

Managing Temporary Worker Conduct and Complaints Policy

(Complaints raised against Temporary Workers and Complaints raised by Temporary Workers)

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AUTHOR:	HR Business Partner
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POLICY SUMMARY

The Trust aims to ensure that high standards of performance are maintained by all Trust Temporary Workers and that high standards of care are provided to patients/clients and service users in line with any relevant Trust policy and procedures.

The Trust supports the rights of all workers to obtain and hold engagement without discrimination. The purpose of this policy is to ensure that all workers complaints (be it against or from temporary workers) are resolved in a timely, fair, reasonable and consistent manner.

This policy applies to bank workers that have a bank contract of engagement only with the organisation and will also apply to agency staff. For avoidance of doubt this does not apply to substantive employees.

The Trust monitors the implementation of and compliance with this policy in the following ways;

This policy will be subject to review as per agreed review schedule of Trust HR policies and as agreed by the Workforce Transformation Group.

Services	Applicable	Comments
Trustwide	✓	
Essex MH&LD		
CHS		

**The Director responsible for monitoring and reviewing this policy is
Director of Corporate Governance & Strategy**

ESSEX PARTNERSHIP UNIVERSITY NHS FOUNDATION TRUST

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ESSEX PARTNERSHIP UNIVERSITY NHS FOUNDATION TRUST

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Assurance Statement

The Trust aims to ensure that high standards of performance are maintained by all Trust Temporary Workers and that high standards of care are provided to patients/clients and service users in line with any relevant Trust policy and procedures.

The Trust supports the rights of all workers to obtain and hold engagement without discrimination and have the ability to raise any genuine matters of concerns about working relationships or other issues without fear of detriment.

The purpose of this policy is to ensure that all workers complaints (be it against or from temporary workers) are resolved in a timely, fair, reasonable and consistent manner.

This policy applies to bank workers that have a bank contract of engagement only with the organisation and will also apply to agency staff. For avoidance of doubt this does not apply to substantive employees.

The policy has been developed to ensure that the Trust's values; compassionate, empowering and open are being adhered to at all times.

1.0 INTRODUCTION

- 1.1 This policy introduces the Trust principles in relation to dealing with complaints about conduct/performance of temporary workers (bank and agency) and also complaints raised by Temporary Workers.
- 1.2 This policy is in addition to Trust provisions, as set out in temporary workers terms of engagement, but does not form part of it and the Trust may amend this from time to time.
- 1.3 The Trust will continue to develop work processes e.g. supervisory meetings and effective communications between temporary workers, management and the temporary staffing office. These processes should assist in the prevention of problems arising or resolving matters informally in the first instance.
- 1.4 The Trust will aim to resolve all issues within given timescales through timely, fair, reasonable and consistent procedures.

2.0 SCOPE

- 2.1 This policy applies to all Trust temporary workers (Bank and agency) during the course of any assignment only and not otherwise. For avoidance of doubt this does not apply to substantive employees. Bank workers who also hold a substantive contract will be subject to the Trust's capability, conduct and grievance policy and procedures.
- 2.2 Where concerns are raised due to suspected theft, fraud, corruption, or bribery the Director of Finance should be informed in line with the Fraud, Theft and Corruption Policy.
- 2.3 Where appropriate, the Trust will refer cases identified in 2.2 to the Local Counter Fraud Specialist (LCFS) prior to the Trust investigating or taking action.
- 2.4 Where a complaint against a temporary worker involves Safeguarding issues for a service user it is important that a coordinated approach takes place to ensure the Safeguarding investigation and the complaint process run parallel:
- A safeguarding case may be concluded whilst the complaint process continues.
 - The Safeguarding Team must be informed by a member of the Human Resources team of the outcome of the complaint
 - The relevant adult and children safeguarding policies and procedures should be adhered to.
- 2.5 All new bank workers will be made aware of the Policies and Procedures as part of the temporary workers induction programme.

3.0 PRINCIPLES

- 3.1 The supporting procedure will be used to deal with matters of complaints for temporary workers.
- 3.2 The Trust will endeavour to resolve all issues informally.
- 3.3 The HR department must be fully consulted with prior to any action taken in relation to this policy and its related procedures
- 3.4 Regular communication will be maintained at each stage of the process to ensure effective implementation. Written records will also be maintained and this information will be retained and shared in accordance with records management policy and procedure and data protection regulations.
- 3.5 It is usual for workers to be made aware of any issue(s) and or allegations prior to instigating this policy and procedure. There may however be instances where this is not possible e.g. where police/safeguarding/fraud are involved. Allegations regarding misappropriation of controlled drugs, theft or damage of Trust property and allegations relating to criminal activity will be reported to

the police. Allegations of fraud will be reported to the Trust's Local Counter Fraud Specialist (LCFS).

- 3.6 All workers will have the right to be accompanied at formal meetings held under this process by an accredited representative from a recognised trade union or work colleague.
- 3.7 Where appropriate, consideration will be made to meet individual needs in line with the Trust's policy on Equality & Diversity.
- 3.8 The Trust is committed to developing an inclusive working environment where all workers, employers, service users, carers, partnership organisations and other stakeholders are valued themselves and the contributions they make. The Trust will not tolerate unfair discrimination, harassment, bullying, victimisation or other inappropriate behaviour, nor the incitement of, or colluding with others which results in inappropriate behaviour.
- 3.9 The Trust is responsible for reporting details of misconduct to professional bodies e.g. NMC, HPC, GMC, Disclosure and Barring Service etc. Where the Trust deems a referral necessary the worker will be informed of this decision, this may be prior to the conclusion of any matters.

4.0 MONITORING OF IMPLEMENTATION AND COMPLIANCE

- 4.1 The policy will be reviewed at intervals of not more than three years by the Human Resources department, and may be reviewed earlier in light of any changes to agenda for change terms and conditions and relevant legislation.
- 4.2 Regular reports (quarterly and annually) will be provided to the Workforce Transformation Group and any other relevant committees on the number and nature of complaints dealt with and any preventative action/lessons learned that the Trust needs to take and recommendations.

END