Conditions of Registration – Bank Workers

This document sets out the Conditions of Registration of bank workers on the Trust Staff Bank and the terms and conditions that apply when a bank worker provides bank services to the Trust.

1. Status of Bank Workers and Accountability

1.1 Bank workers registered on the bank are not contracted employees of the Trust. There is no obligation to offer work and no obligation on the bank worker to accept work via the Staff Bank. Nothing in this document constitutes a Contract of Employment.

1.2 Bank workers are overall accountable to the Staff Bank Manager, and whilst working are responsible to the manager of the area in which they are working.

2. Pay

2.1 Bank workers are paid in accordance with Agenda for Change Bands dependent on qualification and experience.

2.2 For new starters to the Staff Bank, not contracted as an employee of the Trust, the pay point will be at lowest point unless the individual has worked in the NHS in the last 6 months in the same role and proof of salary can be evidenced in which case the pay point will reflect the previous pay point.

2.3 Bank only workers are entitled to annual leave, this is based on a pro rata basis of their average hours worked. The annual leave taken must be added to the eRostering system (Rosterpro) or the Staff Bank office informed of the days annual leave is taken.

2.3 Payment for work will be made monthly in arrears by bank credit. Every endeavour will be made to make payment on the 27th day of each month.

2.4 Sickness and maternity will be paid at Statutory rates only where the worker is eligible. Medical certificate for sickness episodes should be submitted to the Staff Bank Manager in the first instance.

2.6 Payment will be made for attending training events for mandatory training updates to include, Fire, Basic Life Support, Drug update, Manual Handling, Child Protection, Infection Control and Blood Handling appropriate to the role undertaken.

2.7 Pay will include payment for unsocial hours in accordance with the regulations that are in force at the time.

2.8 Bank workers, excluding those who also hold substantive contracts with the Trust, who work a minimum of 488 hours per annum will benefit from annualised incremental credit unless already placed on the maximum of the appropriate pay band.
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2.9 All bank work must be claimed for on the Bank Payment Claim forms or on the white ward based forms. Random checking of time sheets and white ward forms occur regularly for counter fraud/audit purposes.

3. **Allocation of Work**

3.1 It is not always possible to guarantee work or provide continuity of placements.

3.2 In order to maintain and develop their skills and experience, bank workers who are not also employees of the Trust are expected to be actively working within a six month period to cover a minimum of 6 x 7 ½ hour shifts during the 6 month period. Bank workers may have their name removed from the Staff Bank Register if they are not available for work.

3.3 Bank workers are required to be flexible and work as requested wherever the need occurs as long as this is deemed to be within the scope and limitations of the bank workers qualifications and experience.

3.4 Bank workers that unreasonably refuse to work in any particular area, may have their name removed from the Register at the discretion of the Staff Bank Manager.

4. **Hours of Work**

4.1 There are no regular or fixed hours of work allocated to bank workers. The bank worker is expected to provide hours of availability on an "as and when" basis as required, to meet the needs of the Trust from time to time and as agreed by them.

4.2 It is the bank workers responsibility to ensure that they do not exceed the working time limits set out in the Working Time Directive regulations for a maximum of 48 hour working week. Further information can be found in section 27 Agenda for Change NHS Terms and Conditions of Service Handbook. If a bank worker has alternative work alongside the bank work performed for the Trust he/she must advise the Staff Bank office of this and keep the Staff Bank up to date as to the hours worked.

5. **Absence**

5.1 Bank workers who cancel a shift should notify the Staff Bank team as soon as possible, not less than 24 hours prior to the start of the shift/assignment.

6. **Registered Nursing staff**

6.1 Registered Nurses and Bank Midwives registered on the bank must provide evidence of their NMC Registration on appointment and annually on renewal.

6.2 Registered Nurses and Midwives registered on the bank are accountable for their practice and must work within the NMC standards and guidelines for practice.

7. **Medical Examination/Screening**

7.1 It is a condition of registration that bank workers undergo a vaccination check (medical examination) by the Trust’s Occupational Health Department.
8. Uniforms / Parking Permits.

8.1 Bank workers are expected to conform to the Trust Uniform and Dress Code Policy. Two uniforms will be supplied to nurses/midwives on appointment; these are to be worn on Trust business only.

8.2 All uniforms and ID badges remain Trust property and must be returned if registration with the Staff Bank ceases for any reason. A deposit for uniforms will be debited from the first months bank payment. This is returnable on leaving the Staff Bank when the uniforms are returned.

8.3 Bank workers are eligible to apply for car parking permits following registration. The permit remains the property of the Trust and must be returned if registration ceases.

9. Health & Safety at work

9.1 The Trust attaches the greatest importance to safeguarding health, safety and welfare of its workers and staff. Bank workers are expected to familiarise themselves and co-operate with the Trust Health and Safety policies.

9.2 Bank workers must notify the Staff Bank Manager in writing immediately they know they are pregnant so that a work place risk assessment can be performed.

9.3 Any person registered with the Staff Bank who is under 18 years of age must undergo a work place risk assessment with the Staff Bank Manager.

10. Conflicts of Interest

10.1 Bank workers are responsible for the Trust’s property, for avoiding loss, for economy and efficiency in the use of resources and for conformity with the requirements of Standing Orders and Standing Financial Instructions.

10.2 Bank workers must not accept offers of gifts or favours without the consent of the Ward/Departmental Manager or Staff Bank Manager (Excludes small tokens of gratitude such as chocolates from patients or relatives).

10.3 Bank workers must inform the Staff Bank Manager of any external work, interest or activity undertaken which may be prejudicial to the work performed on behalf of the Trust.

10.4 Bank workers are required to declare an appointment to the bank register any business interest, position of authority in a charity or voluntary body in the field of health and social care, and any connection with a voluntary or other body contracting for NHS services that may cause a conflict of interest in providing services through the bank register.

11. Liability for Personal Property

11.1 The Trust will not accept liability for loss or damage to personal property on Trust premises.
12. **Code of Confidentiality.**

12.1 Bank workers must at all times be aware of the importance of maintaining confidentiality of information gained by them during the course of their duties. It is the Bank workers responsibility to treat all personal data according to the NHS Information Governance Principles whereby information must be obtained fairly and efficiently; recorded accurately and reliably; held securely and confidentially; used and shared appropriately and lawfully.

Detailed guidance can be found on the Information Governance site on the Trust Intranet. Bank workers must treat all information in a discreet and confidential manner and particular attention is drawn to the following:

- Confidential information regarding service users must not be disclosed either verbally or in writing to unauthorised persons. It is particularly important that Bank workers should ensure the authenticity of any telephone enquiries received.

- Written records, computer records and correspondence pertaining to any aspect of the organisation's activities must be kept securely at all times.

- Bank workers have an obligation to ensure that computer systems which they use are protected from inappropriate access within the direct area of practice e.g. by ensuring that personal access codes/passwords are kept secure.

- All data held, its management and procedures must conform to the requirements of the Data Protection Act (1998). Under the Act service users have a right of access to their records on application to the appropriate manager. This can be read in conjunction with the Trust's full Information Governance Policy.

- If it is necessary to share information in order to effectively carry out work, a Bank worker must make sure that as far as is reasonable this information will be exchanged on a strictly 'need to know' basis, using the minimum that is required and be used only for the purpose for which the information was given.

- If unsure Bank workers must seek advice from the assignment line manager, the Staff Bank Manager, the Trust's Caldicott Guardian or the Information Governance Team.

- Conversations relating to confidential matters affecting service users should not take place in situations where they may be overheard by passers-by both inside and outside work, e.g. in corridors, reception areas, lifts, cloak rooms and car park or other public areas.

- Communication with the press or media, whether in response to an approach or at the instigation of the Bank workers, should be made through the Communications Team. If Bank workers have a genuine and reasonable concern about practices or unlawful acts at work and wish to report this to the Trust, they should do so by using the Trust Whistle Blowing Policy and Procedure. (All policies and procedures referred to here are available to view on the Trust internal intranet site.)

- The Data Protection Act governs personal information recorded on computer and unauthorised disclosure of such information is unlawful.
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- The same confidentiality must also be observed in dealing with work related matters pertaining to work colleagues.

- During the course of work with the Trust, Bank workers are not permitted to view or access their own personnel or patient record. Should they wish to access either record they should make an application in accordance with the appropriate procedure as laid down by the Trust Information Governance Policy.

- Unauthorised entry to computer records will constitute gross misconduct which may lead to formal action under the Trust Disciplinary and Appeals Policy which could lead to removal from the Bank register.

- Bank workers will not at any time during their registration with the Staff Bank (except as so far as is necessary in the course of their work) or afterwards, disclose to any person any information as to the business, dealings, practice, accounts, finances, trading, software, know-how, affairs of the Trust of any of the Trust's patients or prospective patients, distributors, firms or companies otherwise connected with the Trust.

- All information held about the Trust or in connection with the Trust and any of the above is to be regarded as confidential. All notes, memoranda, records and other documents of the employer and in your possession are and shall remain the property of the Trust and shall be handed over by the Bank worker to the Trust from time to time on demand and, in any event, upon termination of registration. Bank workers should understand that a breach of this clause would constitute gross misconduct which may lead to formal action under the Trust Disciplinary Policy and Procedure which could lead to removal from the Bank register. Should a Bank worker breach this clause after their registration has ended, the organisation may take legal action against them.

- Any breach of confidentiality may be regarded as misconduct and may be subject to disciplinary action, including dismissal. A breach of confidentiality may also result in a civil action for damages.

12.2 Record Keeping

Under the Public Records Act 1958 all NHS employees and Bank workers are responsible for any records they create or use in the course of their duties. Therefore, all Bank workers, whether clinical or administrative, must be aware of their individual record keeping policies.

There is an obligation to maintain personal identifiable information in accordance with the following Trust policies:

- Record Keeping Policy
- Records Management – Standards for Record Keeping in Health Records Policy
- Health Records Policy
- Medical Photography Policy
- Email Policy

12.3 COMPUTER USE, IT SECURITY, EMAIL AND INTERNET ACCESS

It is the responsibility of the Bank worker to use the Internet and Email facilities in an acceptable and appropriate way as defined in the Trust’s Email and Internet Policy.

Copies of the policies and guidelines relevant to Email and Internet use can be found on
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the Cornwall and Isles of Scilly Information and Technology Services (CITS) Website and the document library including

- Email and Internet Use Policies
- IT and Computer Use Policy
- Information Security Policy

Breach of the relevant policy may result in disciplinary action and may be considered an act of gross misconduct resulting in removal from the Staff Bank

13. Equality and Diversity

13.1 The Trust promotes equality and diversity at work. Bank workers are expected to adhere to the Trust Equality and Diversity policy.

14. Rehabilitation of Offenders

14.1 Because of the nature of bank work this post is exempt from the Rehabilitation of Offenders Act 1974. The Trust also reserves the right to request documentary evidence relating to criminal convictions.

14.2 Bank workers will be subject to a Disclosure and Barring check (DBS) if the position requires one to be completed.

14.3 Any Bank worker who has been arrested on a criminal charge has a duty to report the incident to the Staff Bank Manager. Failure to do so could result in removal from the Staff Bank Register. Any conviction, caution or reprimand resulting from arrest must also be reported and if it is considered by the Trust to be of a serious nature may also lead to removal from the Staff Bank register.

15. Training and Development

15.1 Bank workers are expected to attend the Corporate Induction programme.

15.2 Bank workers are required to sign in when attending mandatory training in order that a record of attendance can be recorded by the Trust.

15.3 Bank workers are eligible to attend, in their own time and without reimbursement, any of the Trust’s training and development programmes, which are applicable in the view of the Staff Bank Manager and with his/her authorisation.

15.4 Bank workers must be up to date with all mandatory training within 3 months of the due date or they will have their name removed from the Staff Bank register.

16. Eligibility to work in the United Kingdom

16.1 All Bank workers are required to provide evidence of their eligibility to work in the UK in the form of a passport (or other documentation) or a valid work permit.

If the Bank worker is of foreign nationality and born in a Non-EU country, the Bank worker will be required to ensure that their work permit is kept up to date so that they
are legally able to work in the UK. Periodical checks will be made to ensure that this action has been taken, but should it be found that the work permit has not been renewed the Bank workers will be removed from the Staff Bank register with immediate effect. However, if the Bank worker is in the process of renewing their work permit and they have documentation to prove that they have sent an application to the Home Office to renew their permit, then they will be able to continue to be available for work.

17. **Termination of Registration**

17.1 The Trust reserves the right to terminate this agreement and an individual’s registration without notice and at the discretion of the Staff Bank Manager at any time.

17.2 The Bank worker is required to notify the Staff Bank Manager if they are no longer available for work, in writing. The Bank worker will then be removed from the Trust’s Staff Bank register.

17.3 If records show that the Bank worker has not accepted work for a period of 6 months it will be assumed that the Bank worker no longer wishes to remain on the bank register and will be removed.

I hereby accept the offer of registration to the Staff Bank on the terms and conditions as set out above. I acknowledge my responsibility to familiarise myself with the Royal Devon & Exeter NHS Foundation Trust’s Policies and Procedures. If a signed copy is not received within 14 days of the date above it will be assumed that you are in agreement with the terms and conditions outlined.

I……………………………………………………………………..(insert name in capitals) am pleased to become a member of the Staff Bank for the Royal Devon & Exeter NHS Foundation Trust.

Signed …………………………………………………………….Date ……………………………