

The Code of Conduct Employer Guide

A guide for employers and managers of Healthcare Support Workers and Adult Social Care Workers in England

This employer guide relates to the Code of Conduct for Healthcare Support Workers and Adult Social Care Workers in England. A separate guide, 'The Code of Conduct in Action', is available for Healthcare Support Workers and Adult Social Care Workers.

The Code of Conduct can be found here on the [Skills for Health website](#) and on the [Skills for Care website](#).

The Code of Conduct is for:

- **Healthcare Support Workers** (including Assistant Practitioners) in England who have patient-facing roles (where they do not already have a Code that applies to them).
- **Adult Social Care Workers** in England. This could be in an independent capacity (for example as Personal Assistant), for a residential care provider, or as a supported living, day support or domiciliary care worker. Social Work Assistants are not included.

The purpose of this guide is to:

1. outline what the Code of Conduct is and why it has been developed
2. outline the benefits of adopting the Code of Conduct for you, your worker and people who use services
3. outline how it relates to other initiatives
4. explain what actions you need to take to adopt the code.

What is the Code of Conduct for Healthcare Support Workers and Adult Social Care Workers?

The Code of Conduct provides a clear set of standards. It is essential to protect people who use health and care services, the public and others from harm. The code ensures you can:

1. be sure of the standards your worker is expected to meet
2. check that your worker can fulfil the requirements of their role, behave correctly and do the right thing at all times
3. identify areas for continuing professional development.

Why do we have a Code of Conduct for Healthcare Support Workers and Adult Social Care Workers?

Organisations including employers, unions and professional bodies have been writing and using different Codes of Conduct in different ways for many years. Some employers require Healthcare Support Workers and Adult Social Care Workers to adhere to a Code of Conduct, whilst for others this has never been a requirement. This inconsistency has meant that standards for Healthcare Support Workers and Adult Social Care Workers could vary greatly from organisation to organisation.

Providing a safe, efficient and effective health and social care system is complex. One way employers can reduce risks is by ensuring that Healthcare Support Workers and Adult Social Care workers are clear about how they should behave at work and what they should and should not do.

The Department of Health asked to develop a Code of Conduct that could be used consistently by Healthcare Support Workers and Adult Social Care Workers in England. The Code of Conduct was written in consultation with Support Workers, registered health and social care professionals, people who use health and care services and their carers, employers and unions.

The code covers the key behaviours needed to deliver safe and high-quality care. It is also a useful tool to help support and develop staff.

Does the code have to be used?

There is no legal requirement for employers to use this Code of Conduct. However, the Code of Conduct outlines 'best practice' and could be used to inform objective setting, personal development reviews, investigation and complaints procedures. Organisations and employers are encouraged to use it for all non-registered staff in roles covered by the code. Organisations may wish to refer to their adoption of the Code of Conduct as evidence of their good practice in Care Quality Commission (CQC) or other quality inspections.

How does the Code of Conduct 'fit' with the Care Certificate?

The Code of Conduct describes how a support worker should **behave**.

The Care Certificate describes the minimum things support workers must **know and be able to do**.

Using the Code of Conduct with the Care Certificate is a measurable way for you to check that your worker is sticking to the same standard as other Healthcare Support Workers and Adult Social Care Workers across health and social care. Together the Code of Conduct and Care Certificate are designed to help you, as the employer, and your worker, to provide safe, effective and compassionate healthcare, care and support.

Employer responsibilities:

Support workers will only be able to meet their obligations under the Code of Conduct if you, as an employer, provide the right support, training and development and work environment for them.

For employers in the NHS:

Section 4a of the NHS Constitution, 'Staff – your rights and NHS Pledges to you', sets out your responsibilities to your staff. These include encouraging and supporting staff to raise concerns about service quality and safety, and ensuring they have access to personal development, education and training. The rights and pledges in the Constitution provide you with the overarching standards you should meet as an employer – applying these will help enable your support workers to abide by the Code of Conduct.

For employers in social care:

The Social Care Commitment sets out the seven commitments you should make to meet the minimum standards required in care work. The standards include providing education and learning opportunities for staff and ensuring a positive culture and working environment. Your commitment to these overarching standards for employers will help enable your social care workers to abide by the Code of Conduct, and to put the Social Care Commitment into practice.

ACTIONS YOU NEED TO TAKE

If you are using the Code of Conduct with your Healthcare Support Workers and Adult Social Care Workers:

As an organisation:

1. each worker should have a named workplace supervisor to monitor their progress towards achieving and maintaining all the standards in the Code of Conduct. It is up to your organisation to specify who this should be
2. you should incorporate the Code of Conduct into your organisation's agreed ways of working. The code is a living document which Healthcare Support Workers and Adult Social Care Workers should apply throughout their working lives. If your organisation already has robust mechanisms for identifying and checking competence you may wish to map the Code to those
3. it is up to your organisation to decide when Healthcare Support Workers and Adult Social Care Workers are asked to sign up to the Code of Conduct. It is recommended that this happens early on in their working life and before they work without direct supervision
4. there is no prescribed way of gaining evidence that your worker is working to the Code of Conduct. You could reference it in a job description and/or design a more formal mechanism to allow /workers to sign up
5. it is important that sign up to the Code of Conduct is directly linked into your appraisal process so that managers and workers have a mechanism for identifying and measuring an individual's performance against the Code of Conduct
6. you may wish to give additional guidance to managers about the HR processes that should be followed within your organisation, should a worker not meet the standards set out in the code
7. you may wish to advise the patients/people who use services that workers in your organisation have signed up to the Code of Conduct and explain what that means for them. A separate document, 'What the Code of Conduct means for you,' is available for you to use.

As a named workplace supervisor:

1. you must give your worker a copy of the Code of Conduct and the Code of Conduct in Action user guide for Healthcare Support Workers and Adult Social Care Workers
2. it is your responsibility to check that your worker recognises the purpose of the code and understands the depth of detail contained within each point. You may have to provide additional supervision or support to your worker whilst they are developing this understanding
3. you should regularly check that your worker is meeting the code and if not, identify how you can work together with them so that they can.