

**Code of Conduct and Confidentiality policy
Public Members
Patient and Public Engagement**

1. Background

- 1.1 NHS Coastal West Sussex Clinical Commissioning Group (CWS CCG) is committed to putting patients and the public at the heart of all it does and to working with patients and the public as partners. Patients and the public have an important role to play in the commissioning and co-design of local health services and CWS CCG will continue to develop imaginative methods to incorporate their views.
- 1.2 This commitment is reflected in the key values of the CCG with 'Patient Centred' being top of the list of five values:

Patient centred: patients and the public are at the heart of everything we do and we will understand and act on what really matters to people. They will be active partners in both decisions about their own care and in how we improve care and their local NHS

- 1.3 Engaging patients and the public in commissioning and co-design of health services results in services that are better designed to meet patients' needs and therefore make best use of NHS resources. Effective engagement develops a greater sense of patient and public ownership and there is evidence to suggest that this leads to improved clinical outcomes.
- 1.4 When, however CCG public members do not meet the appropriate standards of behaviour or conduct, it is essential to ensure that measures are taken which are fair, proportionate and appropriate. This Code of Conduct policy therefore aims to:
- Ensure the effective operation of the Public Engagement Committee (PEC) and all public engagement activity.
 - Ensure that public members are supported in gaining awareness of their obligations.
 - Ensure that any Code of Conduct measures taken are fairly and consistently applied.

Compliance with this Code of Conduct is a condition of continued public member involvement in the CCG. Breach of this Code of Conduct may result in termination of public member involvement in the CCG.

1.5 Principles of partnership working

In order to work together effectively with the CCG, public members agree to:

- Use his/her role and individual experiences to build collective responsibility for local healthcare commissioning decisions.
- Respect views that are different to his/her own – different is not the same as wrong.
- Be clear that he/she is speaking on behalf of the CCG, unless otherwise stated.
- Keep discussion focused on the objectives of the meeting and not to let personal agendas distract from this purpose.
- Adhere to methods available for conflict resolution, as detailed in this Code of Conduct, with a willingness to resolve disagreements in the interests of good quality commissioning.

2. Term of office

- 2.1 The term of office for all public member positions will be one year from the date of appointment with the opportunity to be renewed.
- 2.2 All public members will be subject to a probationary period (see Section 3).

3. Probationary period

- 3.1 The position of public member is subject to a 6 month probationary period, effective from the date of attendance at the first meeting. During the probationary period the performance and conduct of public members will be monitored.
- 3.2 At the end of the probationary period performance will be reviewed by the substantive chair on an annual basis. Public members will still be subject to this Code of Conduct.

4. Code of Conduct

- 4.1 The following is a list of examples of behaviour that could potentially trigger a breach in this Code of Conduct. The list is not exhaustive, and other situations of potentially inappropriate behaviour may also be considered, when agreed by the Chair of the meeting and the Public Engagement Manager.
- 4.2 Behaviour likely to trigger action under this policy:
- Physical assault or verbal abuse against patients, public, staff or any other individuals in the course of engagement work, or action perceived by the recipient to be intimidating.

- Making comments the recipient or a witness considers discriminatory or inappropriate, particularly on the grounds of race, sex, disability or other types of discrimination.
- Gross carelessness or negligence (an act or failure to act which endangers others' health and safety).
- Failure to represent accurately the CCG and public views.
- Being convicted of a criminal offence during tenure that might threaten the credibility of the CCG.
- Bringing the CCG into disrepute.
- Acting against the CCGs guidance about issues that have deemed to be confidential by the Governing Body, Clinical Commissioning Executive or any group or committee.
- Misrepresentation of the CCG or public views.
- Acting in the name of the CCG group when not authorised to do so.

5. De-selection by Conversation

Members may be de-selected from the committee:

- When found to be in breach of the CCG's Code of Conduct;
- Where there has been no contact from a public member over a period of time equivalent to three consecutive meetings

6. Initiating the Code of Conduct procedure

- 6.1 This procedure may be initiated either by a formal complaint, or in response to information received by CCG support team staff. All such information should be addressed to the CCG Public Engagement Manager in the first instance.
- 6.2 In response either to a complaint or information, the CCG Public Engagement Manager will make the initial decision on whether an investigation is appropriate following advice from CCG support team colleagues as necessary.
- 6.3 If a breach of the Code of Conduct involves possible criminal activity, CCG support team staff should consider informing the police.

7. Stages of the Code of Conduct procedure

7.1 Stage 1 – Initial (Informal) Action

It is the strong intention of the CCG to resolve any potential breaches of this code of conduct informally, through communication, mediation and training as appropriate. Therefore whenever possible, and with due regard to the seriousness of an individual complaint, the CCG Public Engagement Manager should attempt to resolve the matter informally, in the form of a discussion with the public member.

Following the discussion the CCG Public Engagement Manager will write to the public member summarising the agreed actions.

7.2 Stage 2 – Investigation

If a complaint about a public member cannot be resolved informally, or it is considered by the CCG Public Engagement Manager to be of too serious a matter to be handled informally, the next stage is a formal investigation of the matter by the CCG Chief of Development and Transformation. The public member will be informed that a formal investigation is to take place and the reasons why. The target is to conclude this investigation within 10 working days.

The public member will be suspended from working with the CCG for the duration of the investigation, and will not be entitled to carry out the duties of the CCG while suspended.

7.3 Outcome of Investigation

If the outcome of the investigation is that there is no breach in the Code of Conduct this will be communicated in writing to the public member. The suspension will cease upon receipt of the letter.

If the outcome is that there is a breach in the code of conduct the public member will be provided with confirmation in writing by the CCG Chief of Development and Transformation. The public member will then be disqualified from any CCG activity for a minimum period of two years. If, thereafter the public member wishes to be considered for a public member role then his/her case will be reviewed by the CCG Chief of Development and Transformation.

7.4 Stage 3 – Appeal

The public member has the right to appeal against disqualification. Appeals should be lodged within 14 days of receipt of confirmation of the disqualification and should be addressed to the CCG Chief of Development and Transformation.

The appeal will be considered by the CCG Chair of the Governing Body, the CCG Chief of Development and Transformation and the CCG Public Engagement Manager. The conclusions of the appeal will be communicated in writing to the public member.

The appeal decision will be final.

8. Confidentiality

During the course of your voluntary assignment with NHS Coastal West Sussex CCG, you may gain privileged knowledge of a highly confidential nature relating to the private affairs, diagnosis and treatment of patients, information affecting members of the public, personal

matters concerning staff and details of items under consideration by the CCG. Such information must not be passed to any unauthorised person. Breaches of confidence or other failures to comply with the Data Protection Act will result in immediate termination of the assignment and may also lead to legal proceedings.

9. Conflict of Interest

A conflict of interest occurs where an individual's ability to exercise judgement, or act in a role, is or could be impaired or otherwise influenced by his or her involvement in another role or relationship.

As a member of a committee or working group of NHS Coastal West Sussex, you are required to declare any conflict or potential conflict as soon as you become aware of it, and in any event within 28 days. Your declaration will be transferred to NHS Coastal West Sussex CCG's Register of Interests which is published on the CCG's website. Even once an interest has been recorded in the Register of Interests, you should still declare it in meetings where matters relating to that interest are discussed.

10. Safeguarding

Safeguarding is protecting vulnerable adults or children from abuse or neglect. The CCG promote a culture of supporting good practice with regard to safeguarding adults and children. As a member of a committee or working group of NHS Coastal West Sussex you are required to be aware of the [CCG safeguarding policy](#) and to be aware that there is support and advice available from the CCG Quality and Safeguarding team.

Agreement

I understand and agree to abide by the requirements of the Code of Conduct and Confidentiality given by NHS Coastal West Sussex CCG staff during my voluntary assignment as a public member.

Signed	
Print Name	
Date	