

PROTECT



CODE OF CONDUCT

1. PHSO recognises that employees need clear guidelines as to the standards of behaviour and conduct expected of them. This Code sets out these standards and defines levels of misconduct but does not attempt to provide an exhaustive list of standards of behaviour or examples of misconduct. Employees should contact HR, People & Talent if they need further information or clarification.
2. **PHSO core values**
PHSO employees are expected to conduct themselves at all times in accordance with the organisation's core values which support our objectives and ensure the achievement of the highest possible standards in all that we do. These values are:
 - 2.1. **Excellence** - We pursue excellence in all that we do in order to provide the best possible service by:
 - seeking feedback to achieve learning and continuous improvement;
 - operating thorough and rigorous processes to reach sound, evidence based judgments;
 - being committed to enabling and developing our staff that they can provide an excellent service.
 - 2.2. **Leadership** - We lead by example and believe our work should have a positive impact by:
 - setting high standards for ourselves and others;
 - aiming to be an exemplar and providing expert advice in complaints handling;
 - sharing learning to achieve improvement.
 - 2.3. **Integrity** - We are open, honest and straight forward in all our dealings, and use time, money and resources effectively by:
 - being consistent and transparent in all our actions and decisions;
 - taking responsibility for our actions and holding ourselves accountable for all that we do;
 - treating people fairly.

PROTECT

2.4. **Diversity** - We value people and their diversity and strive to be inclusive by:

- respecting others, regardless of personal differences;
- listening to people to understand their needs and tailor our services accordingly;
- promoting equal access to our service for all members of the community.

3. **Rights and responsibilities**

3.1. All employees have a right to:

- be treated with consideration and respect;
- speak out without fear of victimisation if they have been discriminated against, harassed or bullied, and expect their complaint to be dealt with promptly and fairly;
- raise concerns without fear of victimisation in accordance with the 'Whistleblowing' policy about serious misconduct within or by PHSO.

3.2. All employees have a responsibility to:

- maintain the appropriate degree of professionalism in all their actions at, on behalf of or relating to PHSO;
- behave in a way that reflects PHSO's core values of excellence, leadership, integrity and diversity;
- ensure at all times that they do not jeopardise the reputation of PHSO through their actions or omissions;
- ensure that confidentiality of information is preserved at all times, as appropriate;
- treat all colleagues with consideration and respect;
- take prompt action if they witness or are made aware of discriminatory behaviour, harassment or bullying.

3.3. Furthermore, PHSO requires that its employees:

- do not misuse information acquired in the course of their official duties nor disclose without authority information received in confidence from other individuals or organisations;
- do not accept gifts, hospitality or benefits of any kind from a third party which may be seen to compromise their personal judgment or integrity;
- do not use alcohol or other intoxicants/substances in a way that results in incapacity for work, inappropriate behaviour or conduct, or jeopardises the reputation of PHSO;
- do not take part in any political or public activity which compromises or may be seen to compromise their impartiality;

PROTECT

- do not misuse their official position or information acquired in the course of their work to further their personal interests or those of others, during or after their employment at PHSO. Any conflict of interest must be declared at the earliest opportunity and all employees are subject to the Official Secrets Act 1989;
- do not undertake any work outside of PHSO (whether paid or unpaid) that may create a conflict of interest.

4. Relationships at work

- 4.1. PHSO recognises that relationships at work between colleagues are an inevitable fact of working life and, in most cases, contribute to constructive working relationships. Furthermore, employees are responsible adults, capable of managing any difficulties that arise, and PHSO has no wish to interfere in what is essentially a private matter.
- 4.2. The exception to this is when two employees in a line management relationship form an intimate relationship or have a close family connection. This may result in a perception of unfairness or favouritism and such a relationship must be disclosed. Management reserve the right to transfer one or both employees and any such move will be subject to full consultation with both employees and any other parties concerned.

5. Levels of misconduct

- 5.1. There are 3 levels of misconduct:
- Gross misconduct - behaviour that damages the relationship between PHSO and the employee to the extent that continued employment may no longer be possible. May result in dismissal without notice (summary dismissal).
 - Serious misconduct - behaviour that damages trust and confidence between PHSO and the employee but the damage is not irretrievable. May result in a First or Final Written Warning.
 - Minor misconduct - unacceptable behaviour which, as an isolated incident, requires corrective action but does not in itself damage the employment relationship. May result in a noted Oral warning or a First Written Warning.
- 5.2. Managers will take several factors into account when determining whether an employee's misconduct should be categorised as minor, serious or gross:
- Has this behaviour occurred before?

PROTECT

- Is there a live formal warning on file that is relevant to this behaviour?
 - Is it known or can it be reasonably assumed that the employee was aware that the behaviour is unacceptable?
 - What is the impact of the behaviour on PHSO, its reputation or other employees?
 - What would be the potential impact of any future recurrence of this behaviour?
 - How have other similar cases been dealt with in the past? HR Operations will be able to advise on such cases, if any and where appropriate.
- 5.3. In some cases, the level of misconduct escalates in stages. Behaviour which is considered minor misconduct the first time it occurs may be viewed as serious misconduct the second time it occurs or as gross misconduct.
- 5.4. Incidents of gross misconduct whether a first instance or escalated in stages, may result in dismissal, with or without notice.
- 5.5. However, there are some incidents of misconduct which are always considered to be at a fixed level of misconduct, regardless of the circumstances of the case (such as the factors listed in paragraph 5.2) or whether it is a first incident of misconduct (as outlined in paragraph 5.3). These include, but are not restricted to, the examples given in the table below.

PROTECT

This behaviour:	Is usually considered to be:
<ul style="list-style-type: none"> ○ Assault ○ Bribery, theft or fraud ○ Wilful damage to PHSO property or reputation or any action which is likely to bring PHSO to disrepute ○ Serious negligence which causes significant loss, damage or injury ○ Bullying, harassment or discrimination ○ Conviction for a serious criminal offence which affects the reputation or credibility of PHSO ○ Victimisation of another employee for raising a formal complaint about bullying, harassment or discrimination, or raising a concern under the Whistleblowing policy ○ Serious acts of insubordination ○ Unauthorised use or disclosure of confidential information ○ Deliberate falsification of PHSO's records ○ Failure to comply with relevant statutory or regulatory requirements ○ Violent, abusive or intimidating conduct ○ Breach of Health and Safety regulations which endangers the health and safety of others ○ A serious or wilful breach of the Code of Conduct 	<p>Gross misconduct.</p>
<ul style="list-style-type: none"> ○ Unacceptable conduct or performance under the influence of alcohol or drugs ○ Inappropriate internet or email use ○ Disruptive behaviour ○ Persistent poor timekeeping or unexplained and unauthorised absenteeism ○ Failure to report any breaches of health and safety or other regulations ○ Negligence resulting in loss, damage or injury ○ Activities or improprieties in relation to the employee's tasks 	<p>At least serious misconduct.</p>