MEMORANDUM

SUBJECT: BANK STAFFING PROCEDURE
(Trust Wide)

DISTRIBUTION: Procedure Manual Holders/Trust Intranet

1. This memorandum introduces the Bank Staffing Procedure.
2. The procedure should be filed in numerical order in the Yellow Procedure Manual with the following entry in the index under “B” Bank Staffing 9.31”.

References
9.11 Recruitment and Selection
9.21 Registration of Medical, Nursing and Allied Health Professional Staff
3.3 Trust and Local Induction
9.8 Grievance and Disputes Procedure

The Trust aims to design and implement services, policies and clinical/non clinical procedures with measures that meet the diverse needs of our services, population and workforce, ensuring that none are placed at a disadvantage over others.

This procedure has been assessed using the Equality Impact Assessment. The outcome of the Initial Screening Assessment was that the procedure would not adversely affect any protected characteristics.

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<td>Name of Originator/Author:</td>
<td>K. Clayton, Bank Manager</td>
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<td>Policy &amp; Procedure Committee</td>
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## CONTENTS

<table>
<thead>
<tr>
<th>SECTION</th>
<th>PAGE NO</th>
</tr>
</thead>
<tbody>
<tr>
<td>SUMMARY OF AMENDMENTS</td>
<td>3</td>
</tr>
<tr>
<td>PURPOSE</td>
<td>4</td>
</tr>
<tr>
<td>1 DEFINITIONS</td>
<td>4</td>
</tr>
<tr>
<td>2 HUMAN RESOURCES</td>
<td>4</td>
</tr>
<tr>
<td>3 USE OF TRUST POLICIES AND PROCEDURES</td>
<td>10</td>
</tr>
<tr>
<td>4 FINANCE</td>
<td>11</td>
</tr>
<tr>
<td>5 REVIEW AND MONITORING OF THE AGREEMENT</td>
<td>13</td>
</tr>
<tr>
<td>6 EQUALITY AND DIVERSITY STATEMENT</td>
<td>14</td>
</tr>
<tr>
<td>APPENDIX A BANK STATEMENT OF ENGAGEMENT</td>
<td>15</td>
</tr>
<tr>
<td>APPENDIX B ASSIGNMENT ASSESSMENT FORM</td>
<td>17</td>
</tr>
</tbody>
</table>
SUMMARY OF AMENDMENTS

Paragraph 4.7 deleted and replaced with the following

4.7 Any suspicions or allegations of fraudulent claims including but not limited to claiming for hours that have not been worked will be referred to the Trust nominated Anti-Fraud Specialist for further investigation.

PURPOSE

This procedure is to be used as a model for the management of the Bank Register.

The purpose of this procedure is to:-

▪ Provide guidance to managers on the recruitment and engagement of Bank workers.
▪ Details the administration process of the Bank Register to comply with audit requirements.
▪ Provides guidance on the obligations and requirements of a Bank worker.

1. DEFINITIONS

Bank Agreement will refer to the statement of engagement between the Trust and the Bank worker. This is not a contract of employment.

Bank Register will refer to the list of casual workers who can be asked to work either as a Support Worker (Band 3), Registered Nurse (Band 5), Domestic Assistant (Band 1), Chef (Band 3), Admin/Reception (Band 2/3) as and when required.

Placement will refer to the shift covered by the Bank Worker.

2. HUMAN RESOURCES

2.1 Engagement of Bank Staff
2.1.1 Calderstones Partnership NHS Foundation Trust shall recruit only workers for whom the relevant employment checks have been completed and who are assessed as qualified, skilled and experienced in the duties required of them.

2.1.2 In recognition of the need to provide better protection for children and vulnerable adults, it is essential that pre-employment checks are carried out for all those persons joining the Bank Register, in accordance with the NHS Employment Check Standards – July 2013.

2.1.3 Once the pre-employment checks and statutory/mandatory training has been completed, the individual will then be included on the Bank Register. The individual will receive 2 copies of a Bank Agreement (Appendix A), to be signed and one to be returned to the HR Department to be retained on their personal file.

2.2 Recruitment

2.2.1 Calderstones Partnership NHS Foundation Trust shall operate fair recruitment and selection of Bank Workers that meets the relevant legislative requirements, in accordance with the Trust’s Fair Recruitment and Selection Procedure 9.11.

2.2.2 To ensure quality of care and standards are maintained, it is essential that all individuals selected to join the Bank Register meet the same criteria as a substantive post holder.

2.2.3 An applicant who is joining the Support Worker and Support Assistant Bank Register will be required to complete a full application form, undertake a numeracy and literacy selection test, and will be interviewed by a panel.

2.2.4 An applicant who is joining the Registered Bank Register will be required to complete a full application form and will be interviewed by a panel.

2.2.5 Internal staff wishing to join the Bank Register are required to submit an online application to an internal advert. Details of how to apply are contained on job slot or by logging onto Intranet site, then follow links to job vacancies and apply. This will notify the HR Assistant who will then automatically add the individual to the Bank Register and send out an agreement (Appendix A). There is no requirement to undergo a selection interview or the pre-employment process in this instance.

2.2.6 Any employees of the Trust who are leaving and want to register on bank must contact the Bank Office prior to leaving and providing training is still in date a bank assignment will be set up to match current band and pay.

2.2.7 Any employee who leaves under the terms of the MARS scheme must have a break from bank work for 4 weeks. They will also have to produce their full immunisation record and complete a Disclosure and Barring Service (DBS) check (for which they will have to pay). Upon re-engagement as a Bank Worker, they will be issued with a new assignment number. Anyone re-joining after accepting MARS will do so at the bottom of the scale of the level of post currently being advertised. This means Support Workers will be accepted back on the bank as Bank Support Assistants.
2.3 Pre-Employment Checks

2.3.1 Calderstones Partnership NHS Foundation Trust shall ensure that its recruitment processes and procedures for Bank Workers are operated in line with the most current version of the NHS Employment Check Standards – July 2013 and the required pre and post appointment checks are completed prior to engagement.

2.3.2 Calderstones Partnership NHS Foundation Trust will make all reasonable endeavours to ensure that Bank Workers have the competence and experience necessary to understand the role to which they are assigned.

2.4 Criminal Records Checks

2.4.1 All Bank Workers in contact with children and vulnerable adults will undergo an Enhanced DBS check prior to appointment.

2.4.2 A charge (currently £48 including administration fee) will be taken on completion of the DBS form and production of supporting documents. Only after receipt of £48 will the DBS form be sent to the Disclosure and Barring Service. Existing staff will not formally need to apply for a new DBS unless working in an area that necessitates updating DBS clearance.

2.5 Professional Registration and Qualifications for Nurses

2.5.1 All Registered Bank Workers require professional registration and must hold a specific qualification must provide proof of registration and qualifications before working.

2.5.2 It is the responsibility of all nurses to ensure that their registration remains current at all times, as per Trust Procedure Registration of Medical, Nursing and Allied Health Professional Staff 9.21.

2.6 Working Time Regulations

2.6.1 Bank Workers will receive annual leave payments in accordance with the relevant legislation and NHS national agreements on conditions of employment, as amended from time to time.

2.6.2 A percentage of 12.5% will be added to the hourly rate for payment of annual leave.

2.6.3 No Bank Worker will be allowed to exceed the working time directive limitations on working hours through working for Calderstones Partnership NHS Foundation Trust alone. Both the individual and the Trust must observe the working time limits, rest periods and breaks.

2.6.4 Bank staff have an option to sign a waiver to the Working Time Directive limitation on working hours. However, the working hours will be monitored by the Bank Manager and anyone working over 60 hours in a calendar month will be referred to the appropriate Ward Manager to discuss safe working. When
considering total hours worked the Bank Manager will take into account contractual hours of any workers who also hold an employment contract with the Trust.

2.6.5 Employers must ensure that workers are enabled to take their rest breaks; it is the responsibility of the worker that they take the breaks made available to them.

2.6.6 In the event that a Bank Worker has not been able to take a break during their shift, this must brought to the attention of an appropriate Ward Manager or equivalent. Payment in lieu of breaks will only be paid in exceptional circumstances.

2.6.7 Where a worker’s work pattern is giving cause for concern, e.g. number of bank shifts worked or preferred shift pattern, the Bank Manager will make arrangements to see the worker with the respective Line Manager. The purpose of the meeting is to ensure the satisfactory welfare of the staff involved.

2.6.8 Bank Workers who also hold a substantive post within the Trust are not permitted to work bank shifts during annual leave, except on their allocated days off. In accordance with the Working Time Directive, all workers should have taken at least 28 days annual leave in 12 months.

2.6.9 Where the Bank Workers have signed a waiver to the Working Time Directive limitation on working hours, Calderstones Partnership NHS Foundation Trust will work to ensure that the health and safety of service users/patients, the public and the worker are not put at risk through the Bank Workers working excessive hours.

2.7 Induction and Mandatory Training

2.7.1 Induction

Calderstones Partnership NHS Foundation Trust employs some of its own employees on its bank. It also employs a number of staff who are not existing employees of the Trust to work on the bank.

For its own employees who are working on the bank, Policy 3.3 Corporate and Local Induction gives assurance that these staff have had the appropriate induction to the Trust.

For staff whom are not existing employees of the Trust the following induction protocol will be followed in order to give appropriate assurance:-

- Induction will be focussed within the area of work the staff are allocated to – this local induction will include orientation to the task required of the bank worker, information on relevant policies, procedures, rules and standards (including health and Safety and fire evaluation). All relevant legislation and codes of practice covering employees at work will be covered.
- Instruction will be given in the Management of Aggression and Violence by way of a bespoke training course delivered by the Learning and Organisational Development Department.

- Instruction will be given in Basic First Aid by way of a one day course delivered by the Learning and Organisational Development Department.

### 2.7.2 Agency Staff Induction

Where the Trust employs agency staff this is done through the Purchasing and Supplies Agency Framework. The accreditation of the supplying agency within this framework gives the assurance that agency staff placed at the Trust have the required underpinning knowledge/skill competency for the work they undertake.

### 2.7.3 Statutory and Mandatory Training

All Trust employees who work on the bank will ensure they are up to date with their Statutory/Mandatory training before joining the bank. The employee can check their training via the OLM self-service and should arrange to attend/complete any outstanding training before applying for the bank.

All staff working on the bank who are not existing employees will have a programme of Statutory/Mandatory training created for them after they have shown a commitment of availability and work within the organisation over a 6 month continuous period.

It is the Trust position that all temporary bank staff complete the minimum content of the local induction programme (see 2.7.1 Induction Content Reference) before undertaking any employment with the Trust. Any temporary bank staff failing to complete local induction programme will not be placed on the shift availability list.

When a (newly appointed) temporary bank staff has been offered a bank shift, it is the responsibility of the Bank Manager to notify the appropriate manager requesting that a local induction be provided.

### 2.7.4 Induction and Statutory/Mandatory Training Monitoring

All statistics relating to attendance on induction and Statutory/Mandatory courses for bank staff are recorded on the Learning and Development Department Database, with reports available for analysis and monitoring to Bank Manager.

### 2.7.5 Responsibility and Ownership

It is the responsibility of the Ward Manager or their nominated Deputy to ensure bank staff who are not existing employees are inducted into the area they are to work in at a local level.
It is the responsibility of the Learning and Organisational Development Department to provide bespoke training as outlined for bank staff who are not existing employees.

It is the responsibility of the Bank Manager to ensure non existing employee bank staff have a programme of statutory mandatory training in place after requirements of availability and work over 6 month period is met.

It is the responsibility of the Human Resources Department to ensure all agency staff are procured through the Purchasing and Supplies Agency.

2.8 Supervision and Management

Bank workers will require clinical supervision. If the nurse does not currently occupy a substantive post with another NHS organisation, they must arrange clinical supervision with any of the team they are working for. If this proves to be a problem, the bank nurse must raise the issue in the first instance with the Bank Manager, who will contact a Clinical Nurse Manager to arrange for an appropriate person to undertake clinical supervision with them.

2.9 Availability of Bank Staff

2.9.1 Bank Workers are required to place their availability online for the next 14 days. Failure to submit availability or work any hours within a 17 week period will result in automatic removal from the Bank Register.

2.9.2 The Bank Manager will record cancellations and non-attendance made by the Bank Worker to establish the reasons for the cancellations and take appropriate action in respect of bank staff. If Bank Workers fail to attend 3 assignments, this could lead to a temporary 1 month removal from the Bank Register. Continued cancellations may result in permanent removal from the Bank Register.

2.10 Exclusion and Suspension of Bank Staff

2.10.1 Where the Trust has reasonable grounds to believe that a bank staff's completion of a placement may compromise the safety of patients/service users or of others, or following an allegation relating to the conduct of a Bank Worker that is deemed by the Trust to be serious enough to be incompatible with continuation of the placement, the Trust may exclude the Bank Worker from Trust premises ("exclusion").

2.10.2 A Clinical Nurse Manager/Operations Manager or equivalent will be assigned to investigate the allegations. Where the allegation is of a serious enough nature to warrant such action being taken the Trust will not place any bookings with the Bank Worker until the issue has been resolved.

2.10.3 Where a Bank Worker who holds a substantive post within the Trust becomes suspended from duty, they will be temporarily removed from the Bank Register until the suspension is lifted.
2.10.4 Where a Bank Worker who holds a substantive post within Trust triggers has been issued with a Stage 2 caution (as per the Trust’s Sickness Absence Policy 19.0), notification from the Ward Manager will be given to the Bank Manager requesting the Bank Worker be temporarily removed from the Bank Register until further notification.

Employees returning to work from long term sickness (4 weeks or more) should not undertake bank shifts until they have been in the workplace for a period of 4 weeks. The Ward Manager will advise the Bank Manager of this.

2.11 Capability and Disciplinary Issues and Investigations

2.11.1 Issues relating to the conduct or capability of a Bank Worker can be raised by senior ward staff via a Placement Evaluation Form (Appendix B) and submitted to the Bank Manager.

2.11.2 Where an issue relating to conduct or capability arises in relation to a Bank Worker, an appropriate Clinical Nurse Manager or equivalent will investigate and resolve the issue informally if appropriate.

2.11.3 Where such informal action does not resolve matters or formal action is required, a Senior Manager (from the respective service) will be responsible for formally dealing with the issue and this could include termination of the agreement with the bank worker.

2.11.4 Where an issue relating to conduct or capability arises in relation to the bank staff, who is also a permanent employee of the Trust, the appropriate Trust Performance/Disciplinary procedures will be adopted.

2.12 Termination of Bank Agreement

2.12.1 The Trust reserves the right to terminate the bank relationship without a period of notice.

2.12.2 Where requested by the Bank Worker, written confirmation of termination will be provided by the Senior Manager.

2.12.3 If, following receipt of this letter the bank staff is dissatisfied, they may take the issue up in writing with the Head of HR.

2.13 Grievances and Disputes

Where a member of the Bank Register has a grievance, they must seek to resolve this in accordance with the Resolution Procedure No. 9.8.

2.15 Concerns at Work

Where a member of the bank has a cause for concern, they must report this in accordance with the Trust’s Concerns at Work Policy 9.16.

3. USE OF TRUST POLICIES AND PROCEDURES

Bank Workers know that they must:-
- Adhere to and adopt all relevant Trust Policies.
- Only act within their sphere of competence.
- Report any untoward incidents.

The Trust shall ensure that each Calderstones Partnership NHS Foundation Trust Bank Worker is made aware of all relevant rules, policies and procedures and standards of the Trust.

4. **FINANCE**

4.1 **Charges**

4.1.1 Costs for induction and mandatory/statutory training of Bank Worker will be covered by the appropriate service splitting the costs.

4.1.2 Each ward/home will be individually charged for each shift covered by a bank staff. The appropriate cost centre code will be entered onto the individual's timesheet by the Nurse in Charge (or an authorised signatory) for each shift worked.

4.2 **Booking Arrangements for Bank Workers**

4.2.1 Clinical Nurse Managers will identify staffing requirements each week for the week ahead via the Bank Electronic System.

4.2.2 Bank Manager will e-mail a booking confirmation and booking reference number to the Bank Worker for shifts they are available to work.

4.2.3 The Bank Worker will include the booking reference number on their timesheets. This process soon to be automated.

4.2.4 Managers will have access to the computerised bank system to enable them to arrange cover for emergency shifts at weekends and Bank Holidays. All surplus shifts to be covered by bank in the first instance. If this proves difficult Clinical Nurse Managers/authorised staff to approach approved agency list held by the Bank Manager.

4.2.5 Other than for genuinely emergency shifts verbal arrangements in ward areas are not acceptable and the Bank Worker must always have placed their availability before they can be booked to a shift.

4.2.6 The Bank Office will endeavour to book our own bank staff to shifts but where this is not possible, will send the shifts to agency and will notify the managers concerned.

4.2.7 The approved agency will contact the ward by phone to confirm the name of the agency staff and then follow this with an e-mail, sent to Bank Office and the appropriate managers.
4.2.8 In the event the approved agency is unable to cover, they will cascade the shift/shifts to other agencies.

4.2.9 An update will be provided to the wards to inform names of bank staff who have been allocated from the cascade, but will also update the ward if the shift cannot be covered.

4.2.10 Each day (Monday to Friday) a report will be sent to HR Department providing information on bookings filled by agency and another report with unfilled shifts. Friday’s report will cover Saturday and Sunday. The reports can be located in G Drive, common tools, agency staffing.

4.3 Payment Arrangements for Bank Staff

4.3.1 Process to be automated, where Bank Workers can confirm the hours worked for each shift. Electronic timesheets soon to replace paper timesheets.

4.3.2 Once the shift has been completed by the Bank Worker a Nurse in Charge can authorise this (automated). This ideally should be done at the end of the shift, but if not possible should be authorised the following day. Following the authorisation of Nurse in Charge and the Bank Worker’s confirmation of worked hours, the Clinical Nurse Manager or Ward Manager must authorise payment (automated) electronic system to replace current procedure.

4.3.3 The Bank Manager will complete and submit a monthly SAR (Staff Attendance Record) sheet to Payroll Department. Soon to be electronic.

4.3.4 Relevant information will be made available to Finance to ensure the shifts are charged to the appropriate ward area.

4.3.5 Payment will be made on a monthly basis in monthly arrears to the Bank Worker via BACS payment.

4.3.6 A payslip will be produced for the Bank Worker and this will detail all payments and deductions, specifically for bank work only. Should this not be collected by the Bank Worker from HR within 3 months of its production, then it will be destroyed to increase storage availability. Destruction in this eventuality will be by secure means i.e. shredding. Payslips for External Bank Workers will be posted to home addresses if not collected from HR.

4.4 Rates of Pay

4.4.1 All new members joining the Bank Register will be paid on the minimum point of the appropriate pay band advertised.

4.4.2 Existing employees of the Trust will be paid on the point of the pay band they are currently on or in their substantive role. If you are Band 4 staff working on the Band 3 bank, or if you are a Band 6+ working on the Band 5 bank, you would normally be put on the equivalent value to your basic salary. In order to retain the current or equivalent salary, you must be working within the nursing field. If your basic salary is higher than the top of Band 3 or Band 5 then you will be placed on the top increment.
The rate of pay will be matched to the substantive post and will not be affected by acting up or temporary assignments.

4.4.3 In addition to the basic hourly rate, Bank Workers will receive an additional 12.5% for accrued annual leave entitlements, as well as enhancements for any unsocial hours worked.

4.4.4 National Insurance is aggregated and will be deducted from pay at the correct % on earnings. If an existing employee of the Trust is whole time and pensionable in their substantive roles, then they cannot pay pension in the bank role. This will mean that they are 'not contracted out of SERPS' and thereby pay a slightly higher rate of National Insurance.

4.5 Incremental Rises

4.5.1 Bank Workers will receive 12 monthly incremental rises on the condition that 488 hours have been worked within this timeframe. If the Bank Worker completes the 488 hours after the 12 month period, an increment will be given at that time.

4.5.2 The Electronic Staff Records (ESR) will track the incremental date and hours worked by the Bank Workers in order to calculate when the incremental rise is due.

4.5.3 For existing employees of the Trust who are also on the Bank Register, their incremental date will be the same as the incremental date in their substantive post.

4.6 Timesheets

Soon to be automated.

4.7 Fraudulent Claims

Calderstones Partnership NHS Foundation Trust shall comply with the Secretary of State’s Directions on Counter Fraud issued in December 1999 or any replacement directions. All fraud referrals will be passed to the Local Counter Fraud Specialist at Calderstones Partnership NHS Foundation Trust. These referrals will then be forwarded to the relevant Regional Counter Fraud Team for investigation. Investigating officers should liaise with Calderstones Partnership NHS Foundation Trust’s Director of Finance. Fraud cases should be investigated in the manner described in the NHS Counter Fraud and Corruption Manual.

Any suspicions or allegations of fraudulent claims including but not limited to claiming for hours that have not been worked will be referred to the Trust nominated Anti-Fraud Specialist for further investigation.

4.8 Responsibility for Payment of Expenses
Calderstones Partnership NHS Foundation Trust will not accept responsibility for any expenses incurred for meals, telephone, accommodation or travel charges.

5. **REVIEW AND MONITORING OF THE AGREEMENT**

5.1 Bank staffing usage statistics will be incorporated in the Recruitment and Employment Monitoring Report presented to the Trust Board, Clinical Management Teams, Workforce Committee and Equality on a 6 monthly basis.

6. **EQUALITY AND DIVERSITY**

Calderstones Partnership NHS Foundation Trust is committed to ensuring that, as far as it is reasonably practicable, the way we provide services and the way we treat our staff, reflects their individual needs and does not discriminate, directly or indirectly, against individuals or groups on the basis of their protected characteristics.

The Trust does not believe that this policy represents a significant advantage/disadvantage to any individual or group of individuals on the basis of their protected characteristics and confirms that the arrangements set out within the policy are acceptable/objectively justifiable by reference to the requirements of the Trust or the needs of the service.

The Trust will regularly review this document however should you feel that the policy requires amendment prior to the review date outlined *(on the cover page)*, or represents a potential source of advantage/detriment to you or another individual or group based upon protected characteristics, please make representations to the Human Resources Advisor (Equality and Diversity) to enable the Trust to consider whether an amendment may be required.

Should a member of staff or any other person require access to this policy in another language or format please contact the Human Resources Advisor (Equality and Diversity).
BANK STATEMENT OF ENGAGEMENT

Private and Confidential

Candidate – *First Name/Surname*
Address
Post Code

Dear – *Candidate First Name*

**BANK STATEMENT OF ENGAGEMENT**

I am pleased to inform you that you have been accepted onto the Central Calderstones Partnership NHS Foundation Trust Bank Service. You will be paid *(grade)*. Any amendments to your salary will be determined by the Trust. Your salary will be paid monthly in arrears by bank credit.

The services you provide to the Trust are on an ad-hoc basis. This means that whilst the Trust will try to give you as much notice as possible when offering work, there is no obligation on the part of the Trust to provide such work for you, nor for you to accept any work so offered. All work is on a day to day basis, with payment made only for hours worked. However, if the Trust cancels your working arrangements within a 24 hour period, you will be paid for the hours you would have worked within the 24 hour period.

You are not an employee of the Trust and are not entitled to any benefits such as occupational sick pay. This does not affect your right to statutory holiday entitlement, statutory sick pay or maternity pay. You will also have access to the NHS Occupational Pension Scheme.

All staff are automatically enrolled into either the NHS Pension Scheme or NEST Pension Scheme, depending on their eligibility, from the date of commencement. For information regarding these pension schemes please visit:
Whilst you are working on behalf of the Trust, you must adhere to the appropriate Trust Policies including Health and Safety, Human Resources (e.g. Whistleblowing, Disciplinary Procedure and Respect at Work) and Operational and Clinical Policies. Further details of these policies will be provided as part of your induction and are available in HR or on the Intranet.

The Working Time Regulations limit working time to an average of 48 hours per week over a 17 week reference period. If you anticipate working in excess of this limit, and consent to do so, you must sign an agreement to this effect. This agreement is available from the Human Resources Department. Your agreement can subsequently be withdrawn at any time by giving 1 month’s notice in writing.

By placing your availability to work you are declaring that you are fit for work, not suspended from duties, not under any disciplinary investigation and you are abiding by the working time directive.

I have enclosed another copy of this letter, and would be grateful if you could sign and return it to me as soon as possible, signifying your acceptance of these details.

Please do not hesitate to contact me should you have any queries regarding the above.

Yours sincerely,

BANK MANAGER

I have read the above and have signed below to indicate my acceptance of this statement of engagement.

Signed: ___________________________ Date: ___________________________
** ASSIGNMENT ASSESSMENT FORM **

Please write clearly, in black ink, initial amendment and do not use tippex

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** TO BE COMPLETED BY THE NURSE IN CHARGE **

Attendance

Time Keeping

Job Performance

Standard of Work

** Relationships at Work **

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<th>With colleagues/managers</th>
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** General Issues **

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SIGNED: ____________________________________________
(Nurse in Charge)

DATE: _______________________________________________

VERSION CONTROL SHEET

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