

## Human Resources

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«Address\_Line\_1»  
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«City»  
«PostCode»

Date 15/03/2016  
Your Ref  
Our Ref «Job\_Ref»

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### **CONTRACT OF EMPLOYMENT**

Dear «Title» «Last\_Name»

Welcome to NHS Orkney! I am pleased to offer you the post of «Posttitle». This document gives you:

- Details of the pre employment screening required before you commence your employment
- The terms and conditions of your contract with us; and
- Other information about your employment.

### **Getting Started**

This contract sets out, in accordance with the Employment Rights Act 1996 and subsequent amendments, the terms and conditions on which the NHS Orkney is employing you.

- 1 Start Date:** Your start date will be «start\_date». You are required to complete our corporate induction before commencing your normal duties. Induction normally takes place first Monday of every month and lasts approximately 3-4 days depending on the nature of your role. Induction details will be sent to you two weeks prior to the induction.
- 2 Department Location:** Your base will be «Base». We have the right to change where you are based if the organisation needs this, but you would be consulted about the change.
- 3 Full/Part Time/Job Share Status and Hours of Work:** You have a «Contract\_FTPTJS» contract. Your normal contracted hours of work will be «Hrs\_of\_Work» (exclusive of mealtimes). The pattern of your working hours may change to meet the needs of the service. If you work in an area that requires a rota to be followed, you agreed to take part in the full rota including any on call arrangements and or night working.

The law states that workers have the right to work no more than 48 hours per week (averaged over 17 weeks). For this reason, we strongly recommend that if you have any

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other work commitment (with either NHS Orkney or another employer), you should record and monitor the number and pattern of hours that you work each week. Please contact me if you need more information about your rights and responsibilities under these regulations.

**3.1 Standard Full Time hours:** Your current standard full time hours are «Conditioned\_hours».

**4 Temporary/Substantive:** You will hold a «Cont\_Status\_TempSubs» contract. The reason for your fixed term contract is [reason].

Your contract remains subject to completion of the Healthcare Support Worker Standards within the first 13/ 26 weeks (delete as necessary) of employment. (Delete as necessary)

Your performance must comply with the “Mandatory Induction Standards for Healthcare Support Workers in Scotland”2009; and with the Code of Conduct for Healthcare Support Workers, both as amended from time to time, which are attached (further copies can be obtained on-line at [www.workinginhealth.com/standards/healthcaresupportworkersor](http://www.workinginhealth.com/standards/healthcaresupportworkersor) from your Human Resources Department). Failure to adhere to the Standards or to comply with the Code may result in poor performance measures or disciplinary action and could lead to dismissal; or if you are self employed, such failure will be deemed to be breach of an essential term of your contract, allowing us to terminate with or without notice.

**6. Responsible to:** The «LM\_title».

## Your Pay and Pension

### **6 Salary and incremental progression**

- a) The **pay band/scale** for this post is «Band». Your starting annual salary for this post is £«Starting\_Salary» in a range from «Salary\_Scale». For part time employment this will be pro rata.
- b) If you are coming directly from another NHS Employer then your salary may be reassessed on receipt of a transfer certificate from your previous employer.
- c) In addition, you will receive the following payment:
  - **Distant Islands Allowance** is currently £1,114/£1,125 per annum. For part-time employment this will be pro-rata.
- d) Progression through the scale is done through **annual increments** which are subject to an assessment of the application of knowledge and skills necessary to undertake your post which is done on a yearly basis through appraisal. There are two incremental points in the pay band known as Gateways and you will be required to go through a development review process before progressing to the next incremental point on these occasions
- e) Your **incremental date** for progression through the scale is «Inc\_Date». If you are coming directly from another NHS employer then this date may change

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depending on the details on your staff transfer certificate. Please check your first payslip for confirmation of the date.

- f) You are indemnified through NHS Orkney for your work carried out as part of your duties. However you are advised to hold additional personal indemnity, evidence of which should be supplied to your employer annually.
- 7 On call** – You will be expected to participate in any on-call rotas that are in operation as per service requirements. An employee who is required to be available to provide on call cover outside their normal working hours will be entitled to receive a pay enhancement recognising their availability to provide this cover. Employees who are called into work during a period of on call will receive payment for the period they are required to attend, including any travel time. Alternatively staff may choose to take time off in lieu. However if, for operational reasons, time off in lieu cannot be taken within three months the hours worked must be paid for.
- 8 Terms and Conditions:** Your employment is subject to the negotiated terms and conditions of service of the NHS Terms and Conditions of Service Handbook. (Copies of these documents are available for inspection in the Human Resources Dept). Your remuneration and conditions of service will be as approved from time to time by the Secretary of State following recommendations made by the appropriate Review Bodies.
- 9 Continuous Service:** The start date of your continuous employment with NHS Orkney is «Continuous\_Service\_date» for the purposes of the Employment Rights Act 1996. In addition, previous continuous service with other NHS employers will be counted towards your period of continuous employment.
- 10 Payment of Salary:** You will be paid monthly by Bank Credit Transfer to a bank of your choice on the third last banking day of each month. Contract Hours are paid in current month, enhancements are paid 1 month in arrears. Bank staff are paid 1 month in arrears for all payments.
- 11 Overpayment:** If we pay you more than you are entitled to, we have the right to recoup this money from you. We would do this by making deductions from your salary or other payment to you. We strongly recommend that you check your payslips regularly, and bring any anomalies to the attention of your line manager.
- 12 Pension:** New entrants to NHS Orkney who are aged from sixteen to seventy five will be contractually enrolled into membership of the NHS Superannuation Scheme (Scotland) (the scheme) unless prevented by the scheme rules from becoming a member.

The scheme is a qualifying pension scheme, which means it meets or exceeds the Government's standards and is administered by the Scottish Public Pensions Agency (SPPA). Further details are contained with the SPPA starter letter and all benefits as well as employee and employers contribution rates are explained on the SPPA website <http://www.sppa.gov.uk/>

If you wish to opt out the required form can be obtained from the SPPA web site or by contacting the SPPA.

Should you be prevented by the scheme rules from becoming a member NHS Orkney will automatically enrol you, subject to eligibility, into NEST (National Employment Savings Trust) automatic enrolment pension scheme and we will provide you with further information at that time.

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## **Our Policies**

We have a number of policies in place, which you can see on the NHS Orkney Blog, by asking your manager or visiting the HR Department. In particular we want to draw your attention to the following :-

**13 Confidentiality:** In your job, you may have access to confidential information about patients, staff and/or NHS business. Confidential information should not be communicated to anyone except those who are authorised to be given such information for legitimate reasons.

You must be sure that anyone asking for information from you has a right to this information. If you are in any doubt as to the authority of the individual or agency requesting information, you must seek advice from your manager.

Any member of staff who knowingly communicates, or in any way makes public information about the patient; or about the affairs of a patient or a member of staff, without authority, will be liable to disciplinary action. The unauthorised disclosure of official business of the Board is also regarded as a breach of confidence and may also lead to disciplinary action (disciplinary action includes the possibility of dismissal).

We may hold information about you, your employment and qualifications on relevant computer files. These files are registered in terms of Data Protection law. We may use information on these files to make anonymised statistical returns to improve staff's working conditions. You can get more information about this from the HR department.

## **14 Annual Leave**

- a) Your annual leave year runs from 1 April to 31 March. Based on a full time 5 day week, your basic entitlement for full-time employment is 27 days annual leave, receiving an additional 2 days after completing 5 years service in the NHS, and a further 4 days after completing 10 years service in the NHS, making a maximum entitlement of 33 days. For part-time employment or staff working longer shift and less days per week (i.e. 12 hour shifts) this will be pro-rata to the full-time entitlement.

These allowances are additional to 8 statutory and public holidays, which must be taken within the annual leave year. For part-time employment this will be pro-rata.

- b) All Public Holidays are calculated pro rata and are usually incorporated into your Annual Leave entitlement for the year. If you wish to take a day designated by the Board as a PH then you should request it off through the Annual Leave request procedure. Guidelines are available on the NHS Orkney Blog (<http://nhsnews02:1200/traction>), in the Human Resources Department or in the office of your Head of Department.
- c) Details of other special leave entitlements are set out in the Supporting Work Life Balance Policy and can be accessed in your department, in the Human Resources Department or via the BLOG.
- d) All requests for leave must be agreed with your line manager before holiday or other arrangements are made.

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- e) If you join or leave NHS Orkney during the annual leave year, your annual leave will be proportioned to completed months of service, and you will be entitled to those statutory and public holidays remaining within the leave year or falling prior to you leaving NHS Orkney.

You must arrange with your manager to take your entitlement within each leave year otherwise you risk losing the remaining part of your leave entitlement for that year.

**15 Period of Notice:** If you decide to end your employment with NHS Orkney, you are required to give «Notice» written notice of termination of employment. Should the Board wish to terminate your employment you will be given by one month's written notice rising after 4 years by one week for each completed year of service to a maximum of 12 weeks' notice.

Fixed term contracts – notice entitlements

This appointment will be for a fixed term period expiring on «Temp\_contract\_end\_date». However, the following provisions will apply:-

- a) This contract can be terminated during the course of the contract by the giving of notice by either party as specified above.
- a) The contract will end on the specified date for its expiry, as stated above, unless previously terminated in accordance with the notice provision in a) above or, summarily, should gross misconduct or gross negligence occur.
- b) There will be no entitlement to an additional period of notice extending beyond the expiry date of the contract.

The Board reserves the right to dismiss without notice, i.e. summary dismissal, in cases of gross misconduct and at its discretion to pay anyone leaving its service in lieu of notice.

Authority within the Board to terminate this contract with or without notice is vested by the Chief Executive or appropriate Senior Managers.

**16 Disciplinary Procedure:** If we need to take disciplinary action against you, we will follow our policy and procedure for disciplinary action and appeals. This policy includes information on your rights to appeal against disciplinary action and how you can do this.

**17 Grievance Procedure:** If you have a grievance about your employment you should apply in the first instance to your immediate manager in writing. If the matter is not settled at this level you may pursue your grievance in accordance with the Board's Grievance Procedure.

**18 Voicing Concern:** If you have any concerns about

- Quality of Service
- Health and Safety
- Use of NHS Money

Or believe that a colleague's conduct, performance or health may be a threat to patient care or to staff, you have a responsibility to raise these concerns directly with your line manager. If you feel that you can not do this, you should take advice from HR or a representative from your Trade Union or professional organisation. You are protected against any harassment or victimisation if you raise such a concern.

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**19 Personal Property:** We cannot accept any responsibility for loss or damage to personal property, with the exception of property that NHS Orkney accepts to look after and issues a receipt for. We advise you to cover yourself against any such risk by taking out appropriate insurance.

**20 Alcohol and Drugs Policy:** The Board's Alcohol and Drugs Policy can be found on the NHS Orkney Blog (<http://nhsnews02:1200/traction>), in the Human Resources Department or in the office of your Head of Department.

**21 Smoking at Work:** The Board operates a no smoking policy. Smoking is prohibited on the premises, in the grounds of its premises, and in vehicles provided to employees for the conduct of their business. If you breach this policy, you risk being disciplined.

**22 Occupational Health and Safety:** You must comply with NHS Orkney's occupational health and safety policies and procedures at all times. These policies and procedures are updated from time to time, and you must comply with these changes as well. If you breach these policies, you risk being disciplined. If you have any questions about a health and safety issue, please speak to your manager or our Health and Safety Adviser.

**23 Criminal record check:** Our policy requires us to check police records for certain staff taking up a new post in NHS Orkney. This also includes existing staff who move to a different post within the organisation.

**24 Code of Conduct:** You have a duty of care at all times and people must be able to trust you with their lives and health. To justify that trust, you must

- make the care and safety of patients your first concern and act to protect them from risk;
- always have respect for the public, patients, relatives, carers, NHS staff and partners in other agencies;
- be honest and act with integrity;
- be aware of how your personal actions and attitudes can detrimentally affect other staff, patients, relatives, carers and ultimately the services provided by NHSO;
- accept responsibility for your own work and the proper performance of the people you may manage;
- show your commitment to working as a team member by working respectfully with all your colleagues in the NHS, partnership agencies and the wider community;
- take responsibility for your own learning and development and of the people you may manage.

You are personally accountable for actions and omissions in your day to day working practice and must always be able to justify your decisions. You must always act lawfully, whether those laws relate to your professional practice or personal life.

Failure to comply with this Code of Conduct may bring your fitness to practise into question and endanger your registration and or employment within NHS Orkney.

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**25 Partnership Working:** NHS Orkney is committed to partnership working in every aspect, and staff are expected to work to this principle in all that they do. Partnership working happens in all aspects of work whether it is staff and management, departments working together or agencies working together to improve the services we are here to provide.

**26 Dress Code:** The way staff dress sends messages to the patients they care for, and to the public about their professionalism and standards of care.

**Staff must dress in a professional manner which is likely to inspire public confidence;**

- Where a uniform is required, it should be clean and laundered in accordance with the laundering guidance.
- When providing patient care, hair should be tied back off the collar, with nails kept short and clean.
- Identity badges should be worn.
- Where changing facilities are available, staff should change into and out of uniform at work and should change out of their uniform at the earliest opportunity at the end of their shift. It is preferable that staff should avoid undertaking activities in public, such as shopping, whilst wearing their uniform, except where such activities form an integral part of the duties.

**Appropriate steps must be taken to adhere to good practice and to minimise the risk of infections and cross contamination for patients and the public.**

- Staff must wear short-sleeved shirts/blouses (or bare below elbows) and avoid neck ties where possible and/or tuck in when providing patient care. Respect for religious, ethnic and cultural requirements of staff. This is achieved in part by providing a specimen definition of, and clarity of terms used in relation to, 'direct patient care activity'. Modifications may be made if disability/medical condition, religious, ethnic or cultural requirements makes it difficult or impossible for a member of staff to comply for example allergies with specific fabrics, the need for specialist footwear and others. Modification will also be made for pregnant women.
- When providing patient care, staff should not wear false nails or hand or wrist jewellery (other than a plain wedding ring or one other plain band).

**All appropriate health and safety requirements for staff should be met.**

- E.g. Staff should not wear excessive jewellery when providing patient care.
- Staff should wear soft-soled, closed toe shoes when working in a clinical setting.
- Staff should not carry pens or scissors in outside breast pocket.

**Staff must dress in a manner which is sensitive to the social, cultural and diversity and equality needs of other staff, patients and carers/visitors.**

**Full details of all policies can be found on the NHS Orkney Blog (<http://nhsnews02:1200/traction>), in the Human Resources Department or in the office of your Head of Department.**

Signature ..... Date .....

## **Infection Prevention & Control**

Good practice in Infection Prevention and Control clearly does not rest solely within the remit of our Infection Control Committee and Team. Every member of staff has a responsibility to prevent healthcare associated infection and is accountable for their actions in relation to this. Infection control is a shared responsibility across the organisation. The public and patients require us to implement evidence based best practice at all times. The most up to date version of the infection control policies can be found on the BLOG and follow links to Infection Control Policies

NHS Orkney stands by the 'zero tolerance' policy for non compliance for hand hygiene and non conformance may result in disciplinary action.

## **Your Health**

### **27 Your health and the Occupational Health Service (OHS)**

Your employment with us depends on you being medically fit to do the duties of your job.

During your employment, we may ask you to attend an appointment at the OHS if your work appears to be affecting, or be affected by your health.

You agree that at any time during the course of your employment, for reasonable cause, you will give your consent to a medical examination by a doctor of NHS Orkney's choice at NHS Orkney's expense and to disclosure of a report thereafter. The reason for such examination and the purpose of such report will be explained on each occasion. This may include occasions when you are off sick or have returned to work after sickness absence or when you are at work but may be deemed unfit to continue at work or working in your current post. This also includes the right to have you seen by Occupational Health before your return to work even if your own GP has signed you fit to return.

If you refuse such examination or disclosure of any report, you will be required to give adequate reasons that satisfy NHS Orkney. If none are forthcoming, you may be liable to disciplinary action which could ultimately lead to your dismissal. In any event, NHS Orkney may have to take a decision about your continued employment without the benefit of its own up to date medical assessment.

#### **a. Hepatitis B**

If you are in a clinical role, you must comply with our policies on Hepatitis C/Hepatitis B immunisation and any other vaccinations or tests as recommended by OHS. If you have a certificate confirming that you have been immunised against Hepatitis B & tested for Hepatitis C, please send original copy of this to OHS along with your health questionnaire. You cannot carry out exposure-prone procedures until you have been cleared to do so by OHS.

Please speak to your manager or OHS if you need more information about this.

### **28 Sickness absence**

Signature ..... Date .....



You must report any sickness absence to your line manager on the first day of sickness, by no later than an hour after your shift is due to start and provide self-certificates and fit note, in line with our policy for managing staff absence. (this policy is covered as part of your induction.) We cannot pay you for sick leave without the correct certificates. The Agenda for Change handbook also sets out NHS staff entitlements to sick pay. Please speak to your manager or HR if you need more information about this.

By signing this contract, you authorise your health information to be shared confidentially for the purposes of managing and monitoring absence within NHS Orkney. This monitoring complies with the Data Protection Act, but please contact me if you need any more information about this.

## **What you need to do**

### **29 Criminal record check**

Our policy requires us to check police records for certain of our staff taking up a new post in NHS Orkney. This also includes existing staff who move to a different post within the organisation. Please remember that:

- this offer of employment may depend on you being cleared by Disclosure Scotland;
- you risk disciplinary action, including dismissal if you do not tell us about a conviction which Disclosure Scotland report to us; and
- we hold all information of this kind completely confidentially for not more than 30 days after the relevant decisions have been made.

**30 Registration:** Your employment with us may depend on you being registered to practice with your professional body. You are responsible for keeping your registration up to date, and you must always be able to give us evidence of this if we ask for it. If you are not registered to practice, or if your registration has lapsed, we may have to terminate your employment. Please photocopy evidence of your registration and send it back to me.

**31 Personal changes:** You must tell your manager about any changes which we need for our records (such as a change of address), or which may affect your employment, such as criminal proceedings.

**32 Identity badge:** You will be issued with an identity badge after you have attended Induction Training. If you are changing your employment within NHS Orkney and require a new identity badge, then please contact Human Resources to arrange another one to be made.

**33 Receipt of Written Statement:** Two copies of this statement are enclosed - one should be retained by you and the other should be signed, dated, on every page and returned in the freepost envelope enclosed

Yours sincerely

Signature ..... Date .....

Danna Wilson  
**Recruitment Officer (Interim)**

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(Please do not detach)

**FORM OF ACCEPTANCE**

I hereby accept the appointment to the post of «**Posttitle**» with the NHS Orkney on the terms and conditions outlined in the above statement.

Signature: \_\_\_\_\_  
«First\_Name» «Last\_Name»

Date \_\_\_\_\_

Signature ..... Date .....