



*Dignity in the heart, mind & actions*



# Staff Handbook for SSA Star Care



**Please ensure this document is read and understood by all new members of the team.**

SSA Star Care Services Quality Control and Policy Reviews department has made every effort to ensure this document/policy/form does not have the effect of discriminating, directly or indirectly, against employees, service users, contractors or visitors on grounds of race, colour, age, nationality, ethnic (or national) origin, sex, sexual orientation, marital status, religious belief or disability. This will apply equally to full and part time employees.

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Please consider the environment before you print this document and where possible copies should be printed double-sided.

Registered in England & Wales Company Number 11945675  
Office 5 89A High Road, Wood Green, London N22 6BB  
Web: [www.ssastarcare.co.uk](http://www.ssastarcare.co.uk) Email: [info@ssastarcare.co.uk](mailto:info@ssastarcare.co.uk) Tel: On Call 07796 340377





WELCOME TO

## SSA Star Care

### Home Care, Renablement, Employment and Training

This Handbook has been produced to provide support and advice throughout your working life with SSA Star Care.

It sets out most of the Standards, Policies and Procedures of the Company, with which you are expected to comply.

Some Policies has been summarised here and a full list and file containing all the policies and procedures is available in the office and can be seen at any time during office hours.

This Handbook remains, at all times, the property of SSA Star Care and should you leave us, you must return this Handbook, together with your uniform and identity badge.

We wish you every success in your career with SSA Star Care and look forward to a long and happy relationship.

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**Though every care has been taken to ensure the accuracy of the material contained in this report, no liability can be accepted for any errors or omission.**



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## **SECTION 1 - INTRODUCTION**

### **1.1 Aims and Objectives**

Our aim is to provide, an excellent Domiciliary/Home Care Service to the community, to private individuals, Councils, NHS, other contractors as a subcontractor, as part of consortia of care agencies and to be recognised as a “preferred provider” with the local authority Social Services.

In addition, we are a provider of reablement and aim to develop that service into provision of excellence.

We have an employment agency with which we have achieved the unachievable, respect of our agency staff placed with other employers. This is due to the care and attention of safe recruitment and tailored training of the staff before we placed them with others.

We have a Training Department, which in a short time has achieved awarding organisation approval from not one but two awarding bodies.

We have recently employed the services of external Quality Control experts to consult and monitor the quality of every part of the service we offer.

### **We offer**

1. A first class, comprehensive, professional domiciliary/home care service thus enabling service users to remain in their own home for as long as possible.
2. Tailored, individual, service-user centred holistic care to all service users, taking into account their choices and needs and bearing in mind family and carers’ requirements and wishes.
3. Service users with a safe, consistent, respectful, high standard of care within their own home.
4. Maintenance of confidentiality, privacy and dignity whilst encouraging independence and physical well-being for all service users.
5. All staff with relevant, high standard, quality induction and annual update training and to encourage ongoing personal development.
6. A profitable business to the benefit of all staff and service users, enabling growth and improvements in the service provided.

## 1.2 CODE OF CONDUCT - SSA Star Care

### You MUST always

- Act in such a way as to promote, and safeguard the well-being and interests of your Service User
- Act with honesty and integrity and do nothing which might bring SSA Star Care into disrepute
- Have respect for your Service User's property and residence
- Safeguard the privacy of your Service User. You should not discuss any information about them to anyone other than those involved in their care without the agreement either of the Service User or someone who is authorised to act on their behalf. The only time this might not apply would be if you needed to give information in order to comply with the Law, or if disclosure of the information is deemed essential regarding the interest and well-being of the Service User or others and if any Safeguarding issue is involved.
- Respect the dignity and value of each person for whom you care. Do not forget that your Service User has the right to make choices insofar as his/her mental state allows (Mental Capacity Act 2005)
- Not discriminate against the Service User on the grounds of race, nationality, language, religion or beliefs, age, gender and/or sexual orientation, nor on the grounds of social standing, or between those who finance their own care and those who do not. You should take account of the customs, values and spiritual beliefs of all those for whom you care, and treat them with respect. Together with creating a close working relationship with your Service User, and their family, if applicable, you should remain professional in your approach at all times
- Maintain a professional relationship with others with whom you come into contact during your work. If you feel that another worker is acting in such a way that threatens the physical or emotional well-being of any Service User, you should discuss this with your Registered Manager/Field Supervisor

### In addition: -

- If you receive a complaint from a Service User which you are unable to sort out readily, you should make sure that he/she has a copy of the Company Complaints procedure, and you should inform your Registered Manager/Field Supervisor
- You are a very important link between the person for whom you care and SSA Star Care. You should report back to SSA Star Care on a regular basis, particularly if there is any marked **change** in the physical, mental and/or social condition of the person for whom you are caring, or any marked changes in behaviour, or if you can see that he/she is not receiving the services or care they really need
- You should also report concerns that someone else, or some other organisation is acting in a way that might harm the Service User

- You should not initiate or undertake any Nursing tasks. Examples of such tasks are: catheterisation, changing sterile dressings, the administration of injections, or the introduction of any non-prescribed drugs, systemic or topical remedies.  
**Unless you are trained and supervised to do so with the consent of the service user.**
- You should never, under any circumstances agree to be a signatory to a Service User's Will, nor should you accept gifts from those for whom you care
- Do not take children, pets, or any other person with you to an assignment
- You must not smoke or consume alcohol on duty
- You must work within the SSA Star Care policies and procedures at all times and in accordance with the standards laid down by our Industry Regulators

### 1.3 GENERAL SOCIAL CARE COUNCIL CODE OF PRACTICE

1. As a Social Care/Support Worker, you must protect the rights and promote the interests of Service Users and carers.

**This includes:**

- Treating each person as an individual;
- Respecting and, where appropriate, promoting the individual views and wishes of both Service Users and carers;
- Supporting Service Users rights to control their lives and make informed choices about the services they receive;
- Respecting and maintaining the dignity and privacy of Service Users;
- Promoting equal opportunities for Service Users and carers; and
- Respecting diversity and people's different cultures and values.

2. As a Social Care/Support Worker, you must strive to establish and maintain the trust and confidence of Service Users and carers.

**This includes:**

- Being honest and trustworthy
- Communicating in an appropriate, open, accurate, and straightforward manner;
- Respecting confidential information and clearly explaining SSA Star Care's policies regarding confidentiality to Service Users and carers;
- Being reliable and dependable;
- Honouring work commitments, agreements and arrangements and, when it is not possible to do so, making relevant explanations to Service Users and carers;

- Declaring issues that might create conflicts of interest and making sure they do not influence your judgement or practice; and
- Adhering to policies and procedures regarding acceptance of gifts and money from Service Users and carers.

3. As a Social Care/Support Worker, you must promote the independence of Service Users whilst protecting them as far as possible from danger or harm.

**This includes:**

- Promoting the independence of Service Users and assisting them to understand and exercise their rights;
- Using established processes and procedures to challenge and report dangerous, abusive, discriminatory or exploitative behaviour and practice;
- Following practice and procedures designed to keep you and other people safe from violent and abusive behaviour at work;
- Bringing to the attention of your employer, or the appropriate authority, resource or operational difficulties that might hinder the delivery of safe care;
- Informing your employer or the appropriate authority when/where the practice of colleagues may be unsafe or adversely affecting standards of care;
- Complying with employers' Health and Safety policies, including those relating to substance misuse;
- Assisting Service Users and carers to make complaints, taking complaints seriously and responding to them and/or passing them to the appropriate person; and
- Recognising and using responsibly the power that comes-with your work with Service-Users and care/support workers.

4. As a Social Care/Support worker, you must respect the rights of Service users whilst seeking to ensure that their behaviour does not harm themselves or other people.

**This includes:**

- Recognising that Service Users have the right to take risks and helping them to identify and manage potential and actual risks to themselves and others;
- Following Risk Assessment policies and procedures to assess whether the behaviour of Service Users presents a risk of harm to themselves or others;
- Taking necessary steps to minimise the risks of Service Users from doing actual or potential harm to themselves or other people; and
- Ensuring that relevant colleagues and agencies are informed about the outcomes and implications of Risk Assessments.

5. As a Social Care/Support. Worker, you must uphold public trust and confidence in Social Care services.



**In particular you must not:**

- Abuse, neglect or harm Service Users, carers or colleagues;
- Exploit Service Users, carers or colleagues in any way;
- Abuse the trust of Service Users and/or carers or the access you have to personal information about them or their property, at home or in the workplace;
- Form inappropriate personal relationships with Service Users;
- Discriminate unlawfully or unjustifiably against Service Users, carers or colleagues;
- Condone any unlawful or unjustifiable discrimination to/by Service Users, carers or colleagues;
- Put yourself or other people at unnecessary risk; or
- Behave in a way, in work or outside work, which would call into question your suitability to work in Social Care services.

6. As a Social Care/Support Worker, you must be accountable for the quality of your work and take responsibility for maintaining and improving your knowledge and skills.

**This includes:**

- Meeting relevant standards of practice and working in a lawful, safe and effective way;
- Maintaining clear and accurate records as required by procedures established for your work;
- Informing your employer or the appropriate authority about any personal difficulties that might affect your ability to do your job competently and safely;
- Seeking assistance from your employer or the appropriate authority if you do not feel able or adequately prepared to carry out any aspect of your work, or you are not sure about how to proceed in a work matter;
- Working openly and co-operatively with colleagues and treating them with respect;
- Recognising that you remain responsible for the work that you have delegated to other workers;
- Recognising and respecting the roles and expertise of workers from other agencies and working in partnership with them; and
- Undertaking relevant training to maintain and improve your knowledge and skills and contributing to the learning and development of others.

## 1.4 THE RIGHTS OF THE SERVICE USER

### Every Service User has the right to expect:

- To be greeted in a courteous manner when telephoning the SSA Star Care office. If the telephone is not answered promptly an apology will be given
- Only those Care/Support Workers who have been personally interviewed by appropriately trained staff and who have fulfilled the SSA Star Care recruitment and selection criteria will become employees
- SSA Star Care will supply employees who match the requirements of the Service User in terms of skills, experience, personality, cultural and religious needs
- Full details of the service provided by SSA Star Care will be communicated to the Service User prior to commencement of the service
- Care/Support Workers will arrive at the assignment at the agreed time. If, due to exceptional circumstances, the worker is unable to attend within 15 minutes of the commencement of any duty, every effort will be made to notify the Office and the Service User
- Care/Support Workers will be dressed in accordance with the Service User's requirements and SSA Star Care dress code
- Every Care/Support Worker to wear an identification badge unless contradictory to the wishes of the Service User
- Not to be discriminated against on the grounds of race, gender, colour, religious beliefs, sexual orientation, disabilities and/or political opinion
- Care/Support Workers to be covered by Professional Indemnity Insurance
- Privacy in relation to their personal affairs and belongings and to confidentiality in respect of the care which is provided, their personal circumstances, financial, domestic and/or family matters
- Complaints to be dealt with promptly and initial response communicated within 2 working days. The Service User will be given an update of progress at least every 7 days until the complaint is resolved. Agreement will be sought from the Service User that the complaint has been investigated and resolved to their satisfaction. A log of all complaints will be kept. All complaints should be resolved within 28 days
- SSA Star Care to welcome comments of the Service User to enhance the service provided. Comments can be made via the annual Service User satisfaction survey, or directly to the Registered Manager via telephone or in writing
- SSA Star Care to regularly review the service in accordance with care requirements within a timescale agreed with the Service User
- A written confirmation of a Service Plan identifying appropriate levels of care, agreed with the Service User, to be sent within one week of commencement of service
- Each day, details of the care given and outcomes will be recorded in accordance with SSA Star Care requirements and left in their own homes, until completion of the assignment, when the records will be returned to SSA Star Care.

## SECTION 2 - YOUR EMPLOYMENT INFORMATION & TERMS OF EMPLOYMENT

### 2.1 RECRUITMENT AND SELECTION PROCESS

SSA Star Care aims to screen potential Care/Support Workers rigorously to ensure they have the required qualifications, personality, skills and knowledge to work in the Care industry. Care/Support Workers must be 18 years or older and be eligible to work in the United Kingdom. Visa's will be checked and a copy held on file. The original documents must be seen by SSA Star Care.

**Initial application:** All potential candidates must complete an Application Form/Profile prior to interview, giving details of educational and work experience.

Two professional referees are required, one of whom must be the present or most recent employer. All applicants are also required to complete the profile section which covers experience, preferred work, availability, training and health declaration.

They are also required to complete a Criminal Records Bureau declaration, and give permission for an enhanced Criminal Records Bureau (CRB)/Police check, (DBS) to be carried out. A fee will be charged for this service. However, this will be refunded upon successful completion of the Probationary Period.

**Interview:** Interviews will be conducted by staff that have received additional training and/or have the skills required to undertake this role. During the interview potential workers will be questioned about their application with particular attention paid to any gaps in employment history.

Also at interview, candidates are asked to provide proof of identity through passport, birth certificate and household bills. Evidence of vaccination status and copies of training certificates are taken.

Suitable applicants will be invited back to complete the Enhanced CRB disclosure forms and other pre-employment checks will be undertaken. Upon satisfactory completion of all pre-employment checks a contract of employment is issued and the Care/Support Worker is invited to attend an Orientation and Induction Training Programme prior to accepting any assignment.

The Orientation and Induction Training Programme consists of four days Training and includes; Introduction to Common Induction Standards and Care, Moving and Handling, Health and Safety, including Fire Safety, Safeguarding of Vulnerable Adults, Infection Control, including Hand-washing, Food Hygiene and Nutrition Awareness, Dementia Awareness, Emergency Action, including Basic Life Support, Medication Awareness, concluding with some role play care situations to assess learning and ability. Care/Support Workers will not be paid for attending the Training, however, on completion of one year's service with the company a bonus of £125.00 will be paid in lieu of the time spent training.

Following successful completion of the Orientation and Induction Training, Care/Support Workers will be assigned tasks as the Service requires but will shadowed for a minimum of twenty hours by a Field Care Supervisor to ensure full competency in the role.

Uniform, identity card and instructions on how to access their Care/Support Worker handbook are issued prior to the commencement of work.

A profile and training record for each Care/Support Worker commences at this time and is regularly updated throughout their career with SSA Star Care.



## **2.2 CONDITIONS OF SERVICE & YOUR EMPLOYMENT**

All care workers will be issued with a contract of employment once the recruitment process has been completed and the criteria for employment with SSA Star Care is satisfied. This type of contract allows for flexibility on both sides. However, in order to provide an efficient and responsive service, once you have accepted work you will be expected to complete it in the timescales allocated to the Service User. You will be expected to be available for work during the times stated on your Application Profile unless sufficient notice is given for any change.

Failure to deliver service in accordance with assignments that you have accepted will be considered a serious breach of contract, may result in harm to the Service User, and is likely to lead to disciplinary action.

### **AVAILABILITY**

At application/interview stage, Care/Support Workers are required to complete the availability section of the Application Profile. This helps coordinators to plan rotas and maximise the use of Care/Support Workers' time. Please complete these as accurately as possible, as it is preferable that your availability remains the same. It is expected that you will be available to work every other weekend.

If your circumstances change and you wish to alter your availability on a permanent basis and you are not available for the times and dates originally given, or equally, if you may be available for more work, please advise your Manager, Supervisor or Care coordinator. Changes to your regular advised availability must be requested in writing giving a minimum of two weeks notice (except in cases of emergency when you will need to liaise with your Registered Manager/Field Supervisor).

In cases of emergency, or other circumstances as discussed with your Manager, short notice and/or temporary changes to availability may be allowed but this **MUST** be discussed with, and agreed by, your Manager who will treat each request on its own merits and will act as fairly as possible bearing in mind the requirements and needs of the service.

### **EMPLOYMENT**

Your employment will commence on the date stated in your contract of employment.

Your continuous employment will be treated as having commenced on the date stated in your contract of employment. No employment with any previous employer counts as part of your period of continuous employment.

Your employment is subject to a satisfactory completion of a six (6) month probationary period. During this period, either you or the company may terminate your employment giving one week's notice. The Company may extend this period of probation at their discretion and will notify you accordingly.



## **WORKING TIME REGULATIONS**

In compliance with Working Time Regulations, your working time should not exceed 48 hours per week (averaged over a period of 17 weeks). A worker's agreement enables you to waive this right and work in excess of the limit, you will have completed the relevant section on your Application Form - Opt Out Agreement. If you have signed the Opt Out Agreement, this option can be withdrawn at any time by providing seven (7) days notice in writing to the Registered Manager.

Hours of work will be paid at the employee's normal rate of pay, and you will be advised of the pay, benefits and salary dates.

If any employee works continuously for six (6) hours or more, they will be required to take a twenty (20) minute unpaid break, and it is the Employee's responsibility to ensure that this is taken. In circumstances in which continuity of service is required such as home care, sleepovers etc, and there is no opportunity for rest break entitlement, this is permitted provided that an equivalent compensatory rest period is agreed at the convenience of the Employee and the Service User. Alternatively, where an agreement had been reached by collective means within the established workforce, employees will be bound by that agreement in relation to working hours. This will not however entitle employees to any additional benefits or rest periods under such collective agreements.

Employees are entitled to 11 hours of daily consecutive rest, but this does not apply in relation to shift workers who cannot take a daily rest period between the end of one shift and the start of the next one. In these circumstances, an equivalent rest period must be agreed at the convenience of the Employee and Service User.

## **JOB TITLE**

Your job title is stated in your Employment Contract. You will be issued with a job description (which is also enclosed within this document). In addition to the duties that the job normally entails, employees may, from time to time, be required to undertake additional duties or other duties as necessary to meet the needs of the Company's business.

## **PLACE OF WORK**

SSA Star Care is responsible for providing service at various locations for varying periods of time, accordingly you will have no fixed place of work and will be expected to perform duties at any location that is required for the needs of the service. However, when rostering assignments consideration will be made for efficient running of the service taking into account the needs of the Service Users and the locations of the Care/Support Workers.

## **PAYMENT**

You will be paid at the rate stated in your Contract of Employment for the number of hours worked at assignments/visits per week on a 4 weekly basis by bank credit transfer. E.G. if you carry out 4 half hour visits on a Monday, 3 hour visits on a Tuesday and that is all you do in a week, you will be paid for 5 hours work for that week.



A list of latest cut off/submission dates and pay dates can be obtained from your Manager or the office.

## **DEDUCTIONS**

For the purpose of Part II of the Employments Rights Act 1996, you hereby authorise the Company at any time, whether during your employment or on termination of your employment howsoever arising, to make deductions from your pay or any other monies due to you in respect of any amounts which are owed by you to the Company including but not limited to any amounts referred to as part of your Contract of Employment as owed by you to the Company or in respect of any non-contractual or discretionary payment referable to your employment or any overpayment of pay, holiday pay, training costs or expenses, or in respect of the repair or replacement cost of any Company property issued to you which has been damaged, lost or stolen where in the Company's reasonable opinion you have been negligent or are to blame, or which has not been returned when required.

## **ANNUAL LEAVE**

The annual leave year runs from 1<sup>st</sup> January to 31<sup>st</sup> December. The annual leave entitlement is 5.6 weeks inclusive of Bank holidays, pro-rata for those working part-time.

Employees who join the Company after the date on which the holiday year begins will, until the beginning of the next holiday year, be entitled to a pro rata entitlement to annual leave. Holiday pay will be paid for days that are taken as annual leave providing you have accrued enough annual leave for the days taken.

A holiday booking form should be completed, signed by your Supervisor and returned to the office. All leave must be booked in advance giving a minimum of two week's notice prior to date on which the annual leave is requested to begin. All annual leave must be approved prior to being taken.

If insufficient notice is given, we cannot guarantee your annual leave request will be granted. It should be noted that leave will only be granted if there are sufficient Care/Support Workers available to cover. Annual leave includes single days. Failure to obtain authorisation may result in disciplinary action for unauthorised absence. The amount of annual leave you are entitled to will be stated in your employment contract.

Entitlement to annual leave that has not been taken at the end of the holiday year to which the entitlement relates cannot be carried forward and will therefore be lost. An Employee will not receive payment in lieu of any entitlement to holiday that has been lost.

## **PUBLIC HOLIDAYS**

Care/Support Workers cannot be guaranteed leave over the Christmas or other holiday periods. SSA Star Care operates 7 days per week, 365 days a year in order to meet Service User needs. Christmas is considered as a normal working day and Care/Support Workers are expected to work if they usually do so on the days of the week that Christmas falls. There is often a reduction in the number of Service Users who need cover at this time and a number of Care/Support Workers who are happy to take on extra work.



## **REPORTING ABSENCE**

It is essential that any employee who is unable to report for duty owing to illness or any other reason, informs their Manager (or their representative) as soon as possible prior to their normal starting time. The office will contact your Service Users – it is not your responsibility to contact them. SSA Star Care will arrange an alternative Care/Support Worker until you are fit or able to return to work. Although SSA Star Care will make no payment for absences from work, other than authorised paid annual leave, employees will be entitled to Statutory Sick Pay and Statutory Maternity Pay where they are eligible under each scheme.

## **CARE/SUPPORTWORKER CHANGES DUE TO ABSENCE**

You will have been advised at your interview that if you are planning a holiday, or are not going to be available to carry out the service you are committed to, you must inform your Manager at the earliest opportunity. In the case of unplanned absences, you must inform your Manager at the earliest opportunity. An alternative Care/Support Worker will be asked to cover your calls, during your period of absence. You, in turn, may be asked to help cover other colleague's absences if the need should arise.

If your absence affects the day's schedule, the office will contact all Service Users affected and explain why the disruption is happening. It is not your responsibility to call the Service User yourself.

## **SICKNESS**

If you are unable to undertake your duties due to sickness, you must notify your Manager/Supervisor or the office as soon as is practical. Self-certification forms are available from the office and can be used from the 1<sup>st</sup> to the 3<sup>rd</sup> of any absence period. For 4<sup>th</sup> to the 7<sup>th</sup> day an NHS Self Certificate is required, which is obtainable from GP's, Pharmacists, etc. If your absence from work through sickness exceeds 7 working days, a certificate from your GP will be required and you must keep your Manager/Supervisor informed of progress at regular intervals during your absence. A return to work interview will usually be conducted on your return by either the Registered Manager or Field Supervisor.

SSA Star Care does not pay sickness pay but will, where appropriate and applicable pay Statutory Sick Pay on behalf of and under the conditions set by the Government's Statutory Sick Pay scheme.

## **PENSIONS**

There is no provision for a SSA Star Care pension scheme at this time. Should you wish to discuss a Stakeholders pension scheme please make an appointment with the representative at the office - details of this scheme can be made available on request.

## **CONFIDENTIALITY**

All staff are required to observe the utmost confidentiality in their work and must not disclose any information obtained in the course of their duties other than to those who are entitled to it. You will be provided with a copy of the confidentiality agreement to sign and a copy will be given to you.



## QUALITY ASSURANCE

The standards upon which SSA Star Care operates are clearly defined in the Handbook. Staff are expected to observe these standards at all times. A full copy of the complete SSA Star Care Policies and Procedures is accessible and available at your SSA Star Care office.

## IDENTITY CARDS

All Care/Support Workers are required to carry an identity card, showing their photograph and a signature, which Service Users may ask to see. This should not cause offence; you should recognise that the Service User is taking sensible precautions.

Cards are replaced every three (3) years, and when you leave SSA Star Care you must return your card to the office. If you do not return your identity card to the office, it will be reported to the Police to safeguard Service Users.

Should you change your appearance dramatically a new card will need to be issued and a charge will be made.

Should your ID Card become damaged, be lost or stolen a replacement **MUST** be obtained, a charge may be made for this.

**Lost or stolen ID Cards must be reported to the office IMMEDIATELY the loss or theft is discovered.**

Large print ID Cards can be provided for Care/Support Workers who care for/support Service Users with visual impairment.

## DRESS CODE

During the course of your employment you will come into contact with Service Users, their families, members of the public as well as representatives from Social Services. Therefore, SSA Star Care expects you to portray a professional appearance wearing the standard community uniform.

For Health and Safety reasons when working with Service Users, all employees are required to adhere to the following dress code:

- A clean uniform should be worn at all times whilst working and must be ironed and pressed accordingly. You must not wear your uniform outside of your work place, except when traveling to and from the Service User's Homes or in the course of your duties
- Black or dark navy trousers, **not** jeans or track suit style trousers
- Protective clothing should be worn as provided
- Long hair should be tied back
- Sensible footwear with closed toes and non-slip soles should be worn
- Only one plain wedding band and one pair of stud earrings can be worn and it should also be considered that clients may find facial jewelry intimidating as well as it being a potential Health & Safety risk

If you have any further questions regarding your dress code, you should speak to your Registered Manager/Field Supervisor.





## **TIME SHEETS AND CALL LOGGING**

You must complete your timesheets accurately for the hours that you have worked and submit them weekly, or as required by SSA Star Care. If you do not submit satisfactorily completed time sheets within the agreed time, you may not be paid for that period until they are received. Equally, if a call logging system is in place, you must satisfactorily log in and out for each Service User you support. If this is not done and there is no recorded proof of the call, you may not be paid. Timesheets should be submitted to the office by 3.15 pm on Mondays after the week following the assignments (12 noon Tuesdays if Monday is a Bank Holiday)

## **SAFE CARE AND STORAGE OF CONFIDENTIAL INFORMATION**

All information regarding Service Users is confidential and should never be left in cars, or read in any other public place, other than designated meetings. Rotas contain confidential information and must be kept in a safe place if taken outside the office and must be shredded when no longer required. The office has a facility for shredding confidential information.

## **KEYS**

Care/Support Workers should not accept any key to a Service User's property from a Service User without first checking with the Registered Manager/Field Supervisor if this is acceptable. Service Users will need to sign an authorisation form authorising SSA Star Care to be key holders. If there are any incidents involving unauthorised holding of keys, this may necessitate disciplinary action being taken against the Care/Support Worker. Any information held by the Care/Support Workers regarding Key Safe Codes must be kept separate from call rotas and not written in identifiable form.

## **HAIR**

Hair must be kept clean and tidy. Long hair must be tied back and kept away from the face. Anyone operating machinery must keep their hair short or secure it in such a way that it does not pose a safety hazard.

## **COSMETICS AND JEWELLERY**

SSA Star Care reserves the right to insist that employees do not wear jewelry which it believes may cause offence to customers, or pose a threat to Health and Safety or Infection Control procedures, or is excessive or unprofessional. The only jewelry permitted includes a plain wedding band and one pair of stud earrings. In particular, it should be noted that political symbols will not be tolerated. Care/Support Workers must not wear excessive amounts of make-up, perfume or aftershave as this can cause distress to some Service Users or even allergic reactions.

## **PERSONAL HYGIENE**

All employees are expected to keep themselves fresh, free from odours and practice good oral hygiene.

## **SHOES AND FOOTWEAR**

Safety, comfort, appearance and noise factors are the main considerations for acceptable footwear.



Shoes should be clean, polished and well maintained. Shoes must be of closed in toe type (no sandals) and have a good grip, non-slip sole.

## **CHANGES IN PERSONAL DETAILS**

You are required to notify the Company Personnel Manager in writing of any change in the following personal particulars (all of which will be treated as strictly confidential);

- Name
- Marital status
- Address and telephone number
- Bank details (for payment of salary)
- Health, including any disability
- Whom to notify if you are injured at work including relevant telephone number and address
- Next of Kin
- Your doctor's name, address and telephone number
- If you have any other jobs, permitted by the Employer in accordance with condition 14.2 above, any changes to those hours of work.

All information held in your personal file will be treated in the strictest confidence.

## **NOTICE TO LEAVE**

You must give SSA Star Care notice in writing to terminate your employment. The amount of notice depends on how long you have been employed. Up to 6 months, you must give SSA Star Care 1 week's notice. After you have been continuously employed for 6 months or more, the notice that you are required to give SSA Star Care in writing to terminate your employment increases to four weeks.

## **POLICIES AND PROCEDURES**

The policies and procedures as set out in this staff handbook form part of your Contract of Employment and in signing your Contract of Employment you agree to be bound by the terms as set out in the policies and procedures.

## **2.3 JOB DESCRIPTION - CARE/SUPPORT WORKER**

### **JOB PURPOSE:**

**Undertake all Care/Support work with the sensitivity required to provide services in a way that will preserve the dignity, privacy, choice, independence, fulfilment and rights of the Service User and his/her usual carers/members of family. Be available and willing to undertake any other tasks specified by Line Management relevant to the role of the post and to the needs of the Service User.**

### **MAIN RESPONSIBILITIES:**

- **To undertake Personal Care tasks as outlined in the Service User's Care/Support Plan**
- **To maintain good communication and develop effective working relationships with Service Users**
- **Liaise with agencies and other professionals when/where necessary**
- **To adhere to all SSA Star Care policies and procedures.**

### **DUTIES TO INCLUDE:**

- Be willing to work within Service Users' own homes and accept different environments and varying capabilities of Service Users
- To develop and maintain good communication with any carer or family member in the Service User's home
- Ensure a living environment which is as safe as possible for Service Users, whilst respecting Service User's choices and rights
- To alert Care Supervisors/Managers to any changes in the Service User's physical/mental condition and/or circumstances
- Ensure the Service User is not put at risk as a result of home care activities
- To undertake housekeeping, household cleaning and laundry duties as requested if outlined in the Care/Support Plan
- Personal Care may include assistance with washing and bathing
- Personal Care may include moving and handling
- Personal Care may include help with purchasing of provisions to provide a nutritionally balanced diet.
- To take responsibility for the safe handling of property and equipment belonging to the Service User
- To be willing to travel between Service Users' homes in the most efficient way possible. (e.g. by car, by bicycle, by public transport)
- Dress appropriately for post (protective clothing and uniforms are provided by SSA Star Care)
- Work as part of a team and equally be able to work alone
- Attend supervision, training and staff meetings, as required.

## 2.4 EQUALITY AND INCLUSION POLICY

SSA Star Care is committed to promoting an environment free from discrimination, harassment and victimisation. The aim of this policy is to ensure that no employee, Service User or job applicant unjustifiably receives less favourable treatment on the grounds of their gender, age, marital status, racial, ethnic or national origins, disability, political or religious beliefs, sexual orientation or gender reassignment status.

SSA Star Care values diversity and opposes all forms of intolerance and prejudicial discrimination, whether it is intentional, institutional or unintentional.

SSA Star Care is committed to:

- Opposing all forms of prejudicial discrimination on the grounds of age, disability, ethnic origin, nationality, gender, religious belief, HIV or other medical status, social or economic status, marital status or sexual orientation
- Ensuring that employment policies and practices do not prejudicially discriminate, including recruitment, promotion, training, grievance, capability, discipline and/or retention
- Taking positive action to prevent harassment and victimisation of all SSA Star Care Staff and Service Users
- Providing support and training to ensure SSA Star Care' ongoing commitment to equality and inclusion
- Ensuring regular and effective monitoring and review of the implementation of Equal Opportunities.

### Equal Opportunities

#### Employment and Recruitment

Employees must be recruited solely on the basis of work criteria with regard to the applicant's abilities and individual merits. All recruitment practices and procedures must be carried out without discrimination and must be based on the skills and aptitudes required for the job. Wherever possible, existing employees should be considered for promotion opportunities within SSA Star Care, in conjunction with any efforts to recruit externally. A job description and person specification must be drawn up for every vacancy and provided to all prospective candidates.

Internal and external advertisements for vacancies should not discourage or preclude applications from any suitable individuals. Internal notice of vacancies should be brought to the attention of all SSA Star Care staff. External agencies acting on behalf of SSA Star Care will be made aware of SSA Star Care Equality and Inclusion Policy, that includes Equal Opportunities statements, and instructed to comply with its requirements.

All SSA Star Care staff responsible for recruitment and training must ensure that all aspects of this duty are undertaken in an anti-discriminatory way. This includes, advertising, developing job descriptions and person specifications, interviewing, appointing candidates,



providing training, managing performance, conducting disciplinary and grievance interviews, dismissing employees and redundancy selection.

It is discriminatory to advertise for staff and target particular groups in the advertisement. SSA Star Care must not suggest, prompt or encourage discriminatory instructions. The only exception to this is when there is a "Genuine Occupational Qualification" (GOQ) of the job. Where there is a GOQ, SSA Star Care can recruit, advertise and select applicants specifying gender and/or ethnic background.

### **Training and Development**

To assist in staff development, SSA Star Care promotes training opportunities and develops training programmes that are tailored to the needs of the individual's current and future role in SSA Star Care. The Registered Manager/Field Supervisor are responsible for identifying and agreeing the training and development needs of their staff and ensuring that they are met.

Opportunities for training, development, transfer and promotion must be made equally available to all employees regardless of gender, age, marital status, racial, ethnic or national origins, disability, political or religious beliefs, sexual orientation and/or gender reassignment status. Opportunities for training should be brought to the attention of all appropriate/suitable employees, including those who work on a shift pattern or part-time basis.

Where employees with disabilities undertake training and development, appropriate arrangements must be made as necessary to ensure that, as far as reasonably practicable, all opportunities are equally accessible.

### **Hours of Employment**

SSA Star Care recognises that some SSA Star Care staff need to combine caring for children and domestic responsibilities with their paid employment. SSA Star Care will consider any application for part-time working, including job-sharing, in a fair and equitable manner and, where the needs of SSA Star Care allow, accommodate flexible working arrangements as far as is reasonably practicable.

Where a job is considered unsuitable to be carried out on a part-time or job-share basis, substantial business reasons must be provided as to why the job is full-time (a preference for a full-time staff member or convenience will not be sufficient). The terms, conditions and benefits of part-time employees will, on a pro-rata basis, be the same as for full-time staff. Part-time employees have the same employment rights under the law as their full-time colleagues.

Any arrangements for part-time working, and the consideration of such arrangements, shall be applied equally to men and women. The provision of fringe benefits (i.e. company car allowances, medical insurance, and benefits) to part-timers must be the same as for



their full-time colleagues on a pro-rata basis. Requests for flexible working arrangements (for example, leaving early to cope with a domestic crisis) should be considered on the same basis for all employees.

### **Maternity/Paternity and Parental Leave**

All SSA Star Care staff that become pregnant are entitled to certain basic rights and will not be discriminated against in any way because of their pregnancy. These include paid time off for antenatal care and a period of maternity leave, Statutory Maternity Pay (SMP) and the right to return to their job after maternity leave. SSA Star Care will ensure that all staff are made aware of their maternity rights.

Parental leave is provided to assist employees manage the occasionally conflicting demands of parental work and responsibilities and is available equally to men and women in the organisation. Paternity leave will be given to employees whose partners give birth in accordance with Parental Leave Policy.

All women, regardless of their length of service or hours of work are entitled to:

- Reasonable time off with pay for antenatal care
- Period of (at least two (2) weeks up to a maximum of fifty-two (52) weeks) maternity leave
- Have the right to return to their previous job or alternative employment (if available) in circumstances of redundancy
- Consideration for a part-time role on return to work

All parents have a right to take time off work to look after their child or make arrangements for the child's welfare other than in an emergency situation in line with government policy and employment legislation. It is available equally to men and women in the organisation. Parental leave will be granted in accordance with the Parental Leave Policy.

### **Disability**

Discrimination against disabled people is unlawful under the Disability Discrimination Act 1995. This includes harassment because of a disability, less favourable treatment for a reason related to the disability that cannot be justified and/or unjustifiable failure to make reasonable adjustments.

Any employee, who believes they may have been discriminated against for a reason related to their disability, should discuss their concerns with their Supervisor in the first instance and can use the SSA Star Care grievance procedure. Disciplinary action will be taken against any employee who is found to have committed an act of disability discrimination. Any serious breaches of this policy or harassment of a disabled person for a reason related to their disability will be treated as gross misconduct.

Before a disabled applicant is judged to have failed to meet the requirements of the job description and person specification, or to be less suitable than other applicants, full consideration will be given to whether any reasonable adjustments would make the applicant



the best person for the post.

Where an individual requires or may require an adjustment to the working arrangements or environment he/she should bring this to the attention of his/her line Manager. Once an adjustment has been made it should be reviewed at regular intervals. Reasonable adjustment will be made to enable a disabled employee to carry out his/her duties. These may include, but are not limited to: provision of specialist equipment and training; restructuring the job; re-allocating part of the job; retraining; flexible working hours; remote working and/or redeployment to a suitable alternative position. These adjustments will be made wherever reasonable and within a reasonable time frame.

### **Age**

SSA Star Care is committed to opposing unjustified age discrimination. We recognise that age discrimination can affect all age groups and both genders; that age is no indicator of effectiveness of most work activities; that employment decisions should not be based on age; and that services should be sensitive to the needs of all age groups.

No age limits should be set for access to training, development or promotion, unless they can be objectively justified in any given case. Unless bound by statute, a person's age must not be a material factor in any decision regarding employment within SSA Star Care.

(Employment Equality (Age) Regulations 2006 and Equality Act 2010.)

### **Race**

SSA Star Care is committed to achieving cultural and racial equality and always strives to act in a way that tackles unlawful cultural or racial discrimination and promotes equality of opportunity.

### **Religion**

SSA Star Care strives to create an environment that recognises and respects religion and belief and is free from unlawful discrimination and harassment. Requests for extended leave should an employee wish to travel overseas to see family or to observe religious holidays should be considered seriously by all Managers, subject to suitable notice.

### **Gender**

SSA Star Care is committed to achieving gender equality. We recognise our duties under the Sex Discrimination and Equal Pay legislation. We strive for gender equality in service provision and employment.

### **Sexual Orientation**

SSA Star Care recognises the discrimination that people face in their lives due to their sexual orientation and life choices. SSA Star Care endeavours to create an environment where Lesbian, Gay, Bi-sexual and Transgender (LGBT) people are free from unfair treatment and harassment, and feel safe to be open about their sexuality if they choose to do so. SSA Star Care is committed to ensuring that services are accessible to everyone, and that our employment policies and service delivery are not based on the assumption that everyone is heterosexual.

### **Monitoring Equal Opportunities**

Ongoing monitoring and regular analysis of personnel records provide the basis for appropriate action to eliminate unlawful direct and/or indirect discrimination and promote equality of opportunity. It is the responsibility of the Director/Registered Manager to ensure equality of treatment is being achieved for potential and existing staff. All recruitment, selection and promotion procedures are to be regularly reviewed. Employees should be able to check/correct their own personnel record in line with the SSA Star Care Data Protection Policy.

Personnel records relating to the ethnic origin, gender, marital status and disability of job applicants and employees are to be kept in a locked filing cabinet. This information covers applications received, interviews conducted, appointments, promotions made and training provided.

### **Harassment and Bullying**

SSA Star Care endeavours to provide an environment where employees are able to work without harassment bullying or intimidation and expects the Director and Registered Manager to ensure that harassment is not practiced or tolerated. All employees have a duty to treat colleagues and Service Users with respect and dignity and to take all steps necessary to ensure that harassment does not occur. Whatever the reasons or the form of harassment (whether by direct contact, written correspondence or by use of e-mail/Internet), behaviour of this nature can be objectionable and cause offence, and will not be tolerated.

SSA Star Care is committed to creating a working environment where every employee is treated with dignity and respect and where each person's individuality and sense of self-worth within the workplace is maintained. Harassment or bullying within the organisation is seen to be entirely unacceptable and any employee who feels they are harassed should be able to complain without fear of being victimised.

Harassment, either racial or sexual or on grounds of disability, will not be tolerated under any circumstances and all employees are required not to behave in such a way as to cause offence to others whether employees, members or Service Users in respect of their gender, age, marital status, racial, ethnic or national origins, disability, political or religious beliefs, sexual orientation and/or gender reassignment status.

### **Dealing with Discriminatory Requests from Service Users**

There are requests, which may appear to be discriminatory, but involve Genuine Occupational Requirements (GOR). This may include, for example, a request for a female Care/Support Worker required to assist female Service User with bathing and dressing. It is important to differentiate requests with a GOR, and those which are discriminatory, to ensure they are dealt with correctly. To monitor discriminatory requests, complete the appropriate form. This form should be completed every time a discriminatory request from a Service User is received. The report should be sent to the Registered Manager.



## 2.5 SUPERVISION AND APPRAISAL POLICY

SSA Star Care is committed to providing high quality supervision and support to staff to ensure the best possible standards of practice within the organisation and to promote and provide high quality services. SSA Star Care seeks to retain skilled staff by applying a structured and regular staff support, supervision and appraisal scheme. All new employees undergo Orientation and Induction training which contributes towards their competence and confidence in their role.

### **Aims and Support and Supervision**

The aim of regular support and supervision is to acknowledge and build on achievements, and to monitor, promote and develop the quality of the staff member's performance. It also provides the opportunity for the staff member to be accountable to his/her Registered Manager/Field Supervisor for his/her activities and performance. It should enhance the staff member's appreciation of how his/her role contributes to the achievement of the SSA Star Care's overall aims and objectives in providing a quality service to Service Users. Feedback will enable staff to develop their skills and learn from achievements and difficulties. Through discussing the issues that have arisen, the staff member and Registered Manager will identify any specific training and/or development needs.

It is important that a relationship of trust and confidence is built up between the staff member and his/her Registered Manager, which will enable discussion of all issues (some of which may be personal), to contribute to the successful formation of positive working relationships. Support and supervision should be a positive experience for both parties, focusing on development and growth. Any shortcomings identified (on either side) should be regarded as an opportunity to learn from experience.

### **Principles of Staff Support and Supervision**

The overall aim of supervision is to ensure that all Service Users receive the best possible service from SSA Star Care and their employees.

In order to achieve this, the main principles applied are that:

- All employees require supervision
- Supervision is a shared responsibility
- Supervision is based on a negotiated agreement
- Supervision involves management, development and support
- Supervision promotes a competent, accountable and empowered practice
- Supervision promotes an anti-discriminatory and anti-oppressive practice.

Supervision involves having an opportunity to expand an employee's skills and knowledge base. Together with his/her Registered Manager/Field Supervisor, the employee can look in detail at his/her practice, explore alternative approaches to develop his/her professional skills and identify training needs to enhance personal and professional development.



Supervision is also a time when the employee/Registered Manager can receive/give feedback on performance, acknowledge good practice and address any issues of concern. Any problem areas to be brought up at a worker's probationary interview should always be addressed initially in supervision.

Issues discussed in supervision are confidential within the Management structure. The employee may discuss issues raised with his/her Registered Manager. The only exception to this policy would be the normal ethical considerations of safety, should an employee appear to present a risk to him/herself or others.

### **Supervision Procedure**

All staff Within SSA Star Care must receive individual supervision. Supervision is usually between the employee and his/her Field Supervisor. However, within SSA Star Care, it is recognised that team meetings can be viewed as group supervision, where specific items are discussed with a view to promoting shared learning and peer support. Supervisors should discuss with all new staff what supervision is and read through the Supervision Policy with them.

**Preparation for Supervision-Session:** Sessions need to be set up in advance and the date, time and place agreed by both employee and the supervisor. Supervision should take place in an environment that is free from interruption and that is private. Resources should be made available if necessary to enable staff to attend supervision if cover is required. Other staff should be informed that the employee is not available during that period. A mutually agreed time when the person is least pressured and not distracted should be chosen.

**Prior to the Supervision Session:** The supervisor needs to read through the previous session's notes and action plan and employees should read through their supervision notes and identify issues they wish to raise. Each supervision session should be related to the employee's objectives with reference to future targets, training and career development.

**Supervision Session:** Start the session on time and clarify any business. Before starting with the agenda, the supervisor should check that there is no barrier to the supervision taking place and resolve any difficulties if possible. Priorities should be agreed so that items can be weighted accordingly. Agenda items and a review of work should be considered from the three perspectives of management, development and support. Ensure that supervision sessions are diarised in advance and that an appropriate venue is booked for the session.

**Records:** The supervisor should ensure that a record of supervision is made and that the employee has a copy. Notes should be made during or shortly after a support and supervision meeting. They should be agreed and signed by both the staff member and the supervisor within seven (7) working days and a copy kept by both. The employee should keep the original copy of

the supervision notes, and a copy should be held in the employees personnel file.

The supervisory notes are an organisational record of supervision and may be referred to by Senior Management. Notes should cover the salient points of the meeting, including any decisions made or actions agreed. These might include:

- Issues that have arisen and how the staff member dealt with them
- Feedback on the staff member's performance including meeting targets and objectives of the post
- What tasks have been done, what is to be done, and prioritise accordingly
- How the staff member is feeling

Identifying further support, development and training needs and how to address them

- Ideas about work patterns, the staff member's role, the development of the project
- Identifying tasks for the Line Manager.

## **APPRAISALS**

### **Aims of Appraisals**

Appraisal is the opportunity to assess the performance of a staff member over the previous year. Appraisal also represents a continuous process by setting objectives for the coming year. The main aim of appraisal is to help employees improve their performance. The appraisal system is not to be used to discipline poor performance and should be free of bias on the grounds of race, gender, disability, age, religion or belief and sexual orientation.

Appraisals offer the opportunity to help individuals feel committed to and meet performance objectives, improve communications and motivation by giving employees an opportunity to talk, about their ideas, expectations and progress and identify training and career planning needs.

**Appraisal Procedure:** The Registered Manager or Field Supervisor will appraise Employees. Appraisals should take place annually. Supervisors and employees should complete the appraisal forms in preparation for the appraisal meeting. It is essential to have written records of the appraisal to provide feedback to employees and to allow more senior managers to monitor the effectiveness of appraisals. A copy of the employee's job description should be referred to when completing the appraisal. The job description helps to focus attention on the employee's performance at work. There will also be a general competency check, manual handling check yearly and medicine admin competency checks every six months.

**The Appraisal Interview:** The supervisor should prepare carefully for appraisals by looking at supervision records, results of field observations and spot checks. The supervisor should also give employee adequate time to prepare for their appraisal, arrange for a room to be available with comfortable seating where there will be freedom from interruption and allow at least an hour for the appraisal interview.



During the interview the supervisor should encourage employees to discuss how strengths can be built upon and any concerns may be addressed. Avoid leading questions or questions that can be answered simply by 'yes' or 'no' and discuss how far objectives have been met and agree future objectives. Agree any development and/or training needs.

After the interview the Appraiser should summarise in writing the main points of the discussion and the actions agreed and give a copy to the employee. Any points arising from the interview must be followed up, and any agreed action carried out.

**Following the Appraisal Interview:** The supervisor will complete an appraisal form following the interview. Both the employee and supervisor will have the opportunity to make additional comments on the final version of the form. Each completed appraisal form should be forwarded to the Registered Manager/Field Supervisor to be signed.

**Mediation:** All attempts should be made to resolve any dissatisfaction within the supervisory relationship. In the rare event that the problem cannot be resolved, then it should be taken to the Director (or Registered Manager) to act as a mediator. Employees also have the right to pass supervision records to the Director. In this event, the employee must inform the Registered Manager of their intention. If mediation is still unsuccessful then the matter should be referred to the grievance or disciplinary procedure.

**Audit:** Auditing of supervision will be carried out to ensure contracts are in place and that the procedure is meeting its objectives.

## **2.6 CAPABILITY AND CAPABILITY DISMISSAL PROCEDURES**

SSA Star Care recognise that during your employment with us your capability to carry out your duties may deteriorate. This can be for a number of reasons, the most common ones being that either the job changes over a period of time and you fail to keep pace with the changes, or you change (most commonly because of health reasons) and you can no longer cope with the work.

### **JOB CHANGES**

- If the nature of your job changes, we will make every effort to ensure that you understand the level of performance expected of you and that you receive adequate training and supervision. If we have concerns regarding your capability these will be discussed in an informal manner and you will be given time to improve.
- If your standard of performance is still not adequate you will be warned in writing that a failure to improve and to maintain the performance required could lead to your dismissal. We will also consider the possibility of a transfer to more suitable work if possible.
- If there is still no improvement after a reasonable time and we cannot transfer you to more suitable work, you will be issued with a final warning that you will be dismissed unless the required standard of performance is achieved and maintained.
- If such improvement is not forthcoming after an agreed period of time, you will be dismissed with the appropriate notice.

### **HEALTH REASONS**

Health reasons may arise which do not prevent you from attending for work but which prevent you from carrying out your normal duties (e.g. a lack of dexterity or general ill health). If such a situation arises, we will normally need to have details of your medical diagnosis and prognosis so that we have the benefit of expert advice. Under normal circumstances this can be most easily obtained by asking your own doctor for a medical report. Your permission is needed before we can obtain such a report and we will expect you to co-operate in this matter should the need arise. When we have obtained as much information as possible regarding your condition and after consultation with you, a decision will be made about your future employment with us in your current role or, where circumstances permit, in a more suitable role.

There may also be health reasons, which prevent you from attending work, either for a prolonged period(s) or for frequent short absences. Under these circumstances we will need to know when we can expect your attendance record to reach an acceptable level. This may again mean asking your own doctor for a medical report or by making whatever investigations are appropriate in the circumstances. When we have obtained as much information as possible regarding your condition, and after consultation with you, a decision will be made about your future employment with us in your current role or, where circumstances permit, in a more suitable role.

## **SHORT SERVICE STAFF**

We retain discretion in respect of the capability procedures to take account of your length of service and to vary the procedures accordingly. If you have a short amount of service, you may not be in receipt of any warnings before dismissal but you will retain the right to a hearing and you will have the right to appeal.

### **2.7 DISCIPLINARY PROCEDURE**

In the usual working relationship between an employee and his/her Registered Manager/Field Supervisor, verbal advice and guidance may be given at the place of work. This may happen within staff supervision or in a private space. This should be recorded on the staff employee's file. These do not form part of any disciplinary procedure.

Without prejudice to the above, the procedure does not apply to:

- Termination during or, at the end of a probationary period of Service (including any extended probationary period of employment)
- Termination of employment by reason of redundancy
- Termination by mutual consent

The procedure may be implemented at any stage as set out below taking into account the alleged misconduct of the employee.

In the case of minor misconduct or unsatisfactory performance by an employee, disciplinary hearings will usually be undertaken only where counselling and/or further training (if appropriate) and verbal advice and guidance have failed to produce a satisfactory improvement to performance.

Where time limits are referred to in the course of this procedure they may be varied by the mutual consent of the employee and the employer.

SSA Star Care allows employees to be accompanied to any disciplinary hearing by a colleague or Trade Union official of their choice.

SSA Star Care views the following (non-exhaustive) list as matters amounting to disciplinary offences:

- Missing calls on your Rota without informing the office in advance.
- Persistent bad timekeeping
- Failure to log in calls for Service Users accurately and consistently
- Failure to regularly submit satisfactorily completed time sheets
- Unauthorised absence
- Minor damage to SSA Star Care property
- Failure to observe SSA Star Care procedures
- Unsatisfactory work
- Abusive behaviour



- Unreasonable refusal to follow an instruction issued by a Registered Manager/Field Supervisor
- Poor attendance
- Smoking or taking illegal drugs on duty
- Causing loss or damage or injury through serious negligence
- A breach of Health and Safety rules
- A breach of confidence or trust

### **Investigation**

An employee's Supervisor or Registered Manager will promptly and thoroughly investigate any matter that is reasonably suspected or believed to be a disciplinary matter. The employee will be informed in writing, as soon as possible about a potential investigation. There should be no unreasonable delays in arranging the disciplinary hearing and issuing the subsequent decisions, and all parties must be advised of any delays in the process.

Where it is believed that the matter to be investigated involves gross misconduct, the employee may be immediately suspended from work without pay or contractual benefits (if appropriate). If serious misconduct is not initially suspected or believed to have occurred, but during the course of an investigation the person conducting it reasonably forms the opinion that a serious breach of discipline may have occurred, the employee who is the subject of the investigation may then be suspended. Any decision to suspend an employee will be confirmed in writing within three working days and the written confirmation will state that the nature of the suspension is precautionary, not disciplinary, pending the outcome of the disciplinary proceedings and investigation.

As part of the investigation process it may be necessary to interview witnesses and take written statements that are signed and dated.

Depending on the circumstances of the case, the employee may be invited to attend an investigatory interview. If such an interview is held prior to a disciplinary hearing, the employee will be informed at the outset that the interview is an investigatory interview only. SSA Star Care reserves the right to dispense with an investigatory interview and to proceed directly to a formal disciplinary hearing.

### **Disciplinary Hearing invitation**

If on completion of an investigation, there are reasonable grounds to believe that an employee has committed an act of misconduct, the employee will be invited to attend a disciplinary hearing.

The invitation letter will:

- Give a minimum of five (5) working days advance notice of the hearing and will advise the employee of the time, date and location of hearing
- Inform the employee of the purpose of the hearing and that it will be held under SSA Star



### Care Disciplinary Procedure

- Advise the employee of their right to be accompanied by a fellow worker, or a Trade Union representative
- Outline the nature of the alleged misconduct or poor performance and the possible outcome of the hearing ensuring that there is sufficient information for the employee to understand what they are alleged to have done and the reasons why this is not acceptable
- Advise the employee that any evidence they wish to present at the meeting must be submitted in advance of the meeting
- Provide the employee with copies of all the evidence upon which the case relies, not less than two working days prior to the hearing.

### **Attendance at Disciplinary Hearing**

If the employee is unable to attend a disciplinary hearing and provides a good reason for failing to attend, the hearing may be adjourned to another day. Unless there are special mitigating circumstances, and the employee is unable to attend the re-arranged hearing, the re-arranged hearing will take place in the employee's absence. The employee's colleague or Trade Union official may attend in such circumstances and will be allowed the opportunity to present the employee's case. The employee will also be allowed to make written submissions in such a situation.

The employee's Registered Manager/Field Supervisor will usually conduct a formal disciplinary hearing. The employee will be entitled to be given a full explanation of the case against him/her and be informed of the content of any statements provided by witnesses. The employee will also be entitled to state his/her case in response to SSA Star Care case and put forward an explanation of his/her conduct and/or mitigating factors.

SSA Star Care may adjourn the disciplinary proceedings if it appears necessary or desirable to do so, (including for the purpose of gathering further information). The employee will be informed of the period of any adjournment. If further information is gathered, the employee will be allowed a reasonable period of time, together with his/her colleague or Trade Union official, to consider the new information prior to the reconvening of the disciplinary proceedings.

After the disciplinary hearing has taken place, the employee will be informed in writing of the decision and what disciplinary action, if any, is to be taken. The employee will be notified of his/her right of appeal under this procedure.

### **Employee Representation**

The employee has the right to be represented by either a:

- Work colleague or
- Qualified Trade Union representative

A Qualified Trade Union representative is defined as a person who works for a Union full-time or has undertaken relevant training that allows them to represent employees. The Trade Union





Representative must be able to produce photo identification to confirm their identity and their position.

The role of the representative is to provide support and advice to the employee, but is not there to act on their behalf and cannot answer questions put to the employee. However, the representative may ask for an adjournment at any time to confer with the employee. If the representative is overly disruptive at the meeting, they may be asked to leave.

### **Disciplinary Action**

Where, following a disciplinary hearing, SSA Star Care establishes that the employee has committed a disciplinary offence; the following disciplinary action may be taken:

### **Written Warning**

If a serious disciplinary offence has been committed or further minor offences have been committed by an employee following verbal advice/guidance, the employee will receive a written warning.

A Written Warning should:

- Set out the nature of the misconduct or poor performance
- The change in behaviour or improvement in performance required, including timescale
- Advise how long the warning will remain current
- The consequences of further misconduct or failure to improve performance within the set period
- Advise employee that they have a right to appeal against the disciplinary action/decision - any appeal must be submitted to their employers in writing.

### **Final Written Warning**

If a serious disciplinary offence has been committed amounting to gross misconduct, thereby justifying summarily dismissal, but SSA Star Care decides, after taking into account all appropriate circumstances, that a lesser penalty is appropriate, or, where an employee commits further disciplinary offences after a Written Warning has been issued and remains 'live', or where a first disciplinary offence is considered serious misconduct, a Final Written Warning may be given.

A Written Warning or Final Written Warning should:

- Set out the nature of the misconduct or poor performance
- The change in behaviour or improvement in performance required, including timescale
- Advise how long the warning will remain current
- The consequences of further misconduct or failure to improve performance within the set period
- Advise employee that they-have-a right to appeal against the disciplinary action/decision— any appeal must be submitted to their employers in writing.

**Dismissal with Notice:** if the employee has committed further acts of misconduct (these being, acts of misconduct other than gross misconduct) following a Final Written Warning, the



employee may be dismissed with notice or with pay in lieu of notice.

**Summarily Dismissal:** If SSA Star Care establishes that an employee has committed an act of gross misconduct, the employee may be summarily dismissed, without further notice or pay in lieu of notice.

### **Appeal**

An employee may appeal, against any disciplinary sanction imposed against him/her. Employees should let their employers know the grounds for their appeal in writing within seven (7) days. If possible a Manager who has not been involved in the decision to impose the disciplinary sanction on the employee should hear the appeal. If this is not possible, the person overseeing the case should act as impartially as possible. Employees have a statutory right to be accompanied at appeal hearings by a colleague or Trade Union representative. The Manager is obliged to consider any representations made by the employee, the employee's colleague or Trade Union representative. Records and notes of the original disciplinary meeting should be made available to the person hearing the appeal.

The Manager hearing the appeal must decide on the basis of both sets of representations, together with any subsequent facts that may have come to light, whether to uphold the disciplinary sanction. In the event that the Manager finds the disciplinary sanction should not be upheld, the Manager should allow the appeal and remove all records of the disciplinary sanction from the employee's

The employee must provide written notice of the appeal within five (5) working days of being informed of the disciplinary sanction being imposed against him/her.

When lodging an appeal, the employee should state:

- The grounds of appeal
- Whether he/she is appealing against the finding that he/she has committed the alleged act or acts of misconduct, or against the level of disciplinary sanction imposed

Appeal hearings will normally take place within fourteen (14) days of receipt of the employee's written notice of appeal.

Upon completion of the appeal, the Manager conducting the hearing will convey his/her decision to the employee, which will be confirmed in writing within five (5) working days. SSA Star Care decision at the appeal is final.

Where an appeal lies against a dismissal, the decision to dismiss will have immediate effect and therefore if the dismissal is by notice, the period of notice will already have commenced on the date that the decision was given. If the decision was to summarily dismiss the employee without notice, SSA Star Care will be under no obligation to pay the employee for any period between the date of the original dismissal and the appeal decision and the original date of termination will stand.

## **Gross Misconduct**

Gross misconduct is misconduct of such a serious and fundamental nature that it breaches the contractual relationship between the employee and SSA Star Care. In the event that an employee commits an act of gross misconduct, SSA Star Care will be entitled to summarily terminate the employee's Contract of Employment without notice or pay in lieu of notice.

SSA Star Care views the following (non-exclusive and non-exhaustive) list as matters amounting to gross misconduct. Other acts of misconduct may come within the general definition of gross misconduct.

- Stealing from other employees, Service Users, members of the public or other acts of dishonesty
- Falsification of a qualification which is a stated requirement of the employ
- Falsification of records, reports, accounts, expense claims or self-certification Forms whether or not for personal gain
- Sexual misconduct at work
- Fighting with or physical assault on other employees or members of the public
- Deliberate damage to, misuse or inappropriate use of SSA Star Care property
- Serious damage to SSA Star Care property
- Drunkenness or being under the influence of alcohol/drugs whilst at work
- Possession, custody or control of illegal drugs on SSA Star Care or Service User's premises
- Serious breach of SSA Star Care rules, including but not restricted to, Health and Safety regulations and rules on computer use
- Gross negligence
- Conviction of a criminal offence that is relevant to the employee's employment
- Conduct that brings or could potentially bring SSA Star Care name into disrepute
- Sexual, racial or disability discrimination or harassment of a fellow worker or Service User
- Failure to carry out a reasonable order or serious disregard of duties
- Unauthorised disclosure or use of SSA Star Care confidential information
- Gross insubordination, aggressive/insulting behaviour or abusive/excessive bad language
- Absence without authorisation for one week or more
- Bullying and harassment of an individual or group of individuals
- Inappropriate relationship with Service Users



## 2.8 GRIEVANCE POLICY

SSA Star Care aims to help resolve individual grievances in a manner that is as fair and expeditious as possible. Solutions to individual grievances should be sought as early as possible. Managers and employees should first be encouraged to discuss matters informally and make every effort to reach a satisfactory outcome. SSA Star Care expects the majority of grievances to be resolved informally and quickly.

**Informal Discussions:** Any employee who has a grievance about their employment is encouraged to raise his/her concerns informally with his/her Registered Manager/Field Supervisor in the first instance. Employees may raise a grievance about any work related issue. Examples include:

- Working conditions
- Pay and/or benefits
- Treatment by any other SSA Star Care employee
- Health and Safety
- Breach of statutory employment rights

If the employee does not feel that informal discussions have reached a satisfactory resolution they may proceed to the next stage.

**Stage One:** At Stage One, the employee must put his/her grievance in writing to the Registered Manager. The letter should detail the nature and basis of the grievance. The Registered Manager must respond in writing within five (5) working days and endeavour to resolve the issue. A meeting may or may not be convened.

Employees who feel that the grievance remains unresolved may proceed to Stage Two.

**Stage Two:** At Stage Two, the employee must put his/her grievance in writing to the Director outlining the details of the grievance and actions taken thus far. The Director must respond to the employee within five (5) working days of receipt of the grievance and must invite the employee to a meeting within ten (10) working days.

A work colleague or qualified Trade Union official may accompany the employee to the meeting.

Following the meeting the Registered Manager must respond to the employee in writing within five (5) working days detailing the outcome of the meeting. At this stage the employee must be advised that he/she has the right to escalate the grievance to the representing professional body and must be advised of the name of the person they should contact. Any request from the employee to take the grievance to the next stage must be made in writing within five (5) working days of receiving the Stage Two outcome.

**Stage Three:** Employees who remain dissatisfied with the decisions and outcomes of Stage Two must put his/her grievance in writing to the appointed representing professional body. A copy of the original grievance and all other related correspondence must be sent with the letter. Employees have the right to discuss the issues with a representative from the representing professional body, and this should occur within ten (10) working days. The Director, following



advice from the representing professional body, will provide a response within seven (7) days of the meeting. The Director's decision is final.

The parties involved may, by mutual agreement, modify slightly the time limits referred to in this procedure.

**Right to be Represented:** The employee has the right to be represented by either:

- Work colleague or
- Qualified Trade Union Representative.

A Qualified Trade Union representative is defined as a person who works for a Union full-time or has undertaken relevant training that allows them to represent employees. The Trade Union Representative must be able to produce photo identification to confirm his/her identity and his/her position.

The role of the representative is to provide support and advice to the employee, but he/she is not there to act on behalf of the employee and cannot answer questions put to the employee. However, the representative may ask for an adjournment at anytime to confer with the employee.

**Useful Website:**

[www.acas.org.uk](http://www.acas.org.uk)

## 2.9 BULLYING AND HARASSMENT POLICY

SSA Star Care has a duty to ensure that staff are not subject to harassment, bullying or any other form of offensive behaviour and that proper procedures are in place to deal with any alleged abuse.

### **Definition**

*"Harassment/bullying is any unwanted conduct or behaviour which is offensive, intimidating or hostile to the recipient. It may make the recipient feel humiliated, threatened, patronised or generally uncomfortable in their working environment and could induce stress, anxiety, fear, or sickness on the part of the harassed person."*

SSA Star Care is committed to creating a working environment where every employee is treated with dignity and respect and where each person's individuality and sense of self-worth within the workplace is maintained. Harassment or bullying within the organisation is deemed entirely unacceptable. Any employee who feels that they may be the victim of, or is witness to bullying and/or harassment should be aware of how to complain, where to complain and how his/her concerns will be dealt with.

SSA Star Care endeavours to provide an environment where employees are able to work without harassment, bullying or intimidation. It is the responsibility of the Registered Manager to ensure that harassment does not occur and is not tolerated.

All employees have a duty to treat colleagues and Service Users with respect and dignity and to take all steps necessary to ensure that harassment does not occur. Whatever the reasons for, or the form of harassment (whether by direct contact, written correspondence or by use of email/Internet), behaviour of this nature can be objectionable and may cause offence, and will not be tolerated by SSA Star Care.

SSA Star Care recognises that what one person thinks is acceptable or tolerable behaviour, another person may regard as harassment. Similarly, behaviour, which is acceptable in one set of circumstances, is not necessarily acceptable in another. What some people may regard as a prank or joke can be regarded as humiliating and degrading by others. It is realised that it is not always easy to gauge interactive situations, and in some circumstances people may be genuinely unaware that others consider their behaviour offensive. All employees have a duty to be sensitive to, and aware of, the effect their conduct may have on others.

The following list sets out types of behaviour which are unacceptable and which could constitute harassment, whether or not it is persistent or an isolated incident:

- Unwelcome or derogatory remarks about sexual orientation or preferences
- Unwelcome requests for social or sexual encounters or favours
- Unwelcome touching or inappropriate gestures
- Display of pornographic pictures or offensive material
- Racist or sexist insults, jokes or pranks

- Derogatory name-calling or abusive language
- Exclusion from everyday conversations or social events
- Unfair allocation of work or duties

### **Dealing with Harassment and Bullying**

Anyone who experiences or witnesses harassment should not wait until the situation is intolerable as action taken at an early stage can prevent it reaching a more serious level. In many cases the matter can be dealt with informally by simply explaining that the behaviour in question is unwelcome and asking the offender to stop. The offender may be unaware that the action is causing offence. In more serious cases, however, or if the person feels uncomfortable in raising the issue directly with the offender, then the matter can be dealt with by taking up a formal complaint.

Any individual can make complaints about harassment to the Registered Manager. All allegations of harassment or bullying will be taken very seriously and dealt with as quickly as possible, observing appropriate confidentiality. All complaints will be investigated thoroughly and, as far as practicable, in confidence.

Any member of staff formally accused of harassment will be contacted and informed of the full details of the complaint and given the opportunity to put forward his/her side of the story. Where a complaint is well-founded then appropriate action under SSA Star Care's disciplinary procedure will be taken against the offender.

It should also be noted that if a complaint is found to be deliberately false or maliciously made then disciplinary action may be taken against the person making the complaint. No employee should be afraid of reporting incidents of harassment, as SSA Star Care will seek to ensure that there is no victimisation or retaliation arising as a consequence of the complaint. Victimisation is considered a disciplinary offence and will be dealt with accordingly.

## **2.10 ANTI-DISCRIMINATORY PRACTICE**

SSA Star Care is committed to providing an environment where employees are able to work without harassment, bullying or intimidation. SSA Star Care expects all staff to treat all Service Users with respect and dignity and ensure harassment does not occur. SSA Star Care recognises that what one person considers acceptable another may regard as bullying or harassment.

Service Users can expect not to be discriminated against, for any reason, including, race, age, gender, colour, religion, disability, sexual orientation, and/or physical and financial circumstances. Under our Code of Conduct, staff are required to respect the customs, values and spiritual beliefs of Service Users.

### **Discrimination can be defined as follows:**

Direct discrimination: 'Where a person is treated less favourably because of race, colour, ethnic or national origins, gender, pregnancy, marital status, disability, sexual orientation, religion, age and/or medical status'

Indirect discrimination: 'Where a requirement or condition which cannot be justified is applied equally to all groups but has a disproportionately adverse affect on one particular group' (European Directives on Equal Treatment)

### **Good Practice Guidelines**

All employees have a duty to be sensitive to, and aware of, the effect their conduct may have on others and to be sensitive to the experiences of Service Users. All SSA Star Care staff will be trained in anti-discriminatory practice and an introduction and outline of anti-discriminatory practice will be given during induction.

SSA Star Care strives to ensure that all SSA Star Care staff undertakes anti-discriminatory practice with Service Users, with colleagues within the team and with all external agencies. It is the overall responsibility of the Director to ensure that all staff practice in an anti-discriminatory manner. All SSA Star Care staff have a responsibility to challenge discrimination at source, regardless of the source, and to report this discrimination to Senior Management.

All SSA Star Care staff have a responsibility to re-evaluate their practice constantly and examine it in relation to the SSA Star Care aims of challenging discrimination and thereby making a contribution to removing, reducing or alleviating oppression. Where staff are told, or suspect, a Service User/colleague is being harassed and/or bullied they are required to report this to the Registered Manager/Field Supervisor who will take appropriate action.

SSA Star Care considers anti-discriminatory practice as good practice, which is built on a foundation of the following:





- Equal opportunities
- Sound moral and social ethics
- An awareness of discrimination and its negative consequences
- Acceptance of difference
- An awareness of how society impacts on discrimination
- An awareness of the historical background of discrimination
- Self-awareness
- The ability to challenge discrimination
- Good understanding of aims, objectives and personal and professional boundaries

## 2.11 MANAGING STRESS

SSA Star Care is committed to protecting the health, safety and welfare of all employees. SSA Star Care recognises that workplace stress is a health and safety issue and acknowledges the importance of identifying and reducing workplace stressors.

### **Definition of Stress**

The Health and Safety Executive define stress as *"the adverse reaction people have to excessive pressure or other types of demand placed upon them."* This makes an important distinction between pressure, which can be a positive state if managed correctly, and stress, which can be detrimental to health.

All work, at whatever level, has its pressures, many of which ensure that individuals respond positively to work requirements. People can vary in their capacity to cope with different types of pressure – some pressure can be motivating and a challenge. However, pressures at a level that is unable to be coped with or circumstances that are outside the employee's control may result in stress for the individual concerned.

### **Good Practice Guidelines**

All SSA Star Care staff should be assisted to recognise the nature and cause of stress.

Management should be aware of the signs and symptoms of stress in individual employees and to take appropriate action to minimise the risks of stress occurring in the workplace. The recognition and management of stress are integral to SSA Star Care support service. It may not always be possible to identify sources of stress and Managers may instead become aware that an employee is suffering from stress from their behaviour or work performance, or in their relationship with colleagues or Service Users.

Where a Director/Registered Manager/Field Supervisor believes that an employee may be suffering from stress, they should initially discuss these concerns with the individual in order to acknowledge the problem and to identify any supportive measures such as making any reasonable adjustments to working arrangements.

All people have differing coping strategies for managing stress. Employees may suffer from stress due to external pressures and these may affect performance. Managers may have little practical effect on these external factors beyond recommending expert advice or counselling as appropriate, but signs can be recognised and support offered.

In addition, employees have a responsibility to themselves and others to act to minimise or eradicate stress in the workplace, including taking steps to reduce their own stress and to modify their behaviour and lifestyle as appropriate, where it is causing stress to others. Employees should also be aware of, and be considerate to, colleagues who are suffering from stress. There is no specific legislation controlling stress at work. However, employers have a duty to ensure, so far as



is reasonably practicable, that their workplaces are safe and healthy. In addition, employers are obliged to assess the nature and scale of risks to Health and Safety in the workplace.

### **Managers will:**

- Ensure good communication between management and staff, particularly where there are organisational or procedural changes
- Ensure staff are fully trained to carry out their duties
- Ensure staff are provided with development opportunities
- Monitor workloads to ensure that people are not overloaded
- Monitor working hours, overtime and annual leave to ensure staff are not overworking and are taking their full leave entitlement
- Ensure that bullying and harassment is not tolerated within the workplace
- Be vigilant and offer additional support to a member of staff who is experiencing stress outside work.

### **Employees have:**

- A responsibility to themselves and others to act to minimise stress in their work environment
- A responsibility to take steps to reduce their own stress and to modify their behaviour and lifestyles as appropriate
- An obligation to raise any concerns with their Registered Manager/Field Supervisor
- A duty to be aware of and considerate to colleagues who are suffering from stress

### **Recognising the Signs of Stress in an individual**

Some of the more common signs of stress are noted below; however, experiencing any of these for a short period does not necessarily indicate that a person is suffering from stress. This is likely to be indicated only when one or more of these signs linger and there are difficulties making adjustments to cope.

### **Physical Signs and Symptoms of Stress:** (which may include some or any of the following)

- Mild or severe headaches
- Anger
- Worry
- Constant tiredness
- Depression
- Sadness
- Dissy spells
- Faintness
- Blurred vision
- Upset stomach
- Nausea, constipation or diarrhoea
- Palpitations or panic attacks
- Eating disorders
- Reduced concentration

- Increased use of coffee, alcohol and drugs
- Increased absence
- Lethargy
- Irritability
- Changes in work performance

**Signs of Stress in the Workplace:** Staff should be aware that stress in the workplace can affect operational efficiency. Possible indicators are:

#### **Work Performance**

- Increases in overall sickness, particularly in recurring short term absences
- Inability to concentrate effectively, overworking, failure to delegate, fall in normal standards of work, increased accidents
- Deterioration in interpersonal relationships
- Becoming withdrawn or unsociable
- Reluctance to co-operate, increased resentment to advice, unusual irritability
- Aggression

#### **Behaviour**

- Mood swings, obsessive behaviour, unusual reaction to everyday events
- Changes in normal eating pattern
- Increased reliability on smoking, drinking and drugs

**Causes:** Any individual may experience stress at some point. Suffering from stress is not a form of personal weakness and individuals may find that stress could arise from:

- Excessive workload and responsibilities
- Experience of violence
- Harassment/bullying
- Regularly working excessive hours (including regularly working without a break)
- Lack of clarity in the job role
- External factors

Prolonged periods of stress can exacerbate medical conditions and health problems such as raised blood pressure, heart disease, anxiety and long-term depression.

**The Role of Colleagues:** Colleagues have an important role to play in identifying behaviour changes. All staff are encouraged to share any concerns about colleagues with a trusted Senior Manager and to support and guide the individual towards professional help. SSA Star Care acknowledges that any employee can experience stress, and that Managers and colleagues should encourage seeking help, and support. It should not in any sense be seen as an admission of weakness. Employees may often feel isolated and unable to share their problems. SSA Star Care aims to create a supportive culture that can help to eliminate feelings of failure and isolation.

**Recruitment and Selection:** A comprehensive Job Description and Person Specification detailing the full range of responsibilities and demands of the job should be provided for all applicants. This should be fully discussed at the interview stage thereby identifying any problem areas. Each candidate's skills, attributes and qualifications must match the demands of the post. A reference check should be made to previous employers to clarify information regarding candidates' sickness and attendance records. Where appropriate, the employment referees should be asked specific questions regarding the candidate's ability to handle demanding situations.

**Fitness to Carry Out Duties:** Prior to employment, screening should be carried out to ensure the employee is fit to carry out their role, and that their fitness level meets the needs of the job.

**Induction Training:** All new employees will receive effective induction into their position, according to SSA Star Care Policies and procedures. A planned induction programme can eliminate many concerns when commencing a new role. Policies and procedures (including the Stress Policy) will be discussed with all new employees, as well as guidance on how to obtain help and support. Existing staff may also be at risk from stress when they are promoted or given added responsibilities. A similar induction programme will be arranged for staff promoted to a new position.

**Management of Absence:** The Registered Manager is required to ensure that all employees' absences, for whatever reason, are recorded in line with SSA Star Care Policies and Procedures. Where it is believed that a member of staff may be suffering from stress, the Registered Manager should be sensitive to the employee's requirements. Support should be offered where necessary in an appropriate manner.

The Registered Manager will work with the employee to plan their return to work. Sometimes it may not be possible for them to return to all aspects of their role, and work responsibilities may need to be adjusted. A phased return should be considered if appropriate. Managers will carry out a return to work interview to establish whether there are any underlying work-related reasons for absence that need to be addressed, and whether any other assistance is required.

**Training and Development:** Many employees experience stress when they feel inadequately trained for their existing position and especially when they move to a new or changed role. Any revisions to Job Descriptions should be fully discussed with the employee and any training needs should be identified. Identifying and meeting training requirements should be a continual process, in conjunction with the employee.

## 2.12 TRAINING

SSA Star Care aims for all Service Users to receive the best possible care and support, that will enable them to remain as independent, and to live as securely and as comfortably, as possible in their own home. SSA Star Care endeavours to achieve this by providing an excellent and thorough Orientation and Induction Programme, ongoing specialist training and annual update mandatory training for all employees. This will enable all Service User's needs to be met to a high standard.

### **Care/Support Users**

Care/Support workers are trained to a level that will enable them to provide an exceptional care service. All Care/Support Workers undertake a continual personal development programme. SSA Star Care believes that by providing an excellent standard of on-going training the risks to Service Users and to the employees are reduced.

The SSA Star Care Care/Support Worker Training Programme for new Care/Support Workers has been developed in line with the relevant regulator and Skills for Care – Care Certificate UK Standards.

The Care/Support Worker Training Programme begins with a four-day induction/orientation, which must be undertaken prior to Care/Support Workers carrying out any duties unsupervised.

The training will consist of a combination of:

- A formal course (four (4) days)
- Shadowing or working alongside a Field Supervisor or an experienced colleague (shadow-working must be included in orientation)
- Completion of a workbook, checklists and other forms of open learning, and
- During training use is made of audio-visual aids.

The SSA Star Care Care/Support Worker Training Programme covers the Following topics:

- The nature of personal care and the basic skills required
- Core values
- Code of personal conduct
- Terms and Conditions of employment
- The requirements of legislation
- Policies and working practices of the organisation
- Health and Safety training including the introduction to moving and handling, infection control, food hygiene, emergency first aid, abuse and fire procedures
- General health of Service Users and the role of care staff in monitoring their health
- Communication skills

- Prevention of any form of abuse or exploitation of the person receiving the service - Safeguarding
- Anti-discriminatory practice, including cultural awareness
- Standards to which you should work
- Confidentiality
- Gifts and bequests
- Principal activities, which must not be undertaken
- Contextual knowledge about the organisation
- Quality assurance and monitoring.

After completion of orientation and induction, Care/Support Workers will then, depending on prior qualifications/experience, follow a supervised twelve-week Common Induction Standard Programme, of training, which is undertaken by a combination of completion of workbooks, classroom tutor sessions and in-field observation.

The new Care Certificate UK standards are: -

1. Understand your role
2. Your personal development
3. Duty of care
4. Equality and diversity
5. Work in a person centred way
6. Communication
7. Privacy and dignity
8. Fluids and nutrition
9. Awareness of mental health, dementia and learning disability
10. Safeguarding adults
11. Safeguarding Children
12. Basic Life Support
13. Health and Safety
14. Handling information
15. Infection prevention and control

All Staff must attend update training as required. This represents a significant investment and, as such, you will be required to sign a Training Agreement to authorise us to recover some or all of the costs of this training should you leave our employment.

Having completed, the unpaid, Orientation and Induction as required, and subject to satisfactory probationary period and work standards, on completion of one years service a bonus of £100.00 will be paid.

Care/Support Workers may, subject to appropriate funding being available, undertake Level 2 Diploma in Health and Social Care and will be encouraged to do so, with support.



The Registered Manager and Field Supervisor will undertake regular monitoring of Care/Support Workers to identify any further training requirements. On-going specialist training and/or awareness will then be provided for Care/Support Workers, to meet the particular needs of the Service Users they care for.

Topics requiring specialist training and/or advice may include:

- Older people with complex health and care needs
- People with terminal illness
- People who have had a stroke
- People who have learning disabilities
- People with mental health problems including people subject to Guardianship and Supervision Orders under the Mental Health Act
- People with infectious or contagious diseases
- People with dementia
- People with challenging behaviour
- People from ethnic minority communities and/or religious groups
- People with special communication needs
- People with sensory loss or dual sensory impairment



## 2.13 WHISTLEBLOWING POLICY

This policy is designed to provide guidance to employees who may from time to time feel the need to raise certain issues, relating to SSA Star Care, with someone in confidence. The aim is to provide a quick way for concerns to be raised without fear of repercussions to the individual. SSA Star Care endeavours to encourage a free and open culture of communication between employees, external agencies, other professionals and Service Users.

As a Care/Support Worker, you may be the first to realise there may be something wrong within the service. You may not feel able to speak to someone about your concerns as you may feel that it would be disloyal to your colleagues or the service. You may fear harassment or victimisation and to ignore the concern would be the easier option.

If you want to speak up about something the law covers you. The Public Interest Disclosure Act (1998) provides you with legal protection if you decide to disclose information to a third party about alleged malpractice in certain circumstances.

Situations that may be cause for concern include:

- Corruption or bribery
- Fraud or financial irregularity
- Endangering the health and safety of an individual
- Endangering the environment
- Breach of corporate confidence
- Unauthorised disclosure of confidential information to a third party
- Safeguarding Issues

### **Making a Disclosure**

If you wish to raise or discuss any concerns you should talk to your Trainer/Registered Manager/Supervisor, who will treat the matter in confidence, within the boundaries of SSA Star Care policy on confidentiality. All disclosures must be in writing, with as much detail as possible about why you think there may be malpractice. Your Trainer/Registered Manager/Supervisor may be able to help you with this. On producing the report, you will be asked to discuss it further with your Trainer/Registered Manager/Supervisor. If you would like extra support at the meeting, a work colleague may accompany you and you must advise your Trainer/Registered Manager/Supervisor of this request.

### **What will Happen Next?**

Your Trainer/Care Manager/Supervisor will let you know what further steps will be taken. These may include one or the following actions:

- The matter will be reported to the Police
- The matter will be investigated further internally by SSA Star Care or by external auditors or investigators appointed by SSA Star Care



- Redress may be sought through the Grievance procedure
- Referral for investigation by an external agency, e.g. Safeguarding Officer, Local Social Services, Care Quality Commission (CQC), Independent Safeguarding Agency (ISA).

A recommendation of no further action may be made if your Registered Manager/ Field Supervisor considers the following:

- Is satisfied that malpractice has not occurred
- The matter is already subject to legal proceedings
- The matter is already being dealt with or has been dealt with under another SSA Star Care procedure

If the concern or malpractice is linked to your Trainer/Registered Manager/Supervisor and you do not feel confident to speak to him/her, you may approach the Director who will follow the SSA Star Care Complaints policy. If the issue is a safeguarding issue, you may contact the Care Quality Commission (CQC), Independent Safeguarding Agency (ISA), Social Services or the Safeguarding Unit directly. SSA Star Care Office will follow procedure in investigation of your concerns and advising you of action being/to be taken.

If you are not happy with the steps taken, you may wish to seek advice from an independent advisor. This could be someone at your local Citizens Advice Bureau, Care Quality Commission (CQC), Independent Safeguarding Agency (ISA), Social Services, the Council's Safeguarding Unit or a similar legal source of advice.

### **Confidentiality**

You will not be identified unless there are grounds to show that you have acted maliciously. You may be identified under the following if there is:

- A legal implication/obligation
- The information is of public concern

You should not be subject to any kind of prejudice as a result of your disclosure. No disciplinary action will be taken against you on the grounds of disclosure made in accordance with this policy. This, however, will not prevent SSA Star Care from bringing disciplinary action in cases where there are grounds to believe that a disclosure has been made maliciously or where external disclosure is made in breach of this procedure without reasonable grounds.

## 2.14 MATERNITY, ADOPTION, PATERNITY & FAMILY LEAVE POLICY

SSA Star Care recognises that at various stages in employees' working lives, domestic and family commitments and responsibilities potentially reduce or hinder their ability to fulfil work responsibilities. Where such conflicts cannot be resolved, this could result in SSA Star Care losing employees. To prevent such loss of skilled experienced workers, and to help reduce anxiety and stress among our workforce, this organisation not only acknowledges those potential conflicts but also offers practical help through the following family friendly arrangements:

1. Maternity Leave
2. Adoption Leave
3. Paternity Leave
4. Parental Leave
5. Flexible Working
6. Time off for Dependents

### 1 Maternity Leave Procedure

SSA Star Care's policy is to comply with both the letter and spirit of the law on maternity rights. To this end its aim is to inform all female employees of their entitlement to statutory maternity rights and to ensure that those rights are understood by employees who qualify.

1. Female employees are not obliged to notify us, by law, of her pregnancy until she reaches the end of the 15th week before her baby is due (the expected week of childbirth (EWC)), however, due to the nature of the work carried out whilst performing home care, risk assessments will need to be carried out as soon as possible to protect the employee. It is, therefore, in the employee's interest to notify us as soon as the pregnancy is confirmed. An exception to the lawful notification is where she is requesting time off for antenatal care, in which case proof of an appointment can be required after the first appointment.
2. Once the Registered Manager has been notified or has become aware of an employee's pregnancy they will check the employee's entitlement to statutory maternity leave and will respond, in writing within twenty-eight (28) days, telling her when she is due to return.
3. Employees must provide medical evidence of their EWC in the form of a maternity certificate or MAT B1 form and is available from the employee's doctor or midwife after the 20th week of pregnancy. This must be given to the Registered Manager as soon as possible, but no later than three weeks after the start of the Maternity Pay Period (MPP). No Statutory Maternity Pay (SMP) will be payable without this certificate.
4. Where the MAT B1 is provided late, the Registered Manager will decide whether or not the employee could have provided it earlier and will advise the employee of their decision.
5. SSA Star Care will carry out risk assessments to assess any possible risks to new and expectant mothers. Where SSA Star Care feels there may be a risk, then SSA Star Care will do all it can to eliminate that risk and to warn the employee of the potential dangers.

6. To qualify for her Statutory Maternity Leave and Statutory Maternity Pay (SMP) the employee must:
  1. tell the Registered Manager that she is pregnant
  2. inform the Registered Manager of her EWC
  3. give notice of when she intends to commence her maternity leave - this must be given by the end of the 15th week before the EWC if this is reasonably practicable. If she changes her mind at a later date, she is entitled to do so, but must inform the Registered Manager of the revised start date at least twenty-eight (28) days before the date in question
  4. in the case of a premature birth, she must advise the Registered Manager of the fact as soon as is reasonably practicable and, produce a MAT B2 form - obtainable from her doctor or midwife.
7. If the above criteria are not met:
  1. SSA Star Care can refuse to pay the employee's SMP
  2. in this instance, the Registered Manager will provide a written statement outlining the decision and the reasons supporting the decision
  3. if the employee does not agree with the decision, she can refer the matter to HM Revenue & Customs (HMRC).
8. To give notice the employee should complete the SSA Star Care's notification letter for maternity leave and SMP as soon as is reasonably practicable.
9. The maximum entitlement to SMP is thirty-nine (39) weeks' pay. Employees will receive higher rate SMP in respect of the first six weeks and the lower rate SMP for the remaining thirty-three (33) weeks.
10. SMP may be paid to the employee in a lump sum at the start of her maternity leave or absence.
11. During ordinary and additional maternity leave, all contractual benefits except basic salary or wages will be maintained.
12. Employees who:
  1. are taken into legal custody, or
  2. work for another employer
 during the MPP must notify SSA Star Care as soon as possible, as their entitlement to SMP may be affected.
13. Pregnant employees may continue working as close to their EWC as they wish provided they continue to be capable of doing their job, subject to satisfactory risk assessments. SSA Star Care reserves the right to require the employee to be examined by an independent doctor where it is felt that her health, or that of the baby, may be suffering as a result of her continuing to work.

### **Returning to Work after Ordinary Maternity Leave**

1. The employee returning to work after ordinary maternity leave has the right to return to the same job she had prior to commencement of leave. She is entitled to request flexible working if she wishes and this will be considered under SSA Star Care's Flexible Working policy and procedure.



2. Where the employee wishes to return at the end of the ordinary maternity leave period, she must provide SSA Star Care with at least eight (8) weeks advance notice.

### **Returning to Work after Additional Maternity Leave**

1. The employee is entitled to return to a similar job. Where this is the case, the terms and conditions will be no less favourable to the employee.
2. Where the employee wishes to return after her additional maternity leave, she can just turn up on the day after her additional maternity leave ends. However, where she wishes to return to work before the end of her additional maternity leave, she must give SSA Star Care at least eight (8) weeks notice.
3. Where the employee is too ill to return on the appointed day, she must inform the Registered Manager of the reason and the sickness absence policy and procedure will apply.
4. Where the employee does not wish to return after her maternity leave she must give her notice of termination as outlined in SSA Star Care's terms and conditions to the Registered Manager.

### **Keeping in Touch during Maternity Leave**

1. SSA Star Care is keen to keep in touch with employees during maternity leave and invite employees to come into work or attend training (subject to satisfactory risk assessments) for up to ten (10) days during their maternity absence. These days are to be agreed in advance with management.
2. Employees who carry out work or attend training will not lose their right to SMP or end their maternity leave in any way. There is no automatic right to be paid any sum additional to SMP for carrying out work or attending training but this will be at the discretion of and by agreement with SSA Star Care.

## **2. Adoption Leave Procedure**

This Adoption Leave Procedure Policy has been developed to provide you with guidance as to your entitlements and the procedure to follow for adoption leave.

Adoption leave is the right to take paid leave when a child up to eighteen (18) years of age is newly placed with you for adoption. Employees will not be treated less favourably, suffer detriment, or be dismissed because he or she requests, or takes, adoption leave. However, the misuse of adoption leave - such as the use of leave for reasons other than to care for the child or support the mother or partner, or failure to follow the correct procedure - may result in disciplinary action being taken against you.

### **Eligibility**

1. To qualify for adoption leave you will need to satisfy the following conditions. You must:
  1. be newly matched with a child for adoption by an approved adoption agency

2. have worked continuously for SSA Star Care for twenty-six (26) weeks' leading into the week in which you are notified of being matched with a child for adoption
3. forward your Matching Certificate from your adoption agency, to the Registered Manager twenty-eight (28) days before you wish your adoption leave to commence (this is evidence of adoption to qualify for your entitlement to adoption leave and pay)
4. where adopting jointly with another parent, choose who should take adoption leave.

### **Entitlement to Leave**

1. The primary rationale for adoption leave is to ensure that the new parent can take time off work to bond with the child once he or she starts living with them.
2. Adoption leave and pay is available to:
  1. individuals who adopt
  2. one member of a couple where a couple adopt jointly (the couple may choose which partner takes adoption leave).
3. Those who are eligible are entitled to up to a total of fifty-two (52) weeks' leave as follows:
  1. Twenty-six (26) weeks' ordinary adoption leave
  2. Twenty-six (26) weeks' additional adoption leave.
4. Employees can choose to start their leave on:
  1. the date of the child's placement
  2. a fixed date which can be up to fourteen (14) days before the expected date of placement
  3. any day of the week.
5. Employees are only entitled to one period of leave even if more than one child is placed for adoption at the same time.
6. Employees must notify the Registered Manager that they intend to take adoption leave within seven (7) days of being notified by the adoption agency that they have been matched with a child for adoption, or as soon as reasonably practicable.
7. Employees must tell SSA Star Care when:
  1. the child is expected to be placed with you
  2. you want your adoption leave to start.
8. Should employees wish to change the date on which they want their leave to start they must give at least twenty-eight (28) days' notice, where reasonably practicable.
9. If employees intend to return to work before the end of their adoption leave period, they must write to the Registered Manager giving eight (8) weeks notice of the date of return.

### **Entitlement to Pay**

1. Ordinary adoption leave is paid at the statutory adoption pay (SAP) rate or 90% of average weekly earnings if these are less than the SAP rate. It is paid for a maximum of thirty-nine (39) weeks.
2. Statutory adoption leave after the thirty-ninth (39<sup>th</sup>) week is unpaid.
3. Should you not qualify for SAP you may be able to seek financial support from your Local Authority. Additional financial support may be available through; housing benefit, council tax benefit, or tax credits.



4. Employees' contractual rights and benefits remain in place while on fifty-two (52) weeks' adoption leave except for the terms relating to salary.

### **Keeping in Touch**

1. SSA Star Care is keen to keep in touch with employees during adoption leave and invite employees to come into work or attend training for up to 10 days during statutory adoption leave. Such days are to be agreed in advance with management.
2. Employees who carry out work or attend training will not lose their right to SAP or end their adoption leave in any way. There is no automatic right to be paid any sum additional to SAP for carrying out work or attending training but this will be at the discretion of and by agreement with SSA Star Care.

### **Returning to Work**

1. It is presumed that employees will return to work at the end of their full adoption leave entitlement. However, if they intend to return to work before the end of the adoption leave period they must write to the Registered Manager giving at least eight (8) weeks' notice of their intended date of return. If employees fail to do so, SSA Star Care may delay their return until the eight (8) week period has expired, or the end of the ordinary or additional adoption leave period, whichever is earlier.
2. Employees are entitled to return to the same job as before on the same terms and conditions of employment at the end of ordinary adoption leave, unless a redundancy situation arises.
3. Employees are entitled to return to the same job at the end of their additional adoption leave, unless it is not practicable to do so. In such circumstances they will be offered any available comparable position for their skills and experience, on no worse terms and conditions.
4. If employees cannot return to work at the end of their full adoption leave period because of illness, they should follow the normal contractual procedures for sickness absence as laid out in the terms and conditions of employment
5. If employees do not wish to return to work, they are required to give SSA Star Care notice in accordance with their contractual notice period, as set out in their terms and conditions of employment.

### **Procedure for Adoption Leave**

1. Employees should:
  1. inform the Registered Manager you are adopting within seven (7) days of being notified and confirm when the child is expected to be placed with you and when you want your adoption leave to commence
  2. also forward Matching Certificate as proof.
2. The Registered Manager should:
  1. send the employee a confirmation letter detailing his or her adoption leave pay and leave entitlements
  2. inform payroll and the pension administrator.
3. The employee is to:
  1. give eight (8) weeks' notice, if he or she intends to return before the end of his or her full adoption leave entitlement, or

2. give notice if he or she intends to not return to work.

### 3. Paternity Leave Procedure

This Paternity Leave Procedure Policy has been developed to provide guidance as to employees' entitlements and the procedure to follow if requesting paternity leave.

No employee will be treated less favourably, suffer detriment or be dismissed because they request or take paternity leave. However, the misuse of paternity leave - such as the use of leave for reasons other than to care for the child or support the mother or partner, or failure to follow the correct procedure - may result in disciplinary action.

If you meet the qualifying conditions you will be entitled to take paternity leave of either one or two weeks duration. Leave may only be taken in blocks of one or two weeks. Paternity leave must be completed within fifty-six (56) days of the actual date of birth of the child. You will only be entitled to one period of paternity leave even if more than one child is born as a result of the same pregnancy.

1. Paternity leave is the right to take paid leave to care for a child or support the mother.
2. In order to qualify for paternity leave in birth situations the employee must be the:
  1. child's biological father, and have, or expect to have responsibility for the child's upbringing
  2. spouse or partner of the mother (including same-sex partners), and have, or expect to have, responsibility for the child's upbringing.
3. In order to qualify for paternity leave in adoptive situations the employee must be married to, or the partner of, the adopter (including same-sex partners) and have, or expect to have, responsibility for the child's upbringing.
4. In both birth and adoptive situations the employee must:
  1. have formally informed his/her manager of his/her intention to take statutory paternity leave
  2. have provided a self-certification form supporting the right to take statutory paternity leave, if requested by the manager.
5. Paternity leave is for a maximum of two (2) weeks. The employee may take the leave in a block of one or two consecutive weeks. Leave must be taken within 56 days of the birth of the child or, in the case of adoption, within eight weeks of the placement.
6. In order to take statutory paternity leave after the birth of a child, the employee must inform his/her manager of his/her intention to take leave by the end of the fifteenth (15<sup>th</sup>) week before the expected week of childbirth (EWC). He/she must specify:
  1. the week in which the baby is expected to be born
  2. whether he/she intends to take one or two weeks' leave
  3. the date on which he/she intends to start paternity leave.
7. In order to take statutory paternity leave after the adoption of a child, the employee must notify his/her Registered Manager of his/her intention to take leave no later than seven days



after the date on which he/she received notification from the adoption agency of the match with the child. If the child was adopted from abroad the employee must let his/her employer know the date on which he/she received notification of the placement and the date on which the child is expected to enter the UK.

8. Statutory paternity leave may not be taken before the birth or adoption of a child.
9. If the employee falls ill before starting his/her period of paternity leave, he/she may postpone it. The fifty-six (56)-day period within which employees must take paternity leave is not, however, extended under these circumstances.
10. The employee may be entitled to statutory paternity pay (SPP) and will be notified accordingly. SPP is paid at the statutory rate applicable. Should the employee not qualify for SPP he/she may be able to get Income Support while on paternity leave but enquiries should be made of the local Social Security Office.
11. Employees are entitled to return from paternity leave to the same job as before, on the same terms and conditions of employment, unless a redundancy situation arises.
12. If an employee cannot return to work at the end of paternity leave because of illness, he/she should follow the normal procedures for sickness absence.
13. If the employee does not wish to return to work after paternity leave, he/she is required to give his/her manager notice in accordance with the contract of employment.

### **Additional Paternity Leave and Pay**

If you are a new father and your partner is returning or has returned to work, you could have the right to up to 26 weeks' Additional Paternity Leave. In order to be eligible, you must satisfy the following conditions in order to qualify for paternity leave:

- you are the father of a child due on or after 3 April 2011
- your wife, partner or civil partner is pregnant and due to give birth to a child on or after 3 April 2011
- you and your partner receive notification that you are matched with a child for adoption on or after 3 April 2011
- your spouse, civil partner or partner (including same-sex relationships) is adopting a child from overseas and the child enters Great Britain on or after 3 April 2011

Additional Paternity Leave is for a maximum of 26 weeks. If your partner has returned to work, the leave can be taken between 20 weeks and one year after your child is born or placed for adoption. You may be entitled to receive Additional Statutory Paternity Pay during your partner's Statutory Maternity Pay, Maternity Allowance or Adoption Pay period.

Additional Statutory Paternity Pay is paid if you either:

- take Additional Paternity Leave
- are not working for the purposes of caring for your child, during your partner's Statutory Maternity Pay, Maternity Allowance or Statutory Adoption Pay period.

#### 4. Parental Leave Procedure

If you meet the qualifying conditions you will be entitled to parental leave of 13 weeks for each child under the age of five (5), or eighteen (18) weeks where the child is entitled to disability living allowance, under the age of eighteen (18). Parental leave can be taken in blocks of one week. You may not take more than four (4) weeks in a calendar year.

1. Employees who are the parents of one or more children under five (5) years of age and who have at least one year's continuous service are entitled to a total of thirteen (13) weeks' unpaid parental leave. This leave may be taken at any time up to the child's fifth birthday. This right also applies to employees who have acquired formal responsibility for a child, e.g. guardians.
2. Employees who have at least one year's continuous service and who adopt a child under eighteen (18) are also entitled to thirteen (13) weeks' parental leave. The right to leave lasts for five (5) years from the date on which the child was placed for adoption, or until the child reaches the age of eighteen (18), whichever occurs earlier.
3. Parents of disabled children can take a total of 18 weeks' parental leave up until the child's eighteenth (18<sup>th</sup>) birthday.
4. Employees who work part-time will receive a pro-rata amount of parental leave.
5. An employee may not take parental leave in periods of less than one week (unless the child is disabled, in which case parental leave can be taken in blocks of a single day or more).
6. An employee may not take more than four weeks' parental leave per year per child.
7. Applications for parental leave must be made in writing to the Registered Manager and employees may be required to provide evidence of their responsibility for the child and the child's age.
8. Employees must give at least twenty-one (21) days' notice of an intention to take parental leave and should specify the dates they wish the period of leave to begin and end.
9. Employees may take time off immediately after the birth or immediately after an adoption provided that they give twenty-one (21) days' notice of the expected week of the child's birth or adoption.
10. SSA Star Care reserves the right to postpone a period of parental leave requested for up to six (6) months (unless the leave is requested for the period immediately after a child is born or adopted). Postponement may be necessary where SSA Star Care could not cope or would be harmed by the absence of an employee at the time requested. Postponement will be confirmed in writing no later than seven days after the employee's notice to take leave has been received. This will state the reason for the postponement and set out suggested new dates of parental leave.
11. Employees will remain employed during all periods of parental leave. Certain contractual terms continue to apply. In particular, the employer's obligation of trust and confidence, terms concerning notice, redundancy compensation, and disciplinary and grievance procedures continue in force. Furthermore, the employee's obligation of good faith and any express term prohibiting disclosure of confidential information or participation in a competing business remain active.
12. No payment will be made for any parental leave taken.

13. Where both parents are employed by SSA Star Care, each will be entitled to parental leave in respect of each eligible child.
14. Employees returning from parental leave of four weeks or less will be reinstated in their previous jobs. Employees returning from parental leave of more than four weeks will be reinstated in their previous jobs wherever possible or, if not, offered similar jobs which have the same or better terms and conditions as the previous jobs.
15. Employees who fulfill the above criteria may, under certain conditions, use part of their parental leave entitlement in case of emergency childcare situations, at short notice. Abuse of this right may result in disciplinary action. Employees are required to give as much notice of any such situation as is reasonably practicable and should contact the Registered Manager during office hours as soon as possible during any such situation to discuss the matter. The Registered Manager will make the final decision regarding leave and/or payment.

## **5. Flexible Working Procedure**

Note: The right to request flexible working now applies to carers. The definition of “carer” is an employee who is, or expects to be, caring for an adult who:

- is married to, or the partner or civil partner of the employee; or
- is a near relative of the employee; or
- falls into neither category but lives at the same address as the employee.

The "near relative" definition includes parents, parent-in-law, adult child, adopted adult child, siblings (including those who are in-laws), uncles, aunts or grandparents and step-relatives.

The following policy and procedure relating to flexible working, does not form part of the employees' terms and conditions of employment.

SSA Star Care' Flexible Working Policy outlines SSA Star Care's commitment to consider flexible working arrangements for employees who are parents of young, adopted or disabled children, or who are carers (as above). SSA Star Care recognises the contribution of all its employees and also understands that at some time in their working lives, employees may find it difficult to fulfil domestic, family and working commitments due to having a young family, or adopting, or having a disabled child. Where this occurs, SSA Star Care will always consider practical help through this flexible working policy.

No employee will be treated less favourably, suffer detriment, or be dismissed because they request, or take, flexible working.

1. Flexible working is about considering the way work is organised to see whether it is possible to have different arrangements: the result must always be, however, that SSA Star Care achieves its core business purpose as efficiently as is possible.
2. SSA Star Care will consider requests for flexible working by eligible employees who put a request in writing but the onus of making an application is with the employee.
3. Any application that is considered to be detrimental to the business needs of SSA Star Care will be rejected.

Employees should be aware that if they request and are given agreed flexible working conditions this is a variation of their terms and conditions of employment and is a permanent change. If an employee's circumstances change in relation to the need for flexible working there is no statutory right for a return to the terms and conditions that applied to them prior to flexible working being granted.

### **Eligibility**

1. To be eligible to request flexible working, a person must:
  1. be an employee
  2. have a child under six (6) years of age, or under eighteen (18) years of age if the child is disabled, or be a carer (as above)
  3. be responsible for the child as its parent and be either a biological parent, guardian, adopter, foster carer or married to or the partner of such a person
  4. have responsibility for the upbringing of the child
  5. be making the application to enable him or her to care for the child or dependent (as carer)
  6. have worked for SSA Star Care continuously for twenty-six (26) weeks at the date of the application for flexible working
  7. have not made another application to work flexibly under the right during the past twelve (12) months.
2. The right to apply:
  1. is strictly limited to parents, i.e. the right to request flexible working does not apply to aunts, uncles or grandparents, unless they have formal parental responsibility for the child, or carers (as above)
  2. applies equally to anyone who has responsibility as a parent of a child
  3. is available to employees in same-sex relationships.
3. There are a number of circumstances where an employee may have responsibility as a parent of a child. The employee must satisfy these relationship requirements if he or she is to be eligible to request flexible working. To be eligible the employee must be:
  1. the biological parent, guardian, adopter or foster carer of the child
  2. married to a person as outlined in point 1 above
  3. the partner of a person as outlined in the point 1 above
  4. live with the child
  5. have responsibility for the upbringing of the child.
4. When making a request the employee needs to:
  1. state that it is an application for flexible working
  2. state whether a previous application has been made to the employer and, if so, when
  3. specify the flexible working pattern applied for and the date on which it is proposed the change should come into effect
  4. explain what effect, if any, the employee thinks the proposed change would have on the employer and how, in his or her opinion, any such effect might be dealt with
  5. explain how the employee satisfies the requirements relating to the relationship with the child

6. submit the application in writing
  7. sign and date the application.
5. Following a meeting held with the employee to discuss his or her request for flexible working, SSA Star Care will consider the request seriously. If, however, the employee's requested working pattern cannot be granted, the employee will be given written business reasons for this soon after the meeting.
  6. There is no automatic right for employees to work flexibly and SSA Star Care can refuse the request for one or more of the following reasons:
    1. Burden of additional costs.
    2. Detrimental effect on ability to meet customer demand.
    3. Inability to re-organise work among existing staff.
    4. Inability to recruit new staff.
    5. Detrimental impact on performance.
    6. Insufficiency of work during proposed hours.
    7. Planned structural changes.

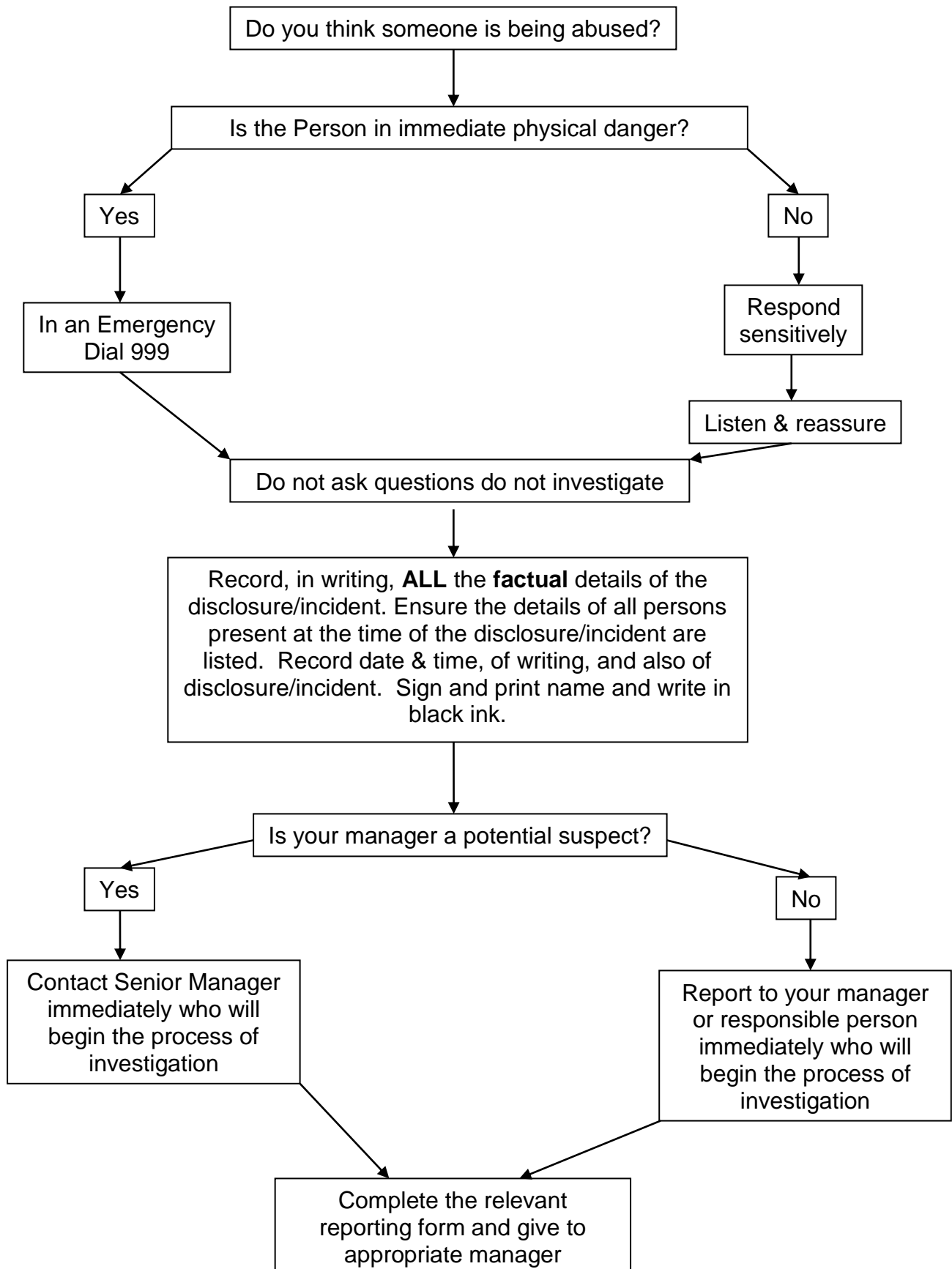
### **Appeal**

1. Where a request for flexible working is refused, the employee will be granted the right of appeal.
2. Where an employee appeals he or she has the right to be accompanied at the appeal hearing by a colleague of his or her choice.
3. Where the outcome of the appeal is a rejection, in specific circumstance the employee may take their case to employment tribunal or binding arbitration.

### **6. Time Off for Dependents Procedure**

1. Employees have a statutory right to take time off to provide assistance or take appropriate action to deal with an emergency concerning a dependent.
2. A dependent is a spouse, partner, parent, child or any other person who lives in the same household as the employee but is not a lodger, employee or boarder, or may be any other person who relies on the employee for care, e.g. an elderly neighbour.
3. Examples of when an employee may take time off include a dependent being taken suddenly ill, a dependent dying or existing arrangements for the care of a dependent being unexpectedly disrupted.
4. Employees should note that in order to take time off for dependents, the situation must have been unforeseen. Generally, the amount of time off that will be needed should be reasonable and enough for the employee to deal with the emergency. Time off for dependents should not be used to provide long term care.
5. Employees who need to take time off for dependents should inform their Registered Manager as soon as is reasonably practicable of the reason for their absence and how long they expect to be away from work.
6. The Registered Manager will make the final decision as to whether or not the employee will be entitled to any payment for leave taken in emergency circumstances under this Dependents Procedure

### 3. Procedures for Recording and Reporting Abuse





### **3.1 CONTACT NAMES AND TELEPHONE NUMBERS**

#### **REFERRAL ROUTES FOR ADULT PROTECTION**

..... = MD and Designated Champion for Safeguarding  
**Contact Number -**

**Contact Number -**

**NAME**

**Contact Number**

**Designated Safeguarding Board Contact.**

**POLICE**

**Emergency Number - 999**

#### **CARE QUALITY COMMISSION (CQC)**

Telephone: 03000 616161

## SECTION 4 - PERSONAL CARE CONSIDERATIONS

### 4.1 CAPACITY AND CONSENT POLICY

SSA Star Care believes that Service Users must be treated with dignity and respect at all times. It is SSA Star Care policy to encourage Service Users' autonomy and independence and to support them in any decisions they make about themselves and the support they receive from SSA Star Care.

#### Legislation

- Mental Health Act 2007
- Mental Capacity Act 2005

The Mental Capacity Act 2005 sets out a code of practice for assessing capacity and consent. *“Mental capacity is the ability to make a decision, which includes the ability to make a decision that affects daily life, as well as more serious or significant decisions”.*

The Mental Health Act is primarily about people who are diagnosed as having a mental health problem that requires them to be detained and treated in the interests of their own health or safety, or with a view to protecting other people.

The Mental Capacity Act (MCA) can be used as a less restrictive alternative to the Mental Health Act (MHA). The MCA can be used to admit people to inpatient care when they have been assessed as not having the capacity to consent to treatment and admission is judged to be in their best interest, but it cannot be used to detain them in hospital. This can only be done under the MHA.

If an individual detained under the MHA needs treatment for a physical condition and there is a question about whether they have capacity to consent to it, their capacity should be assessed in accordance with the MCA.

Definition; *'An individual's capacity refers to their ability to make a decision themselves, based on the information available to them'. (Mental Capacity Act 2005)*

One of the most important terms in the Code is 'a person who lacks capacity'. Whenever the term 'a person who lacks capacity' is used, it means *'a person who lacks capacity to make a particular decision or take a particular action for themselves at the time the decision or action needs to be taken'. (Mental Capacity Act 2005)*

This reflects the fact that people may lack capacity to make some decisions for themselves, but will have capacity to make other decisions. For example, they may have capacity to make small decisions about everyday issues such as what to wear or what to eat, but lack capacity to make more complex decisions about financial matters.

It also reflects the fact that a person who lacks capacity to make a decision for themselves at a certain time may be able to make that decision at a later date. This may be because they have an illness or condition that means their capacity changes. Alternatively, it may be because at the time the decision needs to be made, they are unconscious or barely conscious, whether due to an accident or being under anaesthetic or their ability to make a decision may be affected by the influence of alcohol or drugs.



Finally, it reflects the fact that while some people may always lack capacity to make some types of decisions – for example; due to a condition or severe learning disability that has affected them from birth – others may learn new skills that enable them to gain the capacity and make decisions for themselves (Mental Capacity Act 2006)

### **Good Practice Guidelines**

Individuals are assumed to have capacity unless there is clear evidence to the contrary.

- A person's capacity must be assessed specifically in terms of their capacity to make a particular decision at the time it needs to be made.
- A person's capacity must not be judged simply on the basis of their age, appearance, condition or an aspect of their behaviour
- It is important to take all possible steps to try to help people make a decision for themselves

### **Assessing Capacity**

Anyone assessing someone's capacity to make a decision for themselves should use the two-stage test of capacity:

1. Does the person have an impairment of the mind or brain, or is there some sort of disturbance affecting the way their mind or brain works?
2. If so, does that impairment or disturbance mean that the person is unable to make the decision in question at the time it needs to be made?

Key questions to consider when assessing capacity are:

- Does the person have a general understanding of the decision they have to make and why they need to make it?
- Do they understand the consequences of making or not making the decision?
- Can they weigh up the relative importance of the information?
- Can they use and retain the information as part of the decision-making process?
- Are they able to communicate their decision, in whatever method they choose.

**See also our Mental Capacity and Deprivation of Liberties Policy and Procedures and make yourself familiar with the assessment process and forms.**

## 4.2 ADVOCACY

SSA Star Care endeavours to promote a person centred approach, allowing Service Users to express choice and to define how the service should meet their needs. SSA Star Care recognises that some Service Users may be unable or reluctant to speak up for themselves and have no natural allies or personal champions. SSA Star Care will promote advocacy with the aim of empowering people who use the service.

Some Service Users may be vulnerable to others, including those who provide them with support and, at times, may need the help of someone who will represent their best interests. By promoting advocacy and self-advocacy, SSA Star Care aims to support Service User's to communicate their views and provide a service that is focused on their needs. SSA Star Care will ensure Advocates carry out their responsibilities in the best interest of Service Users.

### **What is Advocacy?**

- Advocacy is about helping Service Users to have more control over what they want and how they would like to live their lives
- An Advocate can help Service Users speak up for themselves and make sure their views are heard
- An Advocate can help Service Users work out what choices are available and help explore options with them

### **Advocacy has two main themes:**

- Safeguarding individuals who are in situations where they are vulnerable
- Speaking up for and with individuals who are not being heard, helping them to express their own views and make their own decisions

### 4.3 ACCESS, KEY HOLDING AND SECURITY POLICY

SSA Star Care is committed to ensuring that Service Users are protected and are safe and secure in their own homes and that where keys are held by staff to gain entry to the home, those keys are kept securely. SSA Star Care domiciliary care service recognises that key holding arrangements to gain access to a Service User's home can be an essential part of providing high quality care to Service Users who may have difficulty in accessing their door to let SSA Star Care staff into their home. SSA Star Care recognises that in these cases, it is safer to hold a key for the home and not leave a door unlocked/hide a key.

A Service User may install a key safe, with a unique code, to allow Care/Support Workers to gain entry to the home where the Service User is unable to answer the door. Key safe code numbers must be kept separate from addresses of Service Users at all times and not stored in any recognisable form by the Care/Support Worker. Key Safe Code numbers will be recorded in the care plan that is kept in secure cabinets in the local office.

#### **If key holding is required:**

- Keys must be held in a secure place when not in use
- The key should be labelled with a code and never with the name and address of the Service User
- SSA Star Care staff must be very careful that any Services User's keys must be kept in a safe place at all times
- If keys are to be left with a neighbour, their full details, including address and telephone number must be recorded in the Needs Assessment
- Copies of keys must be kept to a minimum, and records kept of all key holders, using MAN 7 record of key holding form
- Never pass keys to any other person without the specific authorisation of the Care Manager
- Take care to safeguard codes for combination locks. Service Users should be encouraged to change the codes when the Care/Support Worker changes or leaves
- Next of kin, or other relevant contacts, should be kept informed of arrangements made and their details recorded on the Needs Assessment
- The holding of a key does not remove the Service User's right of privacy. SSA Star Care staff should always knock or ring the front door bell to announce arrival prior to entering the Service Users' home
- Any keys that are lost, or suspected to be stolen, must be reported immediately to the Care Manager who will take appropriate action, which may include reporting to the Police and other statutory agencies.

#### **Action to take if Keys are Stolen or lost:**

If SSA Star Care staff are in any way responsible for missing, lost or stolen keys, they should inform the Service User immediately and organise for a lock change to be done, as an emergency, within twelve (12) hours. Staff should be available in person to monitor the process and ensure that the lock change has been completed to the Service User's satisfaction and meets all safety requirements, The Director/Registered should write to the Service User concerned to apologise for any inconvenience caused.

## Returning Keys

- In the event of a Service User no longer requiring support from SSA Star Care, all keys are to be returned and recorded
- Full details should be recorded, including name and signature
- When keys are returned, ensure the number and type match records of keys originally given by the Service User
- If keys are to be returned to relatives/next of kin/significant other, contact details should be located on the Needs Assessment
- Arrange a mutually convenient time to return keys, preferably in person and not in the post – if sent by post this must be done by registered secure trackable method
- SSA Star Care staff should never enter a Service User's home without permission or unaccompanied in the event of the death of a Service User.

SSA Star Care staff should consider the following when preparing to leave a Service User's home:

- If appliances are no longer needed they should be switched off
- Unnecessary medication should be put away
- Furniture should be arranged so as not likely to cause a fall
- If leaving during the day, check with Service User to agree which windows, if any, are left open
- Check with Service User which lights, if any, are to be left on

If supporting Service User at nighttime SSA Star Care staff should consider the following:

- Make sure that electric blankets are safe and switched off if necessary
- When the Service User is in bed, all electrical appliances must be made safe; unplug them if required
- Ensure that any coal fires, paraffin stoves, or other forms of heating are out, or made safe
- That doors and windows are made secure
- Make sure there is some ventilation in the bedroom



#### **4.4 IDENTITY CARDS**

All Care/Support Workers are required to carry an identity card, showing their photograph and a signature, which Service Users may ask to see. This should not cause offence; you should recognise that the Service User is taking sensible precautions. Cards are replaced every three (3) years, and when you leave SSA Star Care you must return your card to the office. If you do not return your identity card to the office, it will be reported to the Police to safeguard Service Users.

Should you change your appearance dramatically a new card will be issued and a charge will be made.

Should your ID Card become damaged, be lost or stolen a replacement **MUST** be obtained.

**Lost or stolen ID Cards must be reported to the office IMMEDIATELY the loss or theft is discovered.**

Large print ID Cards can be provided for Care/Support Workers who care for/support Service Users with visual impairment.



There will be additional Policies and Procedures you will need to read and understand. For example, Missed or Late Calls Policy, Medicine Admin, Prevent, Travel and Your Car Declaration and more as necessary. Please ensure you have received, read and understood all policies before signing this declaration for each one.

**I have read and understood this Staff Handbook and policy and Procedures within. I recognise that to implement it is part of my contract of work with SSA Star Care.**

Name	(Please use BOLD CAPITALS)	Signature	Date
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