

Staffordshire LINK: Code of Conduct and Disciplinary Procedure

Staffordshire LINK has a philosophy of inclusiveness, with participants of the LINK performing an active role in health and social care strategic decision making across Staffordshire.

When, however, participants do not meet the appropriate standards, it is essential to ensure that action is taken which is fair, proportionate and appropriate. This policy therefore sets out the standards of behaviour expected from participants of Staffordshire LINK and aims to:

- Ensure the safe and effective operation of Staffordshire LINK
- Ensure that volunteers are supported in gaining awareness of their rights and obligations
- Ensure that any standard of conduct action taken is fairly and consistently applied
- Promote and maintain standards of conduct and commitment to public service values

1. Principles:

The LINK is required to reflect the broad range of views and backgrounds of the people of Staffordshire and as such all participants need to abide by the principles of:

- Valuing any contribution an individual can make to the LINK
- Respecting other people's opinions and beliefs
- Treating other people with dignity

and the Seven principles of public life (Nolan Principles)

- **Selflessness:** Participants in the LINK should take decisions solely in terms of the public interest. They should not do so to gain financial or other benefits for themselves, their family or their friends, or organisations
- **Integrity:** Participants in the LINK should not place themselves under any financial or other obligation to outside individuals or organisations that might influence them in performance of LINK duties.
- **Objectivity:** In carryout out public business, including making public appointments, awarding contracts, or recommending individuals for rewards and benefits, participants of the LINK should make choice on merit.
- **Accountability:** Participants in the LINK are accountable for their decisions and actions to the public and must submit themselves to whatever scrutiny is appropriate.

- **Openness:** Participants in the LINK should be as open as possible about all the decisions and actions that they take. They should give reasons for their decisions and restrict information only when the wider public interest clearly demands it.
- **Honesty:** Participants in the LINK have a duty to declare any private interest relating to their participation and to take steps to resolve any conflicts arising in a way that protects the public interest.
- **Leadership:** Participants of the LINK should promote and support these principles by leadership and example.

2. Standards

Staffordshire LINK aims to promote a positive and effective environment which reflects the values of the LINK and fosters a spirit of teamwork and collaboration. LINK participants' behaviour should always be above reproach or criticism.

All LINK participants are required to treat everyone with courtesy and respect at all times in order to establish and maintain effective professional relationships and are bound to:

- Abide by the LINK's Governance Framework and all associated policies and procedures including any subsequent amendments or additions
- **Not** act in a way that explicitly or implicitly discriminates against anyone including, but not limited to, on the grounds of race, gender, sexual orientation, religion, age or disability
- **Not** act in any way that is bullying, harassing or intimidating
- **Not** act in any way that would bring the LINK into disrepute or damage its reputation
- Ensure that their actions do not put other members at risk
- Never disclose confidential information
- Never speak to, or disclose information to, the press without the express authority of the LINK's Co-ordinating Group
- Never claim to represent the views of the LINK without authorisation to do so
- Declare any relevant conflict of interest (in line with the LINK's Conflict of Interest policy)
- Not accept gifts from Commissioners or Providers of health and social care services
- Act in the best interests of the LINK when making decisions
- Abide by the terms of reference for project groups
- Agree to an enhanced Criminal Records Bureau check if acting as an Authorised Representative

3. Organisation Participants

LINK participants who are representing an organisation are bound to:

- **Not** present their personal views as those of their organisation or group;
- Collect opinions from within their organisation or group to be fed into appropriate LINK activities and discussions;
- Declare any conflicts of interest as soon as possible.

4. Conduct at Meetings

All LINK participants should conduct themselves appropriately when attending LINK meetings or as a representative of the LINK when attending external meetings. All LINK participants are expected to:

- Listen attentively and respect others' views
- Not interrupt other speakers
- Use plain language
- Make contributions clear, concise, factual and to the point
- Strive for consensus
- Bring conflict into the open with a view to problem solving - solutions require discussions and teamwork
- Not converse with your neighbours whilst others are speaking
- Start from the premise of understanding other people's points of view
- Not dominate discussions
- Provide feedback to the LINK when acting as a representative at meetings.

Any LINK participant failing to abide by the Code of Conduct and conduct at meetings protocols may be asked to leave the meeting by the Chair of the group. If any complaint is received about a participant's behaviour during a meeting this would be dealt with under the LINK's Standards of Conduct protocols.

4. Conduct Action

Staffordshire LINK will take very seriously participants' inappropriate behaviour and behaviour which is not in the interests of the LINK and the following is a list of examples of behaviour that could potentially trigger conduct action. The list is not exhaustive, and other situations of potentially inappropriate behaviour may also be considered.

- Physical assault on other Staffordshire LINK participants, staff or any other individuals in the course of work pertaining to the Staffordshire LINK, or action likely to bring Staffordshire LINK into disrepute;

- Making comments a recipient or witness considers to be discriminatory, particularly on the grounds of race, sex, disability or other types of discrimination recognised by law;
- Failing to observe agreed confidentiality and disclosure of information protocols, particularly in regard to patient confidentiality;
- Deception in completing an application or other official form
- Fraud (eg. submitting false expense claims);
- Theft of or malicious damage to the Host organisation office, NHS or health and social care property and/or premises
- Gross carelessness or negligence (an act or failure to act which endangers others' health and safety);
- Conviction of a criminal offence during participation of the LINK that might threaten the credibility or reputation of the LINK;
- Bringing Staffordshire LINK into disrepute;
- Preventing other Staffordshire LINK participants from getting involved and/or participating;
- Acting against the agreed action/workplan of Staffordshire LINK
- Non-attendance at 3 consecutive meetings without sending apologies will result in a written letter being sent to the individual in order to review their involvement.

5. Standard of Conduct Policy and Procedure

Anyone may make a complaint about a Staffordshire LINK participant's behaviour or Conduct (see separate Complaints Policy). All such complaints should be addressed to Chair of the LINK, or the Vice Chair of the LINK if the complaint is about the Chair. A complaint that becomes a standard of conduct case will be dealt with under this procedure. The Staffordshire LINK Standards of Conduct Policy is subject to the Staffordshire LINK Complaints Policy.

Stage 1

Initial Investigation

In response to a complaint a panel of 3 will be formed, within **20 working days**, from representatives of the LINK Co-ordinating Group who will make the initial decision on whether an investigation is appropriate based on the standards of conduct complaint received. The representatives will inform the participant of the nature of the complaint and arrange for an investigation panel and interview within **10 working days**. During the interview the participant will be given the opportunity to put forward their own case. If the representatives are satisfied that a breach of LINK protocols has occurred, the panel may enforce any of the following sanctions dependent upon the seriousness of the breach (see Stage 2 and 3 below):

- Censure - a verbal warning or reprimand will be issued
- Suspension of rights for a determined period of time eg.
 - Suspension from attending specific meetings
 - Suspension from attending all meetings
 - Suspension from representing the LINK
 - Suspension from participating in all LINK activities
- Disqualification - removal of the participant from the LINK organisation.

If a breach of a standard of conduct involves possible criminal activity, the Host Organisation should consider informing the police. The standards of conduct procedure will continue whether they do so or not.

Stage 2

Written Warning

If, within a period of 3 months, there is a further breach of rules or if standards do not improve then a written warning will be issued to the participant concerned. The procedure mentioned above will be followed by a written warning. A final written warning may also be issued by the investigation panel on behalf of the LINK Co-ordinating Group immediately if the breach of rules or failure to observe standards are more serious and a verbal warning is considered inadequate.

Stage 3

Gross Misconduct

If it is deemed a participant has committed an offence serious enough the normal consequence will be dismissal from Staffordshire LINK. This decision is taken by the LINK Co-ordinating Group.

Appeals Process

Any sanction imposed may be appealed against by the LINK participant concerned on the following grounds:

- New information being available that couldn't reasonably have been provided to the panel at the time of the investigation and interview;
- The process for the hearing has not been properly followed;
- The sanction is disproportionate to the breach of Standards of Conduct policy and procedures.

An appeal has to be made in writing within **20 days** of the notification of the sanction and this must be sent to the Director of the LINK Support Team office stating the grounds for appeal.

- An appeal panel of 3 members of the Co-ordinating Group (who were not on the original investigation panel) will be convened to establish if there are sufficient grounds for appeal.
- If yes - an Appeals panel interview with the LINK participant will be arranged and will write to the LINK participant with their decision
- If no - the Appeals panel will write to the LINK participant with their decision and reasons for their decision not to hear an appeal.
- The Appeals panel will be chaired by the Co-ordinating Group Legislation, Policy and Governance lead
- The LINK Manager or their nominee will act as an Advisor to the Appeals Panel
- The decision of the Appeals Panel is final.