

Brogdale CIC Policy:

Health and Safety Guidance Note - Lone Working

Introduction

Definition - "People can be regarded as Lone Workers when they work in any environment where there are no other workers present who have any knowledge of the work and the workplace, or where nobody is available to respond effectively to unusual occurrences or emergencies".

These incidents could include accidents, violence or illness leading to loss of mobility and/or consciousness in a situation in which it may be some time before they are discovered and receive attention. In some higher risk situations, two, or more, people working on the same task may be regarded as lone workers eg drainage workers who could be overcome by fumes. It is unwise to assume that lone workers in close proximity to the public or other types of workers are at less risk, because those around them may not be aware of what is going on, or may not be prepared to take appropriate action.

Examples of people who may, from time to time, be regarded as lone workers, include workshop and maintenance staff, architects, surveyors, solicitors, security staff, cleaners, teleworkers, computer room and filing room staff, and bus or delivery drivers etc. Also, people who work early or late, at night or at weekends, or who unlock or lock up buildings, on their own, at either end of the day.

Policy

- The organisation is aware of the potential risks associated with lone working, and requires all such work to be subject to risk assessments and sensible controls to minimise the risks.
- Managers of lone workers are required to ensure that the risk assessments are carried out, that the required precautions are taken and that their staff do not experience significant stress as a result of lone working.
- Staff are required to follow the specified safety procedures for lone working and to report any problems to their supervisors or managers.

Risk Assessment Procedures

- Identify the "at risk" staff ie those who work alone, even for short periods.
- Ask the question "Do they really need to work alone, or is there a safer alternative?"
- Assess the hazards and risks of the work undertaken, including the use of hazardous substances, equipment or processes (eg manual handling), the working environment (indoors and outside, as required) and emergency procedures (eg fire) in, possibly, unfamiliar surroundings, and record the results where there are significant risks.
- Devise and implement safe systems of work (written procedures) and controls to eliminate or adequately control the risks.
- Ensure that the lone workers (including those who provide back-up) are informed of the risks and suitably instructed and trained in the necessary procedures.
- Monitor and review the systems to ensure they remain suitable and effective.

Degrees of Risk

- Office staff who work before or after normal hours, for example, can probably be regarded as being at relatively low risk, however they could become ill, have a fall, or be involved in an emergency such as fire.
- Lone workers such as grounds or building maintenance staff, who use hazardous equipment or substances, in hazardous situations, or in quite remote locations, are likely to be at much higher risk.
- Managers should take account of lone workers' fitness and health, capability, experience and training etc, when assessing the risks.

Risk Reduction Controls

Examples of controls include:-

- The provision of adequate information, instruction, training and supervision.
- The provision of written procedures stipulating safe working practices, and identifying those jobs, or situations, where persons should not work alone.
- Supervisors checking to ensure lone workers are following the system and that it is effective.
- The provision of personal attack alarms, panic buttons, two-way radios or mobile phones, possibly issued from a pool, rather than having a device for each worker, if this is appropriate, eg for occasional lone working.
- Lone workers having to telephone regularly, with a suitable recording and monitoring system at the fixed base.
- The use, in specific circumstances, of Permit to Work systems.
- Having a signing in and out book (with expected time of return and details of proposed work location(s) and route(s) etc), and calling in if delayed or not returning to base, for some reason - this needs to be monitored and controlled by fixed-base staff.
- Having a "buddy" system, which could include using other staff, spouses/partners, or even using a security company's call centre, as back up, for reporting in - whichever system is used, the buddy must know precisely what to do in cases of emergency.
- Ensuring that general lone working systems such as reporting of late working (eg, in an office) to Reception/Security staff are complied with at all times.
- Ensuring that all accidents and incidents, including near misses, are properly reported, recorded, investigated and monitored.
- The provision of appropriate First Aid training and equipment.

Legislation

There is no specific legislation covering lone working, however, it is covered, in general terms, by the Health and Safety at Work etc. Act 1974 and the Management of Health and Safety at Work Regulations 1999. Other legislation might apply to specific lone working situations, such as the use of work equipment or hazardous substances etc.

General Note

The above guidance is not exhaustive, but is intended to point readers in the right direction by giving examples of situations that might be regarded as lone working, how to assess the risks, and the actions that might be taken to reduce those risks.

Brogdale CIC Policy: Restraint Policy

1. POLICY STATEMENT

BrogdaleCIC does not allow any form of corporal punishment and requires a reasoned approach to all disciplinary problems. **BrogdaleCIC** will always attempt to use non-coercive strategies and de-escalation tactics but physical intervention may well become unavoidable. Physical restraint should never be used by any member of staff working for partner organisations within **BrogdaleCIC** unless there is no other alternative.

1.1 INTRODUCTION

- Members of staff and volunteers working on behalf of **BrogdaleCIC** are acting in loco parentis and have a duty of care to every participant in their care and must take responsible action to ensure the safety and wellbeing of every service user. The participant must feel that they are safe and that the staff and volunteers around them are able to keep them safe at all times.
- While physical restraint may be used in order to prevent either themselves, other staff and volunteers and other participants from getting hurt, members of staff and volunteers working on behalf of **BrogdaleCIC** are not expected to place themselves in situations where they may suffer injury as a result of their intervention.
- Members of staff and volunteers working on behalf of **BrogdaleCIC** are to understand the risks of legal action against them if they use physical intervention.

1.2 TERMS AND DEFINITIONS

The law allows for authorised members of staff and volunteers working on behalf of **BrogdaleCIC** to use restrictive physical intervention to prevent a participant from beginning to do or continuing to do any of the following:

- Injure themselves.
- Injure others.
- Cause an unacceptable amount of damage to property.

Restrictive Physical Intervention – interventions where bodily contact using force is used. A term used by the Department of Education.

Reasonable Force – There is no legal definition, but follow the relevant considerations:

- The use of force can be regarded as reasonable only if the circumstances of an incident warrant it.
- The degree of force must be in proportion to the circumstances of the incident.
- The degree of force must be in proportion to the seriousness of the behaviour or consequences it is intended to prevent.

1.3 SUMMARY OF PRINCIPLES

If there is absolutely no alternative to prevent harm to themselves, to others or to property and all other alternatives have been exhausted, then members of staff and volunteers working on behalf of **BrogdaleCIC** may use the minimum force needed to restore safety, while adhering to the following principles:

- The use of physical restraint is an act of care and control; it is never a punishment.
- Members of staff and volunteers working on behalf of **BrogdaleCIC** will take steps in advance to avoid the need for the use of physical restraint.
- Members of staff and volunteers working on behalf of **BrogdaleCIC** will only use the minimum force, for the minimum time, and only when immediate action is necessary.
- Every effort will be taken to secure the presence of further members of staff and volunteers working on behalf of the **BrogdaleCIC** to assist and to act as witnesses.

- It is paramount that an escalation of the incident be avoided.

1.4 RELEVANT ACTS SUPPORTING THE POLICY

Best practice for members of staff and volunteers working on behalf of **BrogdaleCIC** will be to refer to and follow the guidance set down by the Department of Education's 'use of reasonable force: guidance for schools', document, July 2013.

<https://www.gov.uk/government/publications/use-of-reasonable-force-in-schools>

2. POLICY

2.1 ACCEPTABLE INTERVENTION

There are occasions when members of staff and volunteers working on behalf of **BrogdaleCIC** will have to have physical contact with participants. For example:

- To comfort a service user who is in distress.
- In an emergency, to avert danger.
- In rare circumstances when restrictive physical intervention is warranted.

In all situations where physical contact between members of staff and volunteers working on behalf of **BrogdaleCIC** and participants takes place, the following must be considered:

- The participant's level of understanding.
- The participant's individual characteristics and history.
- The location. It should not take place in private unless there is no alternative.

Regardless of the situation, physical contact will not be made with the participant's abdomen, breasts, genital areas, neck, or any other sensitive body parts.

2.2 APPLICATION OF RESTRAINT

Ideally no members of staff and volunteers working on behalf of **BrogdaleCIC** should intervene physically on their own – unless there is an immediate need such as a participant is about to run into the path of an oncoming vehicle. When possible a senior member of staff should be called before any action is taken. Factors such as special educational needs, level of comprehension – in the case of a non-native speaker of English for example – must be taken into account. However, in some circumstances it may be necessary to use a degree of reasonable force, such as:

- Self-defence from attack. Any force must be proportionate and minimal.
- If a participant is at imminent risk of injuring themselves or others (e.g. a fight between participant).
- If a participant is causing, or is likely to cause, damage to property (including the user's own property).
- If a participant is attempting to run off site and may be in danger as a result.
- If a participant's behaviour is such that it becomes prejudicial to the maintenance of good order. Such behaviour would be persistent. (e.g. refusing to stop repeated and offensive verbal abuse of a member of staff or other participant).

In each of the circumstances above it would normally be preferable to use non-confrontational techniques to de-escalate the situation first (talking, persuading, isolation in a safe place).

2.3 RESTRAINT GUIDELINES

- Where restraint appears likely to be necessary with a particular participant, a Behaviour Support Plan should be drawn up with relevant stakeholders following an Individual Risk Assessment.
- Anyone using restraint will have been trained in appropriate techniques (such as PROACT-SCIPR-UK) and will thus not apply pressure to the joints.
- Movement will be limited to reduce risk of falling.
- During restraint procedures the participant will be spoken to throughout to inform them of what is happening and to reassure and guide.
- All approaches will be from the side and not face to face.

- The techniques allow the hold to be phased out to reduce the hold as the participant regains self-control.
- The person using the restraint techniques can break away at any stage to make sure that they are not placed in a position where they are escalating the restraint using desperate and inappropriate techniques.

2.4 INCIDENT MANAGEMENT

Most incidents that may require the use of a degree of force are by their very nature unpredictable. However, the following guidance should be kept in mind:

- If possible always try to defuse a problem without any physical contact.
- If there is time, seek assistance from another member of staff before taking action.
- Never put yourself and others at unreasonable risk; if necessary remove any other participant in the vicinity to a safe place and inform the participant(s) causing the problem that you are going to get help (if need be the police).
- Do not use participants to attempt to restrain another service user.
- Always tell the participant what you are doing and why, inform the participant what they must do in order to have the restraint removed and relax your restraint in response to the participant compliance.

In some circumstances there may be a particular participant who has a history of types of behaviour that may require use of force or restraint (e.g. a service user who runs away frequently). In such circumstances those staff who are in regular contact with that participant should develop a Behaviour Support Plan, following a risk assessment, with a designated senior member of staff.

2.5 REASONABLE FORCE

2.5.1 Reasonable force is only legal if the circumstances warrant it. Any force used has to be "reasonable". There is no precise legal definition of "reasonable" force and what follows is a guide. In general, reasonable implies minimal and necessary.

2.5.2 Types of force that may be employed:

- Blocking a service users path
- Holding by the arm
- Guiding by placing the hand in the centre of the back
- Pulling by the arm
- Leading by the arm or hand
- Restraining arms and legs – this type of restraint requires training and tends to be used with participant who have a history of behaviour requiring this type of restraint.
- Always tell the participant what you are doing and why, inform the participant what they must do in order to have the restraint removed and relax your restraint in response to the participant compliance.

In extreme circumstances of threat to life or danger of severe injury all staff are entitled to use any proportionate methods to defend themselves or others.

2.5.3 Types of force that may **not** be employed:

- Punching or kicking
- Holding around the neck or collar
- Twisting limbs or joints
- Pulling or holding by the hair or ears
- Holding a service user face down on the ground
- Tripping a running service user

It is never acceptable to use force intended to cause injury or hurt.

In any use of force or restraint staff should be careful not to do anything that could be considered indecent.

2.6 MONITORING AND REPORTING AN INCIDENT

- If a restraint incident occurs an incident report will be written within 48 hours, and a copy passed to a designated member of staff to be placed on the Physical Restraint File. The parent/carer should be informed.
 - A debriefing session will follow with the participant explaining why the restraint was necessary.
 - A meeting with the manager will happen within 24 hours for any members of staff and volunteers working on behalf of **BrogdaleCIC** who were involved the incident.
 - If deemed necessary from the report, further training may be required and will happen promptly.
 - A debrief of the incident between all members of staff and volunteers working on behalf of **BrogdaleCIC** will be discussed within the session to prevent the culture where physical response becomes routine.
 - Any serious incidents are to be recorded to the national care standards commission.
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Signed _____ Name _____

Role _____ Date _____

Brogdale CIC: Dealing with Abuse Policy

1.1 POLICY STATEMENT

Violence and aggression can be defined as an incident where staff or participants of activities run by **Brogdale CIC** are abused, threatened or assaulted in circumstances relating to their work, involving an explicit or implied challenge to their safety, wellbeing or health. This includes harassment, which is defined as: "Unwanted, unsolicited and inappropriate words or conduct affecting the dignity of another".

1.2 INTRODUCTION

This policy sets out a framework to protect staff and participants from violence and anti-social behaviour. This policy is applicable to all participants, employees/ volunteers and visitors to activities run by or on behalf of **Brogdale CIC**. Violence or anti-social behaviour is a matter of conduct and may constitute a criminal or civil offence.

1.3 TERMS AND DEFINITIONS

- 1.3.1 Violence and aggression can be defined as: Any incident where participants or staff are abused, threatened or assaulted in circumstances relating to their work and activities, involving an explicit or implied challenge to their safety, wellbeing or health.
- 1.3.2 Harassment is defined as: Unwanted, unsolicited and inappropriate words or conduct affecting the dignity of another.
- 1.3.3 Anti-social – is defined as: behaviour that lacks consideration for others and that may cause damage to society, whether intentionally or through negligence, as opposed to pro-social behaviour, behaviour that helps or benefits society.

1.4 LEGISLATION SUPPORTING THE POLICY

- Health and Safety at Work Act 1974
- Human Rights Act 1998
- Equalities Act 2010
- Employment Rights Act 1996

2 PROCEDURE

2.1 APPLICATION

During times of abuse, the following points should not be neglected:

- Do not show that you feel intimidated. While it is better still to not be intimidated, if you do feel threatened, try not to show it.
- Listen - One thing that can often take the wind out of the sails of anger is to calmly listen, accept that someone may have a grievance.
- Stay calm – it is always hard to remain angry if the person who is listening is calm and accommodating
- Show respect and call The service user by their name or Sir / Madam
- Assess the situation as to the potential risks and threats.
- Ensure there is no danger to immediate people and children/ young adults in the immediate vicinity and yourself.
- Avoid confrontation, this will escalate the situation. Show the angry service user that you are listening to their problem and are concerned.

2.2 APPLICATION FOR THE YOUNG

The following points are specifically aimed at a young person:

- Do not place yourself in a situation where you may be at risk of harm.
- Walk away from them to a place of safety.
- Find a member of staff / a colleague and tell them what has happened.
- Talk through how you feel.
- Try to learn from the situation so that it doesn't happen again.

2.3 RESOLVING A SITUATION

If someone begins to get really angry there are several options:

- Do not place yourself in a situation where you may be at risk of harm.
- Ask them to calm down or you will be unable to continue to speak to them and try to resolve their problem.
- Ask the service user to take time out and to talk when they don't feel quite so worked up. Offer to take them to a quiet space to calm down, although still within site of another member of staff, offer a drink of water to regain their senses, away from others.
- Warn the service user that if they continue to be aggressive that you will have to call the police.

2.4 COMPLAINTS

If someone feels that they wish to make a complaint following an incident of abuse, discrimination, victimisation or harassment, they may wish to follow **Brogdale CIC**'s complaints policy which states the following:

1.3 PROCEDURE

1.3.1 STEP ONE: RESOLVE ISSUES INFORMALLY -

Before making a complaint about an individual/organisation within **Brogdale CIC**, the complainant should, where possible, be encouraged to discuss the problem with the individual/organisation lead concerned in an attempt to reconcile the issue. An informal approach may be particularly helpful where complaints can be resolved quickly and confidentially.

1.3.2 STEP TWO: A FORMAL DISCUSSION -

Where Step One cannot resolve a complaint, **Brogdale CIC** can set up a discussion between the parties involved in the complaint. **Brogdale CIC** will hold this discussion in private and an impartial representative will 'chair' the discussion. This will be a two-way conversation, aimed at discussing possible shortcomings in conduct or performance and encouraging improvement. All parties, including the chair, may bring an advocate to witness the meeting. Criticism will be constructive and the aim is to resolve the complaint.

In order to begin Step two, the complainant should speak with, or write to, the relevant project lead. If this is not possible, the complainant should contact another project lead or site manager from within **Brogdale CIC**.

1.3.3 STEP THREE: A BROGDALÉ CIC TRIBUNAL -

Step one and Step two cannot resolve a complaint, **Brogdale CIC** will arrange for a tribunal. A panel from either within **Brogdale CIC** or independent from it will listen to the all parties involved in the complaint and make a decision to resolve the complaint. The tribunal's decision will be final.

In order to begin Step three, the complainant should speak with, or write to the relevant project lead. If this is not possible, the complainant should contact another project lead or site manager from within **Brogdale CIC**.

Extract from the **Brogdale CIC**'s complaints policy, Page 1.

Signed _____ Name _____

Role _____ Date _____

5Brogdale CIC Policy:

EQUAL OPPORTUNITIES POLICY

Brogdale CIC is committed to ensuring equality of opportunity and encouraging diversity for its employees in every area of its work. We aim to treat all employees and clients with dignity and respect and to work in an environment free from discrimination.

We aim to treat all people with respect and dignity, in a fair, open and honest way recognising that each person is of value. We aim to ensure that no one is treated less favourably than others on the grounds of ethnic origin, nationality, race, age, disability, gender (including transgender), sexual orientation, or religion. Our intention is to reflect not only the letter but also the spirit of equality legislation.

Purpose

Brogdale CIC has a written Equal Opportunities policy for the following reasons:

- To demonstrate the effects of good employment practice to our staff, clients, customers and suppliers.
- To use good employment practice to the benefit of the Company, our employees and customers.
- To provide for equal opportunity in terms of recruitment, training, development and promotion regardless of sex, marital status, race, colour, creed, ethnic origin, nationality, age and disability, of our employees.
- To comply with the legal requirements of the various Acts (as listed below) which have an effect on employment, both in the letter and spirit of those Acts.

The following themes apply to this paper:

- Age (both younger and older people)
- Disability
- Gender (women and men, including transgender people)
- Race (tackling discrimination and promoting equality between groups)
- Religion and Belief
- Sexual Orientation

The Acts of Parliament which apply are:

The Equal Pay Act 1970
The Sex Discrimination Act 1975
The Race Relations Act 1976
The Race Relations (Amendment) Act 2000
The Employment Rights Act 1996
The Disability Discrimination Act 1995 and 2005
The Rehabilitation of Offenders Act 1976
The Human Rights Act 1998
Employment Equality (Sexual Orientation) Regulations 2003
Employment Equality (Age) Regulations 2006
Employment Equality (Religion or Belief) Regulations 2003
Equality Act 2006

Racial and Religious Hatred Act 2006

Brogdale CIC undertakes to inform all employees of the policy and procedures in respect of Equal opportunities, and to train those employees for whom specialist knowledge is necessary for the completion of their duties and responsibilities.

Equal Opportunities Policy Statement

It is the Policy of Brogdale CIC Company to:

- recruit, employ and develop our staff on the basis of their suitability, qualifications and experience in relation to the requirements of the work to be performed and not on grounds of their sex, sexual orientation, marital status, creed, colour, race, ethnic origin, nationality, disability or age.
- monitor the composition and progress of the workforce to establish that its intentions are realised and to take action to remedy the situation if necessary.

Brogdale CIC undertakes to inform all its employees of the policy and related procedures. This will be done by means of Induction Training for new employees, and job related training will be given according to the position held.

Equal Opportunities Procedure

General

The Policy applies to

- All types of advertisement of jobs (both internal and external)
- The recruitment process
- The appointment to the position
- Training
- Conditions of employment
- Pay
- Every other aspect of employment with Brogdale CIC

The Manager/Directors will prepare advertisements for jobs. This will ensure that there is no bias, or discrimination, in the conditions stated.

The Manager/Directors involved in the recruitment and selection of employees will be given appropriate training.

All employees should note that the imposition of any condition, or requirement, which has an adverse effect on someone due to his/her sex, sexual orientation, race, marital status, age, nationality or disability etc, will be unlawful unless it can be justified by business need.

Change of Status

All employees should advise the Directors of any change to their

Status with regard to the above categories.

Complaints about Discriminatory Conduct

Brogdale CIC wishes to reassure employees that if they raise such a matter, it will be handled in a sensitive manner and without any recriminations, then or at a later date, unless any complaint is found to be untrue, or made in bad faith. All matters relating to potentially discriminatory conduct should be raised immediately with the Directors.

Should individuals consider that they have been unfairly treated in connection with the Equal Opportunities Policy, they should either speak to the Directors or follow Brogdale CIC Grievance Procedure.

External Contacts

Brogdale CIC requires that all employees follow the requirements of the Policy in its dealings with other parties, including clients, customers and suppliers to Brogdale CIC will also ensure that any other partners operate an Equal Opportunities Policy similar to its own.

Discipline

Any employee who discriminates against any other employee, or other person connected with Brogdale CIC, or its clients, customers or suppliers, on the grounds of sex, race, creed, marital status, ethnic origin, nationality, disability or age, will be subject to the Brogdale CIC Disciplinary Procedure. See Employment handbook.

In serious cases, such behaviour may be deemed to constitute gross misconduct and, if so, will result in summary dismissal, unless mitigation requires otherwise.

Monitoring

Brogdale CIC will monitor on a regular basis to ensure that the policy is working as intended, with particular reference to the recommendations of the commission for Racial Equality. For this purpose all job applicants will be requested to complete a form which is enclosed with the Application for Employment and which asks them to state their sex, ethnic origin and age.

Positive Action

The monitoring of the process will enable Brogdale CIC to establish that the policy is operating correctly, and to make any necessary adjustments if any imbalances are found. Measures such as the following may be used:

- Advertising jobs in appropriate publications
- Assertiveness training.
- Encouraging persons from under-represented groups to apply for suitable positions.

If you have any queries relating to this document, or its application, please contact The Chair of Board, Lady Anne Maria Nelson on anne.marie.nelson@icloud.com

Brogdale CIC Policy: Challenging Behaviour Policy

1. POLICY STATEMENT

This document provides a framework for the creation of a happy, safe, secure and orderly environment in which children, young people and adults can learn and develop as caring and responsible people. It aims to underpin and reflect the values of **Brogdale CIC**.

1.1 INTRODUCTION

Brogdale CIC believe every participant has something to offer. We believe that all participants have the right to feel secure and to be able to work and develop their potential. We believe every participant deserves the opportunity to achieve. Our clubs and activities are designed to reflect and support these beliefs.

The establishment of a positive and caring environment is an essential prerequisite for living learning and achieving. It depends upon trusting relationships, appropriate role modelling and a process of co-operative team work between the participants, staff and parent/carers and wider community.

1.2 TERMS AND DEFINITIONS

Weapon - A weapon may be defined as "any other object if used or attempted or intended to be used to cause bodily harm, including, but not limited to, knives, brass knuckles, clubs, or a "look alike" of any weapon as defined above. Such items as baseball bats, pipes, bottles, coins, sticks, pencils, and pens may be considered weapons if used or attempted to be used to cause bodily harm".

Firearm - A firearm may be defined as any lethal barrelled weapon that can (or can be converted to) fire a shot, bullet or missile.

1.3 SUMMARY OF PRINCIPLES

Brogdale CIC Aims for participants

- Being able to form trusting relationships & friendships
- Being able to participate in community life & nature
- Being able to do meaningful work, for themselves & with others
- Be able to experience positive wellbeing & health
- Being able to take responsibility for themselves & be accountable for their actions

1.3.1 The Vision of *Brogdale CIC for creating positive relationships*.

- To offer opportunities for social interaction, enjoyment and learning.
- To bring together young people and adults in an emotionally positive environment helping them to feel accepted and cared for.
- To create a safe place where they can have fun and learn new skills and explore new ideas.
- To offer experiences that will build life skills.
- To provide opportunities to engage with and feel a valued part of the local community.

1.3.2 The values of *Brogdale CIC for creating positive relationships*.

- That all young people deserve opportunities.
- That all those working with young people look for the positive in them and what they can contribute.
- That all those working with young people provide clear, appropriate boundaries that help young people to make wise and informed decisions.
- That the relationships built are based on respect and promote being safe, healthy both physically and their wellbeing, that they experience positive learning, building confidence and can progress towards making a positive contribution to the community.

2. POLICY

Brogdale CIC's aim is to instil the vision and values into all participants when they join by making our expectations clear and periodically reinforcing this understanding.

Brogdale CIC's goal is to instil the vision and values into all members of staff and volunteers working for, or on behalf of, **Brogdale CIC** by fostering, believing in and adhering to a positive attitude, inspiring others and seeking to deliver to a high standard having pride in all the activities they do.

2.1 Code of conduct:

The following code of conduct sets out the good behaviour that is expected of everyone, whether members of staff, volunteers working for, or on behalf of, **Brogdale CIC** or participants, while involved in the activities of **Brogdale CIC**. Violations of this code of conduct, especially persistent, will be seen as challenging behaviour and will be dealt with as set out below.

- Arrive on time, dressed appropriately and ready to take part.
- Mobile phones to be switched off and kept in bags until end of session or otherwise agreed in specific situations.
- Listen to the activity lead, demonstrate respect to them and others by one person speaking at a time, listening to each person's point of view and not being unkind to their responses.
- Treat all children and adults as individuals and respecting their rights, values and beliefs.
- When unsure, about something, always ask.
- If someone of something is upsetting, tell a member of staff, a volunteer working for **Brogdale CIC** or ask another participant to do so on your behalf.
- If you feel unwell or if you feel angry tell a member of staff, a volunteer working for **Brogdale CIC** or ask another participant to do so on your behalf so that they can help you.
- At the end of the activity always pack away the items that have been used, leave the area clean and tidy ready for when someone else next uses it.
- Enabling all participants to achieve their best and become caring and responsible members of society.
- Encouraging, praising and positively reinforcing good relationships and behaviours.
- No bullying. It is explained to participants that while different people may hold different views about what is 'right' and 'wrong', all people living in England are subject to its law. **Brogdale CIC**'s ethos and work mode supports the rule of English Civil and criminal law. Participants are made aware of the difference between the law of the land and religious law. There is no place for extremist views of any kind at Brogdale CIC.
- Members of staff and volunteers working for **Brogdale CIC** are expected to promote a safe working environment, free from violence, threats and intimidation.
- Members of staff and volunteers working for **Brogdale CIC** are obliged to oppose and deter any kind of illegal activity.
- Members of staff and volunteers working for **Brogdale CIC** are expected to encourage the caring for and taking pride in, the physical environment.
- **Brogdale CIC** has a legal right to confiscate inappropriate items from pupils such as mobile phones, music players, offensive weapons etc.

2.2 CHALLENGING BEHAVIOUR

Brogdale CIC has a clearly structured disciplinary system which indicates the steps that will be taken in response to those who break the code of conduct. The following indicate, but are not limited to, a range of challenging behaviours that will result in some form of disciplinary action.

- Disobeying directives from members of staff and volunteers working for, or on behalf of, **Brogdale CIC**, governing student conduct and expectations.
- Using violence, force, noise, coercion, threats, intimidation, fear, or other comparable conduct toward

anyone or urging other participants to engage in such conduct.

- Causing or attempting to cause damage to, or stealing or attempting to steal, **Brogdale CIC**'s property or another person's personal property.
- Engaging in any activity that constitutes an interference with **Brogdale CIC**'s purposes in any disruptive activity.
- Using, possessing, distributing, purchasing, or supplying illegal substances.
- Using, possessing, distributing, purchasing, or supplying alcoholic beverages. Participants who are under the influence are not permitted to attend **Brogdale CIC**'s activities and are treated as though they had alcohol in their possession.
- Using, possessing, distributing, purchasing, supplying illegal drugs or controlled substances, look-alike drugs and drug paraphernalia. Participants who are under the influence of illegal drugs are not permitted to attend **Brogdale CIC**'s activities and are treated as though they had drugs in their possessions. Participants will be excluded from activities and referred to the Early Help Team and, in most circumstances, will result in a permanent exclusion.
- Using, possessing, controlling, or transferring a weapon.
- Persistent Absenteeism.

2.3 BANNED ITEMS

Any of the listed items found on a member of staff, a volunteer working for, or on behalf of **Brogdale CIC** or a participant, without an extraordinarily good reason, will result in confiscation.

- knives or weapons
- alcohol
- illegal drugs
- stolen items
- pornographic images
- fireworks
- tobacco and cigarette papers - for those under age
- shisha pens and electronic cigarettes - for those under age
- Energy drinks – removed for those under age and confiscated until end of session for those of age

Any article that the member of staff reasonably suspects has been, or is likely to be, used to commit an offence, or to cause personal injury to, or damage to the property of, any person (including the participants). A Member of staff, or a volunteer working for **Brogdale CIC** can seize any banned item found as the result of a search. They can also seize any item, however found, which they consider harmful or detrimental.

2.4 DISCIPLINARY MEASURES

It is important to state that disciplinary action may be taken against any participant where there is, on balance of probability, misbehaviour or breach of the code of conduct and/or rules as outlined above. Disciplinary measures include but are not limited to:

- Removal from activity.
- Notification of parent(s)/guardian(s).
- Seizure of contraband.
- Fixed term exclusion, provided that appropriate procedures are followed. An excluded participant is prohibited from being on club/college grounds or vicinity, unless you are advised accordingly.
- Permanent removal from activities and events provided that the appropriate procedures are followed.
- Notification of relevant authorities whenever the conduct involves illegal drugs (controlled substances), look-alikes, alcohol, or weapons.

2.4.1 Weapons and Firearms

Weapons/Firearms - A participant, who uses, possesses, controls, or transfers a weapon, firearm, or any object that can reasonably be considered, or looks like, a weapon or firearm, shall receive fixed term exclusion or a permanent removal from **Brogdale CIC** site. (A weapon and a firearm may be defined as **1.2**

TERMS AND DEFINITIONS). The line-manager will inform the appropriate authorities of any participant who brings a firearm or weapon onto a **Brogdale CIC** site. Where, on balance of probability, a participant is in possession of a weapon to cause bodily harm or intimidation then the penalty for this in most circumstances will be a 'permanent exclusion'.

2.4.2 Required Notices

Members of staff and volunteers working for **Brogdale CIC** shall immediately notify their line-manager in the event that any person is observed in possession of a firearm or offensive weapon on or around activity grounds; however, such action may be delayed if immediate notice would endanger participants under supervision, observes or has reason to suspect that any person on activity grounds is or was involved in a drug-related incident, or observes an assault committed against any participant or a member of staff or volunteer working for **Brogdale CIC**. Upon receiving such a report, the line-manager, as soon as reasonably possible, must notify the appropriate authority and also the participants parent(s)/guardian(s). The line-manager shall notify the Police of any incident involving the selling or supplying of drugs or the assault of a member of staff or a volunteer working for **Brogdale CIC**.

Signed _____ Name _____

Role _____ Date _____

Policy review date _____

BrogdaleCIC Policy: Recruitment, Selection and Induction Policy

Organisations working with Brogdale CIC

1. POLICY STATEMENT

This policy seeks to ensure that **BrogdaleCIC** has a workforce that represents a variety of backgrounds and cultures and can provide the relevant knowledge, abilities and skills for our organisation. **BrogdaleCIC** is committed to equality, valuing diversity and working inclusively across all of our activities.

1.1 INTRODUCTION

The purpose of this policy is to set out the key issues to be taken into account when recruiting and selecting a new member of staff to your organisation to work alongside **BrogdaleCIC**. The policy applies to:

- The recruitment and selection of paid employees.
- The recruitment and selection of sessional workers.
- The recruitment and selection of volunteers.
- The recruitment and selection of students on a work experience placement.

2 POLICY

2.1 BrogdaleCIC is committed to equality, valuing diversity and working inclusively across all of our activities. **BrogdaleCIC** aim to have a workforce that represents a variety of cultures and backgrounds and can provide the relevant knowledge, abilities and skills for our organisations. **BrogdaleCIC** recognise that:

- our workforce is our most important resource.
- some groups face unfair discrimination in the workplace.
- children, young people and families benefit from our efforts to recruit a skilled and committed workforce from a diverse range of backgrounds.
- new staff and volunteers cannot perform their role effectively unless they are inducted properly and receive on-going support and supervision.
- unsuitable individuals sometimes seek out opportunities via employment or volunteering to have contact with children in order to harm them.

2.2 The purpose of the policy is to pledge that **BrogdaleCIC** endeavor to work with organisations who:

- recruit the best people available to join our workforce.
- take all reasonable steps to prevent unsuitable people from joining our organisation.
- recruit and manage our staff in a way that complies with legislation designed to combat inequality and discrimination.
- do all we can to achieve and maintain a diverse workforce.
- ensure that our recruitment and selection processes are consistent and transparent.
- ensure candidates are judged to be competent before we make them an offer of a job.
- ensure that new members of staff are given a proper induction.

2.3 DBS POLICY

For all positions where your staff work directly with young people and youths whether directly or indirectly **BrogdaleCIC** will request enhanced disclosures for employees, trustees and volunteers. This requirement will be clearly stated in the application pack. **BrogdaleCIC** will ask to have the DBS checks number and date of issue and any other necessary vetting procedures for each member of staff or volunteer working with children or young people, in line with DBS and other official guidelines.

2.4 EX-OFFENDERS POLICY

BrogdaleCIC partner organisations will not discriminate against ex-offenders with unspent convictions,

unless required to do so because of the nature of the post. All applications will be considered on an individual basis.

3.0 INDUCTION

3.1 INDUCTION INTRODUCTION

All employees and volunteers will be required to follow an appropriate induction process during their first three months in post - to ensure they are equipped to do the job. The induction process is part of the employee's probation period and should focus on the most critical factors needed for undertaking their role within your organisation in **BrogdaleCIC** effectively and safely.

3.2 INDUCTION POLICY

The purpose of the policy is to pledge that the staff working in your organization within **BrogdaleCIC** endeavor to:

- ensure all new workers receive an appropriate induction guided by best practice and relevant standards.
- guarantee that all inductions are planned in advance of a new worker's first day.
- spend time during the induction period to focus on health and safety at work.
- record, review and evaluate the progress of all employees during their induction.

3.3 INDUCTION KEY PRINCIPLES

While all induction will need a certain amount of personalisation depending on the individual, the position or the place of employment and the nature of the employment, whether paid, seasonal, volunteered or as a work placement, the following principles should always be covered:

- The role and the job description.
- The terms and conditions of work.
- The induction process.
- Remuneration, including pay, hours of work, holiday entitlement, and any other details deemed relevant.
- The procedure regarding sickness and other forms of absence.
- Their Personal Professional Development Plan.

In addition, **BrogdaleCIC** would expect that an individual's induction also cover:

- The vision, mission statement and aims of **BrogdaleCIC**.
- The values of **BrogdaleCIC**.
- A complete understanding of all services provided by **BrogdaleCIC**.
- **BrogdaleCIC** line management structure.

Signed _____ Name _____

Role _____ Date _____

Brogdale CIC Policy: Recruitment of Ex-Offenders Policy

Organisations working with Brogdale CIC

1. POLICY STATEMENT

Having a criminal record will not automatically bar anyone from working for organisations working with **BrogdaleCIC**. This will depend on the nature of the position and the circumstances and background of the offence(s).

1.1 INTRODUCTION

BrogdaleCIC is committed to the fair treatment of its partners staff, potential staff or users of its services, regardless of race, gender, religion, sexual orientation, responsibilities for dependents, age, physical/mental disability or, and with regard to this recruitment of ex-offenders policy, offending background.

1.2 TERMS AND DEFINITIONS

DBS - Disclosure and Barring Service - The Disclosure and Barring Service (DBS) helps employers, such as the organisations working with **BrogdaleCIC** make safer recruitment decisions and prevent unsuitable people from working with vulnerable groups, including children. DBS is an executive non-departmental public body, sponsored by the Home Office. Only employers and licensing bodies can request a DBS check. Job applicants can't do a criminal records check on themselves.

1.3 SUMMARY OF PRINCIPLES

- **BrogdaleCIC** actively promote equality of opportunity for all with the right mix of talent, skills and potential and welcome applications from a wide range of candidates, including those with a criminal record.
- **BrogdaleCIC** partner organisations select all candidates for interview based on their skills, qualifications and experience and do not hold any prejudice against those with a criminal record.
- **BrogdaleCIC** make every subject of a DBS check aware of the existence of the DBS Code of Practice and make a copy available on request. Failure by any individual to reveal information that is directly relevant to the position sought to work in organisations working with BrogdaleCIC could lead to withdrawal of an offer of employment or termination of a contract with immediate effect from that organisation and or the termination of the contract within the youth contract for the organisation, whichever is relevant, and a referral to the Police.

1.4 RELEVANT ACTS SUPPORTING THE POLICY

- 1.4.1 The Safeguarding Vulnerable Groups Act 2006 set out the scope and operation of the vetting and barring scheme.
- 1.4.2 The Criminal Records Bureau was established under Part V of the Police Act 1997.
- 1.4.3 Part 5 of the Protection of Freedoms Act 2012 covers the reduction in scope of the definition of regulated activity, new services provided by the DBS, and disregarding convictions and cautions for consensual gay sex.

2. POLICY

- 2.1** Each organisation using the DBS checking service to assess applicant's suitability for positions of trust must comply fully with the DBS Code of Practice and undertakes to treat all applicants for positions fairly. **BrogdaleCIC** undertakes not to discriminate unfairly against any subject of a DBS check on the basis of a conviction or other information revealed whilst working with a partner organisation.
- 2.2** A DBS check is only requested after a thorough risk assessment has indicated that one is both proportionate and relevant to the position concerned. For those positions where a DBS check is required, all application forms, job adverts and recruitment briefs will contain a statement that a DBS check will be requested in the event of the individual being offered the position.
- 2.3** Where a DBS check is to form part of the recruitment process, we encourage all applicants called for interview to provide details of their criminal record at an early stage in the application process. We request that this information is sent under separate, confidential cover, to a designated person within the organisation working with **BrogdaleCIC** and they guarantee that this information will only be seen by those who need to see it as part of the recruitment process.
- 2.4** Unless the nature of the position allows **BrogdaleCIC** to ask questions about an entire criminal record, **BrogdaleCIC** only ask about 'unspent' convictions as defined in the Rehabilitation of Offenders Act 1974.
- 2.5** Each organisation working with BrogdaleCIC ensure that all those involved in the recruitment process have been suitably trained to identify and assess the relevance and circumstances of offences. **BrogdaleCIC** also asks the partner organisations to ensure that those involved in the recruitment process have received appropriate guidance and training in the relevant legislation relating to the employment of ex-offenders.
- 2.6** At interview, or in a separate discussion, the partner organisations of BrogdaleCIC ensure that an open and measured discussion will take place on the subject of any offences or other matter that might be relevant to the position.
- 2.7** BrogdaleCIC partner organisations undertake to discuss any matter revealed in a DBS check with the person seeking the position before withdrawing a conditional offer of employment.

Signed _____ Name _____

Role _____ Date _____

Brogdale CIC Policy: Whistleblowing Summary

Whistleblowing encourages and enables employees to raise serious concerns within the organisation rather than overlooking a problem or 'blowing the whistle' outside.

Brogdale CIC is committed to the highest possible standards of openness, probity and accountability. In line with that commitment we expect employees, and others that we deal with, who have serious concerns about any aspect of our work to come forward and voice those concerns.

The types of concerns could cover any of the following areas:

- conduct which is an offence or a breach of law.
- disclosure related to miscarriages of justice.
- health and safety risks, including risks to the public as well as other employees.
- damage to the environment.
- the unauthorised use of public funds.
- possible fraud and corruption.
- sexual or physical abuse of clients.
- other unethical conduct.

The Public Interest Disclosure Act, which came into effect in 1999, gives legal protection to employees against being dismissed or penalised by their employers as a result of publicly disclosing certain serious concerns. All concerns will be treated in confidence.

As a first step, you should normally raise concerns either verbally or in writing with your immediate team leader/manager. The member of staff who receives and takes note of the complaint, must pass this information as soon as is reasonably possible, to the appropriate designated investigating officer. Complaints will be investigated by the managing director. The full whistleblowing policy sets out procedures in the event that the complaint concerns the managing director or the chair of governors.

The investigating officer, should as soon as practically possible, send a written acknowledgement of the concern to you and thereafter report back to you in writing the outcome of the investigation and on the action that is proposed. If the investigation is a prolonged one, the investigating officer should keep you informed, in writing, as to the progress of the investigation and as to when it is likely to be concluded.

For independent advice please call:

Public Concern At Work

Website: www.pcaw.co.uk

Helpline: 020 7404 6609

Email: whistle@pcaw.co.uk

Brogdale CIC Policy: Whistleblowing Policy

- what is Whistleblowing?
- our Commitment
- who does the policy apply to?
- the aims of the policy?
- what types of concerns are covered?
- safeguards and victimisation
- confidentiality
- how to raise a concern
- timescales and procedure

What Is Whistleblowing?

Whistleblowing encourages and enables employees to raise serious concerns within the organisation rather than overlooking a problem or 'blowing the whistle' outside.

Employees are often the first to realise that there is something seriously wrong within the organisation. However, they may not express their concerns as they feel that speaking up would be disloyal to their colleagues or to the organisation.

Brogdale CIC's commitments

Brogdale CIC is committed to the highest possible standards of openness, probity and accountability. In line with that commitment we expect employees, and others that we deal with, who have serious concerns about any aspect of our work to come forward and voice those concerns.

Who Does The Policy Apply To?

The policy applies to all employees, (including those designated as casual hours, temporary, agency, authorised volunteers or work experience), and those contractors working for Brogdale CIC on the premises, for example, agency staff, builders, drivers. It also covers suppliers and those providing services under a contract with Brogdale CIC.

Policy Aims

- provide ways for you to raise concerns in confidence and receive feedback on any action taken.
- ensure that you receive a response to your concerns and that you are aware of how to pursue them if you are not satisfied.
- reassure you that you will be protected from possible reprisals or victimisation if you have a reasonable belief that you have made a disclosure in good faith.

What Type Of Concerns Are Covered?

- conduct which is an offence or a breach of law.
- disclosure related to miscarriages of justice.
- health and safety risks, including risks to the public as well as other employees.
- damage to the environment.
- the unauthorised use of public funds.
- possible fraud and corruption.
- sexual or physical abuse of clients.
- other unethical conduct.

NB. Other procedures are available to employees e.g. The grievance procedure which relates to complaints about your own employment. This policy also does not replace other complaints procedures which are for public use.

Safeguards

Brogdale CIC recognises that the decision to report a concern can be a difficult one to make. If what you are saying is true, you should have nothing to fear because you will be doing your duty to your employer and those for whom you provide a service.

The Public Interest Disclosure Act, which came into effect in 1999, gives legal protection to employees against being dismissed or penalised by their employers as a result of publicly disclosing certain serious concerns.

We will not tolerate any harassment or victimisation and will take appropriate action to protect you when you raise a concern in good faith.

Confidentiality

All concerns will be treated in confidence and every effort will be made not to reveal your identity if you so wish. At the appropriate time, however, you may need to come forward as a witness.

This policy encourages you however to put your name to your concern whenever possible. Please note that you:

- must disclose the information in good faith.
- must believe it to be substantially true.
- must not act maliciously or make false allegations.
- must not seek any personal gain.

How To Raise Your Concern

As a first step, you should normally raise concerns either verbally or in writing with your immediate team leader/manager. The member of staff who receives and takes note of the complaint, must pass this information as soon as is reasonably possible, to the appropriate designated investigating officer as follows:

- Complaints of malpractice will be investigated by the managing director, unless the complaint is against the managing director or is in any way related to the actions of the managing director. In such cases, the complaint should be passed to the Chair of Directors for referral.
- In the case of a complaint, which is any way connected with but not against the managing director, the Chair of directors will nominate a director to act as the alternative investigating officer.
- Complaints against the Chair should be passed to the managing director who will nominate an appropriate investigating officer.

You have the right to bypass the line management structure and take your complaint direct to the Chair. The Chair has the right to refer the complaint back to management if she feels that the management without any conflict of interest can more appropriately investigate the complaint.

Should none of the above routes be suitable or acceptable to you, then you may approach one of the following individuals who have been designated and trained as independent points of contact under this procedure. They can advise you on the implications of the legislation and the possible internal and external avenues of complaint open to you:

- 1 Lady Anne Marie Nelson Director
- 2 Daniel Lewis Director

Timescales and procedure

Due to the varied nature of complaints, which may involve internal investigators and / or the police, it is not possible to lay down precise timescales for such investigations. The investigating officer should ensure that the investigations are undertaken as quickly as possible without affecting the quality and depth of those investigations.

The investigating officer, should as soon as practically possible, send a written acknowledgement of the concern to you and thereafter report back to you in writing the outcome of the investigation and on the action that is proposed. If the investigation is a prolonged one, the investigating officer should keep you informed, in writing, as to the progress of the investigation and as to when it is likely to be concluded.

All responses to you should be in writing and sent to your home address.

Independent advice

For independent advice please call:

Public Concern At Work

Website: www.pcaw.co.uk

Helpline: 020 7404 6609

Email: whistle@pcaw.co.uk

Brogdale CIC Environmental Policy

We are committed to providing a quality service in a manner that ensures a safe and healthy workplace for our employees, participants and minimises our potential impact on the environment. We will operate in compliance with all relevant environmental legislation and we will strive to use pollution prevention and environmental best practices in all we do.

We will:-

- integrate the consideration of environmental concerns and impacts into all of our decision making and activities,
- promote environmental awareness among our employees and encourage them to work in an environmentally responsible manner,
- train, educate and inform our employees about environmental issues that may affect their work,
- reduce waste through re-use and recycling and by purchasing recycled, recyclable or re-furnished products and materials where these alternatives are available, economical and suitable,
- promote efficient use of materials and resources throughout our facility including water, electricity, raw materials and other resources, particularly those that are non-renewable,
- avoid unnecessary use of hazardous materials and products, seek substitutions when feasible, and take all reasonable steps to protect human health and the environment when such materials must be used, stored and disposed of, · purchase and use environmentally responsible products accordingly,
- where required by legislation or where significant health, safety or environmental hazards exist, develop and maintain appropriate emergency and spill response programmes,
- communicate our environmental commitment to clients, customers and the public and encourage them to support it,
- strive to continually improve our environmental performance and minimise the social impact and damage of activities by periodically reviewing our environmental policy in light of our current and planned future activities.

Rebecca O'Neill Brogdale CIC Managing Director:-



Brogdale CIC Policy: Complaints

1.1 INTRODUCTION

If someone is unhappy with the service that they have received by any party within **Brogdale CIC**, a complaint may be made. Complaints may be directed at a person, a location, a service or something else. **Brogdale CIC** should remember that everybody has the right to make a complaint and **Brogdale CIC** should look at this as an opportunity to listen, learn and improve its service. No complaint should be dismissed as irrelevant and all complaints should follow the **Brogdale CIC** procedure written out below. However, a failure by **Brogdale CIC** to follow the procedure does not, in itself, make **Brogdale CIC** liable in any way.

1.2 PRINCIPLES OF FAIRNESS

When applying the procedure, **Brogdale CIC** will always follow these principles of fairness:

- The policy applies to all, irrespective of the nature of their involvement (employee, volunteer, client etc).
- To be non-discriminatory.
- All matters to be dealt with speedily.
- Where possible, allow for information to be kept confidential.
- For complaints against individuals/organisations, all parties to be informed of the complaints against them.
- Where relevant, tell employees what disciplinary action might be taken.
- Give individual/organisation involved an opportunity to have their say before decisions are made.
- Ensure that any individual/organisation that is complained against is given an explanation for any sanction and allow individuals/organisation to appeal against a decision.

2 POLICY PROCEDURE

2.1 STEP ONE: RESOLVE ISSUES INFORMALLY

Before making a complaint about an individual/organisation within **Brogdale CIC**, the complainant should, where possible, be encouraged to discuss the problem with the individual/organisation lead concerned in an attempt to reconcile the issue. An informal approach may be particularly helpful where complaints can be resolved quickly and confidentially.

2.2 STEP TWO: A FORMAL DISCUSSION

Where Step One cannot resolve a complaint, **Brogdale CIC** can set up a discussion between the parties involved in the complaint. **Brogdale CIC** will hold this discussion in private and an impartial representative will 'chair' the discussion. This will be a two-way conversation, aimed at discussing possible shortcomings in conduct or performance and encouraging improvement. All parties, including the chair, may bring an advocate to witness the meeting. Criticism will be constructive and the aim is to resolve the complaint.

In order to begin Step two, the complainant should speak with, or write to, the relevant project lead. If this is not possible, the complainant should contact another project lead or site manager from within **Brogdale CIC**.

2.3 STEP THREE: A BROGDALE CIC TRIBUNAL

Step one and Step two cannot resolve a complaint, **Brogdale CIC** will arrange for an impartial mediator. A panel from either within **Brogdale CIC** or independent from a partner organisation it will listen to the all parties involved in the complaint and make a decision to resolve the complaint. The impartial mediator's decision will be final.

In order to begin Step three, the complainant should speak with, or write to the relevant project lead. If this is not possible, the complainant should contact another project lead or site manager from within **Brogdale CIC**.

Signed _____ Name _____

Role _____ Date _____

Brogdale CIC: Data Protection Policy

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Privacy & Data Protection Policy

1. POLICY STATEMENT

This policy seeks to ensure that anyone working within **Brogdale CIC**, processes personal information fairly and lawfully, and in compliance with the eight principles of the Data Protection Act 1998 and the update of the 14th September 2017 and in line with the GDPR, General Data Protection Regulation EU to be updated in line with Brexit. It also seeks to ensure that anyone working within **Brogdale CIC** has respect for private and family life in accordance with Article 8 Human Rights Act 1998.

1.1 INTRODUCTION

Brogdale CIC needs to keep certain information about its employees, volunteers, clients and workers in other agencies to allow it to monitor performance, achievements, health and safety, equal opportunities, diversity and child and adult protection and in order to deliver the most appropriate support for all its clients (most of whom are young people or vulnerable adults). By definition, much of this personal data is sensitive. All such information must be collected and used fairly, stored safely and not disclosed to any other person unlawfully.

1.2 TERMS AND DEFINITIONS OF DATA PROTECTION

- Personal information - Any information from which a living individual can be identified. It includes details such as opinions or intentions of **Brogdale CIC** or another individual or organisation. It applies to information held on manual files as well as information recorded on computer including visual images such as photographic images as well as written text.
- sensitive personal information includes:

Racial / ethnic origins	Political opinions and other personal observations
Religious beliefs	Trade Union membership
Health data	Sexuality
Criminal matters	
- Data subject - The individual to which personal information relates.
- Data controller – The individual or organisation who “controls” / makes decisions as to how personal data is processed.
- Data Processor - Someone other than an employee of the data controller, who processes data on behalf of the data controller in accordance with the data controller’s instructions.
- Processing:

Obtaining	Retrieving	Recording	Consulting	Holding	Disclosing
Organising	Combining	Adapting	Altering	Blocking	Deleting / Erasing

1.3 SUMMARY OF PRINCIPLES OF DATA PROTECTION

Principle 1 - *All personal information will be processed fairly and lawfully and not unless one of the following conditions is met:*

- The data subject has given their consent.
- The processing is necessary for the performance of a contract, or with a view to entering into a contract.
- The processing is necessary for compliance with any legal obligation.
- The processing is necessary in order to protect the vital interests of the data subject.
- The processing is necessary for the administration of justice.
- The processing is necessary for the purposes of the legitimate interests of the data controller unless it would prejudice the rights and freedoms or legitimate interests of the data subject. In the case of sensitive information:
- The data subject has given explicit consent to the processing.
- The processing is necessary for the purposes of exercising any legal right or obligation in connection with employment.
- The processing is necessary in order to protect the vital interests of the data subject or another person in a case where consent cannot be given.
- The information has been made public as a result of steps deliberately taken by the data subject.
- The processing is necessary for the purpose of, or in connection with legal proceedings, or for obtaining legal advice.
- The processing is necessary for the administration of justice.

- The processing is necessary for medical purposes and is undertaken by a health professional, or a person who in the circumstances owes a duty of confidentiality, which is equivalent to a health professional.
- The information as to racial or ethnic origin is necessary for the purpose of identifying or keeping under review the existence or absence of equality of opportunity treatment.

Principle 2 - *Personal information shall only be processed for lawful purposes.*

Principle 3 - *Personal information shall be adequate, relevant and not excessive.*

Principle 4 - *Personal information shall be accurate and kept up to date.*

Principle 5 - *Personal information shall not be kept for longer than is necessary.*

Principle 6 - *Personal information shall be processed in accordance with the rights of the individual.*

Principle 7 - *Appropriate technical and organisational measures shall be taken against unauthorised or unlawful processing of personal information, and against accidental loss or destruction or damage.*

Principle 8 - *Personal data shall not be transferred to a country or territory outside the European Economic Area unless that country or territory ensures an adequate level of protection for the rights and freedoms of data subjects in relation to the processing of personal data.*

1.4 HUMAN RIGHTS ACT

Article 8 Human Rights Act 1998 states:

“Everyone has the right to respect for his private and family life, his home and his correspondence. There shall be no interference by a public authority with the exercise of this right except as in accordance with the law and is necessary in a democratic society in the interests of national security, public safety or the economic wellbeing of the country, for the prevention of disorder or crime, for the protection of health or morals, or for the protection of the rights and freedoms of others”.

Privacy is therefore an essential human right for all service users, employees and contractors. Any conduct in relation to any of the above categories of individuals must place the right to privacy at the highest level. Employees must at all times weigh up the potential breach of privacy against the necessity for any action contemplated for instance when considering entering a property without the presence or consent of the resident. Employees should ensure where they are responsible for distributing correspondence, that it is delivered unopened.

2. POLICY

2.1 USAGE

2.1.1 All personal information whether it comprises fact or opinion, given to **Brogdale CIC**, will be used only in direct connection with the purpose for which it was provided. Personal data will not be transferred, shared or passed onto a third party or used for a mailing list unless approval has been given specifically sought from the person to whom it refers (the Data Subject).

2.1.2 While data may be held or processed at various places, these same commitments still apply at all times, the only exceptions to this being in response to a court order or other legal obligation

2.2 TRANSPARENCY

2.2.1 **Brogdale CIC** will give clear and unambiguous guidance to any individual for whom it holds or will potentially hold personal information, about the type of personal information; its sources and type of processing likely to be carried out.

2.3 CONSENT

2.3.1 Sensitive data can be processed only when the data subject has been given explicit consent it is very important that signed consent is obtained at first point of contact with the individual. Without that consent for example it would not even be possible to process the application form.

2.3.2 Nothing in the above shall prevent specific consent from an individual being obtained relating to a particular matter where it may be appropriate to do so.

2.3.3 Therefore, all prospective employees and service users will be asked to give their consent to their data being processed when an offer of employment or place is made or when it deems a necessary or legal obligation to do so. If specific consent has been unreasonably withheld, it may be used only in order to protect the vital interests of another person. Apart from this reason, if specific consent is withheld it may be that the processing could be carried out under one of the exceptions in Principle 1 which should be checked.

2.3.4 If it is considered that processing could continue; would be “proportionate to do so” and this is supported by the Managing Directors of **Brogdale CIC**, the reasons for continuing with the processing must be

communicated to the individual (unless it would be completely inappropriate to do so) and recorded. The individual's own opinion and lack of consent must also be recorded and may result in the offer being withdrawn. This includes processing Criminal Record Bureau information about previous criminal convictions in accordance with the Rehabilitation of Offenders Act 1974

2.4 DISCLOSURE

- 2.4.1. Disclosure of personal information to an external person or agency is potentially a particular infringement of an individual's privacy. It is therefore important that specific consent is obtained.
- 2.4.2. Employees should not make any form of disclosure to "representatives" of individuals unless that individual has been given "Power of Attorney" and the scope of that power would cover such a disclosure; is a solicitor / licensed conveyancer instructed by the individual regarding an issue to which the disclosure would be relevant; is an individual or Local Authority who has "parental responsibility" for the individual who is an individual under 18 years.
- 2.4.3 Before making any disclosure to an external individual or agency (even if generally permitted) staff must consider whether the disclosure is necessary enough to outweigh the infringement of privacy. This should equally be considered before personal information is disclosed to another individual outside the department, but within **Brogdale CIC**.
- 2.4.4 Any disclosure should be following a request in writing to ensure that the officer is not making any unintended disclosure to an unaccepted party. Disclosure should therefore not be made over the telephone unless the staff member dealing is sure of the identity of the person requesting information. When dealing over the telephone with an individual who states that he/she is the individual whom information is sought, care should be taken to ensure that this is the case, for instance additional questions should be asked such as dates of birth.
- 2.4.5 Wherever possible it would be better to ensure that disclosure is made in writing and sent to the recipient. All such correspondence must be marked "Private and Confidential", and where appropriate (where the disclosure would only be authorised to a named individual) "Addressee Only". The nature, recipient and where appropriate reasons for disclosure should also be recorded. Whenever disclosure is being made either specifically, or in accordance with standard accepted reasons, the recipient must be advised that the personal information belongs to **Brogdale CIC** and cannot be used by the recipient for any other purpose other than that for which it is disclosed. Standard contracts between **Brogdale CIC** and Third Parties to whom personal information will be regularly disclosed should incorporate a clause that also states that personal information provided to them is for specific purposes and no other, and that they must operate systems to ensure that the personal information is kept secure in accordance with the Data Protection Act 1998.
- 2.4.6. Where **Brogdale CIC** (or an employee of **Brogdale CIC**) is requesting personal information, care should be taken to ensure that the request is limited to personal information that is essential to allow **Brogdale CIC** to complete work loads.

2.5 OBTAINING INFORMATION

All information obtained by Brogdale CIC from staff, volunteers or participants will be in line with the 8 principles of the Data Protection Act. All information given will be with specific consent. All background forms for participants will be signed by a young person if over 12 or by a parent or guardian if under 12 or not able to give consent personally.

2.6 DISPOSING OF INFORMATION

- 2.6.1 Personal information contained in a manual form must always be disposed of by shredding, or at least by tearing the paper to ensure that the personal information could not be further accessed. This would include draft letters to clients which are rewritten or otherwise discarded etc.

2.7 ACCURACY

Brogdale CIC will ensure that any personal information held on computer systems or manual files is not excessive, and is as accurate and up-to-date as possible (although the onus is on the individual to keep **Brogdale CIC** informed of any changes).

2.8 RETENTION

- 2.8.1 Data will not be kept longer than necessary. When its purpose has been fulfilled, it will be deleted confidentially and totally, either by deleting computer files or by shredding records. Manual files should be periodically checked, once a year, to ensure that information is not being kept for longer than is necessary.

- 2.8.2 In some cases, client and staff personal data may be retained (in line with Child Protection Best Practice). This is primarily where records may be required for subsequent referrals or investigation.

2.9 SECURITY

- 2.9.1 All personal information whether on computer systems or manual files will be kept as secure as necessary to avoid unintentional or unauthorised access by third parties (either internal or external).
- 2.9.2 All employees should, in particular, ensure that no third party can oversee their computer monitor/laptops when displaying personal information, especially service users. Manual files when not being worked on should be stored in lockable cabinets that must always be locked when an office area is unsupervised by those who have primary authority to access the files, such as weekend staff or night security staff. Employees must be particularly careful where work stations/laptops are within areas regularly visited by members of the public or and service users to ensure no file is left unattended however briefly.
- 2.9.3 Where it is necessary for files containing personal information to be taken out of the office, it is the responsibility of the employee with conduct of the file to maintain appropriate security with regard to the personal information contained within that file to ensure no un-authorised person or third party has access to that information. If files have to be left in a car they should be locked in the boot of the car. If files are not being carried in a brief case or similar, staff should consider the risk of un-authorised access when carrying files relating to more than one individual when visiting an individual. In all operations care should be taken by employees to ensure that indirectly individuals do not discover personal information about another individual.

2.10 SENSITIVE DATA

- 2.10.1 Sensitive data is personal data about an individual's racial or ethnic origin, political opinions, religious beliefs, trade union membership, physical or mental health, disability, sexual orientation, details of the commission or alleged commission of any offence and any court proceedings relating to the commission or alleged commission of an offence

2.11 SENSITIVE DATA PROCESSING

- 2.11.1 Sometimes it is necessary to process information about a person's criminal convictions, race and gender and family details. This may be to ensure that **Brogdale CIC** is a safe place for everyone, or to operate other **Brogdale CIC** policies, such as its Equal Opportunities and Diversity Policy.
- 2.11.2 **Brogdale CIC** may, at its discretion, also ask for information about particular health needs, such as allergies to particular forms of medication, or any conditions such as asthma or diabetes or disabilities. **Brogdale CIC** will only use the information in the protection of the health and safety of the individual, but will need consent to process it, for example in the event of a medical emergency. Due to this information being considered sensitive as well as it is recognized that the processing of it may cause particular concern or distress to individuals, staff, volunteers, parents and guardians will be asked to give express consent for **Brogdale CIC** to do this. Offers of employment or course/project places may be withdrawn if an individual refuses to consent to this, without good reason.

2.12 CHILDREN AND YOUNG PEOPLE

- 2.12.1 **Brogdale CIC** provides services for individuals under the age of 16 and over. Where data must be collected on persons under the age of 16, **Brogdale CIC** will in all circumstances, define this as Sensitive Data and subject to the additional rules regarding such data.

3. SUPPLIERS / CONTRACTORS AND OTHER THIRD PARTIES

- 3.1 Information relating to any individual, which **Brogdale CIC** maintains and processes must be processed in accordance with all the Data Protection principles and in accordance with the company's individual up to date data protection "notification".
- 3.1.1 Where **Brogdale CIC** or any subsidiary organisation enters into a contract with a third party information relating to that "contractor" will be held and processed in accordance with the data protection principles. It will be expected that all suppliers / contractors / partners etc., where they are maintaining and controlling personal information either in relation to the individuals working within the group or its customers, and that all agreements with third party suppliers will have an appropriate Data Protection Clause to the effect:

The exchange and processing of personal information between **Brogdale CIC** and will be fair and lawful. In particular, both / all parties will ensure that the relevant processing is notified to the

Information Commissioner and is conducted (where relevant) with the necessary consent of the individual concerned. Both / All parties will ensure that personal information is accurate; not kept for longer than is necessary; secure; and adequate, relevant and not excessive for the purposes of this agreement. All information will be processed in accordance with the rights of the individual.

- 3.1.2 Where a contract is with a “Data Processor” and the individual or company would not make any decision with regard to the data or how it is processed the following provision would be more appropriate: Personal information obtained by in the course of performing the terms of this contract / agreement remains under the sole control of **Brogdale CIC**. Processing is only permitted to the extent that it is necessary for the performance of this agreement / contract, and that information must not in any way be retained by must provide **Brogdale CIC** access for the purposes of conducting an audit of the processing, upon receipt of a request by **Brogdale CIC** giving reasonable notice. **Brogdale CIC** will respond.

4. IT AND DATA PROTECTION

Appropriate technical measures have been put in place to ensure that all electronic data is processed strictly in accordance with the Data Protection Act Principles. These are as follows:

4.1 PHYSICAL SECURITY

- 4.1.1 All electronic data resides within physically controlled access areas which is the offices used by all members of staff within **Brogdale CIC**, these areas are kept locked when no authorised personnel are present.
- 4.1.2 All monitors/laptops displaying information must be positioned to ensure limited opportunity for unauthorised viewing. Screen savers will be activated to protect the contents of the screen, where there has been a protracted period with no user input. The screen savers can be password protected depending on the likely sensitivity of the information being processed and viewed through the monitor by any particular individual.

4.2 SYSTEM SECURITY

- 4.2.1 Only authorised personnel can have access to computers (and relevant applications) via a personal password, which must not be disclosed to any other individual. The range of applications (and profiles / directories / menus within applications) that is available to any authorised individual is tailored on the basis of the function / department and role needs of that individual.

4.3 INTERNET AND EMAIL

- 4.3.1 All employees of **Brogdale CIC** must abide by the Electronic Communications Use Policy.

4.4 DESTRUCTION OF DATA

- 4.4.1 Where so advised by employees of **Brogdale CIC** using the personal data, that there is no longer justification for keeping that personal data electronically, the personal records will be permanently deleted from the “live” operating system.
- 4.4.2 Systems withdrawn from service are cleaned of any resident data before being taken off site.
- 4.4.3 Data used by suppliers for test purposes is tracked and later recovered and thereafter either destroyed or safely stored. The supplier is officially notified prior to commencement of work, of their obligation to the data protection act.

5. DISCLOSURE OF INFORMATION WITHIN THE GROUP

All information that is disclosed will only be done so with consent unless there is considered to be a need that overrides consent such as safeguarding of an individual or the general public. The principles of disclosing information within Brogdale CIC will be:

1. The Data Protection Act is not a barrier to sharing information
2. Be open and honest with the person/family
3. Seek advice if you are in any doubt
4. Share with consent where appropriate
5. Consider safety and well-being
6. Necessary, proportionate, relevant, accurate, timely and secure
7. Keep a record of your decision and reasons

6. DATA PROTECTION RIGHTS

Any individual for whom **Brogdale CIC** holds personal information regarding them has specific rights under the Data Protection Act 1998. These are as follows:

6.1 SUBJECT ACCESS RIGHTS

- 6.1.1 The right to request, in writing, the details **Brogdale CIC** holds about an individual / to have a permanent copy of the information and to know the purpose for which it is held; to know the source of the information; and disclosures made of the information, and logic behind any decisions made from the information. This will involve computer and manual records. However, this right does not entitle the individual to information about third parties (even where relating to the individual and kept on their file) and so this must not be inadvertently disclosed through the process. Any information that is “privileged” can also be withheld. “Privileged” information is that which is the legal advice relating to an individual or is information prepared for the subject of legal advice.
- 6.1.2 Upon the information being provided to the individual, they can insist on rectification of inaccurate information, take Court action for breaches of the Data Protection Principles and claim compensation for damage. An individual can also make a request to the Data Protection Commissioner for an assessment as to whether it is likely or unlikely that the processing is being carried out in compliance with the Act.

6.2 RIGHT TO PREVENT PROCESSING

- 6.2.1 An individual has the right to require **Brogdale CIC** to stop or not begin information on the grounds that it is likely to cause substantial damage or distress to the subject or another and that damage or distress would be unwarranted, except where the individual has already consented to processing of personal information.

6.3 RIGHT NOT TO HAVE AUTOMATED DECISIONS MADE

- 6.3.1 An individual has the right to require **Brogdale CIC** to ensure that no decision is taken by or on behalf of **Brogdale CIC** that significantly affects an individual, is based solely on the automated processing of personal information, for instance a computer pointing system for allocations.

Signed _____ Name _____

Role _____ Date _____

APPENDIX C

Travelling at Work – Risk Assessment

Risk assessment is the systematic way to identify factors that could increase the risk of an accident and ways in which these can be reduced. This Appendix has been prepared as a guide for managers when considering the hazards and risks faced by an individual or team when travelling at work. This guide does not cover all potential risks and managers need to identify other hazards and risk reduction measures specific to particular activities or teams.

Managers should always carry out risk assessments in consultation with individuals or teams as appropriate. Assessment should be carried out when an employee first starts travelling on the organisation's business, when moving to a new job within the organisation, where traveling is involved, or changing activities within an existing job which alters the nature or amount of driving to be undertaken. Where risk assessments already exist managers should ensure that new employees are aware of any identified control measures.

Hazard Factor that could cause increase the risk	Suggested ways of containing/controlling the risk	What else do you do, or could you do? Please indicate completion date
□ Planning		
Risk exposure increased through number of journeys made.	Is the journey necessary? Can email or telephone call deal with the matter?	
Method of travel may increase the risk i.e. long journeys by road	Consider using alternative forms of transport	
Insufficient time allowed for traffic conditions (leading to travelling against the clock)	Plan sufficient time for journey avoiding routes known to be congested. Build time for delays into the diary. Travel at off peak times	
Unfamiliarity with route (getting lost)	Plan route before undertaking journey. Use SatNav system to help. Make sure the correct address of the location is known	
Poor time management	Consider developing a timetable to avoid visits over running. Allow for breaks and journey times. Try to plan visits in one area on certain days	
Lone working	Consider 'pairing-up' for visits. Review or develop systems for monitoring lone workers i.e. providing mobile phones, make sure the work is reported with start and finish times	
Lack of awareness of journeys (unable to contact Reviewed January 2018.	Make sure that the whereabouts of employees is known along	

Travelling at Work Risk Assessment

APPENDIX C

employee in an emergency)	with contact details	
Long working days leading to fatigue	Plan the day so that sufficient breaks are allowed. Consider sharing the driving. If working during the evening consider taking a rest during the day	
Special needs of any passengers	Carry out or consult any existing risk assessment before journey. Passengers to be in back of car. Driver must have DBS	
□ Travelling - including on-foot		
Delays en-route	Take contact details and phone ahead if necessary to advise of delay. Cancel journey.	
Adverse weather conditions (loss of control of vehicle, slipping)	Delay/postpone journey. Consider/use alternative forms of transport. Wear suitable footwear	
Carrying files/equipment (may increase the risk of a manual handling injury) consider Data Protection	Determine whether it is actually necessary to transport files and equipment. Provide manual handling training if needed for moving equipment. Have in place secure files in line with DP.	
Transporting equipment e.g. boxes, laptops, tools (danger of objects moving around inside the vehicle or manual handling injury)	Wherever possible, securely store items in the boot/load area when travelling. For motorcycles/cycles use panniers/topbox or rucksack. Place briefcases etc in the boot.	
Personal injury	Wear high visibility clothing, walk on footpath where provided. When walking on carriageway face oncoming traffic. Use designated crossing points.	

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Personal attack, including aggression from another road user (commonly known as road rage)	Carry mobile phone hands free for emergency use. Keep attractive items out of sight. Consider locking doors. Try to diffuse aggressive situations, by using a calm voice and moving away as soon as possible.	
Using mobile communication equipment when driving (impairs concentration)	Only use mobile communication equipment when it is safe and legal to do so i.e. when stationary, at side of road or in a lay by/car park or by means of a hands free set. It is recommended that phones should be turned off or set to accept voicemail whilst travelling.	
□ Protection		
For motorbikes and bicycles – personal injury (due to falling off/collision)	Wear strong protective and high visibility clothing.	
□ Personal		
Poor driver attitude	Improve driving skills through training/guidance. For high mileage drivers consider providing defensive driver training.	
Unfamiliarity with vehicle i.e. pool or loan car	Drivers should familiarise themselves with the operation of any vehicle before driving it. This would include pulling a trailer.	
Driving under the influence of alcohol is illegal	Comply with the law don't drink and drive this would be a dismissal incident.	
Use of drugs [prescription & illicit] (Drowsiness and hallucinatory effects)	Do not drive after taking any drug that may affect driving ability. Heed warnings provided by GP/Pharmacist	
Driver fatigue (falling asleep at the wheel, inattention/poor concentration)	Plan time to take a rest/comfort break(s). Take a rest if tiredness is experienced. Vary route used.	

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<input type="checkbox"/> Maintenance, Etc		
Mechanical/parts defect	Make sure that the vehicle is regularly maintained and pre-journey checks are completed. That Business insurance is in place and that admin have copy of driving licence, MOT, Insurance before using cars for work or to transport colleagues or participants	
<p>If you are using this form as a record of assessment for your team please sign, date and store safely. If individual risk assessments are necessary please complete Driving at Work Form – Part B – Risk Assessment</p>		
<p>Team: Signature of manager:</p> <p>Date: Job title :.....</p>		

