.2.4 As a social service worker you must respect the rights of service users while seeking to ensure that their behaviour does not harm themselves or other people.

This includes:

- 1) Recognising that service users have the right to take risks and helping them to identify and manage potential and actual risks to themselves and others;
- 2) Following risk assessment policies and procedures to assess whether the behaviour of service users presents a risk of harm to themselves or others;
- 3) Taking necessary steps to minimise the risks of service users from doing actual or potential harm to themselves or other people; and,
- 4) Ensuring that relevant colleagues and agencies are informed about the outcomes and implications of risk assessments

17.2.5 As a social service worker you must uphold public trust and confidence in social services.

In particular you must not:

- 1) Abuse, neglect or harm service users, carers or colleagues;
- 2) Exploit service users, carers or colleagues in any way;
- 3) Abuse the trust of service users and carers or the access you have to personal information about them, or to their property, home or workplace;
- 4) Form inappropriate personal relationships with services users;
- 5) Discriminate unlawfully or unjustifiably against service users, carers or colleagues;
- 6) Condone any unlawful or unjustifiable discrimination by service users, carers or colleagues;
- 7) Put yourself or other people at unnecessary risk; or,
- 8) Behave in a way, in work or outside work, which would call into question your suitability to work in social services.

17.2.6 As a social service worker you must be accountable for the quality of your work and take responsibility for maintaining and improving your knowledge and skills.

This includes:

- 1) Meeting relevant standards of practice, and working in a lawful, safe and effective way;
- 2) Maintaining clear and accurate records as required by procedures established for your work;
- 3) Informing your employer or the appropriate authority about any personal difficulties that might affect your ability to do your job competently and safely;
- 4) Seeking assistance from your employer or the appropriate authority if you do not feel able or adequately prepared to carry out any aspect of your work or you are not sure about how to proceed in a work matter;
- 5) Working openly and co-operatively with colleagues and treating them with respect;
- 6) Recognising that you remain responsible for the work that you have delegated to other workers;
- 7) Recognising and respecting the roles and expertise of workers from other agencies and working in partnership with them; and,
- 8) Undertaking relevant training to maintain and improve your knowledge and skills and contributing to the learning and development of others.

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17.3 Centre Rules

17.3.1 Conduct

Employees are expected to:

- Promote the values and objectives of the Centre, not their own personal views or attitudes, while dealing with young people.
- Demonstrate basic respect, through their personal conduct, for children, young people, their families and members of the public. It is also essential that respect be shown in dealings with colleagues. This must be demonstrated in manner of speech, courtesy and politeness, as an indication of willingness to accept the worth of each individual.
- Accept the need for and promote openness and honesty amongst staff, as this is an essential requirement for an open and caring environment, and provides protection for children and staff.
- Declare to their senior manager if they have been charged with any offence.

Employees must not:

- Use institutionalised language or jargon.
- Use language that is offensive because of its racist, sexist or otherwise oppressive meaning in any context as an employee. This is the responsibility of each individual worker. This also extends to the responsibility to challenge colleagues whose conduct fails in this respect.
- Smoke in the presence of children and young people.

In Addition:

- Employees must maintain personal standards of presentation that are appropriate to the professional responsibilities being discharged, therefore it is a personal responsibility to ensure that attire, demeanour and appearance is appropriate to the professional setting.
- Employees are required to comply with the rules relating to notification of absence that are set out in the Centre's Absence Policy and Procedure.
- Employees are required to arrive at work promptly, ready to start work at their contracted starting times, and are required to remain at work until their contracted finishing times.
- Employees may be required to work additional hours at short notice, as the needs of the business require.
- Employees must obtain management authorisation if for any reason they wish to arrive later or leave earlier than their normal start and finish times.
- Persistent poor time keeping will result in disciplinary action.
- Employees are solely responsible for their own time recording on commencing and finishing work. Any errors or omissions must be cleared by the employee concerned with management who will authorise or endorse any amendment.
- Overtime will be allocated by the Centre in a fair and reasonable manner taking into account the Centre's needs at all times.
- Employees are required to maintain satisfactory standards of performance at work, including a high level of quality, accuracy, and diligence.
- Employees are required to keep confidential, both during their employment and at any time after its termination, all information gained in the course of their employment about the Centre's business, and that of the Centre's pupils, except in circumstances in which they are required to disclose information by law or in the course of the performance of their duties with the Centre.
- Employees are not permitted to engage in any activity outwith their employment with the Centre that could reasonably be interpreted as competing with the Centre.
- Employees are required to dress in a manner appropriate to the function in which they are engaged.
- Employees may be required from time to time to undertake reasonable duties outwith their normal job remit.

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- Employees may be required from time to time to work at reasonable locations other than their normal place of work.
- Employees are required to co-operate fully with their colleagues and with management, and to ensure the maintenance of acceptable standards of politeness.
- Employees are required to take all necessary steps required to safeguard the Centre's public image and preserve positive relationships with its service users.
- Employees are required to comply with the Centre's Operating Policies and Procedures.
- Employees are required to ensure that they do not behave in a discriminatory manner.
- Employees are required to gain an understanding of the Centre's health and safety procedures, observe them, and ensure that safety equipment and clothing is always used.
- All accidents, however small, must be reported to management as soon as possible, and an entry made in the Centre's Accident Book.
- Employees are required to comply with all reasonable management instructions.
- Employees are not permitted to make use of the Centre's or its service users' internet, mobile, telephone, fax, or postal facilities and services without management permission.
- Centre property and equipment must not be taken from the Centre's premises unless for use on authorised Centre business.
- Employees are solely responsible for the safety of their personal possessions while in the Centre's premises. Employees must ensure that their possessions are at all times kept in a safe place.
- Employees who find an item of lost personal property on the premises are required to inform management immediately.
- In order to provide a working environment that is pleasant and healthy, employees are not permitted to smoke anywhere within Kibble properties or vehicles, this includes e-cigarettes.

17.3.2 Accountability

Kibble employees should act at all times in a manner which is consistent with the Centre's policies and procedures.

Employees should conduct themselves with integrity, impartiality and honesty. They should not deceive or knowingly mislead the Centre, work colleagues or the public.

Any employee breaching the terms of this policy may be subject to action under Section **Error! Reference source not found.**

17.4 Professional and Personal Boundaries

17.4.1 Relationships

The Centre is clear about its expectations of staff. The relationships they have with young people in their care must be professional. It is unacceptable for personal relationships to be formed outwith the professional boundary and it is unacceptable for sexual relationships to be formed. Any breach of this clear instruction will result in disciplinary action. Residential staff are involved in providing some very intimate care and comfort, both emotionally and physically. This is done in a professional capacity. "Professional" in this context does not mean emotionally detached, but it does signify accountability, and the commitment to certain standards and values. It follows that there require to be clearly defined and understood boundaries between the personal and the professional. These boundaries must be adhered to in all circumstances.

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Under such circumstances, the relationship must be properly formalised.

Specifically:

- Staff should only have contact with children in their care, and their families, during work time.
- Any proposal to undertake extra contract, whether formal befriending or more occasional contact, must be considered and approved in the light of a young person's care plan.
- Staff should not take young people into their own family home, unless it is approved in advance by the unit manager and must be considered within the context of the young person's care plan. The manager must record such agreement.
- Staff contact with children and young people outside the Centre must always be recorded. It is the responsibility of each member of staff to ensure that he or she records any contact with young people.
- Staff must not involve young people in their own social activities unless this has been formally agreed in the light of the young person's care plan.

The same requirement to keep relationships within professional constraints must apply in the case of young people who have left care. If a worker meets and seeks to form a relationship with any young person who has been looked after once the young person has been discharged, and if this is not part of an agreed task as part of a throughcare and aftercare plan, then the worker must report the contact in the same way as would be required if the young person was currently looked after in a residential unit.

- In such cases authorisation must be given and recorded by the unit manager for commitment or continuation of any such relationship. The Centre may decide to take action against any member of staff who breaches this requirement.
- Staff should not buy or sell items from or to children or their families.
- Staff should not be in possession of, or use, non-prescribed drugs or alcohol on Centre premises, or during working hours, with the exception of standard household remedies.

17.5 Contact with Ex-Residents

It is inevitable that members of staff will be in contact with ex-residents in the course of their daily lives. In order to ensure that all such contact is professionally handled, the following policies and procedures now apply.

17.5.1 Recording Contacts

At present this function will be carried out by Ruby Whitelaw or Jackie Allan who will liaise with Senior Management as appropriate. Please direct any queries about contact with ex-residents to the above named or your line manager until further notice.

17.5.2 Planned Contact

An example of this might be where a staff member maintains contact with an ex-resident or his family for a specified length of time. No such contact should be entered into unless as the explicit decision of a Looked After Children Review, where appropriate. Where LAR's no longer apply, any such contact should be agreed in advance with line management, the Recorder and with any other relevant agencies.

17.5.3 Accidental Contact

An example of this might be that you meet a young person in the street, in the pub or on transport etc. Good practice would be to remain friendly, but keep a professional distance. All contacts should be recorded.

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17.5.4 Young Person Initiating Contact

An example might be that a young person contacts you unexpectedly at home. Be tactful, friendly and keep a professional distance. Make sure that you give away no important personal information about yourself, other staff or young people. It would be best to tactfully bring such contact to an end as soon as possible. Again, all such contacts should be recorded.

17.5.5 Safeguarding Personal Information

Be careful with personal information about yourself or anyone else, including, telephone numbers, addresses, e-mail accounts etc. Please do not make any inappropriate disclosures. It is unprofessional to take young people to your home.

17.5.6 On-going Contact

If you are currently in contact with any ex-residents, you must discuss this with the Recorder. The appropriateness or otherwise of such contact can then be agreed and any necessary planning for termination of contact can be initiated.

These procedures apply to all employees of Kibble and failure to follow these procedures may result in disciplinary action. We would expect that in future, former members of staff would also adopt these policies as good practice.

17.6 Outside Interests

Employees should abide by the rules adopted by Kibble in relation to private interest and possible conflict with Centre duties. Employees must ensure that any possible conflicts of interest are identified and resolved at an early stage.

17.7 Gifts

Employees of the Centre nor their families may accept money or gifts from service users or their families.

However in exceptional circumstances when the relationship between a staff member and a service user may be damaged if a gift were rejected, providing the gift is of a token nature e.g. a box of chocolates, it may be accepted.

All gifts must be reported to the staff member's line manager in writing.

Similarly, it is inadvisable to give personal gifts to service users. This could be misinterpreted as a gesture either to bribe, or single out the young person. It might be perceived that a 'favour' of some kind is expected in return.

Any reward given to a young person should be consistent with the Centre's behaviour policy and not based on favouritism.

17.7.1 Business Gifts

As a general policy the Centre does not believe that giving and receiving gifts is appropriate to the efficient conduct of its business. There are, however, limited exceptions to this policy.

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17.7.2 Receipt of Gifts

Any employee who is given a gift of any sort by a business contact (e.g. by an actual or potential customer, or supplier etc.) must disclose the fact of the gift and its nature to his or her immediate superior.

If the Centre decides that the gift might constitute a bribe or other inducement, the employee will be required to give the gift to his or her manager, who will return it to the donor with a suitable covering letter. In other instances, the employee will be required to return the gift to the donor with a polite note explaining the Centre policy.

In exceptional cases, for example where the Centre decides that the gift was made as a token of the donor's gratitude for a service carried out to very high standards, the recipient will be allowed to retain the gift. Promotional gifts such as stationery, which are not of significant value, are exempt from this policy and need not be disclosed. However, employees are reminded that, since such gifts are sent only to a limited number of employees, they should be distributed to other members of staff where appropriate.

Failure to disclose gifts will constitute a disciplinary offence that will be handled in accordance with the Centre's formal disciplinary procedure. If the gift in question was of significant value and, for example, the recipient is in a position to influence business dealings with the donor, the offence will be treated as gross misconduct.

17.8 Giving Gifts

While it is not Centre policy to offer gifts to suppliers, customers etc., the Centre recognises that, on occasions this may be necessary - for example, when someone carries out work on a voluntary basis or for a nominal fee. Equally, it may be decided that a gift would be appropriate if a service has been carried out in an exceptional manner.

In such a case, employees should put a request in writing to their manager stating:

- Who the gift is for
- Why it should be given
- The nature of the gift
- Its approximate value

If the request is approved, the manager must arrange to purchase the gift and arrange for its dispatch where necessary.

Employees who send gifts that have not been approved in accordance with this procedure will not be reimbursed for the cost of the gift. Further, such action may, depending on the circumstances, be treated as a disciplinary offence that will be dealt with under the formal disciplinary procedure.

17.9 Dealing with the Public

Kibble employees who deal with the public should do so sympathetically, efficiently and promptly and without bias or maladministration. The public is entitled to expect the highest standards of conduct and service from Kibble employees.

17.10 Contact with the Media

Any queries received from the media must be passed immediately to management. Employees must not under any circumstances attempt to deal with queries themselves. Only senior management may deal with media queries.

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17.11 Copyright

Employees must comply with copyright legislation.

17.12 Software Licences

Employees must comply with the terms of any licences granted to Kibble in respect of software which they use.

17.13 Use of Resources

Kibble employees should endeavour to ensure the proper, economical, effective and efficient use and safe keeping of resources.

17.14 Involvement in Legal Proceedings

Any employee arrested and/or charged with a criminal offence, must report it to the HR Office in line with the Centre's disclosure policy.

17.15 Bankruptcy and Insolvency

Any employee who becomes bankrupt or insolvent (or gives notice of an intention to take advantage of the Bankruptcy Act) must inform the HR Office.

17.16 Confidentiality

Employees owe a general duty of confidentiality to their employer under common law. Employees will, during the course of their work see or hear information about work colleagues, service users and/or their families. All of this should be confidential and should always be treated as such.

Confidentiality is not only good practice but is required by legislation and the Centre's policies. Employees have a duty to comply and failure to protect such information may contravene current legislation and could result in legal and/or disciplinary action in accordance with Section **Error! Reference source not found.** Discipline and Grievance.

Information can be shared, but only where this is in accordance with disclosure policy and procedures. Employees must be certain of their reasons for disclosing information and must be able to justify the disclosure if challenged. For certainty, refer the matter to your line manager or the Centre's Data Protection Officer.

Employees must not disclose any information learned at work to anyone else outside of work, including family, friends and neighbours. Employees must not take away from work any information about people or operations, irrespective of how that information was obtained (e.g overheard) or how it is held (e.g on a computer printout). For certainty, refer the matter to your line manager or the Centre's Data Protection Officer.

17.17 Improper Conduct

If an employee believes that s/he is being required to act in a way which

- Is illegal, improper or unethical
- Is in breach of legislation or a professional code
- May involve possible maladministration (inefficient or dishonest)
- Is otherwise inconsistent with the Centre's policies and procedures

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They should raise the matter either through their line management or with the HR Office. Employees should also draw attention to cases where:

- They believe there is evidence that the rule of propriety has been breached elsewhere in the organisation, but where they have not been personally involved, i.e. “Whistleblowing”
- There is evidence of criminal or unlawful activity by others
- They are required to act in a way, which for them, raises a fundamental issue of conscience

Where an employee has reported a matter of improper conduct and believes that the response does not represent a reasonable reply to the issue raised, the matter may be reported in writing to the HR Manager.

17.18 After Leaving Employment

Employees should continue to observe their duties of confidentiality after they have left Kibble employment.

17.19 Record Keeping

The Centre’s HR Office holds employee information, much of which is confidential.

Kibble HR holds information about employees which is processed fairly and lawfully and when information is requested from employees they will be informed of the purposes for which it is required.