

**MEMBER DECLARATION**

This handbook contains important guidance for your time with us. Please sign below to show you accept its contents.

I have received and agreed to abide by the contents of the **Orchard Medical Recruitment** Member's Handbook.

I understand that any personal data held by **Orchard Medical Recruitment** is liable to be inspected by PASA as part of audit procedures.

**Print Name:** \_\_\_\_\_

**Profession:** \_\_\_\_\_

**Signature:** \_\_\_\_\_

**Dated:** \_\_\_\_\_

## **Orchard Medical Recruitment Staff Manual**

We have designed this handbook to give you an idea of what to expect from your time with us. Please read it carefully - it includes a number of **Orchard Medical Recruitment**. We are pleased you have chosen to join us and look forward to offering you a wide guidelines and standards required under the Framework Agreements we have with the NHS.

As a new Member of **Orchard Medical Recruitment** temporary Staff Workforce we hope you have a successful and prosperous career with us. If you have any queries about the contents within this booklet, please direct these to your Consultant at the address below:

**Orchard Medical Recruitment**

Unit 10,  
Carbery Enterprise Park,  
36 White Hart Lane,  
London, N17 8DP  
Tel:0208 365 9888  
[www.orchardlocums.com](http://www.orchardlocums.com)

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## BEFORE YOU START WORK

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### Induction

As well as briefing you on general issues and procedures, we will provide you with Induction Training covering:

- Moving and Handling
- Health and Safety
- Fire Procedures
- Risk Incident Reporting
- Lone Worker Training
- Handling of Violence and Aggression
- The Caldicott Protocols
- Complaints Handling
- Food Hygiene (for relevant professions e.g. Occupational Therapists)

You will also find a lot of useful reference information in this handbook.

### Mandatory Training

All Members must complete Moving and Handling, Health and Safety, and CPR training on an annual basis. You must additionally complete the mandatory training in the 12 months prior to your registration with

**Orchard Medical Recruitment.** We regularly facilitate and provide subsidised courses, please contact your branch for details. Members can also attend courses run by the current assignment's Manual Handling and CPR training departments. Members can also source their own training courses and use their CPD account to fund it.

### Risk Incident Reporting

Under the Management of Health and Safety Regulations of 1992 you have a legal duty of care to report all accidents, incidents and near misses. These regulations impose a duty on employers to perform risk assessments on all work activities. If during the course of your work you identify a risk to the health, safety and welfare of your own personal safety, and/or that of your colleagues/patients/clients, you have a duty to report this. In the first instance it should be reported to the person in charge of the establishment to which you are assigned, and to your **Orchard Medical Recruitment** consultant. An incident report form must be completed at **Orchard Medical Recruitment.**

### Lone Workers Information

Lone workers are those workers who work by themselves without close or direct supervision. Lone working is not governed by any specific legislation but a wide range of legislation may apply depending on the nature of the work involved. In all instances the Health and Safety at Work Act 1974 and the Management of Health and Safety Regulations of 1992 will apply. Generally, within the healthcare industry, lone workers can be regarded as those who work on a peripatetic basis such as community/district nurses, domiciliary homecare workers etc., or those personnel who work outside of normal hours e.g. Domestic, porters, security etc. In all cases where a worker is expected to work alone a risk assessment should be performed by the employer and steps taken to reduce risk to the lowest practicable level. The risk assessment should address:

- Whether the work can be performed safely by a single person
- What arrangements are required to ensure the lone worker is at no more risk than employees working together

If for any reason you consider yourself to be at risk working in a "lone worker" situation please contact your Branch Manager immediately so that a further risk assessment can be performed and arrangements can be made to ensure safe systems of work and your personal safety.

## **Violence and Aggression**

It has been recognised for some time that workers in a hospital setting work within an environment where there is potential for threat, aggression or violence. Violence and aggression can be defined as including the following circumstances:

- Minor assaults including situations where physical contact and/or injuries occur which require first aid treatment
- Threats with an offensive weapon without physical injury
- Aggravated assault resulting in injury requiring medical assistance
- Threatening behaviour which could include verbal abuse or threats, and fear arising from damage to the physical environment
- Assault resulting in serious injury and/or death

### **Any violent, abusive or threatening behaviour is unacceptable**

You must report any incident immediately to the person in charge and also to your **Orchard Medical Recruitment** consultant. The establishment where you are working the assignment will have policies for dealing with such incidents, and an incident report form should be completed both at the place of work and at **Orchard Medical Recruitment**. Remember, all staff members have an obligation under the Health and Safety at Work Act 1974 to have regard for their own health, safety and welfare at work, and that of others who may be affected by their acts or omissions.

## **The Caldicott Protocols**

The Caldicott review was commissioned due to the development of information technology and its capacity to disseminate information about patients/service users both rapidly and extensively.

An essential component of the clinical consultation in the provision of health care is confidentiality. All healthcare workers have stringent requirements with regard to confidentiality of patients within their care. However information given about patients underpins the efficient operation of the NHS, and it is important that confidentiality does not impede upon the provision of effective patient care. Therefore the Caldicott review devised protocols and recommendations, which assume the appointment of a Caldicott Guardian who is created to safeguard and govern the users of patient information within NHS organisations. Caldicott guardians are senior health professionals.

All **Orchard Medical Recruitment** personnel are required to familiarise themselves with the local policy on confidentiality within the establishment/NHS Trust where they are working.

## **Complaint Handling**

During the course of your work with **Orchard Medical Recruitment** you will come across complaints from patients/clients. It is the policy of **Orchard Medical Recruitment** to deal with any expression of dissatisfaction in a professional and precise manner. If you are on an assignment within an establishment, please report any complaints to a senior person and document all details of the complaint. You **must** also report the Complaint to your **Orchard Medical Recruitment** consultant or their manager. All complaints must be investigated within a specified time limit and resolved as soon as possible and this is the responsibility of the **Orchard Medical Recruitment** Manager. You may however, be requested to put details of the complaint in writing on a complaint record form and/or attend an interview to investigate details further.

If you personally are the subject of a complaint you will also be asked to record details as part of an investigation and in some circumstances it may be necessary to suspend you from duty whilst the investigation is in process. Any complaints of misconduct against individuals will be reported to the HPC or other relevant Registration Body.

If you have any complaints about any aspects of your work at **Orchard Medical Recruitment** please do not hesitate to contact us.

Any complaints from individuals will be dealt with in a professional and confidential manner and **Orchard Medical Recruitment** has a "Whistleblowing" policy; please refer to page 16 of this book.

## **Fitness to Practice**

It is important for your own health and of those in your care that you are fit to practice whenever you attend an assignment. You must declare your fitness to practice or otherwise when you accept an assignment. You **MUST** also let us know if you are pregnant. If you are concerned that your assignment involves unnecessary risks to your health or fitness, or that of your unborn child, please do not hesitate to contact us. **If you are pregnant we are required to perform a health and risk assessment for all expectant mothers.**

You are required to supply **Orchard Medical Recruitment** with an update of your occupational health questionnaire on an annual basis, as this is a contractual requirement of the NHS/PASA.

## **Immunisation**

Please keep the following immunisations up to date:

- Hepatitis B
- Varicella (Chicken Pox)
- Rubella (German Measles)
- Tuberculosis
- Diphtheria
- Hepatitis C
- Tetanus
- Polio

Any boosters or new vaccinations should be recorded on your Immunisation Record. You need to disclose details on your application form and fax or post proof of vaccination to us.

Documented proof is required for **Hepatitis B, Varicella, Rubella, and Tuberculosis.**

**Without proof of immunisation we will be unable to offer you assignments.**

## **MRSA**

Methicillin Resistant Staphylococcus Aureus (MRSA) is the name given to a range of strains of antibiotic-resistant bacteria. MRSA exists on the hands or in the nose of around one third of the healthy population and is usually harmless. It can however prove fatal if it enters the bloodstream of an already weakened patient.

It is usually transmitted by touch. The single most effective measure for preventing MRSA contamination is washing hands before and after every patient contact.

### **In addition, please:**

- Use liquid soap and water or an alcohol-based hand rub when washing hands – make sure it comes into contact with all areas
- Remove wrist and preferably hand jewellery at the beginning of each shift where you will be regularly decontaminating your hands
- Wear disposable gloves and aprons when attending to dressings or dealing with blood and body fluids (sterile gloves should only be worn when performing aseptic techniques)
- Dispose of gloves and aprons after use
- Cover cuts or breaks in your skin or those of patients/clients with waterproof dressings

If you come into contact with a patient who is later found to be contaminated with MRSA, it may be necessary to attend screening sessions at the hospital's Occupational Health Department. During this time and before you have been declared clear from MRSA, we may be restricted in the assignments we can offer you due to the risks of infection.

## **AIDS/ HIV**

Members should be aware of and abide by the requirements of HSC 1998/ 226 “Guidance on the Management of AIDS/ HIV Infected Health Care Workers and Patient Notification”

- If you believe you may have been exposed to HIV infection in any way you should seek medical advice from your GP or Occupational Health Department and, where appropriate, undergo diagnostic HIV antibody testing.
- If you are found to be infected, you must again seek guidance from your GP or Occupational Health Department
- If you are found to be HIV positive and perform or assist with invasive surgical procedures you must stop this immediately and seek advice from your GP or Occupational Health Department regarding what action, if any, should be taken
- Please be aware that it is the obligation of all health workers to notify their employer and, where appropriate, the relevant professional regulatory body, if they are aware of HIV positive individuals who have not heeded advice to modify their working practice.

Please note the above guidance does not supersede current Department of Health Guidelines (in particular HSC 1998/226) or local practices and procedures.

## **Medicals**

Because of the importance of your fitness to practice, **Orchard Medical Recruitment** reserves the right to request a certificate of fitness to practice from your GP or an Occupational Health Service. Our clients may also ask that you undergo a medical examination before commencing work for them. In these cases, future placements may be dependent upon your compliance with this request and its outcome, providing it was made with good reason.

## **Criminal Convictions**

NHS policy and the National Contract require Agencies for the Supply of Allied Health Professionals to obtain a Criminal Record Disclosure (CRB) or a Disclosure Scotland (DS) for all our Members, particularly those working in Paediatrics and in the Community. Recent disclosures from previous employers may be acceptable. Please be aware that our clients may insist we inform them in writing of any criminal convictions you may have before accepting you for an assignment – we will only provide this information with your consent. **Orchard Medical Recruitment** cannot be held responsible should clients decline your services following refusal to comply with this request or disclosure of a criminal conviction. Our own response to criminal record information will depend upon its nature and seriousness.

We also ask you to complete, sign and date a “Criminal Convictions” declaration as part of your application form.

## PAY AND BENEFITS

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### Timesheets

Timesheets run from Monday to Sunday. Please submit your timesheet to us by Friday in order to be paid the following Friday. Deadlines may change around Bank Holidays-branches will have details and will inform all Members in advance. Payments are made directly into your bank/ building society/ Limited Company accounts by BACS (Please make sure we have the correct details). It is your responsibility to ensure your timesheet is legible, completed correctly and has been authorised and signed by your manager- payment may be delayed if this is not the case.

In particular, please ensure:

- You complete the correct week ending date timesheet
- The date and times you worked, excluding any breaks taken are correct
- The total hours and basic pay columns are correct
- There is the dated signature of the line manager at your assignment.
- You have signed the timesheet

If you have any problems with timesheets or payment, please contact your Consultant.

### Holiday Pay (PAYE members)

As a PAYE member you start accruing holiday pay as soon as you begin work through us and can request this from your Consultant at any time. Holiday entitlement is 4 weeks per annum for full time workers (37 and a half hours per week), apportioned *pro rata* for part time workers. The holiday year ends 31st December – please be sure to arrange holiday in advance of this date. Your current accrued holiday pay is shown on your weekly payslip.

### CPD (Continuing Professional Development)

To assist you in your CPD, each week you work thru **Orchard Medical Recruitment** we will donate some money into your CPD fund. This accumulates in your individual CPD account and is yours to spend on courses and conferences.

Simply submit the receipt once you have attended the course and we will reimburse you.

## ASSIGNMENTS

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### Timekeeping

Please make every effort to ensure you arrive at and leave all bookings at the agreed time, confirmed in your booking letter. If, for any reason, you are unable to attend a booking you should contact your branch, and if possible your line manager, as soon as possible.

### Requirements for Assignments

Please attend all bookings with your current **Orchard Medical Recruitment** ID badge, **Orchard Medical Recruitment** Fit to Work Certificate, as well as your HPC certificate, and CRB disclosure form. Mobile phones, unless working in the Community, should be switched off for the duration of your assignment.

The uniform requirements of some our clients differ and will be stated prior to the assignment.

If you are on an assignment where a hospital uniform is not required (your branch will inform you) or have any queries regarding dress, please do not hesitate to contact your Consultant.

## ID Badges

ID Badges will be issued in line with your HPC registration. When we are advised of your registration or re-registration every two years, **Orchard Medical Recruitment** will generate new badges and send them to you. Badges must be handed back to your local **Orchard Medical Recruitment** Branch on termination of employment with **Orchard Medical Recruitment**.

## Arriving for Work

On arrival at a new booking, please take the opportunity to familiarise yourself with the local policies and procedures. In particular, please be aware of the following, where relevant:

- Crash Call Procedure
- Hot Spot Mechanisms
- Violent Episode Policy
- Procedure for Alerting Security Staff
- Policy for Administration & Assistance with Drugs
- Complaints handling

Where possible, we encourage Members to visit their potential workplace prior to starting work. If you have any queries regarding correct local procedures, or are uncomfortable carrying out any of the duties you have been asked to perform, please raise these issues with your line manager in the first instance.

## Completing an Assignment

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### Notice Period

When possible, Members should let **Orchard Medical Recruitment** know when their assignment is coming to an end, allowing us time to organise your next assignment if necessary. Members and Clients, according to our Terms of Business, are asked to give at least 1 week's notice (except in exceptional circumstances when each case will be looked at individually) and subsequently inform **Orchard Medical Recruitment** of the end date.

### Evaluations of Service (EOS)

At the end of every assignment **Orchard Medical Recruitment** provide 2 sets of Evaluations of Service (EOS) to both Member and Client. Clients are asked to supply feedback on the service they have received from **Orchard Medical Recruitment** and also to provide a reference on the Member.

Members are asked to give feedback on the service they have received from **Orchard Medical Recruitment** and also feedback on the assignment. This information can then be used to advise future locums. Both positive and negative feedback is actively encouraged so **Orchard Medical Recruitment** can act upon it to improve its quality of service.

## YOUR TRAINING AND DEVELOPMENT

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### Training

Please keep up to date with all relevant clinical guidance as well as attending to your CPD requirements. In particular, you must have annual training in:

Fire Safety  
Health & Safety  
Moving & Handling COSHH  
RIDDOR

Please ensure your Training Record is kept up to date at all times by sending it to our office, together with proof of training completed, after any new course. We will review training completed at your six monthly appraisals (see below). **Orchard Medical Recruitment** facilitates mandatory training courses for Members. For further details of these and training subsidies available please contact your Consultant.

### Appraisals

We will appraise you twice during your first three months with us and biannually thereafter. Appraisals give us an opportunity to consider with you your performance at work. They are also an opportunity for you to raise any concerns or issues you may have.

Appraisals are carried out based on feedback received from clients and cover the following areas:

- General levels of service including punctuality, attitude and ability to carry out practical tasks
- Clinical performance
- Training needs
- CPD
- Any other issues, including progress since the last appraisal

## OUR POLICIES

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### Professional Standards

Whilst this booklet outlines **Orchard Medical Recruitment**'s own policies and standards, these do not supersede the national guidelines of the HPC and other professional membership bodies such as the CSP, COT, UKRC, RCSLT and BDA.

Further information is available from the HPC website, [www.hpc-uk.org](http://www.hpc-uk.org), or from your **Orchard Medical Recruitment** branch.

The HPC can also be contacted at the address and numbers below:

Health Professionals Council  
Park House  
184 Kennington Park Road  
London  
SE11 4BU

Tel: 0207 582 0866

Fax: 0207 840 9684

### Code of Conduct

**Orchard Medical Recruitment** expects all Members to act in a professional manner at all times.

We particularly ask you to pay special attention to:

- Punctuality
- Standards of Dress and Courtesy
- Quality of Care and Clinical Procedures
- Consideration and Respect for patients, colleagues and managers
- Confidentiality and Integrity

You are responsible for your own actions when completing assignments, co-operating with colleagues and managers for the care of patients and clients.

You should comply with all reasonable requests, using your professional judgement at all times.

If you have any questions about your work, please try to resolve these locally at first or seek advice from your Consultant.

You should not smoke at work or attend work under the influence of alcohol or any illicit substances

### Medication Policy

Temporary Locums are only allowed to administer medication with the authority of a senior permanent NHS manager. This is very hard to manage.

It is the policy of **Orchard Medical Recruitment** that NO TEMPORARY WORKER IS AUTHORISED TO ADMINISTER MEDICATION.

## **Equal Opportunities**

**Orchard Medical Recruitment** seeks to offer equality to all our Members and will treat any allegations of discrimination with the utmost seriousness. In accordance with these principles Members may not discriminate on the grounds of:

- Race
- Ethnic Origin
- Nationality
- Colour
- Religion or Belief
- Gender
- Sexual Orientation
- Marital Status
- Disability

## **Health and Safety**

Under the Health & Safety at Work Act 1974, it is your duty to:

- Take reasonable care for the health and safety at work of yourself and any other people who might be affected by your acts or omissions
- Co-operate with your employer and others to enable them to comply with statutory duties and requirements
- Not intentionally or recklessly misuse anything provided in the interests of health, safety or welfare

The Management of Health & Safety at Work Regulations 1992 further requires you to:

- Use any equipment, etc., provided in the interests of safety
- Follow health & safety instructions
- Report anything you consider to be a serious danger
- Report any shortcomings in the protection arrangements for health & safety

When on assignment, it is the client's responsibility to familiarise you with their own Health & Safety policy and procedures, and with locations of fire escapes, first aid contact person etc. At a client's request in writing, **Orchard Medical Recruitment** will undertake to train Members to be supplied in standard workstation safety. We cannot, however, be held responsible for the suitability of workstations used by our clients. If you express concern over the Health & Safety arrangements of your employing client, we will ask the client to investigate and, if possible, to make improvements.

If you refuse to work for a client on Health & Safety grounds, we will attempt to find you other employment without prejudice.

## **Record Keeping**

Good records are essential to safe and effective patient care and should be:

- Clear, legible and indelible
- Factual and accurate
- Written as soon after the event as possible
- Signed, timed and dated Records should:
  - Be written with the involvement of the patient, client or their carer where possible
  - Be written in terms the patient or client can understand
  - Be consecutive
  - Identify problems that have arisen and action taken to rectify them
  - Show care planned, decisions made, care delivered and information shared

Please be aware that full records are essential should any questions be raised about the care and standards of care delivered.

For more detailed information, please see the HPC or relevant professional membership bodies' guidelines.

## **Protection of Vulnerable Adults**

### **Introduction**

The characteristics of adult abuse can take a number of forms and cause victims to suffer pain, fear and distress reaching well beyond the time of the actual incident(s). Victims may be too afraid or embarrassed to raise any complaint. They may be reluctant to discuss their concerns with other people or unsure who to trust or approach with their worries.

There may be some situations where victims are unaware that they are being abused or have difficulty in communicating this information to others.

See appendix marked "**Protection of Vulnerable Adults**"

### **Confidentiality**

Any patient information obtained by you during the course of your duties is confidential and should not be disclosed to any third party if it is not legitimately in connection with their treatment or any other official investigation.

Please take care with patient records when on assignment to ensure that they are not in undue danger of being accessed by unauthorised individuals.

Patients'/clients' information should only normally be shared with their consent – you should make sure patients/clients understand that their information may be shared with various members of the team providing care. It is a patient's/client's decision what information should be shared with their family or others.

Where a patient/client is considered incapable of giving consent, please consult relevant colleagues. Where a patient/client has withheld consent, disclosures of information may only be made if:

- They can be justified in the public interest (normally where the disclosure is essential to protect the patient/client or someone else from risk of significant harm).
- They are required by law or court order

You should act in accordance with local and national policies if there is an issue of child protection.

### **Data Protection**

In addition to the above, you should adhere to the requirements of the *Data Protection Act 1998*.

In brief, anyone processing personal data must comply with the eight enforceable principles of good practice. Data must be:

- Fairly and lawfully processed
- Processed for limited purposes
- Adequate, relevant and not excessive
- Accurate
- Not kept for longer than necessary
- Processed in accordance with the data subject's rights
- Secure
- Not transferred to countries without adequate protection

For further information, please see [www.dataprotection.gov.uk](http://www.dataprotection.gov.uk), from which the above guidance is reproduced and appendix 1 marked Information "**Security & Data Protection**"

## Computer Use

Where our clients grant you access to their computer systems, these must only be used as *authorised* and not to gain access to any other data or programs. In general, please ensure that you:

- Keep any passwords safe
- Keep to the client's policies and procedures
- Log off immediately after use

Specifically, you must:

- Observe any local policies and procedures regarding passwords, floppy disks, CD ROMs and data storage/transfer
- Not load or introduce any programs onto the computer
- Not access any information service or bulletin board including the Internet without specific prior authority from your line manager
- Not download any files or connect to any network or other computer equipment without prior authority as above

## Consent

In accordance with HPC and relevant professional membership bodies, you must obtain the consent of a patient before giving any treatment or care.

Consent must be:

- Given by a legally competent person
- Given voluntarily
- Informed

Patients/ clients are assumed to be legally competent (that is they can understand and retain treatment information and use it to make an informed choice) unless otherwise assessed by a suitably qualified practitioner.

The exception to this rule is in the case of an emergency where a treatment is necessary to preserve life and the patient/ client is unable to give consent. In all cases, you must be able to demonstrate you are acting in the patient's best interests.

If a patient/ client is no longer legally competent, decisions should be based on previous consent/ non-consent in a similar situation (providing there is no reason to believe they have changed their mind) or their known wishes. Otherwise, treatment should be in their best interests.

In the case of children (those aged under 16 in England and Wales), the involvement of those with parental responsibility is usually necessary – you should be aware of legislation and local protocol.

It is not usually acceptable to seek consent for a procedure, that you will not be performing yourself unless you have been specifically trained for that area of practice.

All discussions and decisions relating to consent should be documented in the patient's/ client's records. Where consent is withheld, you should follow the policy in force at your assignment location.

## Caring for Patients in their Own Homes

Please see below for general guidelines relating to assignments carried out in an individual's private home. For further detailed information please refer to the HPC or relevant professional membership bodies' guidelines.

## General Conduct

- Clients and their families should at all times be treated with dignity and respect and due

consideration should be taken of their religion, culture and any other preferences

- Clients should be addressed using their preferred name
- Care and support should be offered in the least intrusive manner possible
- The independence of clients should be supported and encouraged where possible through appropriate communication about, and involvement in, their own care. This independence should only be curbed where it is in the client's best interests and the reasons recorded

## **Attending and Leaving a Home Visit**

- You should announce your identity clearly on arrival and not enter a client's home without invitation
- Upon arrival at a home visit, you should check whether your client has any specific needs for this visit
- Please take full care securing a client's home when leaving including, where appropriate, doors and windows and the safeguarding of keys

## **Carrying out Assignments**

- Medication should be kept in a safe place, known and accessible to the client, or to relatives and other carers where appropriate
- You should not make use of a client's property (including, for example, their telephone) without their express permission
- You should report any accident or emergency situations as soon as possible to the relevant authorities and to your Consultant
- All visits, incidents, observations, care and, where relevant, financial transactions should be logged on records kept securely in the client's home
- Records are kept for one month, or until the assignment is over, and are made available to the client, their relatives and representatives
- If you are unable to attend any specific appointment, please notify not only us but also your client and line manager

## **Allegations of Abuse**

**Orchard Medical Recruitment** will take seriously any allegations of abuse by staff working through us. If we receive complaints of this sort against you, we may not be able to assign you whilst a full investigation is performed.

Ultimately, if allegations are well founded, we may not be able to offer you work in the future. Where allegations are sufficiently serious, we may need to report you to the HPC and/or the police depending on the allegation.

Appeals against any decisions made by our staff in these matters can be made to the Divisional Director, whose decision will be final.

Should you in the course of duty suspect that abuse is taking place you should inform your line manager immediately. In the case of caring for service users in their own homes, you must report any suspicions of allegations of abuse immediately to your **Orchard Medical Recruitment** consultant. There are strict guidelines to be followed in reporting abuse under the Department of Health guidance "No Secrets" and a full report will need to be made prior to investigation.

## **There are many different forms of abuse:**

- Physical, including hitting, slapping, pushing, kicking, misuse of medication, restraint or inappropriate sanction
- Sexual, including rape and sexual assault or sexual acts to which the vulnerable adult has not consented, or could not consent or was pressured into consenting.
- Psychological, including emotional abuse, threats of harm or abandonment, deprivation of contact, humiliation, blaming, controlling, intimidation, coercion, harassment, verbal abuse, isolation or withdrawal from services or supportive networks
- Financial or material abuse, including theft, fraud, exploitation, and pressure in connection with wills, property or inheritance or financial transactions, or the misuse or misappropriation of property, possessions or benefits
- Neglect or acts of omission, including ignoring medical or physical care needs, failure to

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provide access to appropriate health, social care or educational services, the withholding of the necessities of life, such as medication, adequate nutrition and heating

- Discriminatory abuse, including racist or sexist abuse or that based on a person's disability and other forms of harassment, slurs or similar treatment

## **Whistleblowing**

**Orchard Medical Recruitment** operates a "Whistleblowing policy", which encourages a culture of openness within our organisation and aims to prevent malpractice. With the introduction of the Public Interest Disclosure Act 1998 all workers now have legal protection from any form of retribution, victimisation or detriment as a result of publicly disclosing certain serious allegations of malpractice.

The policy will apply in cases where a staff member genuinely and in good faith believes that one of the following sets of circumstances is occurring, has occurred or may occur within their line of duty:

- A criminal offence has been committed, is being committed or is likely to be committed
- A person has failed, is failing or is likely to fail to comply with any legal obligation to which he or she is subject
- A miscarriage of justice has occurred is occurring or is likely to occur
- The health and safety of any individual has been, is being or is likely to be endangered
- The environment has been, is being or is likely to be damaged
- Information tending to show any matter falling within any one of the preceding paragraphs has been, is being or is likely to be deliberately concealed

Anyone who wishes to raise or discuss any issues which might fall into the above categories he/she should contact their consultant at **Orchard Medical Recruitment** in the first instance who will treat the matter in confidence. It is likely that a further investigation will be necessary and he/she may be required to attend a disciplinary or investigative hearing as a witness. Where the concern involves the consultant at **Orchard Medical Recruitment** then the concern should be raised with the **Orchard Medical Recruitment** Divisional Managing Director.

All complaints will be viewed seriously and treated confidentially.

Everyone should be aware that if any disclosure is made in bad faith (for example, in order to cause disruption within the organisation), or concerns information which you do not substantially believe is true, or indeed if the disclosure is made for personal gain, then such a disclosure may constitute gross misconduct for which summary dismissal is the sanction.

## **Making a Complaint**

If you have a complaint about the way you have been treated on assignment or by our staff, please direct this in the first instance to your Consultant or their Manager. If for any reason you are still unsatisfied with the case in point, please call 020 365 9888 to talk to the Managing Director of **Orchard Medical Recruitment**. Please address all post to:

**Orchard Medical Recruitment**  
Unit 10 Carbery Enterprise Park  
36 White Hart Lane  
Tottenham  
N17 8DP

**Orchard Medical Recruitment Staff Manual**

Telephone: 0208 365 9888 E-mail: [finance@orchardlocums.com](mailto:finance@orchardlocums.com)

**Appendix 1**

## **Information Security And Data Protection**

As a recruitment company Orchard Medical Recruitment Ltd processes personal data in relation to its own staff, work-seekers and individual client contacts. It is vitally important that we abide by the principles of the Data Protection Act 1998 set out below.

Orchard Medical Recruitment Ltd holds data on individuals for the following general purposes:

- Staff Administration
- Advertising, marketing and public relations
- Accounts and records
- Administration and processing of work-seekers personal data for the purposes of work-finding services

The Data Protection Act 1998 requires Orchard Medical Recruitment Ltd as data controller to process data in accordance with the principles of data protection. These require that data shall be: -

1. Fairly and lawfully processed
2. Processed for limited purposes
3. Adequate, relevant and not excessive
4. Accurate
5. Not kept longer than necessary
6. Processed in accordance with the data subjects rights
7. Kept securely
8. Not transferred to countries outside the European Economic Area without adequate protection.

Personal data means data, which relates to a living individual who can be identified from the data or from the data together with other information, which is in the possession of, or is likely to come into possession of, Orchard Medical Recruitment Ltd.

Processing means obtaining, recording or holding the data or carrying out any operation or set of operations on the data. It includes organising, adapting and amending the data, retrieval, consultation and use of the data, disclosing and erasure or destruction of the data. It is difficult to envisage any activity involving data, which does not amount to processing. It applies to any processing that is carried out on computer including any type of computer however described, main frame, desktop, laptop, palm top etc.

Data should be reviewed on a regular basis to ensure that it is accurate, relevant and up to date and those people listed in the appendix shall be responsible for doing this.

Data may only be processed with the consent of the person whose data is held. Therefore if they have not consented to their personal details being passed to a third party this may constitute a breach of the Data Protection Act 1998. By instructing Orchard Medical Recruitment Ltd to look for work and providing us with personal data contained in a CV work-seekers will be giving their consent to processing their details for work-finding purposes. If you intend to use their data for any other purpose you must obtain their specific consent.

However caution should be exercised before forwarding personal details of any of the individuals on which data is held to any third party such as past, current or prospective employers; suppliers; customers and clients; persons making an enquiry or complaint and any other third party.

Data in respect of the following is "sensitive personal data" and any information held on any of these matters MUST not be passed on to any third party without the express written consent of the individual:

- Any offence committed or alleged to be committed by them
- Proceedings in relation to any offence and any sentence passed
- Physical or mental health or condition

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- Racial or ethnic origins
- Sexual life
- Political opinions
- Religious beliefs or beliefs of a similar nature
- Whether someone is a member of a trade union

From a security point of view, only those staff listed in the appendix should be permitted to add, amend or delete data from the database. However all staff are responsible for notifying those listed where information is known to be old, inaccurate or out of date. In addition all employees should ensure that adequate security measures are in place. For example:

- Computer screens should not be left open by individuals who have access to personal data
- Passwords should not be disclosed
- Email should be used with care
- Personnel files and other personal data should be stored in a place in which any unauthorised attempts to access them will be noticed. They should not be removed from their usual place of storage without good reason.
- Personnel files should always be locked away when not in use and when in use should not be left unattended
- Any breaches of security should be treated as a disciplinary issue.
- Care should be taken when sending personal data in internal or external mail
- Destroying or disposing of personal data counts as processing. Therefore care should be taken in the disposal of any personal data to ensure that it is appropriate. For example, it would have been more appropriate to shred sensitive data than merely to dispose of it in the dustbin.

It should be remembered that the incorrect processing of personal data e.g. sending an individual's details to the wrong person; allowing unauthorised persons access to personal data; or sending information out for purposes for which the individual did not give their consent, may give rise to a breach of contract and/or negligence leading to a claim against Orchard Medical Recruitment Ltd for damages from an employee, work-seeker or client contact. A failure to observe the contents of this policy will be treated as a disciplinary offence.

Data subjects, i.e. those on whom personal data is held, are entitled to obtain access to their data on request and after payment of a fee. All requests to access data by data subjects i.e. staff, members, customers or clients, suppliers, students etc should be referred to Ted Hughes whose details are also listed on the appendix to this policy.

Any requests for access to a reference given by a third party must be referred to Ted Hughes and should be treated with caution even if the reference was given in relation to the individual making the request. This is because the person writing the reference also has a right to have their personal details handled in accordance with the Data Protection Act 1998, and not disclosed without their consent. Therefore when taking up references an individual should always be asked to give their consent to the disclosure of the reference to a third party and/or the individual who is the subject of the reference if they make a subject access request. However if they do not consent then consideration should be given as to whether the details of the individual giving the reference can be deleted so that they cannot be identified from the content of the letter. If so the reference may be disclosed in an anonymised form.

Finally it should be remembered that all individuals have the following rights under the Human Rights Act 1998 and in dealing with personal data these should be respected at all times:

- Right to respect for private and family life [Article 8]
- Freedom of thought, conscience and religion [Article 9]
- Freedom of expression [Article 10]
- Freedom of assembly and association [Article 11]
- Freedom from discrimination [Article 14]

## **APPENDIX**

Ted Hughes-General Manager

Appendix 2

## **Protection of Vulnerable Adults Policy (POVA)**

### **Introduction**

The characteristics of adult abuse can take a number of forms and cause victims to suffer pain, fear and distress reaching well beyond the time of the actual incident(s). Victims may be too afraid or embarrassed to raise any complaint. They may be reluctant to discuss their concerns with other people or unsure who to trust or approach with their worries.

There may be some situations where victims are unaware that they are being abused or have difficulty in communicating this information to others.

### **Aim of Policy**

The aim of this policy is to ensure the safety of vulnerable adults by outlining clear procedures and ensuring that all staff members are clear about their responsibilities.

### **Definition**

A vulnerable adult is a person aged 18 years or over who may be unable to take care of themselves or protect themselves from harm or from being exploited.

This **may** include a person who:

- Is elderly and frail
- Has a mental illness including dementia
- Has a physical or sensory disability
- Has a learning disability
- Has a severe physical illness
- Is a substance misuser
- Is homeless

### **What is abuse?**

Abuse is a violation of an individual's human and civil rights by any other person or persons. It can take a number of forms:

- a) Physical abuse e.g. hitting, pushing, shaking, inappropriate restraint, force-feeding, forcible administration of medication, neglect or abandonment
- b) Sexual abuse e.g. involvement in any sexual activity against his/her will, exposure to pornography, voyeurism and exhibitionism
- c) Emotional/psychological abuse e.g. intimidation or humiliation
- d) Financial abuse e.g. theft or exerting improper pressure to sign over money from pensions or savings etc.
- e) Neglect or acts of omission e.g. being left in wet or soiled clothing, or malnutrition
- f) Discriminatory abuse e.g. racial, sexual or religious harassment
- g) Personal exploitation – involves denying an individual his/her rights or forcing him/her to perform tasks that are against his/her will
- h) Violation of rights e.g. preventing an individual speaking his/her thoughts and opinions

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- i) Institutional abuse e.g. failure to provide a choice of meals or failure to ensure privacy or dignity

### **Reporting Procedures**

If the allegation or suspicion of abuse is discovered by a locum then they should inform a member of Orchard Medicals' staff as soon as possible. The member of staff will then inform Ted Hughes, the Orchard contact responsible for Orchard Medical adult protection policy.

The locum should make a written record of the allegation or suspicion of abuse (see appendix 1) and discuss the situation with Ted Hughes at Orchard Medical. .

If a locum has been told about the allegation of abuse in confidence, they should attempt to gain the consent of the staff member to make a referral to another agency. However, the gaining of the consent is not essential in order for information to be passed on. Consideration needs to be given to:

1. The scale of the abuse
2. The risk of harm to others
3. The capacity of the student to understand the issues of abuse and consent

If there is any doubt about whether or not to report an issue to Orchard Medical then it should be reported.

In emergency situations (e.g. where there is the risk or occurrence of severe physical injury), where immediate action is needed to safeguard the health or safety of the individual or anyone else who may be at risk, the emergency services must be contacted.

Where a crime is taking place, has just occurred or is suspected, the police must be contacted immediately.

### **Responsibilities**

All members of staff have a responsibility to be aware of this policy and to report any suspicions that they might have concerning adult abuse.

The Orchard Medical representative responsible for adult protection is Ted Hughes who can be contacted on 0208 365 9888

**Further information and 'A practical guide for implementing the protection of vulnerable adults, POVA, scheme' can be found on the Department of Health website : <http://www.dh.gov.uk>.**

## Terms and Conditions "Locum"

### DEFINITIONS

In these Terms and Conditions the following definitions apply: –

"Assignment" means the period during which the Locum is supplied to render services to the Client;

"Client" means the person, firm or corporate body requiring the services of the Locum together with any subsidiary or associated company.

"Employment Business" means Orchard Medical Recruitment Tottenham London N17 8DP;

"Locum" refers to the healthcare professional in question;

"Engagement" means any employment or use of the Locum on a permanent or temporary basis, whether under a contract of service or for services; an agency, license, franchise or partnership arrangement; or any other engagement;

Unless the context otherwise requires, references to the singular include the plural. The headings contained in these Terms are for convenience only and do not affect their interpretation.

### 1. CONTRACT WITH LOCUMS

#### 1.1. THE CONTRACT

These Terms constitute a contract for services between the Employment Business and the Locum and they govern all Assignments undertaken by the Locum. However, no contract shall exist between the Employment Business and the Locum between Assignments. For the avoidance of doubt, these Terms shall not give rise to a contract of employment between the Employment Business and the Locum. The Locum is engaged as a self-employed worker and undertakes to account to HM Customs and Revenue for any statutory deductions due from his/her remuneration in accordance.

#### 1.2. UNDERTAKING BY THE LOCUM

The Locum warrants to the Employment Business that by entering into and performing his/her obligation under this Agreement s/he will not be in breach of any obligation which s/he owes to any third party. The Locum warrants that s/he has the necessary skills and qualifications to perform the Assignment. The Locum has current valid registration with the appropriate authorities to conduct such duties and is not in any breach of contact with them. The Locum is in good health and has no reason to believe by working s/he would be putting patients at risk. To clarify, the locum is up to date with his/her occupational health requirements for the clients, including e.g. hepatitis B vaccination. S/he will be able to prove evidence of this at short notice.

#### 1.3. ASSIGNMENTS

The Employment Business will endeavour to obtain suitable Assignments for the Locum. The Locum shall not be obliged to accept an Assignment offered by the Employment Business. The Locum understands that the nature of temporary work means that there may be periods when no suitable work is available and agrees: that the suitability of the work to be offered shall be determined solely by the Employment Business; that the Employment Business shall incur no liability to the Locum should it fail to offer opportunities to work in the above category or in any other category; and that no contract shall exist between the Locum and the Employment Business during periods when the Locum is not working on an Assignment. At the same time as an Assignment is offered to the Locum the Employment Business shall inform the Locum of the identity of the Client, and if applicable the nature of their business; the date the work is to commence and the duration or likely duration of the work; the type of work, location and hours during which the Locum would be required to work. If, before the first Assignment, during the course of an Assignment or within the Relevant Period the Client wishes to employ the Locum direct or through another employment business, the Locum acknowledges that the Employment Business will be entitled to charge the Client a fee of £500. In addition the Employment Business will be entitled to charge a fee to the Client if the Client introduces the Locum to a third party who subsequently engages the Locum within the Relevant Period.

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### **1.4. TIMESHEETS AND INVOICING**

Upon completion of the Assignment or by the next Wednesday (0900 hrs) of the Assignment the Locum shall deliver to the Employment Business his/her completed timesheet for the amount due from the Employment Business to the Locum. The Locum shall obtain the signature of an authorised representative of the Client on the timesheet as verification of the working time for which payment is claimed. Where the Locum fails to submit a properly completed verification of time worked the Employment Business shall, in a timely fashion, conduct further investigations into the working time claimed by the Locum and the reasons that the Locum has failed to produce such verification. This may delay any payment due to the Locum. The Employment Business shall make no payment to the Locum for work not carried out. The Employment Business shall not be obliged to pay any fees to the Locum unless a timesheet has been properly submitted by the Locum.

### **1.5. FEES**

The Employment Business shall pay to the Locum in accordance with his/her timesheet submitted. Payments will be made to the Locum gross (unless via a PAYE scheme), that is without deductions in respect of National Insurance or PAYE or Class 1 National Insurance Contributions. The Locum is not entitled to receive payment from the Employment Business or Clients for time not spent on Assignment, whether in respect of holidays, illness or absence for any other reason. For the avoidance of doubt the Locum is not an employed earner for the purposes of claiming any social security benefit from either the Employment Business or the Client including but not limited to Statutory Sick Pay, Statutory Maternity Pay, Statutory Adoption Pay and Statutory Paternity Pay.

### **1.6. CONDUCT OF ASSIGNMENTS**

The Locum is not obliged to accept any Assignment offered by the Employment Business but if s/he does so, during every Assignment and afterwards where appropriate, s/he will: –

a) have reasonable autonomy in relation to determining the method of performance of his/her services but in doing so shall co-operate with the Client and comply with all reasonable and lawful rules and regulations of the Client's establishment (including normal hours of work) to which attention has been drawn or which the Locum might reasonably be expected to ascertain; b) Take all reasonable steps to safeguard his or her own health and safety and that of any other person who may be present or be affected by his or her actions on the Assignment and comply with all of the Health and Safety policies and procedures of the Client, including up to date occupational health status; c) Not engage in any conduct detrimental to the interests of the Client; d) Not at any time divulge to any person, nor use for his or her own or any other person's benefit, any confidential information relating to the Client's or the Employment Business' employees, business affairs, transactions or finances. e) The Locum shall bear the cost of his/her own training in order to perform his/her services.

If the Locum is unable for any reason to attend work during the course of an Assignment s/he should inform the Client and/or the Employment Business within thirty minutes of the commencement of the Assignment or shift. If, either before or during the course of an Assignment, the Locum becomes aware of any reason why he may not be suitable for an Assignment, he shall notify the Employment Business without delay.

### **1.7. LIABILITY**

The Locum shall be fully liable for any loss, damage or injury to any party resulting from his/her negligent acts or omissions during the course of the Assignment. This includes dealing with complaints arisen either directly or indirectly due to the Locum. The Locum shall ensure the provision of adequate Professional Indemnity insurance and shall make available a copy of the policy to the Employment Business upon request.

### **1.8. TERMINATION**

The Employment Business or the Client may terminate the Locum Doctor's Assignment at any time without prior notice or liability. The Locum may terminate an Assignment at any time giving reasonable notice to the Client and Employment Business. If the Locum does not inform the Client or the Employment Business that s/he is unable to attend work during the course of an assignment his/her absence will be treated as termination of the assignment