

# EMPLOYEE HANDBOOK



**Welcome** Independent Living

**Welcome Independent Living  
(WIL - THE “EMPLOYER”)**

# EMPLOYEE HANDBOOK

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## INTRODUCTION AND WELCOME

We are pleased to welcome you to our team. We place great value on the contribution our employees make to our business and we offer continuing support and encouragement to all our staff. We wish you every success during your employment and hope that your experience of working with us will be enjoyable, positive and rewarding.

The Employee Handbook is designed to introduce you to our company and set out our rules and regulations. It also advises you of our policies and procedures relating to your employment, duties and responsibilities.

If you have any queries regarding the content of the handbook please raise them with our HR department.

**General amendments to the employee handbook may/will be issued from time to time.**

## INDUCTION

At the commencement of your employment, you are required to attend and complete a workplace induction programme/session, during which the company's policies and procedures (including health and safety) will be explained to you. Information relating to these will be given to you at the induction and are available at the main care office or via the Welcome Independent Living website.

### 1. CODE OF CONDUCT

Care staff undertaking care service activities with customers are required to be bound by the following code of conduct as a condition of employment with the company:

- Care staff and all employees must abide by all the policies, procedures and codes of practice laid down by the company. Care staff will be accountable for the quality of the care service that they deliver to the customer and undertake responsibility for maintaining and strengthening their knowledge and skills.
- Care staff must act with honesty, integrity and respect for the customer's home and property.

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- Care staff are expected to promote and safeguard the customer's health, well-being, rights, and interests. This includes informing their immediate supervisor or manager of any perceived or suspected deterioration in a customer's physical, social, or mental condition and behaviour.
- Care staff must always respect and safeguard the privacy of the customer. Confidential information must not be disclosed to any third party without the written consent of the customer or appointed advocate, unless it is in the best interests of the customer's health and well-being or is required for compliance to the law. In these latter cases, matters must always be referred directly to the Registered Manager or a member of the management team.
- Care staff must not be involved in any action that may prejudice the service, or damage the reputation of the company, or generally diminish the confidence of the public.
- Care staff must always respect and promote the dignity and independence of the customer and the rights of the customer to take risks and to make informed choices regarding his / her care and welfare.
- Care staff must not discriminate against any customer on the grounds of age, race or ethnic origin, creed, colour, religion, political affiliation, disability or impairment, marital status, parenthood, sexual gender or sexual orientation. The values, customs and religious / spiritual beliefs of each customer must be respected.
- Care staff must act professionally at all times. This applies not only to relationships with colleagues within the company, but also to other health and social care professionals with whom they may come into contact as part of their duties.
- Care staff must act professionally with respect to their relationship with the customer. It is recognised that close relationships can develop between care staff and customers, however care staff should remain mindful of the need to preserve the professional nature of the relationship. Assigning a care worker to a customer to whom they are related should also be discouraged unless the customer has specifically requested the care worker in question. Unless authorised by a manager, care staff should not share their personal telephone number with customers, customer enquiries should be directed to the care office.
- Unless employed directly as a nurse, a care worker, whatever their qualifications, **MUST NOT UNDERTAKE TASKS OF A NURSING NATURE** or any other task outside of the remit of their job description or agreed care plan for a customer.
- Care staff have a clear duty to inform their employer of any condition or circumstance which may prevent him / her properly carrying out care duties. This includes the care staff's personal circumstances where he / she feels inadequately prepared.

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## GENERAL SOCIAL CARE COUNCIL CODE OF PRACTICE

All care staff must:

Protect the rights and promote the interests of customers and care staff.

Strive to establish and maintain the trust and confidence of customers and care staff.

Promote the independence of customers while protecting them as far as possible from danger or harm.

Respect the rights of customers while seeking to ensure that their behaviour does not harm themselves or other people.

Uphold public trust and confidence in social care services.

Be accountable for their practice and take responsibility for maintaining and improving their knowledge and skills.

## 2. SAFEGUARDING VULNERABLE GROUPS (BARRED LIST)

The vetting and barring scheme is designed to give greater protection to vulnerable groups. As a care provider, we have a statutory duty to check that potential new staff are not on the adults barred list before allowing them to work for us. We are unable to employ in a care capacity anyone who is on this list.

We also have a duty to refer any worker to CQC should we suspect any case of abuse. The barred lists are national databases managed by the Disclosure and Barring Service (DBS).

## 3. EQUAL OPPORTUNITIES

Welcome Independent Living (WIL) are committed to providing a working environment in which employees can realise their full potential and contribute to business success irrespective of their gender, age, race, or disability. This is a key employment value to which all employees are expected to give their support.

To achieve this goal, WIL is committed to identifying and eliminating discriminatory practices, procedures and attitudes throughout the organisation. WIL expects employees to support this commitment and to assist in its realisation in all possible ways.

Specifically, WIL aims to ensure that no employee or job applicant is discriminated against, either directly or indirectly, on the grounds of age, disability, gender identity, marital or civil partner status, pregnancy or maternity, race, colour, nationality, ethnic or national origin, religion or belief, sex, or sexual orientation. This commitment applies to all the aspects of employment outlined below:

- Recruitment and selection, including advertisements, job descriptions, interview, and selection procedures.
- Training.
- Promotion and career development opportunities.
- Terms and conditions of employment, and access to employment related benefits and facilities.
- Grievance handling and the application of disciplinary procedures.
- Selection for redundancy.

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Equal opportunities practice is developing constantly as social attitudes and legislation change. WIL will keep its policies under review and will implement changes where these could improve equality of opportunity. This commitment applies to all WIL's employment policies and procedures, not just those specifically connected with equal opportunity.

## 4. DATA PROTECTION

Employees may be required to give certain information relating to themselves in order that WIL may properly carry out its duties, rights, and obligations. WIL will process and control such data principally for personnel, administrative and payroll purposes.

The term 'processing' may include WIL obtaining, recording or holding the information or data, or carrying out any operations on the information or data, including organising, altering, retrieving, consulting, using, disclosing, or destroying the information or data. WIL will adopt appropriate technical and organisational measures to prevent the unauthorised or unlawful processing or disclosure of data. **WIL adhere to:**

### The Data Protection Act

The [Data Protection Act 2018](#) controls how your personal information is used by organisations, businesses or the government.

The Data Protection Act 2018 is the UK's implementation of the General Data Protection Regulation (GDPR).

## 5. CONTRACT OF EMPLOYMENT

Upon starting employment with us you will be given a contract of employment which clearly sets out the terms and conditions of employment, and you will be asked to sign it as a condition of your acceptance of the job offer. The contract of employment will refer to appropriate company policies, copies of which may be found in the policy manual. A copy of the signed contract of employment will be given to you for your safe keeping.

## 6. SALARY ARRANGEMENTS

All staff wages are paid on a monthly basis. Wages are calculated from the 1<sup>st</sup> of the month to the last day of the month and paid on the 16<sup>th</sup> of the calendar month following. For example, wages for hours worked during the period from 1<sup>st</sup> March to 31<sup>st</sup> March will be paid on 16<sup>th</sup> April.

Salary and wages payments will be made by direct credit transfer to a nominated bank or building society account.

### PAYMENTS & DEDUCTIONS FROM PAY

You will be emailed a salary advice slip which will show:

- Your gross wage for the period.

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- Payment made for travel time.
- Any overtime payments made, as appropriate to your job.
- Direct deductions made, which will include income tax, National Insurance Contributions and any other amounts agreed between yourself and WIL.
- Other deductions at source required by law, e.g., court orders, CSA corrections made for any overpayments or underpayments made to you in previous salary / wage periods, as appropriate.

## 7. WHISTLEBLOWING

Employees may have access to, or come into contact with, information of a confidential nature. The employee contract stipulates that, except in the proper performance of their duties, employees are forbidden from disclosing or making use of in any form whatsoever such confidential information. However, the law allows employees to make a 'protected disclosure' of certain information. In order to be 'protected' a disclosure must relate to a specific subject matter (listed below) and the disclosure must also be made in an appropriate way.

If in the course of employment, an employee becomes aware of information which they reasonably believe tends to show one or more of the following, they must use the disclosure procedure set out below:

- That a criminal offence has been committed, is being committed or is likely to be committed.
- That a person has failed, is failing or is likely to fail to comply with any legal obligation to which they are subject.
- That a miscarriage of justice has occurred, is occurring, or is likely to occur.
- That the health or safety of any individual has been, is being, or is likely to be, endangered.
- That the environment, has been, is being, or is likely to be, damaged.
- That information tending to show any of the above is being or is likely to be deliberately concealed.

## 8. DISCLOSURE PROCEDURE

Information which an employee reasonably believes tends to show one or more of the above should promptly be disclosed to their manager so that appropriate action can be taken. Employees will suffer no detriment of any sort for making such a disclosure in accordance with this procedure. However, failure to follow this procedure may result in the disclosure of information losing its 'protected status'. For further guidance in relation to this matter or concerning the use of the disclosure procedure generally, employees should speak in confidence to a manager.

## 9. RIGHTS OF SEARCH

We have the contractual right to carry out searches of employees and their property (including vehicles) whilst they are on our premises or customer's premises.



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Where practicable, searches will be carried out in the presence of a colleague of your choice who is available on the premises at the time of the search. This will also apply at the time that any further questioning takes place.

You may be asked to remove the contents of your pockets, bags, vehicles, etc.

Whilst you have the right to refuse to be searched, such refusal will constitute a breach of contract, which could result in your dismissal.

We reserve the right to call in the police at any stage.

## 10. MATERNITY/PATERNITY/ADOPTION

### Maternity/Paternity/Adoption Leave

There is no contractual maternity/paternity or adoption pay in addition to the statutory. If you or your partner become pregnant, or if you are informed that a child is to be placed with you by an Adoption Agency, you should notify the HR department at the earliest possible opportunity so that your entitlements can be explained to you.

## 11. PARENTAL LEAVE

To take a period of parental leave in relation to a child, you must:

- a) have at least one year's continuous employment;
- b) have or expect to have responsibility for the child; and,
- c) be taking the leave to spend time with or otherwise care for the child.

Employees who fulfil the criteria are entitled to take up to 52 weeks' parental leave in relation to each child for whom they are responsible, and statutory maternity pay will be paid for 39 weeks.

You can only take parental leave:

- a) before the child's 18th birthday; or
- b) in the case of a child entitled to a disability living allowance, before the child's 18th birthday; or,
- c) in the case of an adopted child, before the fifth anniversary of the date of placement or, if sooner, the child's 18th birthday.

Unless the leave is to be taken in respect of a child entitled to a disability living allowance, you:

- a) can only take parental leave in blocks of a week's leave or a multiple of a week's leave; and,
- b) are only entitled to take four weeks' parental leave each year in relation to each child. A year for this purpose begins on the date when you became entitled to take parental leave in relation to the child in question.

Parents must give 21 days' written notice to take parental leave and it must be taken in blocks of multiples of one week (part weeks, including single days or part days, count as

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whole weeks) up to a maximum of four weeks in any one year. Parents of disabled children must give 21 days' written notice and have the additional flexibility to take leave in days without them being counted as whole weeks, although part days count as full days.

Leave can be postponed by WIL for up to six months where the business cannot cope, except when a father gives the above advance notice to take leave immediately after the date when the child is born or when the partner of an adoptive parent gives the above advance notice to take leave immediately after the date when the child is placed for adoption. In circumstances where leave is postponed, WIL will consult with you in order to try to agree a suitable alternative leave date.

## 12. SHARED PARENTAL LEAVE (SPL)

Parents of children born or adopted may, subject to eligibility, be entitled to choose how they share parental leave in the child's first year. If eligible, employees are entitled to take SPL and be paid for SPL in line with the statutory provisions. For further details please refer to the HR department.

## 13. TIME OFF FOR DEPENDANTS

WIL recognises that time off for dependants is designed to support employees where emergencies arise that are related to children or dependants. The company will allow employees to take reasonable unpaid time off work to deal with an emergency involving a dependant. This leave is intended to cover genuine emergencies.

A dependant is defined by the statute as.

*'The partner, child, or parent of the employee, or someone who lives with the employee as part of their family. It does not include tenants or boarders living in the family home, or someone who lives in the home as an employee, e.g., a live-in nanny. In cases of illness, injury or where care arrangements break down, a dependant may also be someone who can reasonably be said to rely on the employee for assistance'*

Leave may be granted to an employee for the purpose of dealing with a situation involving a dependant such as for example:

- A child or dependant who is sick, injured or assaulted.
- An adult for whom an employee cares where no other arrangements can reasonably be made for someone else to look after the person.
- A serious incident involving a child at school.
- A serious illness involving a dependant.
- A child or dependant whose usual care arrangements are unexpectedly disrupted.

Time off for dependants will not be granted to deal with predictable domestic arrangements that could be accommodated using annual or flexi-leave (for example regular childcare and childcare during the school holidays).

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Employees must report their absence to the HR department (during office hours or the on-call service out of office hours) as soon as is reasonably practicable. They also need to advise of the reason for their absence and how long they expect to be away from work.

## 14. BEREAVEMENT LEAVE

In the event of a bereavement of an immediate relative i.e., parent, sibling, spouse, partner, child, you will be granted two days paid bereavement leave. Any further paid bereavement leave will be granted at the discretion of a director.

You should discuss your circumstances with the HR department and agree the appropriate time off for any other bereavement requests.

### Refusal of leave

An employee who feels that they have been unreasonably refused the right to compassionate, domestic emergency or bereavement leave, or who feel that they have been victimised for requesting leave, should in the first instance raise the matter with their locality manager. They have the right to raise the matter through the grievance procedure.

## 15. FLEXIBLE WORKING TIME

All employees have the right to request flexible working providing they meet the criteria. The request will be considered by WIL and, if the request falls within the parameters of the legislation and is in accordance with the needs of the business, it may be granted.

In order to qualify for flexible working, you must: -

- Be an employee (not an agency worker).
- Have worked for the company for 26 weeks at the date the application is made.
- Not have made another application to work flexibly under the right during the past 12 months.

Under the law we must reasonably consider any application you make and only reject it if there are good business reasons for doing so.

Your flexible working request should be submitted in writing and dated. It should:

- state that it is a flexible working request.
- explain the change being requested and propose a start date.
- identify the impact the change would have on the business and how that might be dealt with.
- state whether you have made any previous flexible working requests.

It is preferable to give 4 weeks written notice.

Following receipt of your request, a meeting will be arranged at a convenient time and place to discuss your request. WIL may decide to grant your request in full without a meeting, in which case you will be written to confirming the decision.

Once the flexible working arrangements have been agreed, they becomes a permanent change to the contract of employment.

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Employees who do not have the legal right to request flexible working are, of course, free to ask WIL if they can work flexibly.

## 16. JURY SERVICE

Employees are entitled to time off work to attend for Jury Service. Employees should notify WIL immediately on receipt of the Jury Summons giving full details.

Employees will not normally be paid for this time off and are advised to claim the expenses which they are entitled to from the Court. This will normally include compensation for loss of earnings.

## 17. COMPUTERS, EMAILS, AND INTERNET USE

- WIL uses virus protection software. No software or program or similar may be loaded on WIL's computer system unless and until it has been checked for viruses.
- You are not permitted to copy WIL's software, other than when this is necessary in normal course of your duties.
- On leaving WIL's employment, and at any other time at WIL's request, you are required to hand back any of WIL's information and data held by you in computer-useable format.
- You are required to take any necessary security measures to prevent unauthorised access to, alteration, disclosure and destruction of personal data, and accidental loss and destruction of employer data.
- You must not access, process, use, or disclose any data or password other than is necessary for the proper performance of your duties.
- Internet use must be for business purposes only in the course of carrying out your duties. Unauthorised use of the internet will constitute misconduct.
- You must not download software from the internet onto WIL's system without prior permission.

Misuse of the email system by transmission of any material which is defamatory, offensive, obscene, untrue, malicious, or in breach of copyright will constitute gross misconduct. In particular, the processing (which means storing, sending or downloading) of sexually explicit material will constitute gross misconduct.

## 18. SOCIAL NETWORKING POLICY

The purpose of the company social networking policy is:

- To help protect the company against potential liability.
- To give employees clear guidance on what can and cannot occur via social networking in relation to the company or other employees.
- To help employees separate their professional and personal communication.
- To comply with the law on data protection, discrimination and employee protection.

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Standards employees are required to comply with are as follows:

- Employees will not maintain any site that contains personal identifiable information about the company.
- Employees will not maintain a site that contains identifiable information or photographs of customers.
- Employees will not maintain a site that contains photographs of another employee taken in the work situation or in their working uniform.
- Employees will not maintain a site that contains defamatory statements about the company, its current or ex-employee, the company's services, customers, or contractors.
- Employees must not express opinions on the sites that purport to represent their own views on the company.
- Employees must never post a comment on the sites that purport to represent the views of the company or personal social media sites, without first consulting the senior management team.
- Employees must not breach company confidential information.

The company has a reasonable and lawful expectation that employees will not bring the company into disrepute; this extends to activity in the home environment. **Any grievance with the company should be processed through procedures and policies already in place and managed within the work environment.**

If employees become aware of a breach in this policy, they should contact the HR department in the first instance. It is possible such a matter may be resolved locally. If this is not the case and if staff are found to have contravened this policy, disciplinary sanctions up to and including dismissal may occur.

The company reserves the right to access and monitor all emails and internet activities carried out on company equipment, including the use of any social networking site.

## 19. HEALTH AND SAFETY

The health and safety officer for this business is Janice Barford (RGN). Any incident must be reported immediately. A sensible health and safety approach must be taken in regard to appropriate seating and workplace conditions. Breaks from working at screens should be taken regularly through the day. Health and safety training is delivered as part of our induction for all employees.

You should make yourself familiar with our health and safety policy and your own health and safety duties and responsibilities, as shown separately.

You must not take any action that could threaten your health and safety or that of other employees, customers, or members of the public.

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Protective clothing and other equipment which may be issued for your protection due to the nature of your job must be always worn. Failure to do so will be a contravention of your health and safety responsibilities. Once issued, this protective wear is your responsibility.

If attending the office, you must ensure that you are aware of our fire and evacuation procedures and the action you should take in the event of such an emergency. Our Fire Officer is Janice Barford (RGN).

## **20. KEY-HOLDING**

An essential part of care duties may involve having possession of customers' door keys.

In view of the security risks involved, there is a strict policy concerning key-holding and you are asked to familiarise yourself with it (see the policy manual). When in possession of a customer's key you will be responsible for its safe keeping. Keys must always be requisitioned and replaced according to the policy, and any incidence of a lost or mislaid key must be reported immediately to your supervisor / manager for action. WIL reserves the right to deduct the cost of replacement keys from an employee's salary or wages.

## **21. DEALING WITH PETS**

When preliminary assessments are made of a customer's needs for care and home environment, record is made of any pets the customer may have. Small birds and goldfish etc. require minimal looking after, but for larger animals such as cats and dogs the question of customer's pets must be considered from 2 angles:

- Whether the agreed care duties include feeding a pet, clearing up after it or exercising it.
- Any risks that you may face from the point of view of infection hazards and general dangers.

Customers are expected to keep control of potentially dangerous animals and keep them out of the way when care staff are at their home. The safety of our staff is paramount, and WIL reserves the right not to send employees into any home environment where the risks or dangers from animals is considered to be too great, and you should maintain a close liaison with your manager in this respect. WIL have a documented policy on the handling of pets, which you should familiarise yourself with.

## **22. OUT-OF-HOURS WORKING & WORKING IN REMOTE LOCATIONS**

WIL recognises that some duty shifts involve working late or through the night. Some locations may also be remote, which enhances the vulnerability of the employee working alone. We will ensure that each employee has an on-call telephone number via which a nominated senior staff member (Field Care Supervisor) can be contacted.

We emphasise the need to ensure that vehicles are maintained in sound order so that travel to and from these locations (if you are a driver) is as trouble-free as possible.

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## 23. REPORTING AN ACCIDENT IN THE WORKPLACE

WIL requires an employee to report a workplace accident or injury to the company so that it can be thoroughly investigated.

Workplace accidents requiring reporting include those causing major or moderate injuries, contraction of work-related diseases, dangerous near-misses, involvement with a member of the public being taken directly to the hospital, or any circumstance involving deaths.

Accident reports should detail:

- the date of the accident.
- the date that the accident was reported.
- the employee's personal information.
- details of the injury and how it was caused.
- details of any witnesses

The accident report should be signed by a manager along with any comments they may have pertaining to the accident. An entry should be made into the accident book as soon as possible after the accident/incident.

The accident/incident book is kept in the main care office.

Reporting accidents is beneficial to the company as it allows for identification of how and where risks in the workplace arise. This gives WIL and individuals knowledge on how to prevent accidents in the workplace from recurring, and to prevent the pain and suffering of individuals in the workplace.

## 24. HYGIENE FOR FOOD HANDLERS

When preparing food for customers, you must wash your hands immediately:

- Before you start work.
- After handling vegetables and or raw meats.
- After handling rubbish.
- After handling cleaning materials.
- After eating and or smoking.
- After using a tissue.
- After a visit to the toilet.

Any cut on the hand or arm must be covered with an approved visible dressing.

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## 25. FOOD

You should only consume food during your allotted breaks. You must not allow customers to provide you with food, other than the courtesy cup of tea etc., which may be offered, unless otherwise specified within the customer's service care plan. You must not ask for this but accept it only if it is offered. You should only consume your own food at a customer's home if the customer has given permission.

## 26. PERSONAL HYGIENE AND APPEARANCE

As a professional company providing care, we expect our employees to maintain a high standard of smartness, dress, and hygiene at all times. This contributes to the reassurance for a customer that he / she is being cared for professionally.

The following rules will apply as minimum requirements for our staff:

- Maintain the highest standards of personal hygiene.
- Ensure that hair is neat, clean and tied back.
- Keep hands and fingernails scrubbed clean and manicured.
- Fingernails should be kept short and free from nail varnish. Long fingernails and nail extensions are potentially dangerous to both customer and the employee and may pierce protective gloves. Nail varnish can chip and contaminate food etc.
- No jewellery should be worn, other than a plain wedding band and one pair of plain stud earrings.
- Maintain a clean-shaven face or a trimmed beard/moustache.
- You must wear the appropriate uniform/work wear, these must be clean and well maintained and must be worn at all times during working hours.
- Shoes must be of a safe, sensible style with covered toe and enclosed heel, with a nonslip sole to reduce the risk of trips and falls.
- You are only permitted to eat, drink or smoke in designated areas. You must not smoke on customers premises. You must ensure that you are free from the smell of smoke before dealing with customers.
- You must inform the HR department via telephone during office hours or the on-call phone out of office hours if you are suffering from vomiting, diarrhoea or other stomach upsets and must be clear of any symptoms for 48 hours before returning to work at the discretion of the Registered Manager.

## 27. ALCOHOL & DRUGS POLICY

Under legislation WIL have a duty to ensure, so far as is reasonably practicable, the health, safety, and welfare of all our employees at work. Similarly, you have a responsibility to



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yourself and your colleagues. The use of alcohol and drugs may impair the safe and efficient running of the business and/or the health and safety of our employees.

There are many potential negative impacts of alcohol and drug use:

- Absenteeism (e.g., unauthorised absence, lateness, excessive levels of sickness, etc.).
- Higher accident levels (e.g., at work, elsewhere, driving to and from work).
- Poor work performance (e.g., difficulty in concentrating, tasks taking more time, making mistakes, etc.).

If your performance or attendance at work is affected as a result of alcohol or drugs, or we believe you have been involved in any drug related action/offence, you may be subject to disciplinary action and dependent on the circumstances, this may lead to your dismissal.

The consumption of alcohol whilst on duty is strictly forbidden. THERE ARE NO EXCEPTIONS. If you are offered an alcoholic drink by a customer during working hours you will be expected to politely decline and explain that you are not allowed to drink while on duty.

If you are found to be intoxicated, or are found drinking, or are reported to have been drinking (and this is subsequently proven), this may result in your summary dismissal.

## **28. SUBSTANCE ABUSE**

It is our policy not to employ people who are perceived to be actively engaged in substance abuse. The company recognises that some aspects of caring for people in their own homes can be stressful and that one of the consequences of progressive stress can be an increasing reliance on mood-altering substances such as alcohol and recreational drugs. The company has therefore developed a Substance Abuse Policy in full consultation with our employees and this may be found in the Policy Manual. You are requested to familiarise yourself with it.

## **29. GAMBLING**

Gambling, in any form or fashion, is not permitted either on the organisation's premises or at any time during duty hours. This includes football pools, lotteries, and any other type of sweepstake. You should also not purchase any of these for or on behalf of customers.

## **30. COMPLAINTS & COMPLIMENTS**

Complaints and compliments are the basic means that a customer has of expressing satisfaction or dissatisfaction with the services that we provide. As the people in daily contact with customers, care staff are often the individuals that customers first communicate with. It is therefore imperative that all feedback is relayed back to senior management for review and any action that may be appropriate. The procedures to be adopted here are documented in the policy manual and form an essential part of your induction training. This relates to complaints and compliments received in writing and those made verbally, where you will be expected to make appropriate records.

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## 31. HANDLING MONEY AND PROPERTY

Customers who require assistance with financial matters or any cases where care/support staff are required to handle customer's money are risk assessed and documented in the customer care plan.

Our aim is to maintain the independence of our customers. The control of money matters is a key element of independence. Customers should be actively encouraged to take control of all aspects of their financial affairs, and we encourage care staff to avoid situations where customers become unnecessarily dependent, even in minor ways. Many customers can do things such as shopping for themselves, if accompanied/ assisted.

We appreciate that our care staff have significant unsupervised access to customer's homes and some tasks involve handling customer's money – this is a position of great trust. Simple good practice promotes that trust and helps avoid disputes, misunderstanding or suspicion. We advise our care/support staff that any later investigation would look for objective evidence. Complex, unusual, or large transactions should not be undertaken unless discussed in advance with the manager.

Any financial transaction undertaken by our employees on behalf of a customer, however minor, **must be fully recorded on PASS/Careplanner as part of the task and comments section.** A receipt must be obtained and sent to the office.

## 32. RECORDING SYSTEMS

We are all accountable for the work we do and in our work with vulnerable customers good lines of communication are vital. It is important that customers can see their own care records and that we provide an open recording system, not only for customers but also their families, doctors, district nurses and other social staff. Recording of events must be undertaken in a clear and accurate manner. It is essential for purposes of handover from one care worker to another that all details are recorded clearly and concisely on the PASS and/or Careplanner systems.

Customers may be vulnerable, and their continuing wellbeing should be routinely assessed and monitored. Care staff are expected to carefully observe their customers and to report any concerns to the care office. These reports will usually take the form of notes recorded in a customer's care notes (via PASS system), though others may be verbal, or a more formal report, for example in the event of a serious incident.

## 33. PASS SYSTEM AND CAREPLANNER COMPLETION

You will find notes on the PASS system AND Careplanner in relation to previous care calls. On arrival, **always read the last entries on PASS to familiarise yourself with information that maybe relevant to your care call.**

The PASS system and Careplanner contain the customer's details including full name, identity of GP, next of kin, relevant addresses and telephone numbers, medication and the duties which are required. It gives an ongoing report of the customer's condition, record of medication, monies spent on behalf of the customer, and reports on which actions performed by the care worker are recorded. Do please bear in mind that the customer's family, advocate or GP may read the PASS System.

# EMPLOYEE HANDBOOK

## **ENTRIES MUST ALWAYS BE PROFESSIONAL, RELEVANT AND LEGIBLE.**

Familiarise yourself with the PASS System notes and tasks at the start of each care call and check the customer's condition etc. After you have finished your call, ensure call notes are completed so that the next care worker is conversant with events.

The PASS System also protects you. If you follow the correct guidelines and make an entry at the end of your assignment it is proof that you have been to your customer, matching the details of your roster and logging in and out of calls.

A member of the management team audits care notes on PASS on a regular basis.

## **34. RECORD KEEPING**

Please note the following guidance, which is to be applied to all records you are to make:

- Use appropriate language. Avoid slang or jargon.
- Refer to people by their proper name to avoid confusion.
- Be aware of the customer's right to confidentiality.
- Do not make any comments about other care/support staff or leave messages for other care/support staff unless directly related to the customer's care.
- Record the facts. If you are stating an opinion, make this clear. Bear in mind that any record written on PASS or Careplanner is likely to be read by the customer, their families, advocates, friends, and other health professionals.

## **35. QUALITY CONTROL AND MONITORING**

The quality monitoring of care workers covers employment, orientation, induction, reviews, supervision, spot checks, appraisals, and training.

The quality assurance monitoring of the care worker commences pre-employment when master checklists are completed to ensure that all personal details, employment history, health declarations, equal opportunity monitoring, work experience, work permits, interview evaluations etc. are recorded and filed. The care worker cannot proceed from the induction stage until the master checklist is completed, two suitable references have been satisfactorily obtained and an enhanced disclosure is obtained from the Disclosure and Barring Service.

## **36. IDENTITY CARDS**

Each staff member is issued with an identity card bearing a photograph of the individual. This identity card must be always carried when on duty in accordance with our documented policy (see policy manual) and becomes the "badge" with which a customer will associate you and our organisation. If the card is lost, mislaid, or becomes out of date, this must be reported immediately to the HR department for replacement. Identity cards remain the property of the organisation and must be returned to us when you leave our employment.

# EMPLOYEE HANDBOOK

## 37. WORK-RELATED STRESS

The Health and Safety Executive's definition of stress is 'the adverse reaction people have to excessive pressures or other types of demand placed on them'. WIL recognises the need to identify the difference between the beneficial effects of motivating challenges and work-related stress, which is the natural but distressing reaction to demands or pressure that the employee cannot cope with at a given time.

Work-related stress exists where people perceive they cannot cope with what is being asked of them at work. WIL recognises that work-related stress is not an illness but that if it is prolonged and intense, it can lead to problems with ill health.

### **Responsibilities of all Employees**

Employees have a responsibility to take reasonably practicable steps to minimise their own stress levels and those of their fellow staff who may be affected by their acts or omissions. They also have a legal responsibility to comply with the Health and Safety at Work legislation and other statutory regulations to take reasonable care of their health and safety and that of other persons with whom they work. Employees should, therefore, draw the attention of WIL to any concerns about work-related stress which might present a health hazard to themselves or other persons.

### **Responsibilities of WIL**

WIL will support employees in dealing with work-related stress through discussion. Wherever reasonably practicable, an employee experiencing excessive and sustained work-related stress will have their work adapted, including the possibility of alternative employment within the organisation, to remove the risk or reduce it to an acceptable level.

The following principles apply to WIL's approach to dealing with stress:

- The management of stress will be dealt with in a way that is non-discriminatory and in accordance with our equal opportunities policy.
- Employees will be dealt with fairly and consistently across the organisation.
- WIL will aim to provide a positive and preventative approach to stress rather than a punitive one.
- WIL will be sensitive and supportive, as far as is reasonably practicable, to those experiencing stress.
- The management of stress, including the monitoring of stress-related information will be conducted with respect for individual confidentiality and in accordance with the requirements of the Data Protection and Access to Medical Reports Acts.
- Open communication will be encouraged and promoted.

# EMPLOYEE HANDBOOK

## 38. GENERAL INFORMATION AND PROCEDURES

We expect all our employees to conduct themselves in a thoroughly professional manner while at work. We therefore insist upon the following code of conduct for all staff members:

- Employees will behave with dignity, and with civility towards their fellow staff members, and to customers and other people with whom they may come into contact as part of their duties.
- Employees will refrain from using bad language and other offensive or insulting behaviour.
- Any proven incidences of sexual, verbal, or racial harassment of fellow staff members or customers, or workplace bullying, will be viewed as a serious matter rendering the offender liable to disciplinary action up to and including summary dismissal.
- Employees engaging in activities or behaviour which result in adverse publicity, or which cause WIL to lose faith in their integrity, may lead to disciplinary action appropriate to the severity of the incident.
- You must not assist customers in the wording of their wills, or be executors or beneficiaries of their wills, or in any way abuse the privileged relationship which exists between you and the resident/customer.
- Employees are not permitted to receive gifts, gratuities, or bequests from customers under any circumstances outside those stipulated in section 45 of this handbook. You should explain politely to customers, that since it is your job to help and care for them additional rewards are not necessary and it would be against company policy to accept them. Failure to adhere to this policy will result in disciplinary action which could result in your dismissal.
- Employees are not allowed to receive loans from customers, family members or their friends, or to offer such loans. To do so will invoke a disciplinary procedure as an action of misconduct.
- You must notify us of any change of name, medical condition, address, telephone number etc, so that we can maintain accurate information on our records and contact you in an emergency, if necessary, outside normal working hours.
- Any vehicles parked on the company's premises are at the owner's risk. The company does not accept any responsibility for any theft from, or damage to, vehicles left on our premises. Vehicles should be parked in such a way as not to cause obstruction to others or reduce access to or from the premises. Similarly, when visiting customers, you are asked to park thoughtfully with respect to pedestrians and other road users.
- Personal mail should not be sent to the company unless by prior arrangement with management. We will not intentionally open mail addressed to employees unless we reasonably believe that it is related to business matters. We can accept no

# EMPLOYEE HANDBOOK

responsibility for personal mail inadvertently opened by us.

- Arranging for personal mail to be delivered to us without prior authorisation from a manager or supervisor may constitute a disciplinary matter.
- Employees should not operate under any circumstances, any form of personal audio device, cameras and or video devices etc at their place of work, or while carrying out care duties at customers' homes.
- **For staff using their car/vehicle for work related purposes** - WIL expects the employee to utilise his / her own vehicle as needed for the purposes of carrying out job duties. In doing so you will be expected to undertake responsibility for the proper maintenance and servicing of your vehicle, and ensure valid road fund licence, MOT testing and appropriate insurance for business purposes. We will ask for copies of valid insurance, MOT and taxation documentation relating to your vehicle and these will be checked annually at the appropriate renewal dates.
- You may need a valid driver's licence subject to your role. You should do your best to keep a clean licence and notify us immediately of any convictions leading to penalty points and / or disqualification. Remember that any fines levied, including parking fines, will be your responsibility. We also need to know about any changes in your medical circumstances which may affect your ability to drive a car - you are reminded of the penalty for false declaration of information. To safeguard our interests, we will ask to make a photocopy of your driver's licence for our records and thereafter we will ask to see this on an annual basis to ensure that it remains valid.
- If you arrive for work and, in our opinion, are not fit to undertake your duties in a safe manner or pose a safety risk, we reserve the right to exercise our duty of care and send you away for the remainder of the day without pay. Dependant on the circumstances, you may be liable to disciplinary action.
- You are not permitted to take on any "out of hours" work which has been sourced through the business, or with any existing customers/ customers of the business. Such activities will be deemed as working in competition with us, which may result in your dismissal. In the event of your being approached to do such work you must report the approach to a senior manager.
- We provide services to customers that requires working on the customer's premises. In the event that a customer requests that an individual be removed from a call, a thorough investigation will be carried out into the reasons for such a request. However, if the customer maintains their stance, we will take all reasonable steps to ensure that alternative work is provided. If this is not possible, we may have no alternative but to terminate your employment.
- Whilst visiting or working at any of our customers premises, you must ensure that you are aware of, and strictly comply with, all their rules and requirements e.g., security, health and safety procedures, and parking, etc. Failure to comply with the customers' requirements could result in your removal from the job and disciplinary action, which, dependent upon the circumstances, could result in your dismissal.

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- It is a condition of your employment that you must not take unauthorised persons, e.g. family member or children etc, to our customer's premises without the express prior permission of a senior manager. Whilst on the customer's premises, you must not use any of their equipment or property unless it is for emergency purposes or you have the prior permission of a senior manager.
- If you already have any other employment or are considering any additional employment you must notify us so that we can discuss any implications arising from the current working time legislation.
- It is expressly forbidden for any employee to communicate with the press or media regarding any matter relating to the company without prior authorisation from a member of senior management. Should you be approached by any member of the press or news media please report the matter to your manager as soon as possible.

## **39. TIMEKEEPING**

You are expected to report for work punctually at the specified times. If you will be unavoidably late for work you must notify the office during office hours or the on-call telephone at all other times at the earliest possible opportunity, giving the reason and an expected time of attendance. Persistent lateness will result in appropriate disciplinary action and / or loss of earnings.

## **40. PERSONAL PROPERTY**

The organisation does not accept responsibility for any loss or damage to any personal property brought onto its premises. Employees are strongly advised not to take valuables with them when undertaking care duties at customer's homes.

## **41. MOBILE TELEPHONES**

For Health and Safety and legal reasons, mobile telephones should not be used whilst driving unless legally sanctioned hands-free apparatus is used. In addition, mobile telephones should not be used for personal matters during normal working hours except where authorised by the employee's manager or a director. Staff mobile telephone numbers should not be given to customers; customer communication should be made via the care office or on-call telephone.

Employees are not permitted to make telephone calls on the company's telephone system or use company email facilities unless it is during the proper performance of their duties. In cases of genuine need, personal telephone calls may be made with prior authorisation from the manager or supervisor. Under no circumstances should you use customers' telephones.

Employees are discouraged from receiving incoming personal telephone calls unless it is a case of genuine need or an emergency.

Employees should be aware of the potentially negative social implications of mobile telephones and be sensitive to other people around them. If possible, set the telephone to "ring" in vibration mode; if a ringing tone has to be used, set the ringing tone to a low volume.

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Personal calls and texts to and from mobile telephones should be avoided during duty hours. Failure to adhere to this to an inappropriate degree may result in disciplinary actions being taken.

## 42. HARASSMENT AND WORKPLACE BULLYING

WIL believes that all its employees have the right to a working environment free from intimidating and insulting behaviour and recognises its legal obligation to provide such an environment. WIL is committed to the development and promotion of a positive workplace culture that is free from harassment and bullying and aims to ensure that any allegation of harassment or bullying at work is taken seriously, thoroughly investigated and dealt with effectively.

### Harassment

The definition of harassment is '*unwanted conduct that violates a person's dignity or creates an intimidating, hostile, degrading, humiliating or offensive environment*'. Forms of harassment include many kinds of unacceptable behaviour e.g., action, behaviour, comment, or physical contact which is found to be objectionable or which causes offence, including offensive jokes, verbal abuse, language, graffiti or literature of a racist or sectarian nature, or offensive remarks about a person's physical characteristics, age, sexual orientation, or any other personal characteristic.

### Bullying

Bullying is the intimidation or belittling of someone through the misuse of power or position, which leaves the recipient feeling hurt, upset, vulnerable or helpless. Examples include:

- Unjustified criticism of an individual's personal or professional performance, shouting at an individual, criticising an individual in front of another.
- Spreading malicious rumours or making malicious allegations.
- Ignoring or excluding an individual from the team/group.

### Sexual Harassment

Sexual harassment is unwanted conduct directed towards an employee by a fellow employee (or group of employees) which is of a sexual nature, or which is based on a person's sex, and which is regarded as unwelcome and offensive by the recipient. This could include:

- Unwanted physical contact.
- Unwelcome sexual advances, propositions, suggestions, or pressure to participate in social activity outside work.
- Conduct which can be deemed as intimidating or physically or verbally abusive, including the display of explicit material, the use of sexually explicit humour, and comments of a sexual nature whether directed specifically at any individual or not.
- Suggestions that sexual favours may further an employee's career, or that refusal may hinder it.

WIL regards sexual harassment as a form of intimidation which has the effect of insulting and demeaning the employee to whom it is directed. It is therefore unacceptable in the working environment and WIL will take positive action to prevent its occurrence.



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## **Responsibility of Employees**

All employees have a personal responsibility not to harass, sexually harass or bully other members of staff, or to condone harassment or bullying by others. Harassment including sexual harassment and bullying is serious misconduct and action may be taken under the disciplinary procedure against an employee found to have harassed or bullied an individual at work. Employees should also be aware that they could be personally liable by law if they harass anyone at work. All employees have a duty to assist in the creation of a safe working environment, where unacceptable behaviour is not tolerated. Any employee who becomes aware of harassment or bullying occurring should bring the matter to the attention of his/her manager.

## **Procedure**

Where possible and appropriate, harassment and bullying complaints of any nature should be dealt with by using an informal approach, at least in the first instance. Informal action provides the opportunity to resolve allegations of harassment through informal discussion and mediation. Some people may not be aware that their behaviour in some circumstances is being perceived as bullying, harassment or sexual harassment. Using an informal approach gives the alleged harasser the opportunity to stop if directly approached by an employee, manager or through a mediation process. However, should an informal approach fail to stop the harassment or bullying, or if an employee agrees with their manager that the situation is so serious as to warrant further action, a formal approach should be taken. This involves the complainant making a written complaint.

## **DIGNITY AT WORK CHARTER**

We at Welcome Independent Living Limited commit ourselves to working together to maintain a workplace environment that encourages and supports the right to dignity at work. All who work here are expected to respect the right of each individual to dignity in their working life. All will be treated equally and respected for their individuality and diversity. Bullying in any form is not accepted by us and will never be tolerated. All individuals whether employed by us or contracted by us have a duty and a responsibility to uphold this dignity at work charter.

## **43. DISCIPLINARY PROCEDURE**

You are expected to maintain standards of conduct and performance appropriate to your job and in accordance with any general rules and work standards communicated to you during your employment.

WIL aims to ensure that there will be a fair, consistent, and systematic approach to the enforcement of standards of conduct and performance for all its employees. With this aim, WIL has devised procedures for dealing with these conduct and performance issues which incorporate the recommendations given in the Advisory Conciliation and Arbitration Service (ACAS) Code of Practice. There is also an appeals procedure which may be invoked by employees who disagree with actions taken under the disciplinary procedure.

The disciplinary procedure adopted by WIL has the following objectives:

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- To ensure that all disciplinary issues are dealt with in a consistent and fair manner.
- To ensure that disciplinary action is only taken after a full investigation of all the facts.
- To ensure that you have appropriate written notice of the times of disciplinary hearings and the charges against you.
- To ensure that at every stage of disciplinary action, you have the opportunity to state your case.
- To ensure that you have the right to be accompanied to the disciplinary hearing.
- To ensure that you receive appropriate written confirmation of any disciplinary action taken against you.
- To ensure that you are given the right of appeal.

## **Right to be accompanied**

You have the right to be accompanied at formal disciplinary hearings. You may nominate a single companion who is either:

- A colleague from the workplace; or,
- A full-time official employed by a trade union official suitably certified by the union as having experience or training in accompanying employees at formal hearings of this nature.

You may choose an official from any trade union whether or not the union is recognised by WIL.

Nominated colleagues or trade union officials are free to choose whether to accede to your request and no pressure should be brought to bear on an individual to do so.

In an employee, we will provide reasonable time off for the nominated companion to attend hearings, consult with you and to become familiar with the details of your case.

The role of the companion is to support you at the hearing. Your companion has a statutory right to ask questions and to participate but not to answer questions on your behalf. Reasonable time will be allowed for you and your companion to confer privately during the hearing.

## **PRE-DISCIPLINARY COUNSELLING AND SHORT SERVICE DISMISSAL**

If your conduct or performance falls below the standards expected, we will discuss this with you to identify the cause of the problem and encourage you to improve.

Whilst the overall aim of these counselling discussions is to avoid the need to take formal disciplinary action, you should be aware that failure to make the agreed improvements in behaviour will result in the matter being pursued on a formal basis under the disciplinary procedure.

We do however reserve the right, in respect of disciplinary and capability issues, to take account of your length of service and vary the procedures accordingly. If you are within your probationary period, you may not receive any formal warnings before dismissal, but you will retain the right to a hearing and you will have the right of appeal.

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## FORMAL DISCIPLINARY ACTION

The overall objective of disciplinary procedures is to help and encourage correction of behaviour and resume an appropriate standard of conduct and performance. There are three stages to the disciplinary procedure and action may be started at any stage of the procedure, including final written warning, depending on the seriousness of the alleged misconduct. You should be aware that where your conduct or behaviour constitutes gross misconduct (see definition given later in this section), you may be liable to summary dismissal (without notice).

### Stage 1 – Verbal Warning

You will be asked to attend a meeting with a manager/ senior manager. This meeting will be called only after a thorough investigation of all the facts.

You will be given prior written confirmation of the meeting and you will be able to nominate a companion to attend the meeting with you as outlined above. The letter you receive will clearly state the nature of the alleged misconduct to be discussed. A suitable date and time for the meeting will be agreed with you to enable all parties to attend and to prepare in advance. You will be given a copy of this disciplinary procedure as part of your preparation.

During the meeting, the grounds upon which disciplinary action is being considered will be stated, and you will be presented with any available evidence. You will be given the opportunity to answer any allegations made and to put forward any explanation and/or mitigating circumstances.

In the absence of a satisfactory explanation for the misconduct, you will be given a formal verbal warning under Stage 1 of the disciplinary procedure. You will be told of your rights to appeal and the procedure for appealing against the warning.

The verbal warning will be recorded and retained on your personal file for a period of six months from the date of the warning. If you achieve the required improvement during this period, we will confirm in writing that the warning has been removed from your record.

### Stage 2 – First Written Warning

If your conduct does not improve within the time allowed, or if the first offence is sufficiently serious to merit it, a written warning may be considered. You will be asked to attend another meeting with a manager/ senior manager. This meeting will be called only after a thorough investigation of all the facts. You will be given prior written notification of the meeting including a clear statement of the allegations against you. As before, you will be able to nominate a companion to attend the meeting with you. A suitable date and time for the meeting will be agreed with you to enable all parties to attend and to prepare in advance.

You will be given a copy of this disciplinary procedure as part of your preparation. During the meeting, the grounds on which disciplinary action is being considered will be stated, and you will be presented with any available evidence. You will be given the opportunity to answer any allegations made and put forward any explanation and/or mitigating circumstances.

If there is no satisfactory explanation for the misconduct, you will be given a written warning. This warning will state clearly:

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- The standards of conduct required from you.
- The time to be allowed for improvement before further action may be considered.
- Any help or support, where appropriate, to help you achieve the improvement required.
- The consequences of failure to improve, i.e., final written warning or dismissal.
- Your right of appeal and the procedure available for appeal against the disciplinary decision.

This written warning will be retained on your personal file for nine months from the date of the warning. Where you achieve the required improvement over this time, we will confirm in writing that the warning has been removed from the file.

### **Stage 3 – Final Written Warning**

If your conduct does not improve within the time allowed, or if the first offence is sufficiently serious to merit it, you may be issued with a final written warning.

The process followed will be exactly as described at stage 2. Failure to provide a satisfactory explanation for the misconduct will result in a final written warning. This warning will state clearly:

- The standards of conduct required.
- The time to be allowed for improvement before further action may be considered.
- Any help or support, where appropriate, to help you achieve the improvement required.
- The consequences of failure to improve (dismissal); and,
- Your right of appeal and the procedure available for appeal against the disciplinary decision.

This final warning will be retained on your file for twelve months. Should you achieve the required improvement over this time, we will confirm in writing that the warning has been removed from your file.

### **Stage 4 – Dismissal**

If your conduct does not improve within the time allowed, or if the first offence is sufficiently serious to merit it, dismissal may be considered. The process followed will be as described for Stage 2 and 3 of the procedure. However, in the absence of a satisfactory explanation for the misconduct, you will be dismissed. You will receive an appropriate notice period or payment in lieu of working your notice. You will remain an employee for the company until the end of the notice period.

Within ten days of the disciplinary meeting, you will receive confirmation in writing of the reasons for your dismissal from WIL. The letter will also contain confirmation of your right of appeal and the procedure for appealing against the decision.

### **Demotion**

As an alternative to dismissal, WIL may deem it appropriate to sanction a demotion.

### **DEFINITION OF MISCONDUCT**

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The following list, which is by no means exhaustive, indicates the circumstances in which you could be liable to disciplinary action under this procedure on the grounds of misconduct:

- Failure to comply with working instructions given by an authorised person.
- Failure to comply with WIL's confidentiality procedures.
- Failure to comply with attendance requirements and procedures, i.e., working hours, holidays, sickness, other unauthorised or unreasonable absences from work.
- Improper care of WIL's property or unauthorised removal of property from the company's premises.
- Improper use of office facilities, such as telephones and computers.
- Failure to comply with WIL's email and internet policy.
- Failure to observe any of WIL's general rules and policies.
- Failure to comply with Health and Safety Rules and/or instructions for health and safety protection.
- Discourtesy to a customer or colleague.
- Failure to comply with dress requirements.
- Failure to meet required standards of work where this is not due to capability.
- Negligence in the performance of duties.

## **GROSS MISCONDUCT**

In circumstances of gross misconduct, we will normally take immediate action at Stage 4 of the disciplinary procedure – dismissal. In most cases of gross misconduct, you will be suspended on full pay whilst a full investigation of the facts is carried out. In these circumstances, you will be informed in writing of your suspension.

Gross misconduct and summary dismissal will only be considered where there are reasons to believe that you have committed misconduct of such a serious nature that it constitutes a fundamental breach of your employment contract. The following list, while not exhaustive, gives examples of offences which could be construed as gross misconduct:

- Aggressive acts and/or physical violence.
- Verbal or physical abuse of a customer.
- Indecent behaviour.
- Theft from WIL, its employees or customers; or fraud.
- Actions which bring the company into disrepute or causes us to lose faith in your integrity.
- Falsification and/or deliberate tampering of company records.
- Acts of incitement or actual acts of discrimination or harassment on the grounds of sex, race, religion, colour, ethnic origin, or disability.
- Serious failure to observe WIL's confidentiality standards.
- Possession of or being under the influence of illegal drugs at work.
- Non-compliance with practice Health and Safety requirements resulting in serious endangerment of the health and safety of yourself and others.
- Wilful and serious damage to company property.
- Any other reason giving rise to a summary dismissal, whether at common law or by statute.

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- Breach of confidentiality.
- Wilful misrepresentation of qualifications held.

## 43.1 CAPABILITY PROCEDURE

The primary aim of this procedure is to provide a framework within which WIL can work with employees to maintain satisfactory performance standards and to encourage improved performance where necessary. WIL recognises the difference between a deliberate or careless failure on the part of an employee to perform to the standards of which they are capable (in which case WIL will use the disciplinary procedure) and a case of incapability, where the employee is lacking in knowledge, skill or ability and so cannot perform to the standard required (in which case WIL will use this capability procedure to improve the employee's performance).

WIL also recognises that during an employee's employment, capability to carry out their duties may deteriorate. This can be for several reasons; the most common being that either the job changes over a period of time and the employee fails to keep pace with the changes or the employee changes and can no longer cope with the work. This capability procedure is **entirely non-contractual** and does not form part of an employee's contract of employment.

Minor capability issues will be dealt with informally through counselling and training. Informal discussions may be held with a view to clarifying the required work standards and the level of performance expected of the employee, identifying areas of concern, establishing the likely causes of poor performance, identifying any training or supervision needs, setting targets for improvement, and agreeing a timescale for review. However, in cases where informal discussion with the employee does not lead to a satisfactory improvement in performance, or where the performance issues are more serious, the following capability procedure will be used. At all stages of the procedure, an investigation will be carried out.

At all stages, WIL will consider whether the unsatisfactory performance is related to a disability and, if so, whether there are any reasonable adjustments that could be made to the requirements of the employee's job or other aspects of the working arrangements.

WIL will notify the employee in writing of the concerns over performance and will invite the employee to a performance review meeting to discuss the matter. WIL will provide sufficient information about the poor performance and its possible consequences to enable the employee to prepare to answer the case. This will include the provision of copies of written evidence where appropriate.

Having given the employee reasonable time to prepare their case, a formal capability meeting will then take place, conducted by a manager, at which the employee will be given the chance to state their case, accompanied if requested by a trade union official or a fellow employee of their choice. The employee must make every effort to attend the meeting.

The purposes of the performance review meeting include: to set out the required standards that WIL considers the employee has not met, to establish the likely causes of poor performance (including any reasons why any measures taken so far have not led to the required improvement) and to allow the employee the opportunity to explain the poor

# EMPLOYEE HANDBOOK

performance and to ask any relevant questions. Except in the case where dismissal is proposed, the purposes of the performance review meeting also include: to discuss measures, such as additional training or supervision, which may improve the employee's performance, to set targets for improvement and to set a reasonable timescale for review (reflecting the circumstances of the case). In a case where dismissal is proposed, the purposes of the performance review meeting also include: to establish whether there are any further steps that could reasonably be taken to rectify the employee's poor performance, to establish whether there is any reasonable likelihood of the required standards of performance being met within a reasonable time and to discuss whether there is any practical alternative to dismissal, such as redeployment to any suitable available job at the same or lower grade.

Following the performance review meeting, WIL will decide whether formal performance action is justified and, if so, the employee will be informed in writing of WIL's decision in accordance with the stages set out below and notified of their right to appeal against that decision.

## **Stage 1: Performance warning**

The employee will be given a formal PERFORMANCE WARNING. This will set out the areas in which the employee has 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 the employee's performance, a timescale for review and the likely consequences of failing to improve to the required standards within the review period. The performance warning will be recorded but nullified after six months, subject to satisfactory performance.

The employee's performance will be monitored, and, at the end of the review period, WIL will write to the employee to advise him or her of the next step. If WIL is satisfied with the employee's performance, no further action will be taken. If WIL is not satisfied with the employee's performance, the matter may be progressed to Stage 2 or, if WIL feels that there has been a substantial but insufficient improvement, the review period may be extended.

## **Stage 2: Final performance warning**

Failure to improve performance in response to the procedure so far, or a first instance of serious poor performance, will result in a FINAL PERFORMANCE WARNING being issued. This will set out the areas in which the employee has still not met the required performance standards, targets for improvement, any further measures, such as additional training or supervision, which will be taken with a view to improving the employee's performance, a further timescale for review and the likely consequences of failing to improve to the required standards within the further review period, i.e., that dismissal will probably result. The final performance warning will be recorded but nullified after twelve months, subject to satisfactory performance.

The employee's performance will again be monitored, and, at the end of the further review period, WIL will write to the employee to advise them of the next step. If WIL is satisfied with the employee's performance, no further action will be taken. If WIL is not satisfied with the employee's performance, the matter may be progressed to Stage 3 or, if WIL feels that there has been a substantial but insufficient improvement, the review period may be extended.

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## **Stage 3: Dismissal**

Failure to improve performance in response to the procedure so far will normally lead to DISMISSAL, with appropriate notice. WIL may first consider redeploying the employee with their agreement to another available job at the same or lower grade which is more suited to their abilities. A dismissal decision will only be made after the fullest possible investigation. Dismissal can be authorised only by a senior manager or a Director. The employee will be informed of the reasons for dismissal, the appropriate period of notice, the date on which their employment will terminate and how the employee can appeal against the dismissal decision.

## **Appeals**

An employee may appeal against any decision under this capability procedure, including dismissal, to the WIL Director.

Appeals should be made in writing and state the grounds for appeal. The employee will be invited to attend an appeal meeting.

At the appeal meeting, the employee will again be given the chance to state their case and will have the right to be accompanied by a trade union official or a fellow employee of their choice.

Following the meeting, the employee will be informed in writing of the appeal decision.

WIL's decision on an appeal will be final.

## **43.2 GRIEVANCE PROCEDURE**

In the great majority of cases, complaints are best dealt with through informal discussion between you and a manager and it is in your interests to talk to a manager about any aspects of work or your working relationships that concern you. However, where issues cannot be resolved in this way, WIL has a formal procedure for grievances or complaints. The aim of the grievance procedure is to ensure that such issues are dealt with fairly and speedily before they develop into major problems or disputes. The procedure is designed to maintain good relations within the company, and you are encouraged to make use of it should any problem arise that you are unable to resolve satisfactorily with a manager.

## **RIGHT TO BE ACCOMPANIED**

You have the right to be accompanied at all meetings held as part of WIL's formal grievance procedure. You may nominate a single companion who is either:

- A colleague from within the workplace; or
- A full-time official employed by a trade or a lay trade union official suitably certified by the union as having experience or training in accompanying employees at formal hearings of this nature.



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You may choose an official from any trade union whether or not the union is recognised by WIL.

Nominated colleagues or trade union officials are free to choose whether to accede to your request to act as a companion and no pressure should be brought to bear on an individual to do so.

We will provide reasonable paid time off for the nominated companion to attend hearings, consult with you and to become familiar with the details of your case.

The role of the companion is to support you at the hearing. Your companion has a statutory right to ask questions and to participate but not to answer questions on your behalf. Reasonable time will be allowed for you and your companion to confer privately during the course of the hearing.

## **USING THE GRIEVANCE PROCEDURE**

Using the grievance procedure will not prejudice your future employment prospects in any way. Records or written evidence of matters raised under the procedure will not be retained on your personal file after the problem has been resolved.

There is a separate procedure for appeals against action taken under the disciplinary procedure.

There are three stages to the formal grievance procedure, and these are as follows:

### **First stage – raising the grievance.**

Where the grievance or complaint cannot be resolved informally, you should put your grievance in writing, to your locality manager. Where the complaint involves your locality manager, the issue should be raised with the Registered Manager.

### **Second stage – hearing**

Once the manager has had time to consider your complaint, you will be invited to attend a hearing to discuss it. You will be told of your statutory right to be accompanied as outlined in this procedure. You are obliged to make every effort to attend the hearing. Everything reasonably possible will be done to solve the problem fairly at this stage through open and honest discussion at the hearing.

The manager will respond to your grievance within five working days of the hearing taking place. If it is not possible to respond within this time, you will be given a written explanation for the delay and told when a response can be expected.

### **Third stage – the appeal**

If the situation is not resolved to your satisfaction at stage two, you may appeal against the decision. You should raise the matter in writing to the WIL Director.

They will arrange to hear your appeal, whenever possible, within five working days and you will be reminded of your statutory right to be accompanied at the appeal hearing.

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Following the appeal hearing, you will be advised of the final decision in writing within ten working days of the hearing. If it is not possible to respond within this time, you should be given a written explanation for the delay and told when a response can be expected.

The grievance procedure is exhausted at the end of this stage.

Records will be kept by WIL detailing the nature of the grievances raised and WIL's response including any action taken and the reasons. All such records will be strictly confidential.

## **44. APPEAL PROCEDURE**

You are entitled to appeal against a decision taken at any stage of the disciplinary procedure. You are encouraged to make use of the appeal procedure should you feel that you have been unfairly treated in such circumstances. Using the appeal procedure will not prejudice your employment prospects in any way. You have the right to nominate a companion to accompany you at the appeal hearing as outlined in the Appeal Section of these procedures.

### **PROCEDURE FOR LODGING AN APPEAL**

The appeal should be made within five working days of either the following:

- Receipt of the written communication of a decision made under the disciplinary procedure; or,
- A verbal warning at stage one of the disciplinary procedures.

You should make the appeal in writing giving full supporting reasons. The appeal should be addressed to the WIL Director. An appeal hearing will be held to which you will be invited to attend. The date and time of the appeal hearing will be arranged with you in advance so that there is sufficient time to prepare yourself and your companion where relevant. Where necessary, the appeal hearing may be adjourned to gather further information or carry out an investigation of the facts. The hearing will reconvene once the investigations are complete. A decision will be communicated in writing to you within five working days of the appeal hearing reaching its conclusion. The warning of dismissal or notification of capability procedure will stand unaltered pending the outcome of the appeal hearing. WIL reserves the right to instruct an independent third party if the need occurs. A written record of the appeal hearing will be made to prevent any misreporting or misunderstanding. You will be given a copy of the written record and asked to agree to the content.

## **45. ANTI-BRIBERY POLICY**

Bribery is a criminal offence and is prohibited in any form by WIL. WIL requires compliance from everyone who is connected to our business with the utmost ethical standards and anti-bribery laws currently in force. Integrity and transparency are of the utmost importance to the company, and we adopt a zero-tolerance attitude towards corrupt activities of any kind, whether committed by our employees or by any third parties acting for or on behalf WIL.

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It is prohibited, whether directly and or indirectly, for any of our employees or any person working on our behalf to give, offer, request and/or accept any bribe i.e. payment, loan, gift, reward or advantage, either in cash or any other form of inducement, to or from any person or company in order to gain contractual, commercial or regulatory advantage for the company, or in order to gain any personal reward and/or advantage for an individual or anyone connected with that individual in a way that is unethical.

If we suspect that you have committed an act of bribery or attempted any form of bribery, a full investigation will be carried out and, in line with our disciplinary procedure, action may be taken against you which could result in your dismissal.

Employees and or any person working on behalf of WIL who suspect that an act of bribery or attempted bribery has taken place, even if you are not involved personally, are required to report this to a senior manager/director. You may be asked to give a written account of the suspected events.

Employees are reminded that the company has a Whistleblowing Policy which is detailed in section 7 of this handbook.

## **Gifts and hospitality**

WIL appreciates that the giving and or the receiving of gifts and hospitality as an acknowledgement of grateful recognition and or friendship, where nothing is expected in return may occur, or even be commonplace, in our industry. This does not constitute bribery where it is proportionate and is recorded in an accurate and proper manner.

No gift should be given and or hospitality offered by an employee and or anyone working on the company's behalf to any party in connection with the company's business without the express approval from a senior manager/director.

A gift of nominal value of no more than £10, such as a box of chocolates, may be accepted but must be registered and recorded with the HR department. Other than this, no other gift or money should be accepted.

The law is subject to change therefore this policy will be reviewed in line with current legislation and we reserve the right to amend this policy without prior notice.

## **46. HOW EMPLOYEES SHOULD REPORT AND RECORD SICKNESS ABSENCE**

If an employee is unwell and cannot attend work, they must inform the care office during opening hours, or the on call telephone outside office hours, no later than 1 hour before the start of their working day, stating the reason for the absence and the estimated duration of the sickness (if known). **Please note that text messages are not acceptable and cannot be used to report an absence.**

If absence is notified via the on-call telephone, you must also ring the care office on (01422 843 999) the same day to inform the office of your absence. Welcome Independent Living would expect an update of the situation each morning until such as time as a 'fit note' is issued by your GP.

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If an employee knows in advance that they are likely to be absent e.g., for a routine surgery and recovery, they should inform the HR department giving an estimated duration of the absence (if known).

## **Certification for sickness absence of less than 7 days**

For the first 4 calendar days of sickness absence (i.e., including non-working days), you do not need to obtain a note from your GP to cover your absence.

## **Sickness absence that exceeds 7 days**

For absences that exceed 7 days (including non-working days) you must provide a 'fit note' from your GP. If your GP provides advice that you may be fit for work, you should notify the HR department as soon as practicable.

Managers will record the sickness absence via Careplanner. Where employees have more than one day of sickness absence within one month, managers will commence regular sickness monitoring.

## **Sickness during holidays**

If an employee is sick during a holiday absence, the holiday will be restored subject to receiving evidence from the employees GP covering the period of sickness.

## **47. RETURN TO WORK INTERVIEWS**

After each absence the HR department will complete a return-to-work interview, comprising an informal discussion with the employee. At the interview, the HR Manager will establish the reason for the sickness absence, ensure the employee is fit to return to work, assess for any wellbeing issues and establish whether the employee needs any support to help them with their return to work.

If the person is returning to work after a long absence the GP will issue a 'fit to work' notice that may include the need for a work assessment, prior to return.

## **48. TRAINING & MONITORING OF JOB PERFORMANCE**

During your employment with us you will receive full training in all aspects of your job position. This will start with an induction training programme which is mandatory for all employees, and which is a fundamental condition of employment. Thereafter, WIL is committed to the concept of on-going training and you will therefore receive regular specialised training to develop your personal skills and knowledge. This training will be tailored to your job position.

You will be expected to attend all training courses relevant to your job. We retain a record of all training courses each employee attends which forms an essential part of our staff performance appraisal programme. Failure to adhere to attend training may result in disciplinary action

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## 49. HOLIDAYS

The holiday year runs from 1 April to 31 March.

We require at least one month's notice of your intention to take holidays. This will allow us sufficient time to re-arrange staff rotas accordingly. Holiday periods more than 2 weeks at a time will not be authorised under normal circumstances.

To maintain continuity of care to our customers over the festive period, no annual leave will be granted for the period 20 December to 4 January.

Payment in lieu of holidays is also not awarded.

## 50. RESIGNATION

Any employee wishing to resign their employment is required to give written notice of their intention to leave according to the appropriate period of notice contained in their contract of employment. Failure to give adequate notice will result in the deduction from the final salary / wage payment of the number of days not worked at the basic rate. Resignations can be made in writing and via email. These should be directed to the HR department.

**A copy of this employee handbook can also be found via the Welcome Independent Living website**

[www.welcomeindependentliving.co.uk](http://www.welcomeindependentliving.co.uk)