



Code of Conduct V5.0

Policy Statement:

The Heart of England Foundation Trust upholds a culture of openness, transparency and honesty. In order to support this culture throughout the Trust, this policy has been written to provide the necessary guidance and support to employees on the action that should be taken in the event that they are offered gifts and/or hospitality, or, where they find themselves in a situation where there is an actual or potential conflict of interest or perception of this in the eyes of the public.

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CODE of CONDUCT

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1. INTRODUCTION

It is a long established principle that public sector bodies, which include the NHS, must be impartial and honest in the conduct of their business, and that their employees should remain beyond suspicion. It is also an offence under the Prevention of Corruption Acts 1906 and 1916 for an employee to corruptly accept any inducement or reward for doing, or refraining from doing anything, in his or her official capacity, or corruptly showing favour, or disfavour, in the handling of contracts and business transactions.

The Heart of England Foundation Trust [The Trust] upholds a culture of openness, transparency and honesty. In order to support this culture throughout the Trust, this policy has been written to provide the necessary guidance and support to employees on the action that should be taken in the event that they are offered gifts and/or hospitality, or, where they find themselves in a situation where there is an actual or potential conflict of interest or perception of this in the eyes of the public.

2. SCOPE

This policy applies to all employees (permanent and temporary), consultants and contractors (including sub-contractors), agency staff or any other individual working or acting on behalf of the Trust whilst completing business transactions or representing the Trust on Trust business ["employees"].

This guidance is consistent with and should be read in conjunction with the following NHS publications on this topic:

- Standards of Business Conduct for NHS Staff (January 1993) - (HSG(93)5) – NHSE.
- Code of Conduct and Accountability FDL (95) 52.
- NHS Trusts Example Standing Orders – Section 8 Standards of Business Conduct.
- Commercial Sponsorship – Ethical Standards for the NHS (November 2000) – DoH.
- Nolan Principles on Conduct in Public Life - HMSO.
- Good Medical Practice (July 1998) - General Medicine Council.
- Code of Conduct for NHS Managers (October 2002) - DoH.
- Code of Conduct Payment by Results (2008 – DoH).

The following Trust policies should also be read in conjunction with this Code of Conduct Policy including but are not limited to:

Confidentiality Policy
Contract of Employment
Counter Fraud and Corruption Policy and Guidance
Dignity at Work Policy
Disciplinary Policy
Equal Opportunities in Employment Policy
Innovation Development and Intellectual Property Standard Operating Procedures
Job Planning Policy
Performance and Capability Policy
Procurement Policy
Recruitment and Selection Policy
Standing Financial Instructions
Whistle Blowing Policy

These can be accessed from the Trust's intranet site.

It is the responsibility of employees to ensure they are familiar with the policies and procedures of the Trust before they carry out any business transactions for and on behalf of the Trust. In addition, employees should also follow the code of conduct of their own professions.

Employees are advised that failure to adhere to this policy and its contents will be deemed a disciplinary matter and will be dealt with in accordance with the Trust's disciplinary policy and procedures.

3. LEGISLATION

All employees of the Trust must be impartial, honest and beyond suspicion in the conduct of their Trust business. It is an offence under the Bribery Act 2010 for employees to:

- **Pay bribes:** to offer or give a financial or other advantage with the intention of inducing that person to perform a relevant function or activity improperly or to reward that person for doing so; and / or
- **Receive bribes:** to receive a financial or other advantage intending that a relevant function or activity should be performed improperly as a result; and/or
- **Fail to prevent bribery:** an organisation is guilty of an offence if an associated person, i.e. someone who performs services on behalf of the organisation, bribes another person intending to obtain or retain business or business advantage

“Relevant function or activity” includes any function of a public nature and any activity connected with a business. The employee performing the activity is required to perform it in good faith, impartially and be in a position of trust. Conviction under the Act is punishable by imprisonment for a maximum term of 10 years.

Employees should be aware that in certain circumstances, these offences could be committed as a result of a gift /consideration being accepted by a friend or relative as well as an employee.

Individuals should be aware that a breach of the provisions of this Acts renders them liable to personal prosecution and may lead to disciplinary action up to and including dismissal from the NHS Trust.

Under the Public Interest Disclosure Act 1998 employees are encouraged to disclose information confidentially about suspected wrong doing or dangerous acts and are protected from victimisation if they do so. The Counter Fraud intranet site and the Trust Whistle Blowing and Counter Fraud Policies explain what employees should do in such circumstances. Employees should familiarise themselves with these policies and procedures.

4. RESPONSIBILITIES

4.1 Responsibility of the Trust Board

The Trust Board, through the Director of Corporate Affairs and Company Secretary, will periodically review this Policy to ensure it is consistent with best practice and undertake periodic checks to ensure it is being communicated, adhered to and that concerns expressed by employees or others in relation to this policy are fully investigated and acted upon.

4.2 Responsibility of Executive Directors / Site Director / Medical Director / Divisional Head of Operations

The Code of Conduct for NHS Managers (DoH Publication) provides guidance for managers in the work they do and the decisions/choices they have to make. It also provides reassurance to the public that decisions are made against a background of professional standards and accountability. Managers should ensure that they are aware of the contents of this Code and comply with its principles.

All new employees will be made aware of the Trust's Code of Conduct Policy and their contractual obligations in complying with the policy at the Corporate Induction which they will be required to attend. However, it is the responsibility of each and every manager to ensure that their employees are aware of the content of the Trust's Code of Conduct Policy.

Each Executive Director / Site Director / Medical Director / Divisional Head of Operations is required to maintain a register of gifts, hospitality and interests for their department and ensure it is kept up to date and complete. (Appendix A).

The Medical Director will be responsible for the returns on behalf of the medical workforce.

It is the responsibility of each and every manager to identify any breaches of the Code of Conduct which should be managed in accordance with the relevant HR policies on performance and reported to the Company Secretary.

Every year each Executive Director / Site Director/ Medical Director / Divisional Head of Operations will be required to sign a statement to confirm compliance with the Code of Conduct in their respective departments and to forward to the Company Secretary.

4.3 Responsibility of Company Secretary

The Company Secretary will report all breaches of the Code of Conduct to the Trust Board on an annual basis.

4.4 Responsibility of Employees

It is the responsibility of all employees to ensure they are not placed in a position which risks, or appears to risk, conflict between their private interests and their Trust duties. This applies to all Trust employees e.g. those who commit Trust resources directly (e.g. by ordering goods) or those who do so indirectly (e.g. by the prescribing of medicines). A further example would be employees who may have an interest in a nursing home and who are involved with the discharge of patients to residential facilities.

The responsibility also extends to all employees who take outside employment. Any additional employment, including private practice, should be declared in accordance with 7.8 of this policy.

All employees should satisfy themselves that their actions in conducting the Trust's business fully reflect the values in this Code. Trust employees are required to follow this Code of Conduct. Where there is evidence to suggest that staff may have breached the requirements and principles of this policy, this is likely to be considered as gross misconduct under the Trust's Disciplinary Policy.

5. PRINCIPLES of CONDUCT in the NHS

Public service values must be at the heart of the National Health Service. High standards of corporate and personal conduct based on a recognition that patients come first, have been a requirement throughout the NHS since its inception. Moreover, since the NHS is publicly funded, it must be accountable to the public for the services it provides and for the effective and economical use of public money.

All NHS employees have a duty to conduct NHS business with probity, respond to employees, patients and suppliers impartially, and achieve value for money from the public funds with which they are entrusted and to demonstrate high ethical standards of personal conduct.

Nolan Principles

The Seven Principles of Public Life, known as the Nolan Principles, were defined by the Committee for Standards in Public Life. They are:

- **Selflessness** Holders of public office should act solely in terms of the public interest. They should not do so in order to gain financial or other benefits for themselves, their family or their friends.
- **Integrity** Holders of public office should not place themselves under any financial or other obligation to outside individuals or organisations that might seek to influence them in the performance of their official duties.
- **Objectivity** In carrying out public business, including making public appointments, awarding contracts, or recommending individuals for rewards and benefits, holders of public office should make choices on merit.
- **Accountability** Holders of public office are accountable for their decisions and actions to the public and must submit themselves to whatever scrutiny is appropriate to their office.
- **Openness** Holders of public office should be as open as possible about all the decisions and actions that they take. They should give reasons for their decisions and restrict information only when the wider public interest clearly demands it.
- **Honesty** Holders of public office have a duty to declare any private interests relating to their public duties and to take steps to resolve any conflicts arising in a way that protects the public interest.
- **Leadership** Holders of public office should promote and support these principles by leadership and example.

6. PRINCIPLES OF CONDUCT IN THE TRUST

Trust employees are expected to:

- Ensure that the interests of patients remain paramount at all times;
- Be impartial and honest in the conduct of their official business;
- Use the public funds entrusted to them to the best advantage of the service, always ensuring value for money;
- Understand and uphold the Nolan principles to all areas of their work for and on behalf of the Trust.

It is the responsibility of employees to ensure that they do **not**:

- Abuse their official position for personal gain or to benefit their family or friends;
- Accept bribes;
- Seek to advantage or further their private business or other interests, in the course of their official duties;
- Breach any statutory legislation or Trust policies whilst conducting business on behalf of the organisation.

7. IMPLEMENTING THE TRUST'S PRINCIPLES

7.1 Gifts and Hospitality

Gifts and hospitality refers to a wide range of activities, but can be considered as:

- Gifts or money, goods or services, or combinations of these
- A loan of money, goods or services, or combinations of these
- The receipt of beneficial terms that are not generally available regarding the purchase, lease or contracting of goods or services
- Receipt of goods including any type of equipment, including vehicles
- Invitations to events, travel, or accommodation, or work carried out to the employee's benefit

In all of the instances contained in the definitions above, employees should declare gifts and hospitality and sponsorship (see Appendix A and D)

7.1.1 Gifts

Gifts should normally be firmly but politely declined. However, articles of low intrinsic value or small tokens of gratitude from patients or their relatives, need not necessarily be refused.

Items of intrinsically small value [less than £5] need not be declared. Examples may include:

- Diaries;
- Pens;
- Calendars;
- Mugs;
- Office Stationery;
- Boxes of chocolates or biscuits.

Gifts with the value of between £5- £25 may be accepted but **must** be declared. These may include:

- Bottles of wine or spirits;
- Books (not relevant to work or practice);
- CDs / DVDs (not relevant to work / practice);
- Decorative objects such as glass tankards, glass crystal, ornaments.

Any other gifts over this value should be politely declined.

Under no circumstances should employees accept personal gifts of cash even if this is below the limit of £25.

Should an employee be in receipt of a **legacy** which is in any way connected to his/her employment then they must notify their manager immediately.

It is the employee's responsibility to seek the advice of their Directorate Manager/Site Manager / Head of Department if they have any doubt as to whether it is appropriate to accept a low value gift.

Gifts offered by contractors or others that are in any way connected with the carrying out of duties and may constitute an offence under the Bribery Act 2010 and must not be accepted.

It is understood that, on occasions, patients choose to make a donation for the direct benefit of the staff. In such circumstances, formal records must be kept and any balances should always be held in a charitable fund, which must be opened for this purpose with appropriate controls for withdrawals. Such funds must not be kept informally in the ward/department nor should they be held in the name of an individual member of staff.

7.1.2 Hospitality

Modest hospitality, provided it is normal and reasonable in the circumstances, e.g. lunches in the course of working visits, may be acceptable, though it should be similar to the scale of hospitality which the Trust, as an employer, would be likely to offer or you would be prepared to pay for yourself. All other offers of hospitality or entertainment should normally be declined.

Examples of acceptable hospitality may include:

- Invitations to attend functions where the attendee is representing the Trust;
- Working lunches, light refreshments.

Unacceptable hospitality that should be declined may include:

- Personal invitations to sporting events, or other entertainment;
- Tickets for non-work related events;
- Holidays (including free holiday accommodation), weekend breaks, air or rail travel;
- Non-working lunches or evening meals, cabarets and nightclub entertainment.

If in doubt, the employee should seek advice from their Manager and declare the gift / hospitality.

Should the member of staff interpret that the offer of the gift or hospitality is in any way improper and not consistent with the aims of this Policy, then the employee must notify their Manager as soon as practicable. If the Manager agrees that the offer is indeed improper then they should report this to their Executive Director for investigation and appropriate action.

All gifts and hospitality received other than those referred to above (as of intrinsically small value) must be notified to your Executive Director / Site Director / Medical Director / Divisional Head of Operations by completing a 'Register of Gifts and Hospitality' Form (Appendix A). This includes where more than one employee has received the same hospitality.

The Executive Director / Site Director / Medical Director / Divisional Head of Operations should maintain the register of gifts and hospitality and sponsorship, and advise the Company Secretary of its completeness on an annual basis.

Use of Trust monies for gifts, hospitality and entertainment:

The use of Trust monies for gifts, hospitality and entertainment, including hospitality at conferences or seminars, should be carefully considered to ensure it is capable of justification as reasonable in the light of the general practice in the NHS. Expenditure on gifts, hospitality or entertainment is the responsibility of management and is open to be challenged. Ill-considered actions can damage the Trust's reputation.

7.2 Declaration of Interests

Trust employees should be aware that it is a condition of service that they declare, in all cases, if they or a close relative or associate has a controlling and/or significant financial interest in any business (including private company, public sector organisation, other NHS employer and/or voluntary organisation) or in any other activity or pursuit, which may compete for a NHS contract or supply either goods or services to the Trust.

The Interest should be declared at the time of starting employment, when first acquiring the interest or due to being made aware of the necessity by the issue of this policy. The Declaration of Interest Form (Appendix B) should be completed and forwarded to the Executive Director / Site Director / Medical Director / Divisional Head of Operations.

The Executive Director / Site Director / Medical Director / Divisional Head of Operations will then maintain a register of such interests and forward to the Company Secretary on an Annual basis.

7.2.1 Examples of Interests to be declared:

Such relevant interests may include but not be limited to: -

- directorships, including non-executive directorships, held in private companies or PLCs;
- ownership or part-ownership of private companies, business or consultancies likely or possibly seeking to do business with the Trust;
- majority or controlling shareholdings in organisations likely or possibly seeking to do business, or competing with the Trust;
- a position of authority in a charity or voluntary body in the field of health and social care

Where the above applies to spouses/partners and those living at the same address declarations should also be made.

If the employee is in any doubt as to what constitutes an interest then they should seek the advice of the Directorate Manager/Site Manager/Head of Department.

7.2.2 Guidance on whether an employee has an interest to be declared:

As a guide, employees should consider the following;

- (a) Am I, or might I be, in a position where I (or my family/friends) could gain from the connection between my private interests and my employment?
- (b) Do I have access to information which could influence purchasing decisions?
- (c) Could my outside interests be in any way detrimental to the NHS or to patient's interests?
- (d) Do I have any other reason to think I may be making a conflict of interest?

One particular potential conflict of interests is that of private care / nursing homes or hostels. This is an area which might directly affect patients; staff have a responsibility to declare such an interest. When patients or families seek information on Nursing/Care Homes a list of Homes can be made available. Staff must never offer advice on selection.

Advice on professional conduct issued by the General Medical Council recommends that when a doctor refers a patient to a private care home or hostel, in which they have an interest, the patient must be informed of that interest before the referral is made.

7.2.3 Conflicts of Interest

Primary responsibility for identifying and declaring any actual, potential or perceived conflict of interest rests with the employee. All employees are required to seek advice immediately if they intend to take up a new interest, activity or relationship that may possibly create, or be perceived to create, a conflict of interest, or if an existing one develops in such a way.

If an employee considers that there may be a **potential** or **perceived** conflict of interest they should seek advice from their Line Manager (and Human Resources Department, if necessary)

If an employee has an **actual** or **potential** conflict of interest, then they should declare this in the Declaration of Interest (see Appendix B).

Once a conflict of interest (actual/potential/perceived) has been identified and declared, the employee and their Line Manager/Head of Dept should discuss what appropriate/necessary action should be taken in order to resolve the identified conflict in accordance with upholding the values described in 5 and 6 above and the requirements of this policy.

For example, this may involve:

- A reorganisation of work responsibilities e.g. reallocating a case/project to another employee;
- Removal of the employee from involvement in an affected decision-making process;
- Restriction of access of employee to particular information;
- Transfer of employee to duties in a non-conflicting function;
- Rearrangement of the employees' duties and responsibilities;
- An agreement that the employee will give up the interest that is causing the conflict, if this is at all possible;
- Not taking any action but being aware that future action may be required if the **potential** conflict becomes an **actual** conflict of interest. In this case, a record of this decision/action should be made on the Declaration of Interest Form and the Directorate register.

In each case, details of the action taken to mitigate/remove the conflict should be recorded on the Declaration of Interest Form (Appendix B) and signed by both the manager and employee.

If the employee is not satisfied with the action that has been taken to resolve the conflict then they should raise it with the Head of Directorate for further review and if necessary, Human Resources. It should be noted that the Head of Directorate decision on any action that is to be taken is final.

7.3 Awarding Contracts

Any employee who has contact with suppliers or contractors (including external consultants) and, in particular, those employees who are authorised to sign Purchase Orders or place contracts for goods or services, are expected to fully comply with the Trust's Standing Financial Instructions, the Procurement Policy and this policy. Copies of which are available on the Trust's intranet.

Should employees have any queries in relation to these policies, or the guidance contained therein or, in relation to their duties and responsibilities within their roles in the procurement/finance departments then they should raise them with their Head of Department/Line Manager.

7.4 Preferential Treatment in Private Transactions

Employees must not seek or accept preferential rates or benefits in kind for private transactions carried out with companies which they have had, or may have, dealings with on behalf of the Trust. This does not include concessionary agreements negotiated by NHS management, or recognised staff interests, on behalf of all staff. E.g. NHS staff benefits schemes.

7.5 Appointments

Employees involved in appointment panels must disclose any interest when involved in decisions relating to the appointment of candidates. Failure to disclose such a relationship may render the appointment process void. Where a member of the appointment panel is related to any candidate steps should be taken to ensure at least one member of the panel is independent.

7.6 Outside Employment

It is a condition of service that employees must not engage in any outside employment or obtain commercial sponsorship, which may conflict with the employees work in the Trust or be detrimental to it.

For example outside employment must never:

- Be for a major contractor / potential contractor of the Trust thus raising doubts about the level of impartiality of an employee dealing with contracts.

All employees must inform their Directorate Manager/Site Manager/Head of Department where they may be risking a conflict of interest by undertaking outside employment or commercial sponsorship and must seek specific approval before engaging in such employment. It will be for the Trust to decide whether such employment may conflict with their duty to the Trust.

Outside employment will not be tolerated where it is considered by the Trust to be in contravention of the principals laid out above or affects the ability of the employee to fully perform his/her duties for the Trust.

Where approval for outside employment is agreed, this should be recorded in the register (Appendix C) maintained by the Directorate Manager/Site Manager/Head of Department. Managers should seek advice from Human Resources should they require further clarification on the above.

7.7 Employees facing criminal charges

The Trust expects employees facing criminal charges to give notice of this, without delay, to their line manager, whether they feel it is relevant or not. In the event that an employee discloses information of a serious nature, for example criminal activity, then advice should be sought from the Human Resources Department as to the action to be taken.

7.8 Private Practice

Clinicians are permitted to carry out private practice, provided that, whether limited or not, by the Terms and Conditions outlined in the handbook "Guide to the Management of Private Practice in the NHS" (see also PM (79)11), the private practice undertaken, will not in any way diminish the level of service that may be expected from them by the Trust in carrying out their duties.

Clinicians who sign contracts with the Trust will be subject to the terms applying to private practice specified in their contracts.

In all circumstances where private practice is being undertaken by Trust Staff this must be recorded in Appendix C.

All employees may undertake private practice or work for other agencies, providing they do not do so within the time they are contracted to the Trust and observe the conditions outlined above.

Medical staff are subject to the limitations on private practice earnings as detailed in their terms and conditions of employment.

7.9 Commercial Sponsorship

Commercial Sponsorship may be defined as income derived from an external source for staff, research, training, pharmaceuticals, equipment, costs of meetings, meals, gifts, hospitality, hotel and transport costs including trips abroad, free services, buildings or premises.

Further information relating to commercial sponsorship can be found in the publication Department of Health Commercial Sponsorship – Ethical Standards in the NHS and also in the Trust's Standing Financial Instructions.

7.9.1 Commercial Sponsorship for Attendance at Courses and Conferences

Acceptance of commercial sponsorship for attendance at relevant conferences and courses is acceptable but only where the employee seeks permission in advance and the Trust is satisfied that acceptance will not compromise purchasing decisions in any way. In the case of medical staff approval should be sought from the Clinical or Associate Medical Director

7.9.2 Commercial Sponsorship of Posts "Linked Deals"

Companies, particularly Pharmaceutical companies, may offer to support, wholly or partially, a post for the Trust. In such instances, the company involved should be advised that such arrangements will have no effect on the purchasing decisions of the Trust. The Trust will monitor any arrangement of this type to ensure that purchasing decisions are in fact not being influenced. The nature of the employment contract should be discussed with the relevant Human Resources Manager.

7.10 Rewards for Initiative

The Trust will ensure that it is in a position to identify potential intellectual property rights (IPR), as and when they arise, so that they can protect and exploit them properly, and thereby ensure that they receive any rewards or benefits e.g. royalties in respect of work commissioned from third parties, or work carried out by their employees in the course of their NHS duties. Most IPR are protected by statute; the Trust will build appropriate specifications and provisions into the contractual arrangements, which it enters into before the work is commissioned, or begins. The Trust will seek legal advice if in any doubt in specific cases.

7.11 Commercial in Confidence

Employees should be particularly careful of using, or making public, internal information of “*commercial-in-confidence*” nature, particularly if its disclosure would prejudice the principle of a purchasing system based on fair competition. This principle applies whether private competitors or other NHS providers are concerned, and whether or not disclosure is prompted by the expectation of personal gain.

7.12 Acting on suspected fraud

The Trust’s Whistle-Blowing Policy encourages staff not to turn a blind eye or to remain silent, but to accept their responsibilities for the Trust’s interests and to voice genuinely held concerns about fraud and corruption. All instances of fraud and corruption will be dealt with in accordance with the standards defined in the Trust’s Counter Fraud and Corruption Policy which can be found on the Trust’s intranet.

8. INDEPENDENT PROFESSIONAL ADVICE

It is Trust Policy, that where the Chief Executive or other Director feels it is necessary, in the furtherance of their official duties, to take independent professional advice, the expenses of seeking such advice will be met by the Trust.

9. ARBITRATION

Any disagreement as to whether a breach of this policy has taken place will be managed in accordance with the Trust’s Grievance and Disputes Policy. Where there is an allegation in relation to fraud and corruption this will be investigated in accordance with the Counter Fraud and Corruption Policy.

10. DISCIPLINARY ACTION

Any breach of the requirements and principles of this policy are likely to be considered as gross misconduct under the Trust’s disciplinary procedures.

11. MONITORING

This policy will be monitored through a report of all breaches from the Company Secretary to the Trust Board on an annual basis.

Appendix A:

GIFTS AND HOSPITALITY

Public Service Values must be at the heart of the NHS. High standards of corporate and personal conduct, based on the recognition that patients come first, have been a requirement throughout the NHS, since its inception. Moreover, since the NHS is publicly funded, it must be accountable to Parliament for the services it provides, and for the effective and economical use of tax payers' money. It is, therefore, necessary for:

The receipt of any gifts and/or hospitality should be discussed with your Line Manager and recorded on the Gifts and Hospitality Register as detailed in the Trust's Code of Conduct. For further information and guidance refer to the Trust's Code of Conduct Policy.

Name

Position

Gift/Hospitality Received:

From :

Estimated Value :

Details of Action Taken/Conditions:

(To be agreed with Line-Manager)

Employee Signature: **Print Name:**.....

Manager Signature:.....**Print Name:**.....

Date:.....

Appendix B:

DECLARATION OF INTEREST

Public Service Values must be at the heart of the NHS. High standards of corporate and personal conduct, based on the recognition that patients come first, have been a requirement throughout the NHS, since its inception. Moreover, since the NHS is publicly funded, it must be accountable to Parliament for the services it provides, and for the effective and economical use of tax payers' money. It is therefore necessary for all NHS staff to declare any actual, potential or perceived conflicts of interest:

For further information and guidance refer to the Trusts Code of Conduct.

Name

Position

Interest Declared:

Action Taken by Manager if Conflict of Interest (actual/potential/perceived) is determined.
(To be agreed with Employee)
Copies of this form to be included in Employees' HR File and Depts.Register of Interest

Signed:..... **Date:**.....

Employee Name:.....

Signed: **Date:**

Manager's Name:.....

Appendix C:

REGISTRATION OF OUTSIDE EMPLOYMENT or PRIVATE PRACTICE

Public Service Values must be at the heart of the NHS. High standards of corporate and personal conduct, based on the recognition that patients come first, have been a requirement throughout the NHS, since its inception. Moreover, since the NHS is publicly funded, it must be accountable to Parliament for the services it provides, and for the effective and economical use of tax payers' money. It is, therefore, necessary for all NHS staff to declare any employment or private practice that may conflict with the employees work in the Trust or be detrimental to it.

For further information and guidance refer to the Trusts Code of Conduct.

Name

Position

Current position hours

Proposed employment hours

Nature of Outside Work / Private Practice

Employee's Signature.....Date:.....

Line Manager comments:

Signature:.....Date:.....

Human Resources Comments:

Signature:.....Date:.....

Directorate Manager Comments/Approval Name:.....

Appendix D:

REGISTER OF SPONSORSHIP

Public Service Values must be at the heart of the NHS. High standards of corporate and personal conduct, based on the recognition that patients come first, have been a requirement throughout the NHS, since its inception. Moreover, since the NHS is publicly funded, it must be accountable to Parliament for the services it provides, and for the effective and economical use of tax payers' money. It is, therefore, necessary for all NHS staff to declare any sponsorship or commercial relationship.

This includes commercial sponsorship, course, conferences including dealings with Pharmaceutical Companies.

For further guidance and information refer to the Trusts Code of Conduct.

Name

Position

Details of sponsorship/commercial relationship:

Directorate Manager/ Head of Department comments and approval:.....
.....

EmployeesSignature:..... Date:.....

Managers Signature:.....Date:.....

Appendix E:

BREACH OF CODE OF CONDUCT

Public Service Values must be at the heart of the NHS. High standards of corporate and personal conduct, based on the recognition that patients come first, have been a requirement throughout the NHS, since its inception. Moreover, since the NHS is publicly funded, it must be accountable to Parliament for the services it provides, and for the effective and economical use of tax payers' money. It is therefore necessary for all NHS staff to declare any breach of code of conduct.

For further information and guidance refer to the Trusts Code of Conduct.

Employee Name

Department / Position

Type of Breach:

Details of Action Taken and Outcome:

By whom:

Employee Signature: **Date:**.....

Manager Signature: **Print Name:**.....

Head of Dept Signature:..... **Date:**.....

Appendix F:

Approval and Ratification Checklist

Title	<i>Code of Conduct</i>
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	Ratification checklist	Details
1	Is this a: Policy / Procedure / Combined Policy & Procedure	<i>Policy</i>
2	Is this: New / Revised	<i>Revised</i>
3*	Format matches Policies and Procedures Template (Organisation-wide)	Yes
4*	Consultation with range of internal /external groups/ individuals	EMB, Medical Directors, Human Resources, Finance, Procurement
5*	Equality Impact Assessment completed	<i>Assessment completed – no issues</i>
6	Are there any governance or risk implications? (e.g. patient safety, clinical effectiveness, compliance with or deviation from National guidance or legislation etc)	<i>No</i>
7	Are there any operational implications?	<i>No</i>
8	Are there any educational or training implications?	<i>Yes, but these have been incorporated within the Project Plan</i>
9	Are there any clinical implications?	<i>No</i>
10	Are there any nursing implications?	<i>No</i>
11	Does the document have financial implications?	<i>No</i>
12	Does the document have HR implications?	<i>Yes, HR consulted regarding amendment to Employment Contracts</i>
13*	Is there a launch/communication/implementation plan within the document?	Yes
14*	Is there a monitoring plan within the document?	Yes
15*	Does the document have a review date in line with the Policies and Procedures Framework?	Yes
16*	Is there a named Director responsible for review of the document?	Yes

17*	Is there a named committee with clearly stated responsibility for approval monitoring and review of the document?	<i>Corporate Affairs Directorate holds this responsibility</i>
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Document Author / Sponsor

Signed

Title.....

Date.....

Approved by (Chair of Trust Committee or Executive Lead)

Signed

Title.....

Date.....

Ratified by (Chair of Trust Committee or Executive Lead)

Signed

Title.....

Date.....

Appendix G: Equality and Diversity - Policy Screening Checklist

Policy/Service Title: <i>Code of Conduct</i>	Directorate: <i>Corporate Affairs</i>
Name of person/s auditing/developing/authoring a policy/service: <i>Company Secretary</i>	
Aims/Objectives of policy/service:	

Policy Content:

- For each of the following check the policy/service is sensitive to people of different age, ethnicity, gender, disability, religion or belief, and sexual orientation?
- The checklists below will help you to see any strengths and/or highlight improvements required to ensure that the policy/service is compliant with equality legislation.

1. Check for DIRECT discrimination against any group of SERVICE USERS:

Question: Does your policy/service contain any statements/functions which may exclude people from using the services who otherwise meet the criteria under the grounds of:	Response		Action required		Resource implication	
	Yes	No	Yes	No	Yes	No
1.1 Age?		X				
1.2 Gender (Male, Female and Transsexual)?		X				
1.3 Disability?		X				
1.4 Race or Ethnicity?		X				
1.5 Religious, Spiritual belief (including other belief)?		X				
1.6 Sexual Orientation?		X				
1.7 Human Rights: Freedom of Information/Data Protection		X				

If yes is answered to any of the above items the policy/service may be considered discriminatory and requires review and further work to ensure compliance with legislation.

2. Check for INDIRECT discrimination against any group of SERVICE USERS:

Question: Does your policy/service contain any statements/functions which may exclude employees from operating the under the grounds of:	Response		Action required		Resource implication	
	Yes	No	Yes	No	Yes	No
2.1 Age?		X				

2.2	Gender (Male, Female and Transsexual)?		X				
2.3	Disability?		X				
2.4	Race or Ethnicity?		X				
2.5	Religious, Spiritual belief (including other belief)?		X				
2.6	Sexual Orientation?		X				
2.7	Human Rights: Freedom of Information/Data Protection		X				

If yes is answered to any of the above items the policy/service may be considered discriminatory and requires review and further work to ensure compliance with legislation.

TOTAL NUMBER OF ITEMS ANSWERED 'YES' INDICATING DIRECT DISCRIMINATION =

3. Check for DIRECT discrimination against any group relating to EMPLOYEES:

	Question: Does your policy/service contain any conditions or requirements which are applied equally to everyone, but disadvantage particular persons' because they cannot comply due to:	Response		Action required		Resource implication	
		Yes	No	Yes	No	Yes	No
3.1	Age?		X				
3.2	Gender (Male, Female and Transsexual)?		X				
3.3	Disability?		X				
3.4	Race or Ethnicity?		X				
3.5	Religious, Spiritual belief (including other belief)?		X				
3.6	Sexual Orientation?		X				
3.7	Human Rights: Freedom of Information/Data Protection		X				

If yes is answered to any of the above items the policy/service may be considered discriminatory and requires review and further work to ensure compliance with legislation.

4. Check for INDIRECT discrimination against any group relating to EMPLOYEES:

	Question: Does your policy/service contain any statements which may exclude employees from operating the under the grounds of:	Response		Action required		Resource implication	
		Yes	No	Yes	No	Yes	No
4.1	Age?		X				
4.2	Gender (Male, Female and Transsexual)?		X				

4.3	Disability?		X				
4.4	Race or Ethnicity?		X				
4.5	Religious, Spiritual belief (including other belief)?		X				
4.6	Sexual Orientation?		X				
4.7	Human Rights: Freedom of Information/Data Protection		X				
If yes is answered to any of the above items the policy/service may be considered discriminatory and requires review and further work to ensure compliance with legislation.							
TOTAL NUMBER OF ITEMS ANSWERED 'YES' INDICATING INDIRECT DISCRIMINATION =							

Signatures of authors / auditors:

Date of signing:

Appendix H: Launch and Implementation Plan

To be completed and attached to any document which guides practice when submitted to the appropriate committee for consideration and approval.

Action	Who	When	How
Identify key users / policy writers	<i>All staff</i>	<i>March 2013</i>	<i>Detailed within revised policy</i>
Present Policy to key user groups	<i>All staff</i>	<i>March 2013</i>	<i>Full communication plan which will reach all employees plus leaflet distribution</i>
Add to Policies and Procedures intranet page / document management system.	<i>Corporate Affairs</i>	<i>March 2013</i>	
Offer awareness training / incorporate within existing training programmes	<i>Corporate Induction</i>	<i>April-May 2013</i>	
Circulation of document(paper/electronic)	<i>n/a</i>	<i>March 2013</i>	<i>Full Communications Plan Developed – Policy included on Trust intranet</i>