

# Conduct Investigations



Support and information for staff

## General information

The trust recognises that becoming the subject of a workplace investigation can be extremely stressful. It is important to respond to and participate in an investigation carefully and calmly.

Staff members may find themselves subject to an investigation under either the **Disciplinary (Conduct) Procedure**, if they hold a substantive post, or the **Managing Temporary Worker Conduct & Complaints Policy & Procedure**, if they are a bank worker.

Aside from this being a stressful time due to the investigation process itself, this may be exacerbated by the involvement of a safeguarding process, involvement from the Police, or because of a suspension/preclusion from the workplace as a result of the concerns raised. In light of this, this leaflet will briefly describe the process followed in each of these scenarios.

The trust has a number of different support mechanisms; these are detailed below:

- HELP Employee Assistance Programme on **0800 731 8627**, which is strictly confidential and available 24 hours a day, 7 days a week. You can also visit [eput.helpeap.com](http://eput.helpeap.com) and enter the organisation code **EPUT1**.
- Here for You staff psychological support service. Call **0344 257 3960** at any time – this service is available 24 hours a day, 7 days a week.
- Optima Health Occupational Health Service on **0333 121 3000** or [nhseast@optimahealth.co.uk](mailto:nhseast@optimahealth.co.uk) available 9am-5pm Monday to Friday.
- Staff Engagement team: [epunft.staffengagement@nhs.net](mailto:epunft.staffengagement@nhs.net)
- Equality Advisor: [epunft.equality@nhs.net](mailto:epunft.equality@nhs.net)
- Freedom to Speak Up Guardian, Yogeeta Mohur: [f2su.eput@nhs.net](mailto:f2su.eput@nhs.net)
- BAME Network: [epunft.bamenetwork@nhs.net](mailto:epunft.bamenetwork@nhs.net)
- Staffside Chair: [hayley.johnson6@nhs.net](mailto:hayley.johnson6@nhs.net)

## Keeping in touch

A designated member of line management will be allocated to keep in touch and support you throughout the investigatory period. This is put in place to support your general wellbeing. The designated manager will contact you at the start of the investigatory process and agree a plan for keeping in touch.

The designated manager (Support Officer) will **not** be involved in the investigatory procedure or any other procedures that may follow from this.

One of the Trust's Staff Health and Wellbeing Leads will also be available to provide you with support throughout the investigatory period should you wish to access this.

If you wish to nominate an alternative designated manager or support person this will be considered. Anyone involved in the investigatory process (including potential witnesses) **cannot** also act as the designated manager support.

For bank workers the designated manager will be the Bank Staff Relationship Manager, supported by an appropriate operational manager.



## Safeguarding investigation

When a safeguarding process is deemed necessary due to the nature of the concerns raised, the trust's **safeguarding department** will be involved. They will liaise with the senior manager and HR representative concerned as to what information can be released to you both during and after the safeguarding investigation. Where possible, an internal disciplinary investigation will run separately but parallel to the safeguarding investigation.

## Police/other involvement

It may also be necessary, due to the nature or seriousness of the concerns at hand, that the Police, Local Security Management Specialist, Local Counter Fraud Specialist, or a combination of these parties be involved in the investigation process. This is where there are concerns that fraud/corruption/bribery or another criminal act may have been committed. These parties may be involved or consulted with prior to any internal investigation or action by the trust.

Any police investigation will take precedence over internal procedures and the trust should take care not to prejudice any investigation by the Police or an external body. To avoid this it may only be possible to inform a staff member that an allegation has been made against them. No further information will be provided at the initial stages as clearance from the Police will be required to ensure that potential evidence is not prejudiced as a result of information regarding allegations being shared.

## Suspension

**Suspension**, if you're a substantive staff member, or **preclusion**, if you're a bank worker, may be necessary to support you during the investigation process, either where your continued presence could compromise the process, or where management feel that there may be a risk to the health and safety of patients and/or others. Suspension will only occur as a last resort and other options, such as temporary redeployment or restricted duties, will be considered as alternatives in the first instance. Suspension will be for as short a time period as possible.

If you are suspended or precluded, you will be unable to work while the investigation is taking place. You may be able to undertake some training if this is deemed appropriate. Substantive staff members will receive their full contractual pay which will be calculated on the basis of your average earnings over the three months prior to the date of suspension.

Your suspension will be reviewed at regular intervals: after **two weeks**, **four weeks**, and after **eight weeks**. You will be kept informed of the progress of the investigation in writing by the Investigating Manager at these intervals.

If you are off sick during a period of suspension you will receive sick pay accordingly and will need to report your absence/provide any certificates to your line manager as you usually would. During any period of suspension you must be available to attend investigatory meetings as if you were at work. If there are periods of time when you will not be available, you will need to book annual leave in the usual way via your line manager.

