



Members Handbook 2004

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SECTION 1 - What Professional Healthcare Recruitment Ltd can do for you Introduction

With Professional Healthcare Recruitment Ltd, you can receive professional advice and support from qualified nurses and experienced healthcare professionals based locally. Support whenever, and wherever, you might need it. You care about those in your care. We care about you. So we've produced this handbook that explains everything you need to know about working with Professional Healthcare Recruitment Ltd.

1.1 Company Services

Temporary and Permanent Assignments

With local offices nationwide, you can gain access to the widest variety of temporary work in the UK, including work in NHS Trusts, Nursing Homes, Private Hospitals, Occupational Health Departments, Prisons and caring for people in their own homes.

Visit us on-line at www.professional-healthcare.co.uk for the latest jobs, or contact your local office.

Professional Healthcare Recruitment Ltd not only has an extensive range of temporary work, but also has hundreds of permanent jobs with top healthcare organisations. We will introduce you to companies and organisations that have suitable vacancies for you, arrange interviews and provide you with professional career advice. In fact, all you have to do is let us know the type of permanent work you're looking for and we'll do the rest. The good news is, as a Member, this service won't cost you a penny.

1.2 Conditions of Membership

The Conditions of Membership should be read carefully in conjunction with the Information contained in this handbook. Any queries you may have can be raised with your key contact at your local office.

Self-Employed Status

As a Member of Professional Healthcare Recruitment Ltd, you are a self-employed person. There is no obligation on the part of Professional Healthcare Recruitment to offer you or provide you with temporary work. Equally, as a Member, you are not obliged to accept any work, which has been offered. Professional Healthcare Recruitment Ltd acts at all times for you and assumes no employer responsibilities. The Inland Revenue and the Contributions Agency require the Company to collect tax and National Insurance contributions on behalf of our Members. This does not affect your employment status.

1.3 Equal Opportunities

The Company recognises that discriminatory attitudes held by both institutions and individuals are widespread in our society, and that such attitudes hinder both equal opportunities for work and the effective provision of services to minority groups and communities.

In all aspects of work, Professional Healthcare Recruitment Ltd operates a policy of equal opportunity and equal access to service. Information may be requested from staff, members, applicants or clients, enabling Professional Healthcare Recruitment Ltd to monitor the success of this policy. The giving of such information will be voluntary and it will be used solely for monitoring purposes, individual details will be kept confidential, however group statistics may be released to relevant authorities.

Members

Equality of opportunity extends to all aspects related to Professional Healthcare Recruitment Ltd membership, including recruitment and selection, assignment of work, pay rates, assessment of performance, action in response to complaints by Clients, etc. Equality of opportunity covers all members/potential members and you will be treated equally regardless of your sex, age, marital status, racial, ethnic or national origin, physical or mental disability, political or religious beliefs, sexual orientation or gender reassignment status.

Members are encouraged to make known all special skills and or knowledge, which may make you particularly suited to care for Clients from specific ethnic or cultural groups. Members have the right to accept or refuse individual assignments but any indication that a Member has not acted, or will not act, in accordance with this policy will be investigated and this may result in removal from the Professional Healthcare Recruitment Ltd Register.

Home Care Clients

The services of Members are available to all, in accordance with our standard terms and conditions. All Clients must be treated with the respect due to them as individuals.

Professional Healthcare Recruitment Ltd aims to provide workers with the background knowledge and skills needed to address each Client's individual needs. Particular attention must be paid to sensitive issues such as privacy, diet, and religious observance. The Client's right to decide who will or will not enter their home must be respected (though discriminatory requests from Clients will not be accepted).

Harassment/Bullying

Professional Healthcare Recruitment Ltd is committed to creating a working environment where every employee or member is treated with dignity and respect and where each person's individuality and sense of self worth within the workplace is maintained. All members and employees have a duty to treat colleagues with respect and dignity and to take all steps necessary to ensure that harassment does not occur. Whatever the form of harassment (whether

by direct contact, written correspondence or by use of email/intranet) behaviour of this nature can be objectionable and will not be tolerated by Professional Healthcare Recruitment Ltd or any of the institutions we service. Any employee who is considered, after proper investigation, to have subjected a member, client, or colleague to any form of harassment/bullying will be disciplined and any Member, subject to similar findings, may be removed from the register. If a Client is believed, after appropriate investigation, to have subjected any employee or Member to any form of harassment/bullying, then the circumstances will be reported and agreed action implemented, which may include withdrawal of care by Professional Healthcare Recruitment Ltd after a suitable warning.

1.4 Allocation of Work

As work cannot be guaranteed, most work goes to those Members who contact their local office on a regular basis, giving as much availability as possible. We prefer Members to give us their availability for one month ahead. Mobiles and pagers are an advantage, enabling the local office to contact you at short notice, however, these should be turned off whilst with the Client. By advising the local office of your availability one month ahead, it saves the local office staff trying to contact you unnecessarily, and also means you are more likely to get the assignments and hours that suit you. When self-booking, please ensure you inform your local office, before working the shift, giving appropriate reference numbers for the shift where applicable, failure to adhere will jeopardise payment.

1.5 Payment

Rates of Pay

Different pay rates apply to different assignments. Rates of pay are available from your local office. Before commencing an assignment you should check with your local office which rates of pay apply. Also, where applicable, you should confirm prior to the shift, the clinical grade required, ensuring that the agreed grade is signed for on your timesheet.

Timesheets and Pay

Payment is made to members on submission of a timesheet, all information given must be accurate and timesheets must be completed in full and every shift must be authorised with an appropriate signature. Retain the Member's copy for your own records and to assist with any queries.

In order to be processed that week, timesheets either need to arrive in your local office by 9am on Monday or be forwarded directly to the Payroll Company by 11am on Tuesday morning. Your local office will advise you where your timesheets need to be sent.

Method of Payment

Payment will be made by Bankers' Automated Clearing Services (BACS) directly into your bank/building society account on a weekly basis. A payment advice detailing how pay has been calculated and deductions made will be forwarded to your home address.

Please remember to advise your local office should you change your personal circumstances, e.g. change of address or bank details. In normal circumstances, payment for timesheets received by 9am on a Monday will be made on Friday of the same week. (Days will vary over a Public Holiday weekend)

Queries

Should you have any queries relating to your pay, please contact your local office, with your timesheet number (top right hand corner of the timesheet), and give details of date and place of shift. Take the name of the person that you speak to for your reference, and we will endeavour to resolve your query as soon as possible.

If for some reason, you have been under/overpaid, the money will automatically be adjusted in your next payment. It is in your interest to cross check payment details against your copy timesheet.

1.6 Removal from the Professional Healthcare Recruitment Ltd Register

Members may be removed from the register in the following circumstances:

- Where a Member's conduct or standard of work has seriously fallen below the level required by the Company or Code of Professional Conduct.
- If it is believed that a Member has acted in an unprofessional manner, the company reserves the right to remove you from your assignment and not reassign until the matter has been investigated and resolved.
- If member has a reason to be put onto the Group Clinical Alert Register
- If a company has been altered by NMC, GMC or other regulatory bodies with regard to practicing clinicians.

Examples of such conduct are as follows. This list is not exhaustive:

- Failure to attend a Client having accepted an engagement, or repeated lateness.
- Failure to provide care in a fashion consistent with the Member's professional code of conduct or in a caring and appropriate manner, e.g. sleeping on duty, non adherence to clinical instruction etc...

- Failure to carry out reasonable instructions of the Client.
- Breach of trust involving the Company or the Client.
- Disclosure of confidential information to a third party relating to either a Client or the Company.
- Misconduct, affecting either the Client or the Company. This includes being under the Influence of alcohol or any substance that will adversely affect your performance, theft, abusive or violent behaviour, harassment, criminal conviction etc.

You are advised to read both your Conditions of Membership and Members handbook in full, to ensure you fully understand what is required of you. Members cannot work if their health or physical ability impedes them from carrying out their duties effectively. Whilst Members will not be required to relinquish membership at the normal retirement age of 65, they must, like any other Member, be in good physical and mental health. You may be requested to undertake a medical examination/assessment, at your own expense, to confirm your fitness for work.

SECTION 2 - WHAT WE NEED AND EXPECT FROM YOU

2.1 Personal Appearance

To best meet the needs of our clients, please ensure you adhere to the following guidelines;

Uniform

In most establishments, you will be required to purchase and wear a Professional Healthcare Recruitment Ltd uniform.

However the exceptions to this are, where the client provides their own uniform or where the client does not want a uniform to be worn. In this situation your local office will advise you on the type of attire you should wear. In all circumstances when working through Professional Healthcare Recruitment Ltd, you are expected to portray a professional image for the client and yourself.

Hairstyles

Please make sure that your hair is clean and tidy. Long hair must be secured in such a way so as not to pose an infection or safety hazard.

Jewellery

Please ensure that the jewellery you wear does not cause offence to a Client, or become a health hazard.

Personal Hygiene

As the nature of our work involves being in close proximity to Clients and patients, please keep yourself personally fresh, free from odours and practice good oral hygiene.

Shoes and Footwear

Shoes that comply with health and safety guidelines should be worn. Your local office will be able to advise you on suitable footwear.

2.2 Identity Cards

As a Member, you are required to carry an identity card. This will display your photograph, signature and membership number. Clients may ask to see your identity card if they do not know you. Please do not take offence as the Client is only taking sensible security precautions. Identity cards are issued after your application has been successful. Please keep your identity card safe and in the event that it is misplaced please inform your local office immediately. If for whatever reason you cease to become a member of Professional Healthcare Recruitment Ltd we ask that you return your identity card to us.

Whilst on duty, qualified nurses must also carry their PIN card.

2.3 Reporting on Duty

Professional Healthcare Recruitment Ltd provides a 24-hour service. If you have any routine enquiries, please telephone your local office during office hours Monday to Friday. If you require urgent assistance outside office hours, please call your local office and you will either be transferred to our Extended Hours Service, or be given an alternative number to ring.

Professional Healthcare Recruitment Ltd prides itself on the fact that its Members maintain a high professional standard while carrying out their assignments. Reliability and punctuality are of prime importance. For handover and induction purposes, try to arrive early for an assignment and report to the person as advised by your local office. If this person is not available report to the Person in Charge.

If, in exceptional circumstances, you expect to be late for duty, you should inform your local office or the Extended Hours Service so they can inform the Client. If you are unable to fulfil an assignment, the local office needs as much notice as possible as many of our Clients are vulnerable and, as a member, when you have accepted an assignment you have a duty of care. If you cannot attend an early morning assignment please contact the Extended Hours Service.

2.4 Communicable Diseases

Helping Clients with personal care involves the risk of exposure to communicable diseases (e.g. HIV, Aids, Hepatitis B, and MRSA). It is therefore important to be familiar with the measures available to minimise this risk. It is also advisable to speak to your General Practitioner regarding immunisations, if appropriate.

Members with Communicable Diseases .

Professional Healthcare Recruitment Ltd recognises that Members with communicable diseases may still be capable of fulfilling nursing or care tasks.

The over-riding principle to be considered is the safety and well being of the Client, even where the level of risk is thought to be low. This principle should be applied by you when deciding whether to make yourself available for work and at all times during assignments, as well as by the Company staff considering your suitability for specific assignments.

Application for membership of Professional Healthcare Recruitment Ltd requires the declaration of any communicable diseases. Good practice requires that you also disclose any subsequent contraction of, or exposure to, such diseases. Having an infectious disease will not be grounds for refusal or termination of the Professional Healthcare Recruitment Ltd membership but may make you temporarily unsuitable for certain assignments through Professional Healthcare Recruitment Ltd, or restrict the types of work to which you may be assigned. Both you and the staff at your local office should give due consideration to ease of transmission and of the type of work that is to be undertaken. For example, care of Clients who are particularly frail or suffer from lowered immunity, should not be undertaken by Members suffering from colds, influenza, or other minor ailments.

Members with more serious conditions, including AIDS, might be suitable for a wide variety of nursing and care tasks, e.g. where there is no requirement for invasive practices or where the Client is already suffering the same condition. In certain circumstances, such conditions, whether current or historical, may make you more suitable for a particular assignment.

In all assignments, it is your individual responsibility to take adequate precautions to protect your Client from communicable diseases. If you are unsure of the appropriate measures to be taken you should discuss the assignment with your local office Manager, who will advise you or suggest suitable sources of advice. In order that Clients may make a judgement concerning the Member to be assigned, Professional Healthcare Recruitment Ltd may consider it appropriate to inform them regarding communicable diseases and you may be asked for consent to disclose. Since we will not assign Members who constitute a risk to Clients, we will also make our judgement clear regarding the significance of known risks. In accordance with Professional Healthcare Recruitment Ltd policy, all information regarding Members will be treated as confidential and no disclosure will occur without your prior permission.

Clients with Communicable Diseases

Professional Healthcare Recruitment Ltd recognises the right of all Clients to receive appropriate care, regardless of the condition or circumstances, which give rise to their need for care. Professional Healthcare Recruitment Ltd is committed to maintaining as far as possible the independence, dignity, privacy and confidentiality of Clients, especially where care tasks are of a highly personal nature.

Professional Healthcare Recruitment Ltd expects Clients to disclose any communicable diseases to which there is a risk of exposure and to give consent, where appropriate, for GPs, District Nurses and other health professionals to disclose and discuss such information. Professional Healthcare Recruitment Ltd will brief you on known conditions relating to the client, to enable you to provide

appropriate care, but it should be stressed that best practice for infection-control should be followed in all cases, not just those where a specific risk is known. If the existence of such a risk becomes apparent retrospectively, Clients are expected to inform Professional Healthcare Recruitment Ltd as soon as possible. It is your responsibility to take adequate precautions to protect yourself from communicable diseases. If you are unsure of the appropriate steps to be taken, you should discuss the assignment with your local office Manager or the Ward/Home Manager. All information regarding a Client's condition or circumstances will be treated as confidential.

To avoid risks of cross infection, it is essential that all incidents that may result in the spreading of a disease be reported. Incidents in a hospital, nursing home, or other institutional setting should be reported and recorded in accordance with the policies of that institution. All incidents should also be reported to your local office Manager who will give advice on any appropriate further action.

Following an incident of exposure to a communicable disease, it will be assumed that you have been infected and, until evidence is provided that infection has not occurred, the provisions of this policy relating to Members with communicable diseases will apply.

SECTION 3 - WORKING PRACTICES TO ASSIST YOU

3.1 Independence/Privacy/Dignity

Independence

All Clients should be encouraged and enabled to live as independently as possible, emphasis should be placed on encouraging individuals to do as much as they can for themselves. They should also be encouraged to make decisions about their daily lives and exercise choice over the way their care is delivered, any changes in their condition must be reported to the local office Manager.

You should recognise the right of individuals to be left alone and free from intrusion or public attention into their affairs.

Please remember that in some instances, you are a guest in the Client's home, and are responsible for up-holding confidential matters of the Client.

Dignity

All Clients must be treated with respect regardless of their circumstances and should be seen as unique individuals.

Rights

Your role, as a Company Member, includes safeguarding the rights and freedom of Clients to make decisions and choices within their capability.

3.2 Administration of Medicines

All registered nurses are personally accountable for their own professional practice and must adhere to their Professional Code of Conduct and the establishment's regulations with regard to the administration of medicines/ covert administration of medicines/ self administration of medicines.

3.3 Handling Violence and Agression

What is aggression ?

'Severely challenging behaviour refers to behaviour of such an intensity, frequency or duration that the physical safety of the person or others is likely to be placed in serious jeopardy, or behaviour which is likely to seriously limit or delay access to, and use of, ordinary community facilities' (Report HMSO 1993) from Emmerson et al (1987)

What help will the worker receive?

The management of challenging behaviour requires the worker to think carefully about the way they work with someone and be clear about what has been agreed and why.

Professional Healthcare Recruitment Ltd will help you by:

- Challenging behaviour management training, will be accessible for workers likely to be placed with Clients who are known to have, or may potentially develop challenging behaviour. This may include physical restraint techniques.

- Workers will be appraised of all Client's policies and procedures for handling and reporting challenging behaviour

- All Client assessments/contracts will identify any requirements to manage challenging behaviour, and include information, which might affect behaviour such as:
 - Trigger points
 - Likes & dislikes
 - Personal hygiene consideration
 - Environment triggers
 - Disability
 - Provide an information leaflet
 - Provide debriefing/counselling if appropriate.
 - How will a person with challenging behaviour be identified?

- A person with challenging behaviour will be identified during the initial visit or contract agreement stage

- The care plan will identify any risk and the type of precautions, preventions and actions that may be required to manage any challenging behaviour.

- Regular monitoring of the suitability of any agreed action should be undertaken with any changes identified, brought to the attention of the Branch Manager, who will inform the Client's named assessor or other representative.

- Any changes to the agreed action, because of the individuals actual or potential challenging behaviour, will be carefully considered with all parties involved in the management of the individual's care.

What to do and what not to do – worker instructions

Although prevention is the best course of action, this will not always be effective or possible. If workers are presented with a client whose behaviour is challenging, the following actions may help alleviate the situation. Further details are available from the Managing Challenging Behaviour trainer via your branch.

What not to do:

- Do not be confrontational in your attitude, appearance or by raising your voice.
- Do not take personal offence to an accusation or assault
- Do not attempt to initiate any physical contact with the person as this may be misunderstood or resented.
- Do not approach the person from behind or too quickly
- Do not corner or crowd the person, as this will increase feelings of alarm or threat
- Do not alarm or crowd them by calling for assistance from several employees of staff
- Do not provoke by teasing or ridiculing
- Do not use restraints
- Do not show fear, alarm or anxiety or retaliate with violence

What to do:

- If there is an immediate physical threat to your safety, withdraw if possible and call for assistance.
- If there is no immediate physical threat to your safety, do the minimum to contain the situation
- Stay calm
- Respect the person's personal space
- Ask others to withdraw from the immediate incident area.

- Provide reassurance and encourage them to talk about their feelings.
- Ask the person what is troubling them, to identify/clarify the possible cause of behaviour.
- Listen to complaints and be flexible and accepting in your reply
- Provide alternatives to the behaviour or divert their attention.
- Make sure there is adequate activity and stimulation.
- Check that the environment is not causing the problem
- See the person as an individual, with individual needs and not problems
- If there is an immediate physical threat to you, and you cannot withdraw, or if the person is likely to harm themselves or another person, the minimum necessary restraint or control may be used as a last resort.

Records to be kept, who needs to be informed and when

- If you have been involved in a challenging behaviour situation, you must report this immediately to your Business Centre Manager or Supervisor who will liaise with the Client's representative, named assessor, doctor or health visitor. If required, your Manager will send a nominated person to assist you.
- Familiarise yourself with any local procedure for challenging behaviour. This will normally involve completing an incident report, a statement and possibly a repeated behaviour report. This will assist in identifying and changes required in future care provision for that individual. These forms will be available from your local branch.

Immediately following the incident, the following should be noted in writing for your reference:

- Name of Client
- Location
- Name of any other person involved (if any)
- Date & time of the incident
- What was the behaviour, e.g., physical, verbal, self-harm, harm to others, property destruction?

- How long did the incident last?
- What were the signs or circumstances, which lead to this behaviour?
- What was the result of the behaviour?
- What action was taken?
- Was physical restraint used?
- Has the local Business Centre Manager been informed? When?
- Have any injuries been sustained by either the Client or the Agency worker?

3.4 Recognition and Response to Suspected Abuse Policy.

Definition: Vulnerable Adult.

A vulnerable adult is a person who “is or may be in need of community care services by reason of mental or other disability, age or illness, and who is or may be unable to take care of themselves, or to protect themselves against significant harm or exploitation”.

Definition: Abuse:

“Abuse is a violation of an individuals human and civil right by another person or persons”

Types of Abuse:

Abuse may be:

- Physical, including hitting, slapping, pushing, kicking, misuse of medication, restraint or inappropriate sanctions.
- Sexual abuse, including rape and sexual assault or sexual acts without consent.
- Psychological abuse, including emotional abuse, threats of harm or abandonment, deprivation of contact, humiliation, blaming, intimidation, coercion, verbal or racial abuse, isolation or withdrawal from services or supportive networks.
- Financial or material abuse, including theft, fraud, exploitation, pressure in connection with wills, property or inheritance transactions, or the misuse or misappropriation of property, possessions or benefits.
- Neglect and acts of omission, including ignoring medical or physical care needs, failure to provide access to appropriate health, social care or educational

services, the withholding of the necessities of life, such as medication, adequate nutrition and heating.

- Multiple forms of abuse may occur in an ongoing relationship or an abusive service setting to one person, or to more than one person at a time, making it important to look beyond single incidents or breaches in standards, to underlying dynamics and patterns of harm.
- Factors to consider when assessing and reporting abuse.

It is important to approach reports or allegations of abuse with an open mind about the appropriateness of intervention. Factors affecting the assessment of seriousness are:

- The vulnerability of the adult
- The extent of the abuse
- The length of time it has been occurring
- The impact on the individual
- The risk of repeated or escalating acts

Who might abuse ?

Abuse of vulnerable adults may be perpetrated by a wide range of people including relatives and family members, professional staff, paid Care Workers, volunteers, other Clients, neighbours, friends and relatives.

In what settings ?

Abuse can take place anywhere. It may occur when a vulnerable adult lives alone, or with a relative, it may also occur within nursing, residential or day care settings, hospitals, custodial settings and other place likely to be assumed safe, or in public areas.

Key Issues in Relation to Intervention

Authorities have a responsibility, in partnership with other agencies, towards vulnerable individuals. This will usually involve an assessment of their needs and steps taken to empower them and protect them from further harm.

Consideration should be given to the following:

- Does the vulnerable adult appreciate and understand the nature and consequences of any risk they may be subject to and do they willingly accept such risk?
- Is the vulnerable adult able to make their own decisions and choices if they wish to do so?
- Did the person subject to abuse consent willingly?
- Does the person subject to abuse have the capacity for self-determination, the capacity to understand to what they are consenting, or alternatively the capacity to refuse?

Procedure for Dealing with Abuse

In determining what action to take, account should be taken of the rights of all people to make choices and take risks, also taking into account their capacity to make decisions about arrangements for investigating or managing the abusive situation.

All cases of suspected abuse should be reported to the Branch Manager, who in conjunction with the relevant department and other appropriate agencies, will instigate an investigation to:

- Establish matters of fact
- Assess the needs of the vulnerable adult for protection, support & redress.
- Decide what sanctions are necessary with regard to the perpetrator
- Decide what action should be taken if the service or its management have been culpable, ineffective or negligent.

A properly co-ordinated joint investigation will achieve more than a series of separate investigations, it will ensure that evidence is shared, repeated interviewing is avoided and will cause less distress for the person who may have suffered abuse.

When reporting an incidence of suspected abuse, you must provide the following details:

- Name and address of the vulnerable individual
- Information about the client such as age, disability, environment, gender, ethnicity and living arrangements.
- Whether or not the person is already known to any agency, particularly social services, or whether it is a new referral.
- Information about the suspected abuse perpetrator
- Type of suspected abuse
- Setting in which abuse took place.
- Time and frequency of suspected abuse
- Whether or not there is imminent danger to the victim

IF THERE IS IMMEDIATE DANGER OR THE PERSON NEEDS MEDICAL HELP, CONTACT THE POLICE OR CALL FOR AN AMBULANCE

Allegations of abuse will be taken through the following steps:

- Reporting to a single referral point
- Recording the precise factual details of the alleged abuse.

- Enquiry and verification to establish the substance of the initial reports.
- Initial co-ordination involving representatives of all agencies which might have a role in a subsequent investigation
- Investigation
- Joint discussion, decision and case planning
- Implementation of agreed actions
- Monitoring and review

Clients and Workers should be informed that complaints would be dealt with independently, treated seriously and that they will be informed of the outcome. Presumption of innocence should clearly underpin all dealings and proceedings with regard to those against whom a complaint or allegation has been made, until there is evidence to the contrary and it is proved otherwise.

Complaints involving a member of staff will be dealt with taking into account of their rights under employment legislation and internal disciplinary procedures and they will be allowed to be represented by an advocate of their choice. Alleged perpetrators who are also vulnerable adults themselves have the right to the support of an appropriate adult whilst they are being questioned by the Police, under the Police and Criminal Evidence Act.

Procedure in relation to crime or suspected crime

Sexual, physical or psychological abuse, financial exploitation, theft or fraud constitute criminal offences and should be reported to the police. The police have a duty to the victim to assist, support and obtain evidence of alleged abuse and a responsibility to investigate reported crimes as well as interview any identified suspects.

Confidentiality

In order to protect vulnerable adults, in some circumstances it will be necessary to share what might normally be regarded as confidential information.

Data Protection Acts

In certain circumstances, it will be necessary to exchange or disclose personal information, which must be done in accordance with data protection principles, as laid down in the Data Protection Act 1984 and 1998.

When considering whether or not to share or disclose information the following guidance principles should be followed:

- What is the purpose of information sharing?

- Is it necessary to share personal information in order to fulfil that purpose?
- Do the parties have the power to disclose personal information for the purpose?
- How much personal information will be shared in order to achieve the objectives?
- Should the consent of the individual be sought before disclosure is made?
- What action is appropriate if the consent of the individual is not sought, or is sought but withheld?

3.5 Gifts and Gratuities

Care is provided in return for agreed fees. Under no circumstances should you seek any other money, gifts, favours, or rewards for services rendered, either for yourself or for any third party.

It is not uncommon for a Client, their friend or relative, to offer a voluntary gift as a mark of appreciation for care they have received. Professional Healthcare Recruitment Ltd believes that giving and receiving such gifts is not generally appropriate to the provision of professional care.

Wherever possible, any offer of a gift should be politely refused, with an explanation that acceptance would be against the Professional Healthcare Recruitment Ltd policy.

If refusal is likely to cause serious offence to your Client, the gift may be accepted under the following rules:

- All offers of gifts should be disclosed to the local office Manager who will discuss the matter with your Client, their personal carer, or other advocate as appropriate, to explain the Company policy.
- Gifts of money may only be accepted with the stated intention that it will be passed in full to a charitable organisation nominated by the Company.
- Gifts of consumables (e.g. flowers, chocolates), if unlikely to cause offence, should be left in the Client's possession, to be shared and enjoyed by all Members of the care team.
- Other gifts should be refused with the suggestion of an equivalent donation to charity.
- The local office Manager will acknowledge all gifts in writing. Please also refer to the NMC guidelines on gifts. Failure to comply with this policy may result in removal from the Professional Healthcare Recruitment Ltd register.

3.6 Wills and Bequests

Under no circumstances should you seek, invite or accept an offer of any bequest or consideration in a Client's will, either for you or any third party.

Unsolicited offers should be disclosed to the local office Manager who will discuss the matter with your Client, their personal carer, relatives or other advocates. If a bequest is made to you without your prior knowledge, it should be disclosed to the local office Manager. Following discussion with you and the executors of your Client's will, if the local office Manager is satisfied that this policy has been complied with, the bequest may be accepted. If the intention to bequeath is known to a the Company Member or a local office, it is Professional Healthcare Recruitment Ltd policy to utilise that money, either for the benefit of the Professional Healthcare Recruitment Ltd Members e.g. training courses, or for the good of the local community.

Those providing care to vulnerable people may acquire an unusually strong position of influence over them. To avoid accusations of improper conduct, you should politely refuse to advise your Client on any aspects of making a will. You should also avoid acting as a witness to a signature of a will, as doing so may make the will invalid.

Clients should be referred to a solicitor or other independent adviser. Failure to comply with this policy may result in removal from the Company register.

3.7 Record Keeping

Maintaining records is an essential and integral part of providing care.

In establishment settings, i.e. Nursing Homes, Hospitals etc., it is usually the qualified nurse's responsibility to ensure that Client records are updated before the completion of each shift. However, untrained staff must ensure that they inform the qualified nurse of any relevant changes in the Client's condition, or of any other information that needs to be documented. In non-establishment settings an entry should be made in the Client's report book at the end of each assignment, including relevant, concise notes on the Client's condition, needs etc. and each entry should be signed, timed and dated.

Remember, some comments you wish to make should be discussed verbally with your local office Manager and not written in the report book.

Registered Nurses

All registered nurses are personally accountable for their own professional practice and must adhere to their Professional Code of Conduct.

SECTION 4 - HEALTH AND SAFETY

4.1 Identification and Reporting Hazards

All Members need to look out for hazards at the establishment where they have accepted an assignment and report back to the local office Manager via the complaints procedure anything they feel may present a risk to anyone's health and safety.

A Risk Assessment Form can be obtained from your local office Manager who is the “Competent Person” for Health & Safety purposes.

4.2 Accident Reporting

You are responsible for ensuring that all incidents or accidents that relate to the provision, control, and maintenance of a safe and healthy workplace are reported to the Client and your local office Manager (and/or to the Local Authority in the case of serious accidents and/or dangerous occurrences).

It is also important that the internal reporting procedure of the establishment is carried out e.g. recording the accident in the accident report book. If in a Client’s home, a written record (in the home care booklet) must be kept of any accident or occurrence that happens in the workplace, however minor. In addition to internal reporting through the accident report/home care book, the establishment/Client must ensure the following be reported to the appropriate enforcing authority, i.e. the local Environmental Health Officer.

- Fatal accidents.
- Major injury accidents/conditions.
- Dangerous occurrences.
- Accidents causing more than three days’ incapacity for work.
- Certain work-related diseases.
- Certain gas incidents.

The above should be reported immediately by the Member by telephone to the local office and Person in Charge of premises being worked in.

4.3 Health and Safety and You

Since the Health & Safety at Work Act was introduced in 1974, a number of regulations have been added providing a comprehensive framework of health and safety legislation. These regulations provide both employers and the self-employed with detailed guidance about their responsibilities towards providing and maintaining a safe and healthy place of work.

The law in general is aimed at employers. It is they who are most able to influence whether a place of work is safe. However, the law applies equally to the self-employed.

Therefore, all Professional Healthcare Recruitment Ltd Members (as self-employed persons) have a general duty to ensure that their work activities do not endanger themselves or others. This duty applies irrespective of where you are undertaking work and includes home care.

Equally, the Client/establishment or owner of the house has a general duty to ensure that the work environment, which includes the home, is itself free from any dangers to health or safety. Professional Healthcare Recruitment Ltd, as your Agent, does not have any legal responsibility for your health and safety whilst you undertake an assignment through them. However, if you are a Care Assistant or Registered Nurse, the NMC Codes of Practice provide its Members with advice and guidance to ensure that you are fully aware of your responsibilities regarding health and safety. You are then in a position to establish and maintain safe systems of work and a safe working environment.

It is imperative that you familiarise yourself with the policies and procedures of the establishment within which you are working, particularly those relating to fire and other emergencies.

So far as is reasonably practicable, the company will ensure that persons not in its employment who may be affected by its activities are not exposed to risks to their health and safety. In addition, Professional Healthcare Recruitment Ltd will remind its own employees and others that the health and safety policy is unlikely to succeed without their active involvement and participation. Professional Healthcare Recruitment Ltd will notify you of any specific hazards relating to your place of work, which have been notified to us by the client.

SECTION 5 - MISCELLANEOUS

5.1 Training and Development Requirements and Opportunities

As a Member of Professional Healthcare Recruitment Ltd, you are responsible for updating your skills and knowledge regarding best practice in health and safety. You should subscribe to all codes of practice as laid down in statute, or by the NMC. This includes the techniques on moving and handling and record keeping.

It is your responsibility to maintain your CPD and PREP.

Professional Healthcare Recruitment Ltd can offer access to a range of courses through various organisations. Contact your local office Manager for full details. We are striving to have all our care workers qualified in line with statute regulation. If you are interested in this we may be able to help a member source funding and advise that you contact your local office who will be happy to help.

5.2 Engagement by a Client

Our Conditions of Engagement with Clients include a requirement that Clients pay us an appropriate recruitment fee if they employ directly any Company Member who has worked for them in the previous 12 months. This applies equally to temporary or permanent posts, full or part-time. You are required by your Conditions of Membership to notify your local office if you wish to take up any post with a Client of the Professional Healthcare Recruitment Ltd for whom you have worked during the previous 12 months, even if you have terminated your membership with Professional Healthcare Recruitment Ltd.

5.3 Professional Codes of Conduct

To practice in the UK, all registered nurses must hold a current registration with the NMC (Nursing and Midwifery Council), and must at all times abide by their Code of Professional Conduct. Nurses not adhering to the above standards may be removed from the register and will not be eligible to practice.

As part of Professional Healthcare Recruitment Ltd selection procedure for Members, all qualified nurses' PIN numbers (Personal Identification Number) will be validated with the NMC, and the ability to practice and current registration will be confirmed. If Professional Healthcare Recruitment Ltd is unable to validate a current PIN, then no work (appropriate to the profession to which the PIN applies) will be offered until the matter is fully investigated and resolved satisfactorily.

At interview, registered nurses will be required to produce their NMC PIN card and statement of entry onto the NMC for inspection. A photocopy of each is retained on file, (originals must be shown).

Upon expiry of PIN cards and subsequent re-registration with the NMC, every qualified nurse is required to take their new PIN card (N.B. originals only) into their local office for re-inspection and photocopying.

Professional Healthcare Recruitment Ltd also recognised and supports the Codes of Practice, published 2004 as detailed by the Commission for Social Care inspection, further information can be accessed from the local office or directly on 020 7979 2000 or www.csci.org.uk

5.4 Confidentiality

All Members whilst undertaking assignments, will at some point encounter information, which is of a confidential nature. Client details are a matter of complete confidentiality and must not be disclosed to any third party. As an example, even chatting to a Client during your visit about whom you are going to see next, is a serious breach of confidentiality. Each Client has an absolute right to confidentiality and privacy regarding the services they are receiving in accordance with Data Protection Act 1998 and Human Rights Act 1999 and your agreement with the Company. Any concerns you may have regarding confidentiality can be discussed with your local office Manager.

5.5 Caldicott Protocol

This review was commissioned by the Chief Medical Officer of England owing to increasing concern about the ways in which patient information is used in the NHS in England and Wales and the need to ensure that confidentiality is not undermined.

The following principles have been identified.

Principle 1- Justify the purpose(s)

Every proposed use or transfer of patient-identifiable information within or from an organisation should be clearly defined and scrutinised, with continuing uses regularly reviewed by an appropriate guardian.

Principle 2- Don't use patient-identifiable information unless it is absolutely necessary

Patient-identifiable information items should not be included unless it is essential for the specified purpose(s) of that flow. The need for patients to be identified should be considered at each stage of satisfying the purpose(s)

Principle 3- Use the minimum necessary patient-identifiable information
Where use of patient-identifiable information is considered to be essential, the inclusion of each individual item of information should be considered and justified so that the minimum amount of identifiable information is transferred or accessible as is necessary for a given function to be carried out.

Principle 4- Access to patient-identifiable information should be on a strict need-to-know-basis.

Only those individuals who need access to patient-identifiable information should have access to it, and they should only have access to the information items that they need to see. This may mean introducing access controls or splitting information flows where one information flow is used for several purposes.

Principle 5- Everyone with access to patient-identifiable information should be aware of their responsibilities.

Action should be taken to ensure that those handling patient-identifiable information both clinical and non-clinical staff-are made fully aware of their responsibilities and obligations to respect patient confidentiality.

Principle 6- Understand and comply with the law.

Every use of patient-identifiable information must be lawful. Someone in each organisation handling patient information should be responsible for ensuring that the organisation complies with legal requirements.

5.6 Comments and Complaints

The Company welcomes comments from Clients, their Representatives and Company members, as knowing their views helps us to improve our service. Compliments let us know we are getting things right and are always passed on to the appropriate people.

If a Client or Member is unhappy with any aspect of the service they receive and wishes to complain they should contact their local office Manager. This can be done in person, by telephone or in writing. It is important that complaints are made as soon as possible after the event in order that an effective investigation can take place.

Please help us to respond quickly to your complaint by providing as much information as possible, particularly:

- What the complaint is about

- What happened
- Where it happened
- Who was involved
- When it happened

The local office Manager will do their best to sort out the problem, as quickly as possible and in many cases they will be able to resolve the issue straight away.

Any written or serious verbal complaint will be dealt with as follows:

- If you have not already done so, you will be asked to confirm the complaint in writing.
 - As soon as the complaint is received, it will be logged and you will receive acknowledgement of receipt of the complaint within one working day, this may be by telephone or in writing.
 - We may contact you to clarify the detail of the complaint and to discuss it with you and we will follow up any conversations with you in writing.
 - We will keep you informed at least every two weeks on the progress of our investigations.
 - The local office Manager will seek agreement from you that the complaint has been resolved to your satisfaction
 - Throughout the investigation we will be careful to ensure that any information about you is kept confidential
 - Steps will then be taken, where possible, to prevent a reoccurrence
- If you are not satisfied the local office Manager will seek to agree further action to resolve the complaint. If no such action can be agreed, the complaint will be referred to the Operations Director of the Company.

You also have the right to refer your complaint to the Trading Standards Office of the Licensing Authority.

The Local office address:
Commission for Social Care Inspection
The Oast
Hermitage Court
Hermitage Lane
Maidstone
ME16 9NT
Tel: 01622 724950

Fax: 01622 724980
www.csci.org.uk

Complaint against a Member

Where a complaint is received against a Member, you will be given notice to attend a meeting to discuss the matter in detail, a written statement of events will be requested and a full investigation carried out. Members will be given the opportunity to bring a work colleague or Trade Union Representative. You will learn of the outcome of the meeting within 2 working days and be given the opportunity to appeal. If after investigation the complaint is deemed to be founded and is of a serious nature, it may result in your removal from the Professional Healthcare Recruitment Ltd register and be reported to the appropriate professional body as well as the Group's clinical alert register.

5.7 Data Protection/Access to Records

The Company is a "data controller" for the purposes of the Data Protection Act 1998 (the "Act"). This is because the Company holds and uses both "personal data" and "sensitive personal data" about its employees, Clients, Members and other individuals.

Professional Healthcare Recruitment Ltd processes data, including your records and Client/Service User records.

The information contained in Member's records is taken from your application for membership, as well as Criminal Record Bureau Checks, references and Conditions of Membership. There may be occasions when your records could be disclosed to Clients e.g. Social Services.

Data Protection Compliance Officer

In order to ensure that the Company complies with its obligations under the Act, it has appointed a Data Protection Compliance Officer. You should refer to the Compliance Officer if you are in any doubt about any of the company's obligations under the Act.

Rights of Access (Subject Information)

The Act gives you the right, on application in writing (and payment of a fee as appropriate), to be informed in writing by Professional Healthcare Recruitment Ltd: whether Professional Healthcare Recruitment Ltd is processing any personal data relating to you, and if so: -

- The nature of the personal data held about you.
- The purposes for which that personal data is being processed.
- The persons to whom that information may be disclosed and the source of that personal data (where known).

Professional Healthcare Recruitment Ltd is not obliged to provide information to you in all circumstances. A number of exemptions apply and Professional Healthcare Recruitment Ltd may, in certain circumstances, be unable to disclose information where that information also relates to another individual, who could be identifiable from the information disclosed. However, in these circumstances Professional Healthcare Recruitment Ltd will provide you with reasons why we believe such a decision to be necessary.

All requests for disclosure received from you or those who claim to be data subjects, must be referred immediately in writing to your local office Manager. This request will then be submitted to the Operations Directors for action, who will normally respond within two weeks.

Upon receipt of such data, you should check its accuracy and inform the Operations Director of any amendments required. It is in the interests of everyone that all information is accurate and up-to-date. Your co-operation and assistance are greatly appreciated.

It is assumed that you will only need to verify personal data on one occasion. There will be no charge made for the first application in any calendar year, however, additional requests will normally attract a charge of £10 per application.

5.8 Criminal Convictions

Rehabilitation of Offenders Act (1974)

This act makes it unlawful to take into account any offences of a person who is considered to have undergone a satisfactory period of rehabilitation. There are a number of situations where the act does not apply, including “any employment which is concerned with the provision of health services and which is of such a kind as to enable the holder to have access to persons in receipt of such services in the course of his or her normal duties...”

As such it is a requirement that all applicants for Professional Healthcare Recruitment Ltd membership provide details of any existing convictions or any new convictions occurring during their membership with the Company. Denial or non-disclosure of any relevant conviction, which is subsequently shown to exist, shall lead to the immediate removal from the Professional Healthcare Recruitment Ltd Register. In order to comply with this, the Company completes a Criminal Records Bureau check on all potential applicants.

Dealing with Members' Criminal Convictions

As all convictions must be declared, either the Managing Director or Operations Director will decide whether the offence gives rise to a risk to Clients and whether the applicant should be offered membership. As convictions may include relatively minor motoring offences, there may well be situations where a conviction will not affect the application.

Professional Healthcare Recruitment Ltd undertakes to judge such matters carefully and responsibly with overriding consideration to the care, safety, and protection of Clients. Should there be, in the opinion of Professional Healthcare

Recruitment Ltd, a risk to Clients then membership will be refused, or assignments restricted.

Disclosure of Convictions to Clients

Professional Healthcare Recruitment Ltd undertakes to disclose information concerning a Member's criminal conviction(s) to Clients where such information is specifically requested, but only with the prior written approval of the Member.

5.9 Income Tax and You

Although all Members are self-employed, Professional Healthcare Recruitment Ltd is required by law to treat you as though you were employed for the purposes of PAYE and Class 1 National Insurance Contributions only. Therefore, you are required to pay income tax on your earnings (if they exceed the threshold for the current financial year). The rules affecting people working through agencies are contained in Section 134 TA 1988 (formerly Section 38, Finance (No. 2) Act 1975).

The Inland Revenue stipulates one exception - when a qualified nurse works for a private patient in the patient's home, he/she will be responsible for paying his/her own tax and National Insurance. Thus no deductions for tax or National Insurance (see below) will be made by Professional Healthcare Recruitment Ltd and the Member is required to declare such earnings to the tax office at the end of the financial year (Schedule D payments).

Members taking up such assignments are advised to set aside at least 22% of the fees earned to cover any tax liability.

If you have any queries regarding your tax code or feel that you may be entitled to additional allowances, please contact the tax office direct who can adjust your tax code accordingly. If the Company is not your main source of work for tax purposes and there are issues with overpayment of tax and other income issues, it is also advisable to discuss these with the Inland Revenue direct or via their web site.

National Insurance

Deductions in respect of Class 1 National Insurance will normally also be made by the Company on your behalf, if earnings exceed the National Insurance threshold.

Once again, the exception is for assignments where a qualified nurse is working for a private patient in his or her own home (Schedule D assignment). If you undertake any Schedule D assignments, you may be required to make Class 2 National Insurance Contributions (i.e. contributions made by self-employed persons), depending upon the amount earned. You must contact your local DSS office for details on how to register to make payments or apply for a small earnings exemption, if applicable.

If you are entitled to pay reduced National Insurance or are exempt from paying contributions, you must produce the appropriate certificate, before undertaking any assignments.

National Insurance Benefits

If you have made sufficient NI contributions you may be eligible for certain Social Security Benefits:

Statutory Maternity Pay

In certain circumstances, pregnant Members may be eligible for Statutory Maternity Pay through the Company or Maternity Allowance from their local Social Security Office.

If you are pregnant you must:

- Inform your local office that you are pregnant.
- Obtain your MATB1 from your Doctor or Midwife and pass this to your local office.
- Keep your local office informed with any changes in the type of assignments you can or cannot do.
- Obtain from your local Social Security Office leaflets FB8 'Babies & Benefits' and NI 17A 'A Guide to Maternity Benefits'.

Your local office will pass your MATB1 form to Members' payroll who will be able to determine whether SMP is payable through Professional Healthcare Recruitment Ltd.

Members who are considered to be ineligible will be given a completed SMP1 form, which together with their MAT B1 form should be forwarded to their local Social Security Office, with a request to consider the payment of Maternity Allowance.

Statutory Sick Pay (SSP)/Sickness Benefit

Because your "contract" only exists for the period of each duty, the Company does not usually pay sick pay. You should make enquiries at your local DSS office with regard to sickness benefit. If you do have an assignment booked and you are unable to complete the assignment, please contact your local office as soon as possible to report this so that a replacement member can be supplied.

Other Benefits

You may be eligible for other benefits, details of which may be obtained from your local Social Security office.

Queries with respect to payments should be addressed to your local office.

5.10 Insurance Guidelines

All Professional Healthcare Recruitment Ltd Members are self-employed and are responsible for their own actions, errors, or omissions at work. You are therefore strongly encouraged to take out personal accident insurance, appropriate to your needs and which will provide adequate cover.

Malpractice and Public Liability

Professional Healthcare Recruitment Ltd has organised Malpractice and Public Liability Insurance on behalf of all of its Members giving cover for claims up to £5 million per incident in any one year.

Written details confirming the insurance cover can be obtained from your local office. It is a condition of membership of the Company that you have this insurance. The cover applies to all Members. It covers public, products, professional and medical liability but does not cover you for personal injuries, or death.

A small charge is automatically deducted from your payslip in order to pay your premium. Please ask your local office Manager for the actual amount charged. If any incident occurs which could give rise to a claim, the incident must be recorded accurately in the Client's Accident Book or in the Company Care book. If you are caring for someone in their own home, you are also strongly advised to complete an incident report form (available from your local office). Although the insurance covers accidental damage to third party property in care, custody or control of any Member, the cover is limited to £100,000 and is subject to a £500 excess, which the member must pay in respect of each claim. You can of course, take out additional insurance should you wish to do so.

All incidents must be reported to your local office Manager as soon as possible so that they can be recorded and the insurance company made aware of the situation. If you work within any premises other than individuals' private homes, the incident must also be recorded in the accident report book and the Manager informed.

Insurance Against Personal Accident and Illness

Members will only receive fees for work that has been undertaken. Therefore, should you for any reason be unable to undertake work you may well suffer financially as a result. The normal risks preventing Members from working are accidents either at work, at home, or through illness. You are advised to seek and obtain insurance cover against such risks and at a level that protects your income during periods when you cannot work.

Professional Healthcare Recruitment Ltd advise all Members to seek the services of an Independent Financial Adviser in the first instance to ensure you are covered in such an event.

Motor Insurance

The use of a private motor vehicle travelling to, from, or during an assignment is "own business use" and you are advised to check with your motor vehicle

Insurance company to confirm that you are covered for such risks and to arrange such cover where this is necessary.

If you transport a Client in your own vehicle, you must have “own business” cover for passengers as well as yourself. A copy of this certificate is to be given to your local office.

5.11 How to Claim Holiday Pay

(PLEASE NOTE POINT IN THE TERMS AND CONDITIONS OF MEMBERSHIP, WHICH REFERS TO YOUR HOLIDAY ENTITLEMENT.)

The holiday year runs from 1st December to 30th November.

Once you have completed a holiday request form and given a minimum of 1 weeks notice, you may take holiday at any time during the year, which will be paid on the next pay date after your period of leave.

All holiday hours must be taken by 30th November, any hours not claimed by this date will be lost.

It is each nurse’s responsibility to claim their holiday pay, and Professional Healthcare Recruitment Ltd will not send reminders, nor will Professional Healthcare Recruitment Ltd be responsible for loss of holiday payments.

SECTION 6 – CONTACTS

Professional Healthcare Recruitment Ltd

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Kent

TN1 1YG

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206 Turners Hill,

Cheshunt

Herts EN8 9DE

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