Title of Policy:	**Gossip and Malicious Communications**
Section:	**Human Resources**

Purpose

Carers Choices is dedicated to encouraging and maintaining a positive and productive working culture and environment. This will help our employees to work together effectively in a professional manner. We understand that staff are going to interact during the working day and conversations may arise that do not relate to ongoing work or projects.

It is not Carers Choices' intention to prohibit such conversations, as we believe they are necessary for the continued wellbeing of our staff and enables them to build cooperative and trusting workplace relationships.

However, it is important that general workplace discussions do not develop into unregulated gossip or other forms of communications that could:

- cause issues in staff working relationships
- create a hostile working environment
- allow false information regarding company operations to spread
- develop into malicious communications whether verbally, in writing, via social media or through any other outlet

Gossip can also be a form of bullying and harassment and, to this end, this policy should be read in tandem with other Company policies on these areas.

The purpose of this policy is to outline what Carers Choices considers to be gossip and expectations placed on staff to avoid this situation arising.

Statement

What is gossip?

Carers Choices takes the position that gossiping can be present in the following circumstances:

- discussing the personal life of a colleague whilst they are not present
- adverse conversations that serve to criticise colleagues
- circulating unsubstantiated information that could potentially harm a colleague's reputation, both professionally and personally
- spreading or repeating rumours about a colleague, in particular those which can be perceived negatively by others
- repeating information about a colleague which has been told in confidence, thus breaching their confidence

We appreciate that it can be difficult to constitute what is gossip and what is not. Carers Choices asks staff to take a moment to pause and properly consider what they are about to say before they say it; if they feel they need to lower their voice so that others may not hear it, this could suggest what they are about to say could be considered gossip and should therefore not be said at all.

For example, an employee raises issues over their colleague's conduct to their manager. They do not mention this to anyone else. This is not gossip as the employee has carefully only discussed their concerns with management, and therefore left the matter for management to investigate further.

Alternatively, this same employee does not go to management and instead talks about these concerns with their other colleagues, causing them to doubt the individual in question. This is gossip and the employee should avoid this behaviour.

To give another example, an employee overhears private information concerning a colleague's personal life. They discuss this with their colleagues, causing rumours to spread around the workplace. This would be considered gossip.

This same employee also hears rumours that Carers Choices could be implementing a redundancy procedure. They keep this to themselves and go to their team leader with their concerns. This is not gossip as the employee has spoken to management

before telling colleagues what they have heard and therefore prevented this becoming an unsubstantiated rumour.

What is malicious communication?

The Malicious Communications Act 1988 is a British Act of Parliament that makes it illegal in England and Wales to "send or deliver letters or other articles for the purpose of causing distress or anxiety". It also applies to electronic communications.

It is important to understand the difference between gossip and malicious communication.

Gossip is inappropriate conduct which can be viewed as a disciplinary matter should it result in negative effects on colleagues (and by extension their families/social networks), Carers Choices, its clients, its providers, its professional advisors or anyone else connected to Carers Choices' activities.

Gossip can be intended or unintended, though its consequences can be damaging regardless of intent.

Malicious communications are, by contrast, a deliberate act with an intent to cause distress or anxiety. Case law has shown that deliberate communications that result in any other form of harm which secondarily results in distress or anxiety are also classed as malicious communications.

Malicious communications are a criminal offense and will be treated with the utmost seriousness by Carers Choices' management.

Procedure and Guidance

Everyone in Carers Choices is responsible for working against instances of gossip occurring. Staff are expected to conduct themselves in such a way that serves to prevent gossip. This can be done by following the below guidance:

- do not speak about another person when they are not present unless it is to compliment or praise them or ask questions related to work

- refuse to participate in conversations that are talking about colleagues in a negative light
- do not respond, or forward, an email containing derogatory information about a colleague
- halt or leave a conversation which starts to gossip about others
- try to keep to your own business.

If you hear other members of staff gossiping, you are expected to report this to your immediate line manager, from which further inquiries will be made.

Responsibilities on management to combat gossip

It is the responsibility of management to be mindful of instances of gossip occurring and respond accordingly. If a manager does witness conversations that they feel serve to breach this policy, they may intervene, and further action may be taken.

Isolated incidents of gossip may result in an informal discussion being had with perpetrators in order to remind them of this policy and inform them further action may be taken if they do not cease this behaviour. However, action taken at this point will depend upon the situation.

More serious forms of gossip, or employees who are considered habitual gossipers, may be subject to further sanctions in line with Carers Choices' disciplinary policy.

CQC Registration and Inspection Compliance

Key Questions and Quality Statements applicable to this Policy	Care Quality Commission (Registration) Regulations 2009 applicable to this Policy
Well-Led • Governance, management and sustainability • Learning, improvement and innovation • Shared direction and culture	

• Freedom to speak up • Workforce equality, diversity and inclusion • Learning, improvement and innovation	

Legislative Compliance

Health and Social Care Act 2008 (Regulated Activities) Regulations 2014 applicable to this Policy	Other legislation relevant to this Policy
Regulation 16: Receiving and acting on complaints Regulation 17: Good governance	Malicious Communications Act 1988

Policy Reviewed on Date of Implementation by the Following Company Officer:

Full name:

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Job Title:

CEO

Signature:

P. Ramsden