

On-site Conduct and Procedure

While on the Participating Authorities site, the Successful Tenderer must comply and ensure that its staff comply with the requirements of the Health and Safety at Work Act 1974 and other relevant legislation, including regulations and codes of practice issued thereunder and with the Participating Authorities's own policies and procedures.

The Successful Tenderer shall ensure that all staff assigned to the contract shall possess and exercise the relevant care, have appropriate qualifications, expertise, and experience as are necessary for the proper provision of support.

The Successful Tenderer must ensure that all their staff, always, when on the Participating Authorities's premises, wear an identification badge, complete with photograph and comply to the Participating Authorities's IPC requirements.

The Suppliers shall ensure that all their staff are treated within the requirements of the law relating to The Equality Act 2010, Employment Law, the Health, and Safety at Work Act 1974 etc. There must also be compliance with the Contracting Authorities Policies, e.g. Health and Safety, Smoking etc., when on the premises of the Contracting Authorities. The Suppliers will make sure they are up to date with any changes or amendments to these regulations and policies.

The Supplier must have appropriate Occupational Health procedures including, but not limited to, procedures to check that Staff are fit to carry out all duties safely, including but not limited to regular eyesight screening/testing. The Supplier is to submit to the Contracting Authorities prior to service commencement and then annually thereafter for approval, their Occupational Health procedures and check list.

Suppliers are reminded of the absolute necessity for maintaining in strict confidence any information or knowledge which may come into their possession relating to the NHS and Wider Public Sector, any of its staff and/or patients/Passengers under the Contract. It is the Suppliers' responsibility to ensure that their employees and or sub-contracted Suppliers who may be engaged on any part of the Contract are fully informed and aware of this.

Suppliers must ensure all staff are aware of, and adhere to, the procedure for reporting incidents in accordance with the Contracting Authorities Serious Incident Policy.

All staff must complete conflict resolution training and training for managing difficult situations. All staff must also undertake disability awareness training.

All staff with access to patients/passengers or Passenger related information must have a current DBS check (at an appropriate level as defined by the Home Office) which must be made available upon request to the Contracting Authorities. Suppliers must also report any DBS checks that reveal a positive disclosure, and jointly agree with the Contracting Authorities whether that employee should remain employed. DBS would also be required by any voluntary car drivers used. DBS checks should be reviewed and repeated in accordance with standard NHS/Wider Public Sector guidance and relevant to the Contracting Authorities.

Suppliers must operate a safer recruitment process which discourages unsuitable people from applying for roles which bring them into contact with children and/or vulnerable adults. Suppliers

must have a written and regularly reviewed safeguarding children and vulnerable adult's policy which is current and reflects the most recent safeguarding legislation.

Whilst on the Contracting Authorities' premises the supplier's personnel shall follow all reasonable instructions given to them the Contracting.

The Supplier shall inform the Authorised Officer promptly of any unresolved problem concerning the provision of the personnel to support Service.

All personnel engaged in deliverance of this contract must be appropriately trained and will comply with current legislation and any other laws or requirements applying to the operation of this Service. In particular, the Supplier must ensure their employees are made aware of, trained in, and comply with:

- a. The Health and Safety at Work Act 1974 & associated legislation
- b. Control of Substances Hazardous to Health (COSHH) 1994.
- c. Road Traffic Act 1988.
- d. Equality Act 2010
- e. Infection Prevention Control best practice and guidance.
- f. Health and Social Care Act 2008
- g. Confidentiality
- h. Information governance.
- i. Children's Act 2004
- j. Adult Care Bill 2014

The Supplier must ensure that their pre-employment checks comply with the requirements of the NHS/Public Sector guidelines on pre-employment checks and ensure such checks are made before any new individual is offered a post related to this Contract. This must include:

- a. ID check
- b. The right to work in the UK.
- c. Medical check to ensure fitness to undertake role as outlined within this document.
- d. Full reference checks from previous employers.
- e. Full enhanced DBS disclosure in line with Home Office Guidelines where appropriate/required.
- f. all personnel engaged in the delivery of the Service that may encounter Patients and or Patients details, whether directly employed, self-employed, sub-contracted or volunteers must undergo.
 - i. Protection of Vulnerable Adults (PoVA) checks
- g. For those engaged in a driving capacity delivering and collecting from the Contracting Authorities:-
 - i. thorough driving assessment with evidence of competence
 - ii. evidence of a valid Driver license as required by the relevant licensing body

Where any issues emerge because of undertaking pre-employment checks the Supplier must discuss these issues with the Contracting Authorities immediately so that their personnel's engagement can be effectively approved by the Contracting Authorities.

The Supplier will immediately report to the Contracting Authorities if its personnel employed or self-employed (full or part time) in the provision of the Service is:

- a. Arrested for a criminal offence of any kind.
- b. Convicted of a criminal offence of any kind
- c. Arrested and charged with any road traffic offence.
- d. Convicted of any road traffic offence or infringement of their Taxi/PHV/PSV license
- e. Summoned to appear as defense in civil action of any kind.

All personnel engaged in a driving capacity must:

- a. Hold a full driving license, valid in the UK, for the class of vehicle to be driven, this must be always carried with the driver and be available for regular checking.
- b. No more than six penalty points none of which must be for Drink or Drugs, Careless Driving, Reckless/dangerous driving (details can be found at: <https://www.gov.uk/penalty-points-endorsements/endorsement-codes-and-penalty-points>)
- c. Evidence of an annual check of driving licenses of all license documents will be produced for the Contracting Authorities on request.

When considering whether information contained in a Disclosure has a bearing on the individual's suitability to continue in the post or for a potential employee to commence employment, the decision will be based on the following:

1. The seriousness and relevance of the conviction(s);
2. Whether the conviction history suggests any safety implications to staff or patients, customers, or property.
3. The length of time since the offences(s);
4. The age of the applicant at the time.
5. The background of the conviction, i.e. if it a one-off offence or part of a history of offending;
6. Any change in the applicant's circumstances since the offences were committed.
7. The circumstances surrounding the offending behavior and the explanation offered by the convicted individual.
8. Whether or not the current employee disclosed the criminal record on their application form / application process.

The supplier must comply with each one of the provisions of the Agreement or Service specification regarding discrimination on the grounds of any protected characteristic covered by the Equality Act 2010.

The supplier must meet the requirements of the Independent Low Pay Commission and relevant legislation regarding the payment of the statutory minimum wage.

Personnel must neither solicit nor accept money, tips, gifts, or hospitality from Service Users including Patients or related parties either during or outside working hours.

Personnel should be familiar with the geographical area covered by this specification.

Ensure all personnel engaged on the provision of the services are paid for their time and service and that the Supplier pays any tax or national insurance on such pay.

The Supplier will ensure.

1. That all staff are aware of and understand the need for, and maintain the highest standards of personal hygiene, tidiness, courtesy, demeanor, personal cleanliness and consideration to all personnel, passengers, Patients, service users and visitors whilst in and about the provision of the services. They must also be trained to be aware of the need to understand the response and attitudes appropriate for personnel working amongst patients.
2. Staff deployed on the Contract must be suitably uniformed or attired, including flat soled/safety shoes, in a manner consistent with the delivery of a quality, patient focused service.
3. That its staff are clearly identifiable and carry ID cards, plus name and organisation on legible badges.
4. That staff will not smoke tobacco products or use electronic smoking devices at any time in or around vehicles used for the transport of bariatric equipment