

**HUMAN RESOURCE
PROTOCOLS
FOR
DEVON
LEARNING DISABILITY
PARTNERSHIP**

WORKING IN PARTNERSHIP

Introduction

The White Paper 'Valuing People' contains provisions to promote holistic services for people with learning disabilities through effective partnership working between all relevant local agencies. The aim is to promote rights, independence, choice and inclusion for people with learning disabilities and their families.

In Devon, the Learning Disability Partnership is responsible for delivering the provisions of the White Paper. While the lead for this Partnership rests with Devon County Council, responsibilities from the Local Authority the Devon Partnership NHS Trust and the 6 Devon Primary Care Trusts have been brought together into the partnership. Services are planned and delivered through a structure which integrates staff from both Health and Social Care. Staff who are managing and delivering those services will remain in the employment of either the Health Community or the Local Authority, and so it is important to establish and agree with these employing organisations the protocols to be applied in managing the Human Resource issues.

The current employing organisations for the Learning Disability Partnership are:

Devon County Council
Devon Partnership NHS Trust

These protocols apply to all staff within the Devon Learning Disability Partnership. They are intended to be a practical and useful starting point for managers to deal with HR issues where they are managing staff from both partner organisations. Also to ensure staff understand how those issues will be dealt with.

The basic principle underlying these protocols is that staff will continue to be subject to the policies and procedures of their employing organisation, and so management actions and decision making will be guided by the relevant processes of each organisation.

This document will act as a useful guide for all staff who work within the Devon Learning Disability Partnership to ensure clarity in terms of how day-to-day issues relating to your employment will be dealt with.

Sam Newman

Learning Disability Partnership Manager.

Definitions

1. Host Organisation - The Organisation which has responsibility for hosting the single management arrangements. For the Devon Learning Disability Partnership, this is Devon County Council.
2. Parent Organisation - The organisations that are involved in the delivery of service under partnership arrangements. Staff will be employed by one of the Parent Organisations. For the Learning Disability Partnership this will be either Devon County Council or the Devon Partnership NHS Trust.
3. Assigned Staff - Staff who are employed by one of the Parent Organisations within the Partnership but are assigned to the Host Organisation for service delivery. For the Learning Disability Partnership, staff employed by the Partnership NHS Trust will be assigned to Devon County Council for service delivery, but remain employed under terms and conditions of the Partnership NHS Trust.
4. Link Manager - An appropriate manager in the Parent Organisation.

1. Code of Conduct/Standards of Practice

As the contract of employment remains with the Parent Organisations, it is appropriate that standards of practice and professionalism expected of all staff are those set down by the Parent Organisation and communicated to staff through Code of Conduct or, where applicable, standard Operating Practices or Professional Guidelines and Standards. All staff, therefore, are required to abide by these standards.

2. Confidentiality

Staff are bound to keep information relating to service users strictly confidential. However, it is recognised that staff from the respective agencies will need to share relevant information relating to service users.

Where any member of the team is required to impart information concerning a service user of any agency, to his or her Parent Organisation, then that may only be done within an agreed information sharing protocol.

3. Protection of Vulnerable Adults

All those staff working in organisations associated with this partnership, who will have substantial unsupervised access to vulnerable adults, must be checked by the Criminal Records Bureau. Newly appointed staff must not work unsupervised with service users until clearance has been confirmed. It is the responsibility of the Parent Organisations to ensure that staff have been checked and that this information is up-to-date and held on a record within the Parent Organisation. Where criminal convictions are disclosed, decisions regarding appointment will be made by designated manager(s) who will be nominated in agreement with all partners

4. Discipline

Line Managers will have scope to deal with informal disciplinary (conduct or capability) issues outside of any formal disciplinary procedure, and to issue informal warnings to staff. However, it remains essential that line managers discuss any such conduct or capability issues with the HR department of the Parent Organisation at an early stage. For instances warranting disciplinary action over and above informal warnings, staff will be referred to the Disciplinary Procedure of their Parent Organisation. Formal disciplinary action can only be taken by those authorised to act as Disciplining Officer under the respective organisations' Disciplinary Procedure, and/or appropriate specified officers agreed by the Partner Organisations. Each Partner Organisation must be satisfied that, in all circumstances, the composition of disciplinary panels is appropriate.

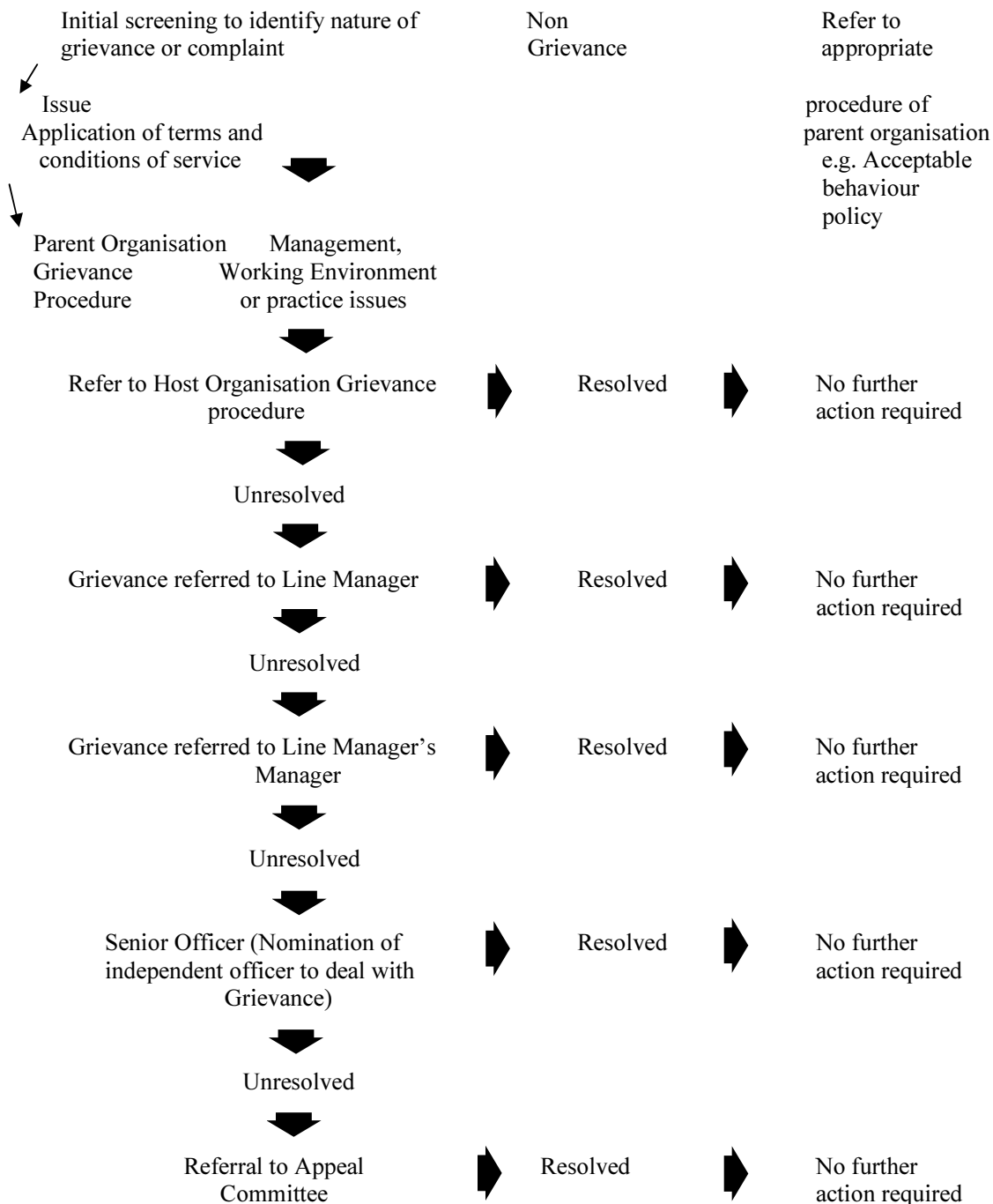
Both Host and Parent Organisation will agree who the investigating officers are, and the remit of the investigation. The Line Manager, or their deputy are authorised to send any member of staff home if they believe that to be appropriate to ensure an objective initial investigation. In such instances the manager must make every reasonable attempt to discuss the decision to send home with the member of staff and HR department from the Parent Organisation. Decisions to suspend staff must be made in liaison with the Parent Organisation.

5. Grievance

The principle underlying grievance procedures is that grievances should be resolved as near to their source as possible. Further, it is important to distinguish between issues which relate to the working environment or practice issues within the Host Organisation and matters relating to the application of terms and conditions of service.

The following flowchart indicates the proposed reporting procedure for dealing with a grievance:-

STAGES IN THE GRIEVANCE PROCEDURE



6. Management Arrangements

Management of staff will be undertaken by the appropriate line manager on matters relating to day-to-day work within the Host Organisation, including management supervision. Support for professional development, consultation on professional issues and clinical supervision will be provided by the appropriate professional lead in the Parent Organisation, within the overall single management arrangements.

7. Appraisal

Appraisal builds on the process of supervision and it is at this level of immediate line management, where objectives can be jointly established and developed, that the process of appraisal should be situated. However, it is recognised that each agency will have its own agreed processes and accompanying paperwork with separate links to pay for some staff, eg social work grades. It is therefore acceptable that the Host Organisation will carry out appraisals, but will follow the procedures of the relevant Parent Organisation and with agreement from the Parent Organisation to do this. Any pay progression arising out of appraisal will be processed via the Parent Organisation. Appraisal is a very appropriate event for line managers and professional leads to act together.

8. Learning and Development

Learning and Development needs will be addressed in 3 different areas:-

1. Mandatory Training as required by the Parent Organisation (e.g. Health & Safety, Control & Restraint, Manual Handling).
2. Professional and career development needs, including any statutory professional training/qualification requirements.
3. Other learning and development needs in relation to the Host Organisation service.

Learning and development issues identified in the first two areas will be dealt with by the Parent Organisation. The third area will be dealt with by the Host Organisation. It will be through the Appraisal process that all three areas will be investigated.

Learning and development needs may be met in a variety of ways and Host Organisation Managers will wish to consult with Parent Organisation Managers to discuss the options for meeting learning needs. Where this results in the need to provide a training course, consideration will need to be given to the appropriate agency or combination of agencies to deliver the training.

Training delivery may be resourced from the pooled budget or the request may be put to a specific agency, depending on the nature of the request.

9. Communication

Any information relating to employment will be forwarded directly to staff from the Parent Organisation. Parent Organisations will copy information to Line Managers where it is relevant to their day-to-day management of staff.

10. Trade Union/Professional Associations

Staff may utilise the services of the respective Trade Unions/Staff Associations/Professional Associations as recognised by the Parent Organisations.

Where time off is required to undertake Union/Association activities, staff will need to abide by the procedures laid down by the Parent Organisation concerning the arrangements, recording and approval for the time off.

The Parent Organisation Manager and Line Manager will need to be advised of such absence.

11. Vacancy Procedure

When a member of staff leaves, she/he will be required to inform the Host Organisation and the Parent Organisation, giving the notice period as outlined in their Contract of Employment. With the agreement of the partner agencies, subsequent staff may be recruited into the employment of the Host Organisation, under the recruitment standards of the Host Organisation.

12. Health, Safety and Welfare

Staff working within Host Organisation premises and on work required of the Host Organisation will be covered by the Health and Safety Policy of the Host Organisation.

It will be the responsibility of the Host Organisation to provide information on emergency procedures and first aid facilities.

In addition, the Host Organisation will undertake Risk Assessments to identify hazards and risks in the work to be undertaken by staff. Where risks are identified and control measures are required, Host Organisation Managers should discuss what steps can be taken to overcome the risks with the Link Managers of the Parent Organisations. The Link Managers will offer support/information/resources as deemed appropriate in managing the risks.

Accident at Work

In the case where a member of staff has an accident during the course of his/her work, both the Line Manager and the Parent Organisation Link Manager should be informed immediately.

An accident report form must always be completed. Also, incidents of assault or violent behaviour must be reported. Staff should use the forms supplied by their Parent Organisation.

Completed forms should be forwarded to Link Managers in the Parent Organisation with a copy to the Host Organisation Manager.

13. No Smoking Policy

Where the Host Organisation has adopted a policy of No Smoking at Work, staff will be required to comply with this policy.

14. Travel/Expenses Claims

All expenses claims will be checked and signed by the relevant line manager and submitted to the relevant pay office. Staff should use the claim form of their Parent Organisation.

15. Day-to-Day Management of Absences

On a day-to-day basis, all absences including ill health, annual leave, compassionate leave, unpaid leave etc. will be managed by the line manager, using the relevant policies of the Parent Organisation. The reporting form of the Parent Organisation will be used and submitted to the relevant pay office. Any necessary cover arrangements will be the responsibility of the line manager through liaison with the Parent Organisation. Long term ill health absences will be managed by the Parent Organisation under their Sickness Absence Management policy. Advice concerning long term absence should be taken from the Parent Organisation's HR staff

16. Redundancy/Redeployment

Where the post of a member of staff becomes redundant, the redeployment process will be managed by the Parent Organisation.

17. Funding Arrangements

Agreement needs to be reached between the partner agencies regarding funding arrangements for staffing issues. To include costs relating to redundancy, tribunal/legal costs, salary protection, honorariums, pensions, actuarial costs, salary. The Partnership agreement will specify detail about how these costs will be met.

18. Other Policies and Procedures/Local Agreements

Where not mentioned above, staff will be subject to the HR policies and procedures of the Parent Organisation.