



**Business Services  
Organisation**

**Directorate of Legal Services**

— PRACTITIONERS IN LAW TO THE  
HEALTH & SOCIAL CARE SECTOR —

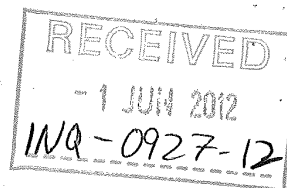
**2 Franklin Street, Belfast, BT2 8DQ  
DX 2842 NR Belfast 3**

**Your Ref:  
BPC-0144-12**

**Our Ref:  
HYP B04/1**

**Date:  
1<sup>st</sup> June 2012**

**Ms Bernie Conlon  
Secretary to the Inquiry  
Inquiry into Hyponatraemia-related Deaths  
Arthur House  
41 Arthur Street  
Belfast  
BT1 4GB**



**Dear Madam**

**RE: INQUIRY INTO HYPONATRAEMIA RELATED DEATHS- ADAM STRAIN**

**We refer to the above matter and to the Inquiry letter dated 16<sup>th</sup> February 2012,  
reference as quoted above.**

**We now enclose the following documents which had been requested by the  
Inquiry, in response to the afore-mentioned letter:-**

- 1. Royal Group of Hospital's Trust Policy TP 13/00 - Code of Business  
Conduct for all Employees**
- 2. Royal Group of Hospital's Trust Policy TP 9/02 - Code of Conduct**
- 3. The Royal Hospitals Code of Conduct for HPSS Managers (undated)**

**This completes my client's response to your above-mentioned letter.**

**Yours faithfully**

*Angela Crawford*

**Angela Crawford  
Solicitor**

*Providing Support to Health and Social Care*



INVESTOR IN PEOPLE

# THE ROYAL GROUP OF HOSPITALS AND DENTAL HOSPITAL HEALTH AND SOCIAL SERVICES TRUST

TP 13/00  
Supersedes TP 2/96

## Code of Business Conduct for all Employees

### Introduction

To ensure the ongoing confidence of the public in officers of the Royal Hospitals and to maintain high standards of personal accountability, it is essential that guidance is given as to the conduct expected of all members of staff

This code is designed to ensure that all staff are aware of the standards of conduct expected of them by the Royal Hospitals which has the responsibility to ensure that the public can be certain that services are delivered by staff of the highest integrity

### Public Service Values

Public service values must be at the heart of the Health and Personal Social Services. High standards of corporate and personal conduct, based on a recognition that patients come first, have been a requirement throughout the Health and Personal Social Services since its inception. Moreover, since the Health and Personal Social Services is publicly funded, it must be accountable to Parliament for the services it provides and for the effect and economical use of taxpayers' money

There are three crucial public service values, which must underpin the work of the Health and Personal Social Services

- Accountability** - everything done by those who work in the Health and Personal Social Services must be able to stand the test of parliamentary scrutiny, public judgements on propriety and professional codes of conduct
- Probity** - there should be an absolute standard of honesty in dealing with the assets Of the Health and Personal Social Services. integrity should be the hallmark of all personal conduct in decisions affecting patients, staff and suppliers, and in the use of information acquired in the course of Health and Personal Social Services duties
- Openness** - there should be sufficient transparency about Health and Personal Social Services activities to promote confidence between the Health and Personal Social Services authority or Trust and its staff, patients and the public

### 3. RESPONSIBILITIES OF STAFF

In line with the above all staff in the Royal Hospitals are expected to -

- ensure that the interest of patients and clients remains paramount at all times,
- be impartial and honest in the conduct of their official business,
- use of the public funds entrusted to them to the best advantage of the service, always ensuring value for money in the procurement of goods and services

It is also the responsibility of staff to ensure that they do not:

- abuse their official position for personal gain or to benefit their family or friends or to benefit individual contractors,
- seek to advantage or further private business or other interests, in the course of their official duties

All staff must ensure that they are not placed in a position which risks, or appears to risk, conflict between their private interests and their official duties

Staff must declare relevant interests to their Clinical Director/Director at the earliest opportunity, ie either on starting employment or on acquisition of the interest. In the case of a Clinical Director/Non-Clinical Director relevant interests must be declared to the Chief Executive. The Royal Hospitals will retain a register of all such interests

### 4. GENERAL PRINCIPLES

Public service values matter in the Health and Personal Social Services and those who work in it have a duty to conduct Health and Personal Social Services business with probity. They have a responsibility to respond to staff, patients and suppliers impartially, to achieve value for money from the public funds with which they are entrusted and to demonstrate high ethical standards of personal conduct

Codes of Conduct and Accountability have been issued by the Department of Health and Social Services setting out the responsibilities of Trusts to ensure high corporate standards of conduct and accountability. The Trust Board in turn must ensure that staff exercise high standards of business conduct and that principles of honest openness and impartiality govern the conduct of the Trust

Lord Nolan, who chaired the Nolan Committee which looked at the regulation of the public sector enunciated seven key principles. These principles serve as a useful guide to Trust staff in the conduct of their business and are detailed below -

### **Selflessness**

Holders of the public office should take decisions solely in terms of the public interest. They should not do so in order to gain financial or other material benefits for themselves, their family or their friends.

### **Integrity**

Holders of public office should not place themselves under any financial or other obligation to outside individual or organisations that might influence them in the performance of their official duties.

### **Activity**

In carrying out public business, including making appointments, awarding contracts, or recommending individuals for rewards and benefits, holders of public office should make choices on merit.

### **Accountability**

Holders of public office are accountable for their decisions and actions to the public and must submit themselves to whatever scrutiny is appropriate to their office.

### **Openness**

Holders of public office have a duty to declare any private interests relating to their public duties and take steps to resolve any conflicts arising in a way that protects the public interest.

### **Leadership**

Holders of public office should promote and support these principles by leadership and example.

## **5 CASUAL GIFTS**

Casual gifts offered by contractors or others, eg at Christmas time, may not be in any way connected with the performance of duties so as to constitute an offence under the Prevention of Corruption Acts. Such gifts should nevertheless be politely but firmly declined. Inexpensive seasonal gifts such as diaries or calendars, or small tokens of gratitude (eg boxes of chocolates, biscuits or flowers) from patients or their relatives, need not necessarily be refused. The refusal of the latter type of 'token' gift may cause offence or damage staff morale, so acceptance

is reasonable and appropriate in these circumstances. Staff however must not compromise themselves or leave themselves open to criticism when accepting token gifts. In cases of doubt staff should either consult their Manager or politely decline acceptance.

## **6 HOSPITALITY**

Modest hospitality, provided it is normal and reasonable in the circumstances, eg lunches in the course of working visits, may be acceptable, though it should normally be similar to the scale of hospitality which the Royal Hospitals as an employer would be likely to offer. However, it is recognised that levels of hospitality vary according to circumstances and that acceptance may be unavoidable. The acceptance of hospitality of any scale should not compromise integrity.

Staff should decline all other offers of gifts, hospitality or entertainment. If in doubt seek advice from your Manager.

## **7. DECLARATION OF INTERESTS**

The Royal Hospitals needs to be aware of all cases where an employee, or his or her partner, close relative or associate, has a controlling and/or significant financial interest in a business (including a private company, public sector organisation, other HPSS employer and/or voluntary organisation), or in any other activity or pursuit, which may compete for a HPSS Contract to supply either goods or services to the Royal Hospitals or which may impinge on or impair the carrying out of an officer's duties.

All staff must therefore declare such interests within their knowledge to their Clinical Director/Director either on starting employment or on acquisition of the interest, in order that it may be known and in no way promoted to the detriment of either the Royal Hospitals or the patients/clients whom it serves. Clinical Directors/Directors are required to declare such interests to the Chief Executive.

The Clinical Director/Director must in all cases, when notified of an interest, inform the Director of Human Resources. The Royal Hospitals will be responsible for judging whether the interest of patients/clients could be harmed. When a decision is reached, the Personnel Directorate will notify the Clinical Director/Director concerned.

A register of all interests notified to the Director of Human Resources will be maintained in the Personnel Directorate.

In addition, on an annual basis the Royal Hospitals will require key management staff to complete a "Declaration and Register of Interests" Questionnaire.

One particular area of potential conflict of interest which may directly affect patients/clients/staff, is when staff hold a self beneficial interest in private care homes or hostels. While it is for staff to declare such interests to the Royal Hospitals, the Royal Hospitals has a responsibility to introduce whatever measures it considers necessary to ensure that its interests and those of patients, clients and staff are adequately safeguarded, particularly regarding referral to a private care home, hostel or domiciliary care provider. Advice on professional conduct issued by the General Medical Council recommends that when a doctor refers a patient to a private care home or hostel in which he or she has an interest, the patient must be informed of that interest before referral is made.

#### **8. PREFERENTIAL TREATMENT IN PRIVATE TRANSACTIONS**

Staff must not seek or accept preferential rates or benefits in kind for private transactions carried out with companies with which they have had, or may have, official dealings on behalf of the Royal Hospitals.

#### **9. CONTRACTS**

All staff who are in contact with suppliers and contractors (including external consultants) and in particular those who are authorised to sign Purchase Orders, or place Contracts for goods, materials or services, are expected to adhere to professional standards of the kind set out in the Ethical Code of the Institute of Purchasing and Supply (IPS). Attention is also drawn to the guidance contained in Circular HSS (ESD) 3/91 "WORKS SERVICES PROJECTS - FRAUD AND IRREGULARITY".

#### **10. FAVOURITISM IN AWARDING CONTRACTS**

Fair and open competition between prospective contractors or suppliers for HPSS Contracts is a requirement of HPSS Standing Orders and of EC Directives on Public Purchasing for Works and Supplies. This means that -

- no private or public company, firm or voluntary organisations which may bid for HPSS business should be given any advantage over its competitors. EC regulations now permit pre-tender discussions with potential contractors, whether or not there is a relationship between them and the HPSS employer, such as a long-running series of previous Contracts.
- each new Contract should be awarded solely on merit, taking into account the requirements of the HPSS and the ability of the contractors to fulfil them.

The Royal Hospitals should ensure that no special favour is shown to current or former employees or their close relatives or associates, in awarding Contracts to private or other businesses run by them, or employing them in a senior or managerial capacity. Contracts may be awarded to such businesses where they are won in fair competition against other tenders, but scrupulous care must be taken to ensure that the selection process is conducted impartially, and that staff who are known to have a relevant interest play no part in the selection.

#### **11. OUTSIDE EMPLOYMENT**

Staff **must not** engage in outside employment which may conflict, or be detrimental to their work in the Royal Hospitals. They must tell their Clinical Director/Director if they think they may be risking a conflict of interest in this area. The Royal Hospitals will be responsible for judging whether the interest of patients/clients could be harmed.

#### **12. PRIVATE PRACTICE**

Consultants (and associate specialists) employed under the Terms and Conditions of Service of Hospital Medical and Dental Staff are permitted to carry out private practice in HPSS hospitals subject to the conditions outlined in the handbook "Guide to Private and Domiciliary Practice" (See also paragraphs 40-43 of the Terms and Conditions of Hospital Medical and Dental Staff). Consultants who have signed new Contracts with Trusts will be subject to the terms applying to private practice in those Contracts.

Other staff may undertake private practice or work for outside agencies, providing they do not do so within the time they are contracted to the Royal Hospitals, and they observe the conditions in paragraph 11. All hospital doctors are entitled to fees for other work outside their HPSS contractual duties under "Category 2" (paragraph 37 of the TC's of Hospital Medical and Dental staff), e.g. examinations and reports for life insurance purposes. Hospital doctors and dentists in training should not undertake locum work outside their Contracts where such work would be in breach of their contracted hours, as set out in their terms and conditions of service and the hours controls for training grades.

#### **13. COMMERCIAL SPONSORSHIP FOR ATTENDANCE AT COURSES AND CONFERENCES**

Acceptance by staff of commercial sponsorship for attendance at relevant conferences and courses is acceptable, but only where the employee seeks permission in advance and the Royal Hospitals is satisfied that acceptance will not compromise purchasing decisions in any way.

On occasions when the Royal Hospitals considers it necessary for staff advising on the purchase of equipment to inspect such equipment in operation in other parts of the country (or exceptionally, overseas), the Royal Hospitals should consider meeting the cost, so as to avoid putting in jeopardy the integrity of subsequent purchasing decisions

#### **14. BREACH OF THE CODE**

The Royal Hospitals will consider any breach of this Code as a serious matter and, in certain circumstances, as an offence for which disciplinary action may be warranted

#### **15 REVIEW OF THE CODE**

This Code will be periodically reviewed and, if necessary, revised in consultation with local staff organisation representatives

If staff have any queries or concerns in relation to the Code, these should be raised first with their Manager

*March 2000*



**THE ROYAL GROUP OF HOSPITALS AND DENTAL HOSPITAL  
HEALTH AND SOCIAL SERVICES TRUST**

**Trust Policy**

**TP 9/02**

**Code of Conduct**

**Rationale**

In providing a service to the people of Northern Ireland, The Royal Hospitals has a responsibility to ensure that the delivery of that service is carried out in a caring and compassionate manner by the employees

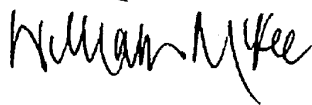
**Objectives**

- To highlight to employees the importance of high standards not only in what they do but in how they do it both towards patients and their colleagues
- To reassure patients that staff are conscious of their attitude and communication skills when caring for them

**Policy**

The Royal Hospitals expects every health care worker to maintain the following standards

- make the care of your patient your first concern
- treat every patient politely and considerately
- respect patients' dignity and privacy
- listen to patients and respect their views
- give patients information in a way they can understand
- respect the rights of patients to be fully involved in decisions about their care
- respect and protect confidential information
- work with colleagues collaboratively in ways that best serve patients' interests <sup>(1)</sup> recognising and respecting the role each has to play
- respect and care for each other
- adhere to professional bodies codes of conduct



**W S McKee**  
**Chief Executive**  
**September 2002**

**Review Date** \_\_\_\_\_  
**Author: Dr J Gaston**  
**Mrs H Chambers**

## **References**

- 1) General Medical Council, Annual Review 1998
- 2) Equality Scheme
- 3) NMC Code of Professional Conduct 1992
- 4) Confidentiality policy TP 33/98
- 5) The Society of Chiropodists and Podiatrists
- 6) The College of Occupational Therapists Code of Ethics and Professional Conduct for Occupational Therapists
- 7) British Psychological Code of Conduct and Professional Practice guidelines
- 8) Code of Professional Conduct for Radiographers

*The* ROYAL  
HOSPITALS

# Code *of* Conduct *for* HPSS Managers:

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A Royal Hospitals Guide

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THE ROYAL GROUP OF HOSPITALS AND DENTAL HOSPITAL  
HEALTH AND SOCIAL SERVICES TRUST



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## Introduction

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The Department of Health, Social Services and Public Safety believes that a commitment to ethical management and continuous professional development will ensure a high quality of management in the Health and Personal Social Services (HPSS). This Code of Conduct has been designed to be applied to all those designated as managers who are working in the HPSS. It states that managers will be expected to work with integrity, honesty and openness, probity, accountability and respect. Managers will be expected to take advantage of the opportunities open to them to progress their continuing professional development.

HPSS managers are already subject to the Nolan principles on Conduct in Public Life, to corporate governance codes of conduct and other standards of business conduct. Many HPSS managers will also be members of professional bodies that have their own code of conduct, this code should be observed in this wider context.

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## Code of Conduct for HPSS Managers

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As a HPSS manager, I will observe the following principles:

- Make the care and safety of service users my first concern and act to protect them from risk.
- Respect the public, service users, relatives, carers, HPSS staff and partners in other agencies.
- Be honest and act with probity and integrity.
- Accept responsibility for my own work and for the management of the performance of the people I manage.
- Show my commitment to working as a team by working constructively with all my colleagues in the HPSS and in the wider community.
- Take responsibility for my own learning and development.

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I. I will make the care and safety of service users my first concern and act to protect them from harm, injury or loss. This means in particular that I will:

- respect and protect service user's confidentiality where possible;
- use the resources available to me in an effective, efficient and timely manner having proper regard to the best interests of the public and service users;
- bring to attention any practices or occurrences that may, or may have compromised the safety and care of service users;
- be guided by the interests of service users while ensuring a safe working environment;
- act to protect service users from harm, injury or loss by identifying and reducing risk by putting into practice the appropriate support, supervisory and disciplinary procedures for staff;
- ensure that service users are involved in and informed about their own care, ensure that their experience is valued, and they are involved in decisions; and
- seek to ensure that anyone with a concern is taken seriously and treated fairly in accordance with the relevant procedures.

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2. I will respect and treat with dignity and fairness the public, service users, relatives, carers, HPSS staff and partners in other agencies. As a manager I will play my part in making sure that no one is unlawfully discriminated against because of their religion, political opinion, beliefs, race, colour, gender, marital status, disability, sexual orientation, age, social and economic status or whether or not they have dependants. I will also play my part to ensure that:
- the public are treated with respect, are taken seriously, are properly informed and given the opportunity to influence services;
  - relatives and carers are, with the informed consent of service users, involved in the care of service users and their experience is valued;
  - policies on equality, diversity and human rights are promoted at all times;
  - partners in other agencies are valued for their contribution to improving health and social services and have their ideas and ambitions taken seriously; and
  - HPSS staff are:
    - valued as individuals, colleagues and are treated with dignity and respect;
    - appropriately informed about the management of the HPSS;
    - given appropriate opportunities to take part in decision-making;
    - entitled to have their ideas and realistic ambitions taken seriously;
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- given all reasonable protection from harassment and bullying;
  - provided with a safe working environment;
  - helped to maintain and improve their knowledge and skills and developed to achieve their potential; and
  - helped to achieve a reasonable balance between their working and personal lives.

3. I will be honest and I will act with integrity and probity.

I will ensure that:

- I act in an unbiased manner at all times;
  - the best interests of the public and service users are upheld in decision-making and that decisions are not influenced by gifts or inducements;
  - I understand and act on my responsibility to protect HPSS resources from fraud and corruption and that any incident of this kind is reported to the appropriate authority;
  - information about my own performance or the performance of my organisation is presented accurately, consistently and correctly irrespective of the circumstances or consequences;
  - judgements about colleagues (including appraisals and references) are consistent, fair and unbiased and include all information which affects a colleague's performance, eligibility and conduct; and
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- I contribute to the creation of an open and learning organisation where concerns about individuals perceived to be breaking the Code of Conduct can be raised without fear.
4. I will accept responsibility for my own work and the proper management of the performance of the people I manage. I will seek to ensure that those I manage accept that they are responsible for their actions to:
- the public and their representatives by explaining and justifying the use of resources and performance;
  - service users, relatives and carers by answering questions and complaints in an open honest and well researched way and in a manner which provides a full explanation of what has happened, and of what will be done to deal with any poor performance, making sure that patients are safe and improvements to service delivery will be made, and where appropriate giving an apology; and
  - HPSS staff and partners in other agencies by explaining and justifying decisions on the use of resources and responding in an open way to suggestions for improving performance, the use of resources and service delivery.
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5. I will support the Accountable Officer of my organisation in his or her responsibility to answer to Parliament/the Assembly, Minister and the Department of Health, Social Services and Public Safety by explaining and justifying the use of resources and the performance of the organisation in putting Government policy into practice and delivering targets.
6. I will show my commitment to team working by working constructively with all my colleagues in the HPSS and in the wider community, contributing to the creation of an environment in which:
- teams of staff are able to work together in the best interests of service users;
  - leadership is encouraged and developed at all levels and in all staff groups; and
  - the HPSS plays its full part in wider community development.
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7. I will take responsibility for my own learning and development. I will:

- participate in the relevant performance management or appraisal scheme;
- take full advantage of the opportunities provided by the HPSS for my personal managerial and professional development;
- keep up to date with best practice;
- be able to provide evidence of continuous development; and
- share my learning and development with others.

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