



## STAFF RULES AND REGULATIONS

Extracts from the final version approved by the Board on 28 May 2020

Date of adoption	28 May 2020
Date of next revision	2025
Ownership	CHS Alliance Secretariat
These Staff Rules and Regulations were circulated to the CHS Alliance's staff on 24 April 2020, and taking into account their feedback submitted until 26 May 2020, they enter into force on 15 June 2020. This document was submitted to the Cantonal office of inspection and labour relations (OCIRT) for validation on 12 June 2020 and any change shall be done in consultation with the staff and be submitted again to the Board for approval and to the OCIRT.	

<b>11. Conduct.....</b>	<b>3</b>
(a) Introduction.....	3
(b) Code of Conduct .....	3
(c) Confidentiality and data protection .....	3
(d) Bullying and harassment.....	3
(e) Fraud and corruption .....	4
(f) Conflicts of interest and gifts in kind .....	5
<b>12. Whistleblowing procedure .....</b>	<b>6</b>
<b>13. Grievance procedure .....</b>	<b>8</b>
<b>14. Disciplinary action.....</b>	<b>10</b>
<b>15. Appeal process.....</b>	<b>11</b>
<b>17. Glossary .....</b>	<b>11</b>

# 11. Conduct

## (a) Introduction

- (i) The CHS Alliance is committed to fostering a culture of mutual respect. Employees are expected to be respectful towards the CHS Alliance, its assets and property, other employees, members, visitors and the public at all times.
- (ii) The CHS Alliance has developed a Code of Conduct ensuring that employees are clear about the general standards of behaviour and performance required.
- (iii) Conduct that is not explicitly included in the Code of Conduct is dealt with in the following provisions from (c) onwards.

## (b) Code of Conduct

- (i) The [Code of Conduct](#) is part of the CHS Alliance's commitment and responsibility to the well-being and personal security of everyone and aims to protect employees from potential risks at work alongside health and safety provisions below.
- (ii) Employees have a responsibility to familiarise themselves with and abide by the Code of Conduct and its purpose. The Code of Conduct is part of the induction package and shall be signed by all employees upon joining the CHS Alliance.
- (iii) Employees are asked to bring any matters of concern relating to the Code of Conduct to the immediate attention of their line manager or to Human Resources. The CHS Alliance will guarantee that whatever employees report will be treated with confidentiality, and shared within the line management structure where appropriate.

## (c) Confidentiality and data protection

- (i) Staff have a responsibility to protect and maintain confidential information relating to the CHS Alliance, its members, colleagues and other stakeholders. Confidentiality also applies between colleagues according to the information accessible by each.
- (ii) The CHS Alliance is complying with Swiss Law on Data Protection and the European General Data Protection Regulation<sup>1</sup>. The protection of [personal data](#) is dealt with in detail in the CHS Alliance Data Protection Policy.
- (iii) In their communications, both the CHS Alliance and its employees must abide by the principle of good faith. In particular, they must refrain from making public any disagreement between them before the conclusion of any conciliation or arbitration process.

## (d) Bullying and harassment

- (i) The CHS Alliance will not tolerate [bullying](#) and [harassment](#) of any kind. Nor will it tolerate retaliation against a person for making allegations of bullying or harassment or for supporting someone to

---

<sup>1</sup> Swiss [Federal Act on Data Protection](#) (FADP); [General Data Protection Regulation](#).

make such a complaint.

- (ii) It is the responsibility of all staff to perform to the required standards and ensure that colleagues and other individuals do not experience bullying or harassment in the workplace.
- (iii) If staff feel they may be being bullied or harassed, they are encouraged to first talk directly to the person whose behaviour is causing them concern, if they feel comfortable. This can resolve the issue as the person may not know that their behaviour is unwelcome or upsetting. Where the informal approach does not resolve matters or employees do not feel comfortable directly talking to the person, staff may raise their concern to the person's line manager for action or to Human Resources to request that [mediation](#) is put in place.
- (iv) Where the informal approach and/or the mediation does not resolve the matter or if staff think the situation is too serious, they can make a formal complaint by using the grievance procedure detailed in section 13.
- (v) The CHS Alliance will offer to those affected by such behaviour necessary time to get psychological/medical support as needed. Confidentiality will be kept at all times to the extent possible, consistent with the need to conduct an investigation and notify third parties as required by law.
- (vi) Where, after the grievance procedure has been completed, it is found that bullying or harassment has occurred, this will be regarded as [gross misconduct](#) and section 14 will apply.
- (vii) Where it is found that a staff member has intentionally raised a vexatious or malicious allegation against another person falsely, this may lead to disciplinary action against the person who made the false allegation.

### **(e) Fraud and corruption**

- (i) To prevent [fraud](#) and [corruption](#), the CHS Alliance has put in place internal controls and procedures that all staff shall comply with and implement.
- (ii) Staff shall alert their line manager if they believe the opportunity for fraud exists because of poor procedures or lack of effective supervision. They shall also report details of any suspected or actual fraud, or any suspicious acts or events,<sup>2</sup> to their line manager or to the Executive Director, in accordance with the whistleblowing procedure detailed in section 12 below.
- (iii) Where the whistleblowing procedure is triggered, the Chair of the Board and Chair of the Finance Risk and Audit Committee shall be informed by the Executive Director.
- (iv) Recovery of losses is a major objective of any fraud case. The CHS Alliance will ensure that, in all fraud enquiries (as detailed in section 12 below), the amount of any loss is quantified. Repayment of losses will be sought in all cases. Where the loss is substantial, legal advice may be obtained about the need to freeze the staff's assets through the Court, pending conclusion of the enquiry or

---

<sup>2</sup> Source : Building Bridges Programme Anti-Fraud Policy (<https://buildingbridgessw.org.uk/wp-content/uploads/2019/11/Building-Bridges-Programme-Draft-Anti-Fraud-Policy-v3.pdf>)

legal action before the Courts.<sup>3</sup> The CHS Alliance will normally expect to recover costs in addition to losses.

(v) Any employee caught in the act of fraud will be dismissed immediately for gross misconduct.<sup>4</sup>

#### **(f) Conflicts of interest and gifts in kind**

(i) Staff shall declare any [conflicts of interest](#) straight away to their line manager. Business interests, directorships, board membership and other employment or voluntary work must not conflict with CHS Alliance interests. The CHS Alliance reserves the right to call for the employee's resignation of any outside offices or employment, if it believes that continuation of employment/membership is against the best interests of CHS Alliance.

(ii) To avoid conflicts of interest, staff should also not accept any gift or favour or promise of gift or favour in connection with their work at the CHS Alliance. The following provisions have been drafted to protect staff against allegations of fraud or corruption.

(iii) If a "client" (or member or supplier) wishes to mark their appreciation of the help and support given by a member of staff by way of a gift or hospitality, staff should discourage non-financial gifts and, in all cases, gifts of money must be refused.

(iv) Gifts in kind of an estimated value of 75CHF maximum may be accepted. Any gift in kind of a higher value shall be tactfully refused. All gifts received by staff shall be recorded in the Register of gifts.

(v) Promotional gifts, such as stationery, are exempt from these rules.

(vi) Occasional hospitality received by a member of staff, for example drinks or a meal where the value is reasonable, are not subject to these rules but shall be reported in the gifts' register. In all circumstances staff should offer to pay their share of the bill as appropriate.

(vii) It is not the CHS Alliance's practice to offer gifts to suppliers, or business contacts etc., however, on occasion, this may be appropriate, for example when someone carries out work on a voluntary basis. In such case the maximum amount shall not exceed 100CHF and a purchase approval form (PAF) shall be submitted, stating:

- ◆ who the gift is for,
- ◆ why it should be given,
- ◆ the nature of the gift, and its approximate value.

(viii) If staff send gifts that have not been approved in accordance with this procedure staff will not be reimbursed for the cost of the gift.

---

<sup>3</sup> Sources: Aberdeen University, Fraud Policy ([https://www.abdn.ac.uk/staffnet/documents/policy-zone-finance/Fraud-Policy-June\\_2015.pdf](https://www.abdn.ac.uk/staffnet/documents/policy-zone-finance/Fraud-Policy-June_2015.pdf)); Ferguslie Group, Anti-Fraud, Bribery and Corruption Policy ([http://www.fpha.org.uk/data/Ferguslie\\_Group\\_Anti\\_Fraud\\_Bribery\\_&\\_Corruption\\_Policy\\_E6\\_2020\\_05\\_12\\_14\\_27\\_29.pdf](http://www.fpha.org.uk/data/Ferguslie_Group_Anti_Fraud_Bribery_&_Corruption_Policy_E6_2020_05_12_14_27_29.pdf)); Canterbury Christ Church University, Fraud and Bribery Response Plan (<https://www.canterbury.ac.uk/university-solicitors-office/docs/Fraud%20and%20Bribery%20Response%20Plan.pdf>); Cernach housing Association, Policy on Dealing with Allegations of Fraud (<https://www.cernachha.co.uk/uploads/2019-10-22-10-59-27-DealingwithAllegationsofF-48191.pdf>); Academy Transformation Trust, Anti-Fraud Policy and Procedure (<https://www.academytransformationtrust.co.uk/wp-content/uploads/2019/09/ANTI-FRAUD-1.0WEB.pdf>); Kwest Multi Academy Trust, Anti-Fraud, Bribery & Corruption Statement (<https://www.kwestacademy.com/post-policies/anti-fraud-bribery-corruption-statement/>).

<sup>4</sup> See paragraph 16 (d) (iii) below. *[not included in this extract]*

[...]

## 12. Whistleblowing procedure

- (i) Whistleblowing is the action of an employee in making a report about a genuinely held concern they have of any [wrongdoing](#), danger, [malpractice](#), irregularity or illegal act taking place at work. This may include<sup>5</sup>: criminal offences, including fraud, corruption and financial malpractice; breaches of legal obligations (including negligence, breach of contract, breach of administrative law); unethical behaviour.<sup>6</sup>
- (ii) Any whistleblowing action shall first exhaust the CHS Alliance's internal procedure, as detailed in the following paragraphs, prior to being voiced elsewhere.
- (iii) Staff raising a concern relating to point (i), internally, in good faith and according to the rules below, are considered to be a whistleblower and are protected from suffering any detriment as a result of the "disclosure" of information that they are concerned about. The CHS Alliance will not tolerate the harassment or retaliation against anyone who raises concern in good faith and will ensure that staff making a disclosure will not be penalised or suffer any adverse treatment for doing so.
- (iv) Staff shall initially raise their concerns with their line manager. If the line manager is involved, the matter shall be raised with the Executive Director. If it relates to the Executive Director or a member of the Board, the concern shall be addressed to the Chair of the Board.<sup>7</sup>
- (v) Concerns may be raised verbally or in writing and shall include full details and, if possible, supporting evidence, as well as a clear mention that staff is using the whistleblowing procedure. Staff are encouraged to put their name to any disclosure or personally raise them verbally. Anonymous disclosure will be considered and reviewed but might be more difficult to investigate. The identity of the staff making the allegation will be kept confidential so long as it doesn't hinder any investigation or unless this is required within the framework of a criminal prosecution. The CHS Alliance will take all reasonable measures to manage this situation and protect staff from adverse treatment or reprisals.
- (vi) All disclosures will be acknowledged promptly and recorded appropriately and confidentially.
- (vii) An initial assessment of the disclosure will take place as soon as possible<sup>8</sup> to determine whether there are grounds for a more detailed enquiry or whether the disclosure is based on erroneous information or unsubstantiated. The person who has received the concern<sup>9</sup> will convene other people<sup>10</sup> to assist him/her in completing the initial assessment.
- (viii) If the initial assessment concludes that there is a reasonable doubt about the veracity of the concern(s) disclosed, an enquiry will be conducted. This enquiry will be conducted by a suitable

---

<sup>5</sup> The list is not exhaustive.

<sup>6</sup> Improper conduct and other concerns about staff's behaviour, including bullying and harassment, shall be resolved informally and if unsuccessful they shall be dealt with under the grievance procedure detailed in section 13 of these Staff Rules and Regulations.

<sup>7</sup> Email address : [chairman@chsalliance.org](mailto:chairman@chsalliance.org).

<sup>8</sup> And no later than three working days (72 hours) after the concern has been raised.

<sup>9</sup> See paragraph (iv) just above.

<sup>10</sup> These people can be: the Executive Director, Chair of the Board, Head of Finance and Administration, other Board members, other persons as determined by the Executive Director or Chair of the Board, such as legal experts.

individual who will have no prior involvement in the matter. This individual will be appointed by the Executive Director.<sup>11</sup> The length and scope of the enquiry will depend on the case. The enquiry shall be carried out independently, based on documentation/evidence provided by the staff making the disclosure as well as on any documentation provided by the person accused in the allegation and testimonies from that person and any other relevant individual.

- (ix) In a case of suspicion of fraud or corruption or financial malpractice, in order to prevent further loss, the staff accused of such acts will be suspended on full pay before an enquiry is conducted, but after the initial assessment has taken place. This person shall be approached unannounced and questioned about the allegation prior to being informed of their suspension. They should be supervised at all times before leaving the CHS Alliance's office. They should be allowed to collect personal property under supervision but should not be able to remove any property belonging to the CHS Alliance. Any security passes and keys to premises, offices, and furniture should be returned. Laptop computers, mobile phones, blackberries, iPads etc. and associated hardware/software must also be returned. When doing this, the CHS Alliance shall take all measures to ensure the rights of accused staff are respected which would include discretion of these actions and confidentiality. The CHS Alliance's IT focal point should be instructed to immediately withdraw access permissions to the CHS Alliance's computer systems.
- (x) In order not to jeopardise the enquiry into the alleged facts, the staff member who made the disclosure will also be expected to keep confidential the fact that they have raised a concern, the nature of the concern and the identity of those involved.<sup>12</sup>
- (xi) The group of persons who made the initial assessment and decided to trigger an enquiry will review the report of the enquiry and appropriate action will be taken, which may lead to disciplinary actions as per section 14 below.
- (xii) Possible outcomes of the enquiry are that:
  - ◆ the allegation could not be substantiated;
  - ◆ the allegation is substantiated, and action is recommended to ensure the problem does not arise again.
- (xiii) The staff member who had made the disclosure will receive written notification of the outcome of the process and enquiry, if any, however not all details will be shared.
- (xiv) The enquiry report should contain:
  - ◆ a description of the allegations;
  - ◆ the value of any loss (in case of fraud or financial issues);
  - ◆ the people involved;
  - ◆ the means of perpetrating the alleged acts (especially in the case of fraud or financial malpractice);
  - ◆ the measures taken to prevent a recurrence;
  - ◆ and recommendations for change to reduce the risk of any malpractice or impropriety which was uncovered during the enquiry.

The Executive Director will be responsible for reviewing and implementing these recommendations.

---

<sup>11</sup> Or Chair of Board if the Executive Director is the person targeted in the disclosure. This can be a staff member or an external person.

<sup>12</sup> Source: Swedish Financial Benchmark Facility, Whistleblowing Policy (<https://swfbf.se/compliance/whistleblowing-policy/>).

- (xv) The Executive Director will report, with suitable anonymity, all instances of whistleblowing and their resolution to the Board, including any recommendations.<sup>13</sup>
- (xvi) If a whistleblowing is found to be vexatious or malicious, this may give rise to disciplinary action as detailed in section 14 below.
- (xvii) The CHS Alliance reserves the right to omit any part of the procedure or to apply any other procedure deemed to be appropriate given the circumstances, with the approval of the Board.
- (xviii) There is no set time frame to deal with whistleblowing cases, but at all times, the CHS Alliance shall try to minimise delays and act in a reasonable time.
- (xix) If unsatisfied with the outcome, parties may lodge an appeal as per the process described in section 15 below.

### 13. Grievance procedure

- (i) The CHS Alliance recognises that there may be occasions where employees have concerns about their work, working environment, relationships with their colleagues or the behaviour of others towards them.
- (ii) In the first instance staff are encouraged to speak to their line manager if the issue relates to their work/working environment, or to the person they have an issue with, if the problem lies in their behaviour or relationship. If staff feel unable to approach their line manager or the concerned person directly, they should approach another manager who is not the subject of the [grievance](#) or Human Resources. Employees and line managers have a mutual responsibility to ensure that proper attempts are made to try to resolve any grievances through informal means and, where appropriate, through mediation, before escalating matters to the formal stage of the grievance procedure.
- (iii) Where attempts to resolve the matter informally have been unsuccessful or if the matter is so serious, it may be appropriate for a formal grievance to be raised.<sup>14</sup>
- (iv) Informal process should be documented as much as possible. One possible way to deal with the matter informally is to have recourse to mediation.
- (v) From time to time several employees may be affected by the same or similar circumstances which they consider are more effectively dealt with by a collective grievance. In such cases, the same procedure will be followed as in the case of an individual grievance, with necessary adjustments, and the group of employees will be treated as if they had raised the matter as a single individual.<sup>15</sup>
- (vi) This grievance procedure is not meant:

---

<sup>13</sup> In instances of fraud or other financial matters, the FRAC shall also get this report from the Executive Director, as it will be informed of any enquiry related to those matters according to paragraph 11 (e) (iii) above.

<sup>14</sup> Sources: Edinburgh Napier University, Grievance Procedure (<https://staff.napier.ac.uk/services/hr/HRDocuments/Pages/Policy%20A-Z.aspx>); Heriot-Watt University, Grievance Policy and Procedures (<https://www.hw.ac.uk/uk/services/docs/hr/policies/GrievancePolicyapprovedbyCourtJune2012.pdf>).

<sup>15</sup> Source: SightSavers, Global Grievance Policy and Procedures (<https://www.sightsavers.org/wp-content/uploads/2018/07/Sightsavers-Global-Grievance-Policy-Procedure-Jan-2017.pdf>).



- ◆ to report illegal activities, wrongdoing or malpractice. If an employee wishes to raise concerns about malpractice in the workplace, the whistleblowing procedure should be used. However, where staff feel they have been victimised for an act of whistleblowing, the matter should be raised under this grievance procedure.
  - ◆ to complain about dismissal or disciplinary action. If an employee is dissatisfied with any disciplinary action, they should submit an appeal, as described in section 15 below.
- (vii) The formal grievance procedure commences when the employee raises the grievance in writing to their line manager – or if the manager is the subject of the grievance, to the Executive Director – with copy to Human Resources. If the grievance concerns the Executive Director, formal grievance shall be addressed to the Chair of the Board, with copy to Human Resources.
- (viii) The written formal grievance should provide the following details:
- ◆ the nature of the grievance, confirming that a formal grievance is being invoked;
  - ◆ reasons for the grievance;
  - ◆ details of any relevant facts, individuals involved or evidence (including copies of any relevant documents);
  - ◆ any action taken by the employee to resolve the matter so far;
  - ◆ reasons why the informal procedure was unsatisfactory or unsuitable;
  - ◆ how the employee thinks it can be resolved.
- (ix) Following receipt of the written formal grievance, and if reasons justify, a formal enquiry will take place which could include interviews of the person raising the grievance and the person who is subject to the grievance, depending on the nature of the grievance. The Executive Director will decide on who will lead the enquiry<sup>16</sup> and if the Executive Director is implicated in the grievance, the Chair of the Board will take this decision. This designated person will decide on who will sit on the enquiry panel<sup>17</sup>. The staff who is subject to the grievance shall be informed of the formal grievance.
- (x) There may be a grievance hearing if it is deemed necessary in place of or in addition to the enquiry. The employee who is subject to the grievance may request to be accompanied by a work colleague at the hearing. A grievance hearing is a meeting where both the person raising the grievance and the person who is subject to the grievance are both present and can explain their views and be questioned by the panel.<sup>18</sup>
- (xi) Any employee raising a grievance, or work colleague acting as a companion at a grievance hearing, will not be victimised by taking such action.
- (xii) Possible outcomes of an investigated grievance are that:
- ◆ the grievance is upheld;
  - ◆ the grievance is dismissed.
- If upheld, there should be recommendations on how it should be resolved. Disciplinary action may be taken.
- (xiii) If a grievance is found to be vexatious or malicious, or where there is a continued pattern of unfounded complaints by the same employee,<sup>19</sup> this may give rise to disciplinary action as detailed

<sup>16</sup> And/or grievance hearing, as mentioned in the following paragraph.

<sup>17</sup> This person will also decide on who will sit in the grievance hearing panel.

<sup>18</sup> See immediate previous footnote.

<sup>19</sup> Sources: Edinburgh Napier University, Grievance Procedure

(<https://staff.napier.ac.uk/services/hr/HRDocuments/Pages/Policy%20A-Z.aspx>); Scottish Prison Service, Employee Grievance (<https://www.sps.gov.uk/Corporate/Publications/Publication-4969.aspx>)

in section 14 below.

- (xiv) The CHS Alliance reserves the right to omit any part of the procedure or to apply any other procedure as is believed as appropriate given the circumstances, with the approval of the Board.
- (xv) There is no set time frame to deal with grievances, but at all times, the CHS Alliance shall try to minimise delays and act in a reasonable time.
- (xvi) If unsatisfied with the outcome, parties may lodge an appeal as per the process in section 15 below.

## 14. Disciplinary action

- (i) The above-mentioned whistleblowing and grievance procedures (sections 12 & 13) exist to ensure employees achieve and maintain the standard of conduct expected at the CHS Alliance.
- (ii) Depending on the circumstances, a breach of any of the provisions of these Staff Rules and Regulations may be treated as a disciplinary offence.
- (iii) Examples of disciplinary issues are:
  - ◆ poor timekeeping;
  - ◆ unauthorised absence;
  - ◆ failure to comply with sickness reporting arrangements without good reason;
  - ◆ minor damage to the CHS Alliance's property;
  - ◆ unreasonable refusal to follow an instruction issued by a manager;
  - ◆ poor attendance;
  - ◆ failure to maintain safety or security standards;
  - ◆ smoking in non-designated areas of the CHS Alliance's premises; and
  - ◆ fraud or corruption offences.
- (iv) Disciplinary action may be taken as the result of any substantiated case of whistleblowing or grievance. It could also be taken against any malicious or vexatious whistleblowing or grievance or be the sanction for breaches of the Code of Conduct constituting [misconduct](#) or gross misconduct. It could additionally be taken when poor job performance is the result of poor attitude or behaviour as described in section 6 (viii) above.<sup>20</sup>
- (v) Disciplinary actions range from formal written warning to dismissal, including suspension from work on full pay, or financial sanction<sup>21</sup>. The choice of the disciplinary action lies with the staff's line manager and with the approval of the Executive Director (or Chair of the Board if it concerns the Executive Director) and shall be proportional to the seriousness of the offence, breach or issue.
- (vi) Notwithstanding grievance and disciplinary procedure, the CHS Alliance may always terminate the contract with immediate effect for just cause (juste motif). In the case of gross misconduct, staff may also be dismissed with immediate effect.
- (vii) Disciplinary action, other than dismissal,<sup>22</sup> may be appealed.

---

<sup>20</sup> Such cases shall be clearly documented.

<sup>21</sup> For instance, reimbursement of damaged property of the CHS Alliance.

<sup>22</sup> Claims against dismissal are dealt with under section 16 (g) below. [not included in this extract]

## 15. Appeal process

- (i) Outcomes of any whistleblowing, grievance procedures and disciplinary action – excluding dismissal – may be appealed.
- (ii) An appeal shall be lodged to the Board of the CHS Alliance by writing to the Chair and shall include all steps taken up to the outcome of the whistleblowing or grievance procedure or up to the disciplinary action, all persons involved, reasons for the appeal and what remedy is sought.
- (iii) Appeals shall be acknowledged by the Board within five working days and treated as a priority.
- (iv) The Board will decide on the composition of the appeal panel and on the format of the appeal based on the nature of or reasons for the appeal.
- (v) The appeal process will not come back on the facts of the initial grievance or claim but will only focus on whether the process was properly followed. If the Board concludes that there have been failures or gaps in the process, it may decide to offer remedy to the appellant. Remedy will be at the Board's discretion.

[...]

## 17. Glossary

### **Bullying**

Repeated offensive, intimidating, malicious or insulting behaviour involving the misuse of power that can make a person feel vulnerable, upset, humiliated, undermined or threatened. Power does not always mean being in a position of authority but can include both personal strength and the power to coerce through fear or intimidation.

*Examples of bullying include but are not limited to:*

- ◆ blame without factual justification;
- ◆ being treated differently than the rest of the work group;
- ◆ being subject to profane language;
- ◆ isolation or non-cooperation at work;
- ◆ discriminatory exclusion from corporate social activities;
- ◆ being the target of unwanted jokes.

[...]

### **Conflict of interest**

Situation in which the concerns or aims of two different parties are incompatible or in which a person is in a position to derive personal benefit from actions or decisions made in their official capacity.

[...]

### **Corruption**

Offering, giving, soliciting or acceptance of an inducement or reward which may improperly influence the action of any person.

[...]

## Fraud

Activities such as deception, forgery, extortion, corruption, theft, conspiracy, embezzlement, misappropriation, false representation, concealment of material facts and collusion. Generally, however, fraud involves the intention to deceive a person or organisation in order to obtain an advantage, avoid an obligation or cause loss.

The term also includes the use of information technology equipment to manipulate programs or data dishonestly, the theft of IT equipment and software, and the intentional misuse of computer time and resources.

*Examples of fraud, which are neither exclusive nor exhaustive, include the following:*

- ◆ Misappropriation of cash ;
- ◆ Fraudulent encashment of payable orders or cheques;
- ◆ Misappropriation of other assets including information and intellectual property. This would also include unauthorised use of CHS Alliance property e.g. computers, other equipment;
- ◆ Purchasing or purchase ledger fraud (e.g. approving/paying for goods not received, approving/paying bogus suppliers, approving/paying inflated prices for goods and services, accepting any bribe);
- ◆ Travel and Expense claims overstated or falsely claimed. This may include advances not recovered or forging of counter-signatories;
- ◆ Accepting pay for time not worked (e.g. false claim for hours worked, failing to work full contracted hours by any member of staff, false overtime claims, or falsification of sickness self-certification);
- ◆ Computer fraud (e.g. altering or substituting records, duplicating or creating spurious records, or destroying or suppressing records), where IT equipment has been used to manipulate program of data dishonestly, or where the use of an IT system was a material factor in the preparation of the fraud.

*Whilst by no means being proof alone, the circumstances below (warning signs) may indicate fraud, and should therefore alert staff:*

- ◆ Altered documents (correcting fluid, different pen or handwriting);
- ◆ Claim form details not readily checkable or properly approved;
- ◆ Changes in normal patterns, of cash takings or expense claim details (for example);
- ◆ Delay in completion or submission of expense claims;
- ◆ Lack of vouchers or receipts in support of expense claims, etc.;
- ◆ Staff under constant financial or other stress;
- ◆ Staff choosing not to take annual leave (and so preventing others becoming involved in their work), especially if solely responsible for a “risk” area;
- ◆ Complaints from staff.

## Grievance

Problem or concern that an employee has about their work, working conditions or relationships with colleagues or managers.

## Gross misconduct

Misconduct of such a serious nature that it overturns the contract between an employer and the employee and justifies summary dismissal. Repeated misconduct may constitute gross misconduct.

*Examples of offences which amount to gross misconduct*

- ◆ sexual and all other forms of exploitation and abuse;
- ◆ racial, sexual, disability or other harassment, discrimination or bullying conduct;
- ◆ disruptive conduct/behaviour that creates a hostile environment;

- ◆ vexatious and malicious complaints;
- ◆ fighting or physical assault on staff members, volunteers or members of the public, whether on CHS Alliance business or outside in your own private time;
- ◆ fraud and corruption, or other claims involving dishonesty;
- ◆ serious breach of financials regulations;
- ◆ theft or misappropriation of CHS Alliance property;
- ◆ deliberately accessing internet sites containing pornographic, offensive or obscene material;
- ◆ serious infringement of health and safety policy and procedure, including failure to notify the CHS Alliance of a serious and immediate danger to health and safety;
- ◆ incapacity to perform duties through the influence of alcohol/illegal drugs;
- ◆ serious negligence which causes the CHS Alliance unacceptable loss, damage or injury;
- ◆ serious insubordination;
- ◆ serious neglect of duty;
- ◆ unauthorised use or disclosure of confidential information or breach of confidence;
- ◆ theft of an CHS Alliance staff member property;
- ◆ a criminal offence;
- ◆ any action or conduct likely to bring the CHS Alliance into disrepute.

## Harassment

Any unwanted physical, verbal or non-verbal conduct that has the purpose or effect of violating a person's dignity or creating an intimidating, hostile, degrading, humiliating or offensive environment for them. A single incident can amount to harassment.

It also includes treating someone less favourably because they have submitted or refused to submit to such behaviour in the past.

Harassment may involve conduct of a discriminatory nature, specifically conduct of a sexual nature (sexual harassment), or it may be related to age, disability, gender reassignment, marital or civil partner status, pregnancy or maternity, race, colour, nationality, ethnic or national origin, religion or belief, gender or sexual orientation.

*Examples include:*

- ◆ verbal behaviour – jokes, suggestive or racist comments, threats, derogatory comments, slurs, unwanted demands for sex, name-calling or malicious gossip;
- ◆ non-verbal behaviour – non-co-operation, suggestive or aggressive looks, gestures or invasion of personal space;
- ◆ visual behaviour – display or transmission of derogatory posters; photographs, cartoons, drawings, graffiti or literature;
- ◆ physical contact – unwanted touching or assault, or blocking normal movement;
- ◆ electronic communication – unwanted, malicious or suggestive e-mail, text messages, photos, or other content transmitted through social media applications.

[...]

## Malpractice

Is a professional negligence by act or omission which as a consequence falls below the accepted standards of practice.

## Mediation

Mediation involves the appointment of a qualified mediator who seeks to help people in dispute reach agreement. Mediation can be particularly effective in situations involving interpersonal relationships.

**Misconduct**

Inappropriate conduct by doing something, not doing something, or through their behaviour.

Unsatisfactory performance which is the result of poor behaviour or attitude may be viewed as misconduct.

[...]

**Personal data**

Any information relating to an identified or identifiable natural person (“data subject”). An identifiable natural person is one who can be identified, directly or indirectly, in particular by reference to an identifier such as a name, an identification number, location data, an online identifier or to one or more factors specific to the physical, physiological, genetic, mental, economic, cultural or social identity of that natural person.

**Wrongdoing**

Illegal or dishonest behaviour.