

# **The MAC Safeguarding Policy – March 2017**

## **STATEMENT OF INTENT**

The MAC is committed to safeguarding the welfare of children, young people and adults at risk. We believe that:

- The welfare of the child, young people and adult at risk is paramount.
- All children, young people and adults at risk whatever their age, culture, disability, gender, language, racial origin, religious beliefs and / or sexual identity have the right to protection from abuse and exploitation.
- All suspicions and allegations of abuse should be taken seriously and responded to swiftly and in an informed manner.
- Staff and volunteers should be clear on how to respond appropriately

The MAC will take every reasonable step to ensure that children, young people and adults at risk are protected. Including when our staff are directly involved in the delivery of an arts project and/or when our staff recruit or broker relationships between an artist or arts facilitator and a third party.

This policy has been approved and endorsed by senior management and the Board of Trustees and applies to everyone involved with the MAC (Board, Managers, staff, volunteers, visiting artists and companies, internal and external stakeholders and visitors to the MAC).

## **PRINCIPLES OF GOOD PRACTICE FOR CHILDREN, YOUNG PEOPLE AND ADULTS AT RISK**

At all times, The MAC will:

- Treat with care, respect and dignity
- Put their welfare at the heart of our work
- Ensure communication is open and clear
- Assess the potential risks of its activities
- Recognise their rights as individuals and accord them the respect they deserve by considering, listening to, acknowledging and valuing their opinions and needs
- Train all staff in safeguarding/protection issues
- Review our policy and procedures annually or when the law changes

## **CODE OF CONDUCT**

All the MAC staff must sign up to and abide by the Code of Conduct attached to this Policy at Appendix A. The induction of staff will include detailed discussion of the requirements of this Code.

Any breach of the code of conduct will result in relevant disciplinary action.

## **RECRUITMENT AND INDUCTION OF STAFF**

The MAC is committed to equality and fair treatment of all core staff, freelance employees and potential candidates for posts within the MAC.

The MAC is also committed to ensuring that the welfare of children, young people and adults at risk is of paramount consideration and that the MAC recruitment systems do not increase or ignore the potential risk of harm to children, young people or adults at risk nor do they compromise or put at risk individual staff members or candidates.

The MAC is currently registered with Volunteer Now, and requires enhanced disclosures from all staff that have regular contact with children, young people and adults at risk. As part of The MAC's recruitment and selection process, offers of employment to positions where working with children, young people and adults at risk is an expected part of the job will be subject to an Access NI check. This applies to persons engaged on staff, casual, voluntary or freelance contracts.

The MAC will put in place the following step-by-step system to secure and monitor its recruitment system:

- All posts will be approved by management
- There is an open recruitment process in place
- Job descriptions will be provided for all posts, giving details of level of disclosure required where applicable
- Any person applying for a post working with children must complete an application form
- There is a declaration form requesting information on previous convictions and investigations, if any, and if required, a consent form for an AccessNI check

- Two written references will be obtained (and followed up when necessary)
- Where required and appropriate, Access NI disclosure check is carried out
- Obtain 2 forms of identification
- Set a probationary period (if applicable)
- Interview candidates (if applicable)
- Sign written agreement to abide by Code of Behaviour
- Ensure all new recruits undergo an induction process and are familiar with safeguarding policy and procedures.

## **INDUCTION AND TRAINING**

### **Core Staff and volunteers**

Training on safeguarding will form part of the MAC induction programme, and will then be updated as required. An enhanced “raising awareness” training session will be delivered to staff and volunteers annually.

The MAC have an annual appraisal for all staff and an informal review (job chat) for volunteers, to give feedback to individuals on their general performance and to give recognition for good work and help develop skills further.

Records are kept of all training completed by MAC staff and volunteers.

### **Induction for Project-based Employees**

All staff employed on project-based contracts, will be provided with written guidelines, and a practical induction if required, covering all aspects of the MAC’s policy and procedures and may have additional elements depending on the nature of the activity to take place. These written guidelines will be reviewed and updated regularly in accordance with changes in legislation and best practice.

## **USE OF PHOTOGRAPHIC /FILMING EQUIPMENT AND STORAGE OF IMAGES**

The MAC will request all relevant consent in advance of any filming or photography and will adhere to the following guidelines:

- Will provide a clear brief about appropriate content and use of image(s)
- Identify photographer to host group
- Will not permit unsupervised access to children
- Avoid using names of children if image is used
- Consent must be given for photographs and film being used for promotional purposes
- All consent forms will be stored in line with data protection legislation.
- Electronic Images or videos of children will be kept in a protected folder with restricted access
- Images of children will not be stored on unencrypted portable equipment such as laptops, memory sticks and mobile phone.

## **REPORTING SYSTEMS**

The MAC is aware of the importance of responding to, reporting and recording concerns, allegations and disclosures and following the correct reporting processes to support any investigation. A Safeguarding information pack with reporting forms and an incident diary will be kept in the Duty Managers Office for any staff wishing to report a safeguarding concern.

The Safeguarding pack will contain

- Guidelines as to what constitutes a child protection or adult at risk concern
- Guidelines about how to respond to such concerns
- A flow chart detailing the procedure for recording and reporting information in a confidential manner
- Contact details for the Designated Officer responsible for dealing with safeguarding issues

### **Designated Officer**

The Designated Officer will be Paul McIlwaine, Director of Finance and Operations contact telephone number 07703721968 if unavailable then contact Linda McBurney, Admin & HR Officer on 028 90892960 or 07740943444.

A poster with these details will be displayed in designated areas in the MAC.

**The role of the Designated Officer is to:**

- Be the first-person staff, volunteers or members of the public approach with concerns
- Ensure all stakeholders are trained in the safeguarding policy
- Ensure that safeguarding policy and procedures are being implemented
- Contact statutory organisations about concerns and make referrals if necessary

**What constitutes a child protection concern?**

A concern which relates to the possibility of a child suffering harm or abuse. The most likely examples of this in the context of The MAC activities are:

- Worrying remarks made by a child.
- Sudden, unexplained or worrying changes in behaviour (e.g. becoming withdrawn, displaying sudden outbursts of temper or displaying inappropriate sexual awareness for their age).
- Physical signs or symptoms that may be indicative of abuse (e.g. unexplained or suspicious injuries or for which the explanation given seems inconsistent, or physical appearance such as weight loss for no apparent reason or a dirty or unkempt appearance).
- Situations where a child has been exposed to potential risk of harm
- Concern about the behaviour of a worker (e.g. inappropriate or unacceptable behaviour, negligence or favouritism)
- Disclosures –when a child tells you that they are/have been harmed or abused in any way

Due to the nature of expressivity involved with all arts forms, staff and volunteers should be aware that children may express their emotions in different ways. Any concerns about a child should be reported in line with the reporting procedure

**What constitutes a risk concern about an adult at risk?**

Everyone is entitled to have their civil and human rights upheld and to live a life free from abuse and neglect. A concern which relates to the possibility of a vulnerable adult suffering harm or abuse. The most likely examples of this in the context of The MAC activities are:

An adult may be vulnerable to abuse because s/he has a mental health problem, a disability, a sensory impairment, is old or frail, has some form of illness or because of his or her living circumstances, for example, living alone or in isolation or in a residential care home, nursing home or other institutional setting.

Staff and volunteers need to be aware of circumstances that may leave an adult vulnerable to abuse and be able to recognise the possible signs of abuse. They should be alert to the demeanour and behaviour of vulnerable adults and those around them and changes that may indicate that something is wrong.

### **What is abuse?**

Abuse is a violation of an individual's human and civil rights by any other person or persons.

Many incidents of abuse are criminal acts. Abuse is defined as:

*'The physical, psychological, emotional, financial or sexual maltreatment or neglect of a vulnerable adult by another person. The abuse may be a single act or repeated over a period of time. It may take one form or a multiple of forms. The lack of appropriate action can also be a form of abuse. Abuse can occur in a relationship where there is an expectation of trust and can be perpetrated by a person(s), in breach of that trust, who have influence over the life of a dependant, whether they be formal or informal carers, staff or family members or others. It can also occur outside such a relationship'.*

Abuse can be either deliberate or the result of ignorance, or lack of training, knowledge or understanding. Often if a person is being abused in one way, they are also being abused in other ways. Abuse can take many forms:

Type of Abuse	Signs/ Symptoms
<b>Psychological abuse</b> Including - emotional abuse, verbal abuse, humiliation, bullying and the use of threats.	Being withdrawn, too eager to do everything they are asked, showing compulsive behaviour, not being able to do things they used to, not being able to concentrate or focus.
<b>Financial or material abuse</b> Including - misusing or stealing the person's property, possessions or benefits, cheating them, using them for	Having unusual difficulty with finances, not having enough money, being too protective of money and things they own, not paying bills, not having

financial gain, putting pressure on them about wills, property, inheritance or financial transactions.	normal home comforts.
<b>Sexual abuse</b> Including - direct or indirect sexual activity where the vulnerable adult cannot or does not consent to it.	Physical symptoms including genital itching or soreness or having a sexually transmitted disease, using bad language, not wanting to be touched, behaving in a sexually inappropriate way, changes in appearance.
<b>Neglect or acts of omission</b> Including - withdrawing or not giving the help that a vulnerable adult need, so causing them to suffer.	Having pain or discomfort, being very hungry, thirsty or untidy, failing health, changes in behaviour.
<b>Discriminatory abuse</b> Including - the abuse of a person because of their ethnic origin, religion, language, age, sexuality, gender or disability.	The person not receiving the care services they require, their carer being overly critical or making insulting remarks about the person, the person being made to dress differently from how they wish.
<b>Institutional abuse</b> This can happen when an organisation where the person is living or receiving care from fails to ensure that the necessary processes and systems are in place to safeguard vulnerable adults and maintain good standards of care and service.  Including - lack of training of staff and volunteers, lack of or poor quality supervision and management, poor record keeping and liaison with other agencies, low staff morale and high staff turnover.	Vulnerable adult has no personal clothing or possessions, there is no care plan for him/her, s/he is often admitted to hospital, or there are instances of staff/volunteers having treated him/her badly or unsatisfactorily or acting in a way that causes harm; poor staff morale, high staff turnover and lack of clear lines of accountability and consistency of management. Sometimes there may be concerns about a vulnerable adult's well-being, which are not dealt with under vulnerable adult protection procedures. Where such concerns arise, they should be reported to the local HSC Trust, as the person concerned may benefit from

	assessment and intervention. A record of a referral of this nature to a HSC Trust should be maintained. Relevant contact numbers for each of the HSC Trusts can be accessed through: <a href="http://www.hscni.net">www.hscni.net</a>
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## **Responding to concerns**

It is not The MAC's responsibility to investigate any concern, or decide whether or not it constitutes abuse. Employees simply need to ensure that all information is passed to the Designated Officer without delay.

All concerns should be recorded, no matter how insignificant the information may seem.

In the case of a child disclosing abuse, The MAC employees/volunteers should:

- Follow recommended practice re dealing with disclosures detailed in The MAC's safeguarding policies and procedures.
- Find designated Child Protection Officer/Teacher/Youth Worker and report concern
- Complete report form (forms will be kept in Duty Managers Office). The form should then be copied leaving one with Child Protection Officer and retaining one
- Notify the MAC Designated Officer at earliest opportunity
- All records will be held confidentially and supplied for any further investigation
- Employees will be supported in any investigation even after their contract of employment has ended

**Should the Child Protection Officer/Teacher/Youth Worker of the host organisation not be available:**

- Employees/volunteers should notify The MAC Designated Officer immediately who will then follow up with the Child Protection Officer/Teacher/Youth Worker when available. Employees will need to make themselves available should a meeting be required



### **In the case of an allegation made against a MAC employee/volunteer:**

- Whether the allegation comes from a child or a member of staff of a visiting organisation, the designated Child Protection Officer/Teacher/Youth Worker of the visiting organisation will be responsible for notifying the authorities and initiating the appropriate procedures. The Child Protection Officer/ Teacher/Youth Worker will also be responsible for notifying The MAC's Designated Officer at the earliest opportunity.
- Where an allegation is made from within The MAC or to a MAC employee/volunteer about a colleague, the Designated Child Protection Officer/ Teacher/Youth Worker in the visiting organisation will be notified and will be responsible for notifying the authorities.
- Any employee against whom an allegation is made will be suspended by The MAC on full pay for the duration of their contract or until such time as the investigation is complete.
- Any volunteer against whom an allegation is made will be suspended from volunteering until such time as the investigation is complete.
- Allegations made against core staff or volunteers should be notified to The MAC's Board of Trustees through the Chair.

#### **In all cases:**

- If no system is in place within the host organisation or if the MAC feels it is either inappropriate or ineffective to notify them, the MAC will take steps to notify the appropriate authorities, i.e. the police or social services.
- The MAC's Board of Trustees will be notified when an incident has taken place.

### **CONFIDENTIALITY**

Information relating to a child, young person or adult at risk should be confidential and shared on a 'need to know' basis only. Staff and volunteers should be clear that information relating to a concern, disclosure or allegation or suspicion should not be discussed inside or outside the organisation, other than with those, such as the Line Manager or Nominated Manager, who need to know.

All written records will be stored in a secure location and accessed by authorised personnel only. Electronic records held on computers will also be appropriately secured by way of password protection and restricted access.

Information will be disposed of within timescales that are in keeping with the requirements of the Data Protection Act.

## **COMMUNICATION OF THE POLICY**

The MAC is committed to promoting awareness of issues that may cause harm to children, young people and adults at risk and raising understanding of their rights as individuals. The MAC is also committed to promoting good practice generating a culture of 'openness' within its own work and in a wider context.

The MAC will communicate its policy practically, publicly and in the promotion of good practice.

### **Practical Communication**

The MAC will draw attention to its policy in its literature and guidelines sent to host organisations. It will make them aware of its reporting and complaints procedures and gather information on their policies. Where appropriate, it will provide supplementary information for distribution to parents and carers. Host organisations will be notified of the policy and where appropriate will be provided with notices for display and other relevant literature.

### **Public Communication**

The MAC will make its safeguarding policy and procedures available through its website. Where appropriate, it will carry literature relating to its policy for distribution to members of the public. It will also be open to enquiries, concerns and complaints about issues relating to safeguarding.

### **Promotion of Good Practice**

The MAC will make the welfare of children, young people and adults at risk a consideration in all areas of its work. It will stipulate that its host organisations must have in place mechanisms and procedures relating to safeguarding.

### **Management and Monitoring**

The MAC is committed to managing the implementation of this policy in full and ensuring that it is reviewed regularly and amended as necessary.

### **Responsibility for Management**

Final responsibility of the policy will rest with the Board of Trustees of the MAC. The daily and ongoing management of the policy will be undertaken by the Designated Officer taking a lead role in record-keeping and implementation of procedures. All other employees regardless of their length of contract or duties will have a responsibility to adhere to the organisation's safeguarding policy and follow all procedures as required.

### **Monitoring**

- The MAC will monitor its recruitment, selection and vetting procedures to ensure potential candidates are compliant with the requirements of this policy
- Induction and training will be recorded for all staff and with each new intake of project-based staff. The MAC will keep a record of those employees who return for subsequent contracts and provide references as appropriate
- The MAC will keep detailed and accurate records of any reported incidents, allegations or concerns and comply with all requirements to supply information as appropriate in line with data protection legislation
- The MAC will be pro-active in gathering information on changes in law and practice and disseminate these/review procedures as appropriate
- The MAC will retain all relevant records and will hold confidentiality as a primary consideration.
- The MAC Board of Trustees will make spot checks to ensure all procedures are being fully implemented

### **Review**

The MAC will review its policy annually alongside other company policies. This will be undertaken at Board level. The review will take into consideration:

- Any issues that have arisen during the year from the implementation of the policy
- Any incidents reported and their implications for changes to be made
- Comments and suggestions from any source
- Changes in legal responsibility or recommended practice
- Issues arising from outside the sphere of child protection (e.g. changes in other legislation)

Any amendments required to policy and procedures will be discussed quarterly safeguarding meetings. Changes to the Policy will be approved at Board level.

## **Appendices**

<b>Appendix</b>	<b>Content</b>
<b>A</b>	<b>The MAC Code of Behaviour</b>
<b>B</b>	<b>Useful Contacts</b>
<b>C</b>	<b>Reporting Procedure Flow Chart</b>
<b>D</b>	<b>Disclosing and Barring N.I.</b>
<b>E</b>	<b>Report Form</b>
<b>F</b>	<b>Documentation clearance form</b>
<b>G</b>	<b>Information on safeguarding for Host groups</b>
<b>H</b>	<b>Whistle-blower Policy</b>
<b>I</b>	<b>Recognition of Abuse and Poor Practice</b>
<b>J</b>	<b>Risk Assessment Form</b>
<b>K</b>	<b>Near Miss Form</b>
<b>L</b>	<b>Disciplinary Procedure</b>
<b>M</b>	<b>Grievance Procedure</b>

## **APPENDIX A**

### **The MAC Code of Behaviour**

This document outlines how the MAC expects its employees, volunteers, facilitators and visiting artists to behave when representing the MAC. While it does not cover every possible situation that might arise, it will help employees use their judgement to act and respond appropriately and avoid situations that are risky, inappropriate, or open to misinterpretation.

Workshop facilitators will need to be particularly sensitive to how their behaviour impacts on children. All guidance should be applied before and after activities as well as during.

**Any breach of the Code of Conduct will result in disciplinary procedures.**

#### **Code of behaviour - Children**

##### **DO:**

- Be supportive, approachable and reassuring
- Show respect, be patient and listen to children
- Respect a young person's right to personal privacy for example sharing personal information
- Treat children with consistency and fairness
- Set a good example by using appropriate language, attitude and demeanour always
- Offer support and empathy in a manner appropriate to age, stage and gender of a child - always in an open and transparent/guardian manner and within context e.g. if child distressed
- Ensure that any time spent with children takes place in as open a setting as possible
- Provide clear instruction, clarify meaning and establish clear boundaries
- Involve children in the decision-making process as much as possible (e.g. activities)
- Focus on the child and what they really want to do (i.e. it is more damaging to push a child who is not ready, for example, to take part in a performance)
- Encourage leadership, responsibility and participation in activities

- Encourage children to do as much as possible for themselves and instil confidence - support them to make choices and to find acceptable ways to express their feelings. This will enable children to have the self-confidence and vocabulary to resist inappropriate approaches
- If there is a need to change clothes, separate (by gender) changing facilities should be used (consult Duty Manager)
- Conduct activities within sight or hearing of others. Where possible involve more than one child in a conversation
- Consult staff of visiting group (e.g. schools/community groups) as they will have a longer and more complex relationship with the children
- Keep physical contact to an appropriate level. What that level is in relation to a specific activity should be discussed with the MAC beforehand and then with the lead contact person in the visiting group. Be prepared to adjust the activity to allow for changing circumstances
- Avoid excessive physical contact with children and refrain from activities such as wrestling or tickling. Ask the child if a particular physical activity is okay
- Identify a lead contact in each visiting group and the lead contact person from the MAC
- Stay in prescribed areas and avoid wandering around the building
- Secure equipment of any kind that could be used unsafely or as a weapon (scissors, staple guns, penknives, etc.) must be kept away from children and used by them only under supervision

**Never:**

- Work or perform without supervisory staff/volunteer present. The visiting organisation is responsible for supervising children and no MAC employees – individually or together – should be left alone with children for any length of time
- Hit or physically assault or abuse children
- Show favouritism towards a child
- Shout at/argue with children or other workers in a humiliating/patronising/threatening manner
- Comment on personal appearance or dress
- Promise to keep secrets

- Belittle or demean children
- Embarrass, ignore or single out a child
- Allow or engage in inappropriate touching
- Engage in sexually provocative games
- Give personal contact details to children; organisational details should be used instead
- Text/telephone/e-mail children on a one-to-one basis unless with parental consent and for a specific purpose
- Invite/accept invites from children for social networking websites
- Let allegations a child makes/a concern go unrecorded or leave issues unresolved
- Allow children to engage in abusive peer activities, e.g. bullying, mocking or initiation ceremonies
- Leave children unsupervised
- Allow children to use language that is deemed inappropriate or offensive to others within the group
- Do things of a personal nature for children that they can do themselves
- Take children to your home (or their own home if a parent/guardian/carer is not there)
- Offer lifts to children or permit them to travel in a MAC representative's vehicle
- Arrange meetings with children outside organised activities without the prior consent of parents and the MAC
- Be under the influence, or recovering from the effects of, alcohol/illegal substances or turn up for work smelling of alcohol
- Smoke in the MAC grounds, or in the presence of children or young people
- Offer alcohol, cigarettes or drugs (even headache tablets) to a child
- Bring any type of prescription drugs into the MAC or host organisation, unless medically necessary. If necessary (e.g. inhaler, epi-pen) ensure they are kept on your person at all times, or with the host organisation

- Bring items of value in to the MAC. These should be left at home or given to the Duty Manager or leader from the visiting group during activities. Mobiles must be switched off during all activities
- Swearing and having conversations of an adult nature should be avoided. The MAC has a 'no swearing' policy which must be respected
- Never undermine, ridicule or insult the staff or volunteers of a visiting group

### **Code of behaviour – Adults at Risk**

Having a Code of Behaviour for adults at risk will minimise the opportunity for vulnerable adults to suffer harm. It will also help to protect staff/volunteers by ensuring they are clear about the behaviour that is expected of them and the boundaries within which they should operate. Many aspects of a Code of Behaviour are common sense but has been formalised to ensure consistency of practice.

#### **DO**

- Be open to and aware of diversity in the beliefs and practices of vulnerable adults and their families
- Make allowances for the difficulties posed by language barriers and other communication difficulties
- Use the procedures outlined in this Guidance to report any discrimination against vulnerable adults and their families by other staff members/volunteers
- Maintain records of vulnerable adults' personal allowances, receipts and expenditure in line with organisational policy
- Report any suspicions of financial abuse
- Ensure that any photographs/videos taken of a vulnerable adult are appropriate
- Report any inappropriate use of images of a vulnerable adult
- Report any inappropriate or dangerous behaviour on the internet that involves a vulnerable adult



**Staff/volunteers should NOT:**

- Spend excessive amounts of time alone with vulnerable adults away from others
- Take a vulnerable adult to his/her own home
- Take a vulnerable adult alone on a car journey, unless this forms part of the organisation's core activities
- Discriminate against vulnerable adults and their families who have different cultural backgrounds and beliefs from their own

**A staff member/volunteer should NEVER:**

- Abuse, neglect or harm or place at risk of harm, vulnerable adults whether by omission or commission
- Engage in rough physical games with vulnerable adults, including horseplay
- Engage in sexually provocative games with vulnerable adults e.g. spin the bottle, strip poker
- Make sexually suggestive comments to a vulnerable adult
- Form inappropriate relationships with vulnerable adults
- Gossip about personal details of vulnerable adults and their families; or make/accept loans or gifts of money from vulnerable adults
- Never deny a vulnerable adult access to his/her money
- Never gain in any way when using the vulnerable adult's money on his/her behalf or guiding the vulnerable adult in the use of his/her own money
- Never borrow money from, or lend money to, a vulnerable adult
- Never photograph/video a vulnerable adult, even by mobile phone without the vulnerable adult's valid consent

**What if a child/vulnerable adult discloses abuse?**

In cases where a child, young person or adult at risk discloses abuse to a staff member or volunteer, it is important that staff/volunteers know how to react appropriately, according to the following guidelines:

**Do**

- Stay calm
- Listen and hear
- Express concern and sympathy about what has happened
- Reassure the person – tell the person that s/he did the right thing in telling you
- Let the person know that the information will be taken seriously and give information about what will happen next
- If urgent medical/police help is required, call the emergency services
- Ensure the safety of the person
- Be aware that medical and forensic evidence might be needed
- Let the person know that they will be kept involved at every stage
- Record in writing what was said and/or observed as soon as possible. Use the forms located in the safeguarding pack held in Duty Manager's Office and remember to date and sign your report.
- Report without delay to the Designated Officer. Contact details are to be found on posters on every floor of the MAC or in the Safeguarding pack in the Duty Managers Office.
- Act without delay

**Never**

- Stop someone disclosing to you
- Promise to keep secrets
- Press the person for more details or make them repeat the story
- Gossip about the disclosure or pass on the information to anyone who does not have a legitimate need to know
- Contact the alleged abuser

- Attempt to investigate yourself
- Leave details of your concerns on a voicemail or by email
- Delay

**Print Name:** \_\_\_\_\_

**Signature:** \_\_\_\_\_

**Date:** \_\_\_\_\_

## APPENDIX B

### Useful Contacts

<b>ACE (Advisory Centre for Education)</b> Advice on bullying	<a href="http://www.ace-ed.org.uk">www.ace-ed.org.uk</a> <b>Helpline</b> 0808 800 5793
<b>Anti-bullying Alliance</b>	<a href="http://www.antibullyingalliance.org">www.antibullyingalliance.org</a>
<b>Behaviour Management</b>	<a href="http://www.parenting-ed.org">www.parenting-ed.org</a>
<b>Bullying</b> Good advice for children on bullying is outlined here - how to recognise it, and what to do if you are the victim or know of someone who is. For those unwilling to tell anybody, help is available on the site via email.	<a href="http://www.bullying.co.uk">www.bullying.co.uk</a>
<b>Child Exploitation Online Protection</b>	<a href="http://www.ceop.gov.uk">www.ceop.gov.uk</a>
<b>Child Protection in Sport Unit (CPSU)</b> Newsletter email "subscribe" to cpsu@nspcc.org.uk	<a href="mailto:pstephenson@nspcc.org.uk">pstephenson@nspcc.org.uk</a> <a href="http://www.thecpsu.org.uk">www.thecpsu.org.uk</a> 028 90351135
<b>Childline Northern Ireland</b> Got a problem? Childline has helped hundreds of thousands of children in trouble or danger. If you feel you can't face ringing them, check out their website. There are fact sheets on many subjects including bullying.	<a href="http://www.childline.org.uk">www.childline.org.uk</a> <b>Helpline</b> 0800 11 11  2Nd Floor, Lanyon Jennymount Business Park, North Derby St, Belfast BT15 3HN Tel: 0844 892 0245
<b>Children's Law Centre</b>	<a href="http://www.childrenslawacentre.org">www.childrenslawacentre.org</a> Philips House, York St, Belfast, BT15 1AB Tel: 028 90245704 <b>CHALKYHelpline</b> 0808 808 5678

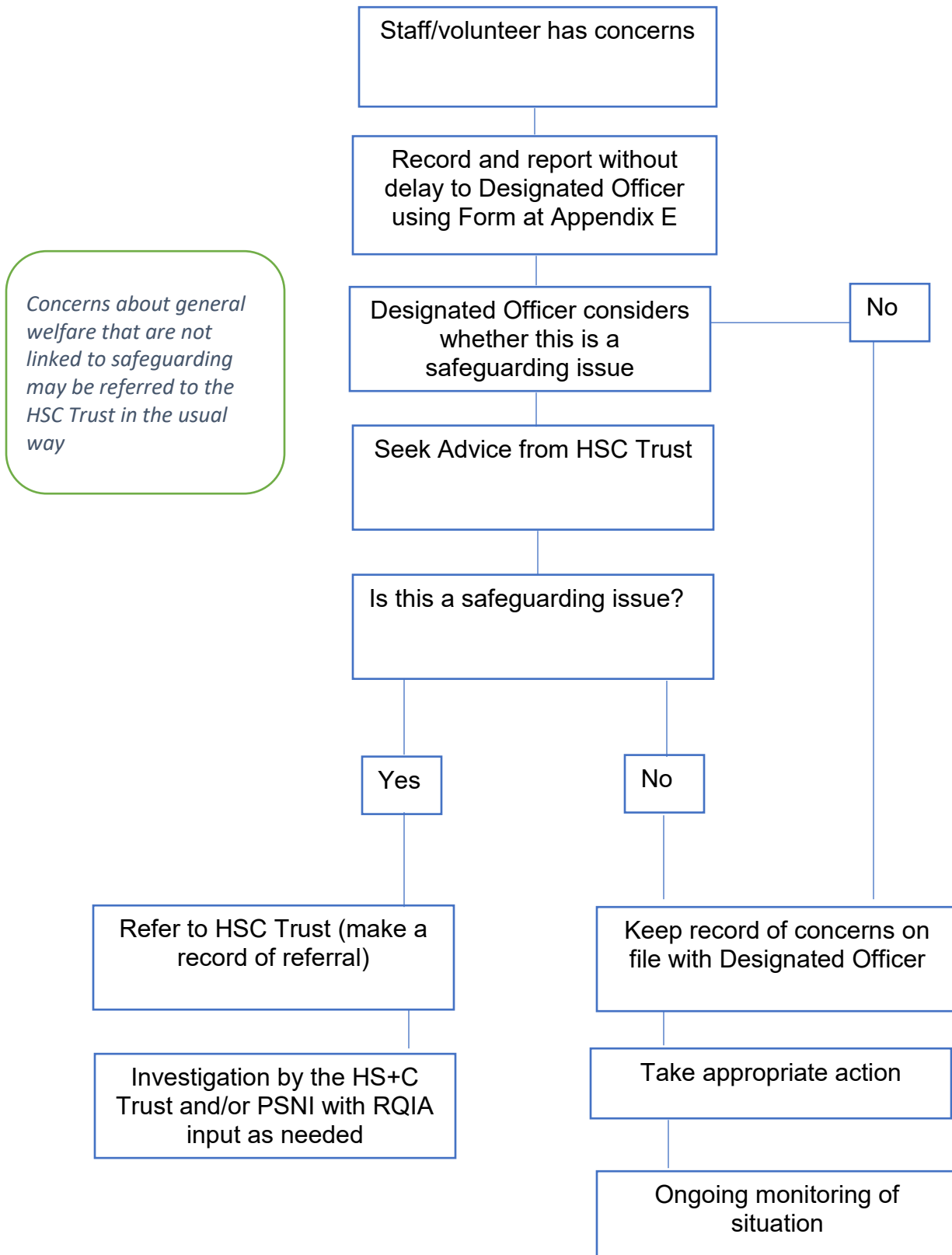
<b>Counselling for young people</b>	<a href="http://www.contactNI.com">www.contactNI.com</a> Tel: 0808 808 8000
<b>Department Of Culture Arts and Leisure</b>	<a href="http://www.dcalni.gov.uk">www.dcalni.gov.uk</a>
<b>Domestic Violence</b>	<a href="http://www.womensaid.org.uk">www.womensaid.org.uk</a>
<b>Drugs and alcohol</b>	<a href="http://www.contactNI.com">www.contactNI.com</a> Tel: 0808 808 8000
<b>Health</b>	<a href="http://www.kidsallergies.co.uk">www.kidsallergies.co.uk</a>
<b>Health and Social Care Trust Gateway Teams</b> Belfast HSC Trust Gateway Team Northern HSC Trust Gateway Team South-Eastern HSC Trust Gateway Team Southern HSC Trust Gateway Team Western HSC Trust Gateway Team <b>Out of Hours Contact</b> There will be a recorded message at each of the above numbers which will provide Emergency Out of Hours numbers.	028 90507000 0300 1234333 0300 1000300 08007837745 028 71314090
<b>Internet Safety</b>	<a href="http://www.iwf.org.uk">www.iwf.org.uk</a>
<b>Kidscape</b> Open Monday to Friday between 10am and 4pm. Nearly everyone is bullied at some time in their lives according to this charity. It offers information and support to young people and their parents.	<a href="http://www.kidscape.org.uk">www.kidscape.org.uk</a> 020 7730 3300
<b>National Children's Bureau</b>	<a href="http://www.ncb.org.uk">www.ncb.org.uk</a>
<b>NI Anti-Bullying Forum</b>	NCB NI, The NICVA Building 63 Duncairn Gardens Belfast, BT15 2GB Tel: 028 9087 5006 <a href="http://www.niabf.org.uk">www.niabf.org.uk</a>

<b>NI Commissioner for Children &amp; Young People</b>	<a href="http://www.niccy.org">www.niccy.org</a>
<b>NSPCC Child Protection Helpline</b>	<a href="http://www.nspcc.org.uk">www.nspcc.org.uk</a> <b>Helpline 0808 800 5000</b>
<b>Parents Advice Centre</b> Parenting Education Project, Parenting Forum NI	Andras House, 60 Great Victoria St, Belfast BT2 7BB <a href="http://www.parentsadvicecentre.org">www.parentsadvicecentre.org</a> <b>Freephone 0808 8010 722</b>
<b>Special Education Needs NI</b> Advice, Information and Advocacy for parents of children with special educational needs in Northern Ireland.	<a href="http://www.senac.co.uk">www.senac.co.uk</a> Tel: 028 90795779
<b>Sport Northern Ireland</b>	Sport Northern Ireland 2a Upper Malone Road Belfast BT9 5LA <a href="http://www.sportni.net">www.sportni.net</a> Tel: 028 90381222
<b>Suicide and self-harm</b>	<a href="http://www.pipscharity.com">www.pipscharity.com</a> Tel Local: 028 90 805850 Free 08000886042  <a href="http://www.samaritans.org">www.samaritans.org</a> Tel: 116 123
<b>There4Me</b> NSPCC On line advice service for 11- 16 year olds	Tel: 0800 1111 <a href="http://www.there4me.co.uk">www.there4me.co.uk</a>
For further information on developing Safeguarding policy and procedures are provided in the documents <b>Our Duty to Care</b> and <b>Getting It Right</b> available at The MAC contact and advisor is Roisin Timlin	<b>Volunteer Now</b> 028 90236100 <a href="http://www.volunteernow.co.uk">www.volunteernow.co.uk</a>

<b>PSNI</b> Emergency Non-Emergency General enquiries	<b>999</b> <b>0845 9051 7500</b> <b>0845 600 8000</b>
<b>RQIA</b> Belfast	<b>028 90 7500</b>

## APPENDIX C

### Flow Chart for Reporting a Safeguarding concern.





## **APPENDIX D**

### **DISCLOSING AND BARRING IN N.I.**

#### **Context**

The Safeguarding Vulnerable Groups (NI) Order 20097, as amended by the Protection of Freedoms Act 2012 defines 'regulated activity' with children and adults. Regulated activity is work which a barred person must not undertake. It is a criminal offence for a Barred person to seek or undertake work from which they are Barred, and it is an offence for organisations to 'knowingly employ' a staff member or involve a volunteer in regulated activity if they are barred.

#### **Access Northern Ireland Checks**

Access NI operate their own criminal record checking department for employers to request an applicant's criminal record. Employers can use an Umbrella Body service to request Access Northern Ireland checks easily and efficiently for staff. (Volunteer Now are the umbrella body for the MAC)

AccessNI undertakes basic, standard and enhanced checks. In a check, criminal records and cautions are disclosed appropriate to the level of check. An employer must know the check required for a job or volunteering role. Find out what information is disclosed with each level of check

#### **Basic check**

A basic AccessNI check contains details of all unspent convictions or will state that no such convictions were found.

Anyone can apply for a basic check. An employer can ask all job applicants to apply for a basic check during the recruitment process.

- Apply online for a basic check
- Apply online for a basic check through a responsible body

## **Standard check**

A standard check discloses an individual's criminal record, giving:

- spent and unspent convictions
- informed warnings and other non-court disposals from the Police National Computer

Some old and minor convictions and non-court disposals on a criminal record may not be disclosed. Fixed penalty tickets and parking fines will not be included in a standard check.

Standard checks are only available where the position or role in question is exempt from the Rehabilitation of Offenders (NI) Order 1978. They are not suitable for roles working with children or vulnerable adults.

An individual cannot apply for a standard check. An application for a standard check must be counter-signed by an AccessNI registered organisation.

You must be 16 years of age or older to get a standard check.

- Apply online for a standard check through a registered body

## **Enhanced check**

An enhanced check discloses an individual's full criminal record, giving:

- spent and unspent convictions from the Police National Computer
- cautions, informed warnings and other non-court disposals from the Police National Computer
- information held by the Disclosure and Barring Service (for positions in regulated activity)
- information held by the police that is relevant to the role applied for

Some old and minor convictions and non-court disposals on a criminal record may be filtered. Fixed penalty tickets or parking fines will not be included in an enhanced check.

Enhanced checks are normally required where the applicant will work or volunteer in a role providing services to or having close and regular supervision of children and / or vulnerable adults.

An individual cannot apply for an enhanced check. An application for an enhanced check must be counter-signed by an AccessNI registered organisation

### **Definition of Regulated Activity - Children and Young People**

Definition of regulated activity relating to CHILDREN AND YOUNG PEOPLE

From 10 September 2012, regulated activity relating to children includes:

1. Unsupervised activities: teaching, training, instructing, caring for or supervising children ,providing advice/guidance on wellbeing, driving a vehicle only for children;
2. Work for a limited range of establishments (specified places) with opportunity for contact with children for example schools, children's homes, childcare premises, children's hospitals. Work undertaken by supervised volunteers in these places is not regulated activity

Work under 1 or 2 is regulated activity if undertaken **regularly**.

Regular means carried out by the same person frequently (once a week or more) or on four or more days in a 30-day period or overnight.

3. Relevant personal care, for example washing or dressing, or health care by or supervised by a professional (even if carried out once);
4. Registered childminding and foster care.

Note: the day to day line manager/supervisor of an individual in regulated activity is also in regulated activity.

### **Implications**

If a post meets the definition of regulated activity, organisations must request an Enhanced Disclosure with Barred List check through AccessNI on the preferred candidate prior to confirming an offer of work/volunteering. If not barred, the

organisation will use its discretion regarding any criminal history information which may be contained on the Disclosure certificate.

### **Definition of regulated activity relating to ADULTS**

The definition of regulated activity for adults no longer labels adults as 'vulnerable'. Instead the definition identifies the activities that, if an adult needs them, lead to that adult being considered vulnerable at that particular time. This means that the focus is on the activity or service required by the adult - not the setting in which the activity or service is received.

There are six categories of workers who fall into the definition of regulated activity relating to adults. Those who provide:

1. **Health care** - Regulated health care professionals or those acting under the direction or supervision of a health care professional, for example, doctors, nurses, health care assistants, physiotherapists.
2. **Personal care** - Assistance with washing, dressing, eating, drinking and toileting, or teaching someone to do one of these tasks.
3. **Social work** - Provision of social work by a social care worker which is required in connection with any health services or social services.
4. **Assistance with general household matters** Includes helping a person with their cash, paying bills or carrying out shopping on their behalf because of their age, illness or disability.
5. **Assistance in the conduct of a person's own affairs** Including enduring power of attorney, or deputies appointed under the Mental Health Order (NI) or Social Security Administration (NI) Act 1992.
6. **Conveying** - Conveying adults because of age, illness or disability to, from or between places where they received healthcare, personal care or social work. There is no requirement for a person to do any of the identified activities a certain number of times before they are engaging in regulated activity.

Note: the day to day line manager/supervisor of an individual in regulated activity is also in regulated activity.

**Implications**

If a post meets the definition of regulated activity, organisations must request an Enhanced Disclosure with Barred List check through AccessNI on the preferred candidate prior to confirming an offer of work/volunteering. If not Barred, the organisation will use its discretion regarding any criminal history information which may be contained on the Disclosure certificate.

For more information on Disclosure and Barring in Northern Ireland use the following link

[www.gov.uk/government/organisations/disclosure-and-barring-service](http://www.gov.uk/government/organisations/disclosure-and-barring-service)

## **APPENDIX E**

### **CONFIDENTIAL**

#### **MAC Safeguarding Report Form**

As an employee, volunteer or artist employed by the MAC, you have a duty of care to ensure that the children, young people and adults at risk who work with us are kept safe from harm. Abuse of a child or of an adult with a learning disability is a criminal offence.

If you have a suspicion that someone is being or has been abused, or if an allegation of abuse has been made to you by a child or another individual, it is vitally important that you faithfully, truthfully and swiftly record the details. It is also important that you comply fully with the Child Protection procedures in place of the host organisation (school, youth club) in which you are working, the MAC's Safeguarding Policy and Procedures and the full requirements of the law.

You may not be able to, and are not expected to, complete all of this form. It is designed to act as a checklist for you to record your suspicions or any allegations made to you. There is space provided for you to add any other information you feel relevant and you can provide as many additional sheets as you need.

In addition to completing this form, you must comply with the reporting system stated in the Safeguarding Policy. Any suspicion or allegation must be directed to the Child Protection Officer of the visiting organisation who is listed on their completed Questionnaire supplied to the MAC, or to The MAC's Designated Officer.

Please remember you should not discuss the details of your concerns with any other party outside of those directly involved.

Work Location:
Name of child, young person or adult at Risk:
Age/Date of birth:
Gender:
Name of carers (if known)
Home Address (if known)
Contact telephone number

Please complete those sections below that are relevant.

<b>1. Disclosure by a child/young person/ adult at risk (delete as appropriate)</b>
When was, the disclosure made (dates and times etc. of any specific incidents)?
Who did they disclosure to?

What did they actually say?

## **2. Indicators**

Describe any signs or indicators of abuse (with times and dates)

Have they alleged that any particular person is the abuser?  
(if so, please record details and the relationship, if any, to the adult at risk below)



**3. Concerns by another person about a child, young person, adult at risk**

Record the concerns that were passed to you (with dates and times) and if possible ask the person who expressed concerns to confirm that the details as written are correct.

**4. Details of any immediate action taken, e.g. first aid**

**5. Has the child, young person or adult at risk expressed any reservations about you talking to the Line manager or Nominated Manager about the matter?**

**6. Do they have any particular needs, e.g. communication, etc.**

<b>Signatures</b>
<i>To be signed by the person reporting the concern</i>
<i>Name</i>
<i>Job Title</i>
<i>Signed</i>
<i>Date</i>
<i>Date received /actioned by Designated Officer</i>
<i>Name</i>
<i>Signed</i>
<i>Date</i>
<b>Action taken by Designated Officer</b>
<i>Signed</i>
<i>Date</i>

## APPENDIX F



### Documentation Clearance Form

Many of the activities organised by The MAC are recorded on film, still photography and sound devices for archive and promotional purposes. Equally young audience/participants create artefacts, drawings, collages etc in our associated workshop activities.

This form asks parents/guardians permission to record and use these (images, sound, artefacts) for The MAC archival and general promotions only.

Also on occasion local press and broadcast media record The MAC events. Importantly, **The MAC will not publish any address details or surnames of any young people** in captions associated with any film, still photography, sound or artefacts.

Participation in any filming is always optional. If you choose to withhold your permission your **child will not be excluded or penalised, unless the entire activity is being recorded.**

**Parents/Guardians who wish** to give permission for their children to be included/recorded in such activities **please sign below**

Name of young person: \_\_\_\_\_

Name and date of Activity: \_\_\_\_\_

Signature of Parents/Guardian: \_\_\_\_\_

Date: \_\_\_\_\_

**Parents/Guardians who do not** wish their children to be included in such activities are asked to contact The MAC in writing, stating the name of the child and the arts activity they are involved in. Please send these details to **the MAC, 10 Exchange St West, Belfast, BT1 2NJ**, or by email to [clare@themaclive.com](mailto:clare@themaclive.com).

**If you have any queries regarding the above, please do not hesitate to contact me on 028 892960.** Thank you for your co-operation with this matter.

*Clare Lawlor*

Community Engagement Officer

## APPENDIX G



### INFORMATION ON SAFEGUARDING FOR VISITING GROUPS – SCHOOLS, YOUTH CLUBS AND VENUES

The MAC operates a Safeguarding Policy committing it to making sure children are protected and kept safe from harm while they are with the company. The MAC is also committed to ensuring that the rights of children, young people and adults at risk are respected and understood by its employees, including freelance artists, and volunteers.

As an organisation interested in or booked for a MAC activity, the following outlines some additional information that relates specifically to Child Protection over and above practical arrangements for your visit.

#### **What we expect from you**

The MAC expects that most organisations will have a formal Child Protection Policy and Procedures. If you do not, we would encourage you to seek advice about developing a policy. The MAC's policy is available from the company's office or on the website [www.themaclive.com](http://www.themaclive.com).

The MAC will ask for a named contact and Child Protection Officer. These might not be the same people but we would ask you to consider the time of day or the date when you visit us (i.e. at least one of these people should be there when we are).

We will also ask about the number of children/young people and the number of adults who will be there. It is your responsibility to provide adequate supervision

for your group for the full duration of the activity. Under no circumstances should a MAC employee be left alone with the children at any time. If we are unhappy at the level of supervision, inadequate facilities or if we feel our staff are being mistreated or abused, The MAC will reserve the right to halt or cancel an activity.

### **What you can expect of us**

You can be assured that anyone from The MAC who visits your organisation has committed themselves to The MAC's Safeguarding Policy. They will be trained professionals who understand how to work with young people and adults at risk and they will show you and your children/adults the respect you deserve. They will also have received our guidelines in recognising signs of abuse, reporting allegations and concerns and receiving disclosures. They will have also undergone an Enhanced Disclosure check by Access NI.

If at any point, you have a concern about the behaviour of one of our employees, contact **The MAC's Designated Officer, Paul McIlwaine** on **028 90892705** or **07703721959**. If he is not immediately available then contact **Linda McBurney** on **07740943444**, please explain that it is an urgent call. A message will be passed to him/her and your call will be returned as soon as possible and within 24 hours.



### **The MAC Whistle-blowers Policy**

#### ***Aims of this Policy***

It is important that any criminal behaviour or other wrongdoing by an employee, or any individual undertaking work with the organisation is reported and properly dealt with.

This Whistleblowing policy is underpinned by the Public Interest Disclosure Act 1998 (known as the Whistleblowers Act). This gives legal protection to employees against being dismissed or penalised by their employers as a result of publicly disclosing certain serious concerns. The organisation is committed to ensuring that no member of staff should feel at a disadvantage in raising legitimate concerns.

#### **Scope of the policy**

This policy is intended to cover concerns which are in the public interest and may at least initially be investigated separately but might then lead to other procedures e.g. disciplinary. These concerns could include:

- Financial malpractice or impropriety or fraud
- Failure to comply with a legal obligation or Statutes
- Dangers to Health & Safety or the environment
- Criminal activity
- Improper conduct or unethical behaviour
- Attempts to conceal any of these

#### **Confidentiality**

The organisation will treat all such disclosures in a confidential and sensitive manner. The identity of the employee making the allegation may be kept confidential so long as it does not hinder or frustrate any investigation. However, the investigation process may reveal the source of the information and the individual making the disclosure may need to provide a statement as part of the evidence required.

**Procedure**

If an employee has a concern, they should first raise it with their line manager, verbally or in writing. If they feel that this person may be involved or do not wish to approach them, then they should approach the Admin & HR Officer.

If the employee feels a senior manager/trustee may be involved, the employee should report the matter to the Chief Executive or Chairman of the MAC Charity Board or the Chairman of the MAC Trading Company Limited Board.

The organisation will ensure that an investigation takes place and make an objective assessment of the concern. This may involve an internal inquiry and investigation. The employee will be kept advised of progress and the organisation will ensure that the action necessary to resolve the concern is taken.

In all cases, the employee is encouraged to exhaust the MAC's internal procedures before contacting external sources such as the Health & Safety Executive, Environment Agency etc.

**Monitoring and review of the policy**

The policy should be reviewed at least annually or when there is a change in legislation to ensure its effectiveness.



## APPENDIX I

### Recognition of Abuse and Poor Practice

#### What is abuse?

Abuse is a violation of an individual's human and civil rights by any other person or persons.

Many incidents of abuse are criminal acts. Abuse is defined as:

*'The physical, psychological, emotional, financial or sexual maltreatment or neglect of a vulnerable adult by another person. The abuse may be a single act or repeated over a period of time. It may take one form or a multiple of forms. The lack of appropriate action can also be a form of abuse. Abuse can occur in a relationship where there is an expectation of trust and can be perpetrated by a person(s), in breach of that trust, who have influence over the life of a dependant, whether they be formal or informal carers, staff or family members or others. It can also occur outside such a relationship'.*

Abuse can be either deliberate or the result of ignorance, or lack of training, knowledge or understanding. Often if a person is being abused in one way, they are also being abused in other ways. Abuse can take many forms:

Type of Abuse	Signs/ Symptoms
<b>Psychological abuse</b> Including - emotional abuse, verbal abuse, humiliation, bullying and the use of threats.	Being withdrawn, too eager to do everything they are asked, showing compulsive behaviour, not being able to do things they used to, not being able to concentrate or focus.
<b>Financial or material abuse</b> Including - misusing or stealing the person's property, possessions or benefits, cheating them, using them for financial gain, putting pressure on them about wills, property, inheritance or financial transactions.	Having unusual difficulty with finances, not having enough money, being too protective of money and things they own, not paying bills, not having normal home comforts.
<b>Sexual abuse</b> Including - direct or indirect sexual activity where the vulnerable adult cannot or does not consent to it.	Physical symptoms including genital itching or soreness or having a sexually transmitted disease, using bad language, not wanting to be touched,

	behaving in a sexually inappropriate way, changes in appearance.
<b>Neglect or acts of omission</b> Including - withdrawing or not giving the help that a vulnerable adult need, so causing them to suffer.	Having pain or discomfort, being very hungry, thirsty or untidy, failing health, changes in behaviour.
<b>Discriminatory abuse</b> Including - the abuse of a person because of their ethnic origin, religion, language, age, sexuality, gender or disability.	The person not receiving the care services they require, their carer being overly critical or making insulting remarks about the person, the person being made to dress differently from how they wish.
<b>Institutional abuse</b> This can happen when an organisation where the person is living or receiving care from fails to ensure that the necessary processes and systems are in place to safeguard vulnerable adults and maintain good standards of care and service.  Including - lack of training of staff and volunteers, lack of or poor quality supervision and management, poor record keeping and liaison with other agencies, low staff morale and high staff turnover.	Vulnerable adult has no personal clothing or possessions, there is no care plan for him/her, s/he is often admitted to hospital, or there are instances of staff/volunteers having treated him/her badly or unsatisfactorily or acting in a way that causes harm; poor staff morale, high staff turnover and lack of clear lines of accountability and consistency of management. Sometimes there may be concerns about a vulnerable adult's well-being, which are not dealt with under vulnerable adult protection procedures. Where such concerns arise, they should be reported to the local HSC Trust, as the person concerned may benefit from assessment and intervention. A record of a referral of this nature to a HSC Trust should be maintained. Relevant contact numbers for each of the HSC Trusts can be accessed through: <a href="http://www.hscni.net">www.hscni.net</a>

### **Those with a Disability:**

Safeguards for those with disability should be the same as those for other children. Special input may be required if the child has severe or multiple disabilities as children who are disabled are at a higher risk of abuse.

Not every child with a disability is vulnerable in every situation. However, it can be said that certain factors may mean that children with a disability are more vulnerable and could therefore be more open to abuse. The following list examines some of the reasons why children with a disability may be more vulnerable:

- Historically, children with a disability have been encouraged to comply with other people's wishes, for example, in residential homes and hospitals; this has meant they are more vulnerable to be bribed and manipulated
- Limited life experiences and social contacts may mean that many young people with a disability have not had the same opportunities to acquire the social skills that non-disabled peers have had to assess the behaviour and attitudes of other people. This could also lead to them being unable to understand what is appropriate or inappropriate adult or peer behaviour
- Individuals with dependency and support needs may have found that it is easier to be pleasing and compliant than challenge those caring for them because of the consequences. Any challenge or complaint could lead to more abusive practice or retribution
- Continuing dependency on others may make some people feel powerless.
- Communication difficulties may make it hard to complain or be understood. This could be that the individual is unable to speak to tell anyone or does not have the vocabulary to describe what has happened to them
- Individuals requiring intimate care could be in an increased vulnerable situation, especially if they have to rely on a number of different carers to support their needs
- The general thought that a young person with a disability are not abused may make it difficult for them to be believed if they report an incident.

- Intrusion into body space for physical and medical care can lead to young people with a disability never developing ownership of their own bodies.
- Some disabilities may mean that an adult's emotional and developmental age is less than their chronological age

### **Young People who display Sexually Harmful Behaviour**

It is estimated that children and young people are responsible for about 1/3 of all sexual abuse against children (Grubin 1998, The Research Team 1990), this may be an under estimate due to low rates of reporting and even lower prosecution rates. Any effort to prevent child sexual abuse must address the problem of young people who display sexually harmful behaviour (SHB).

### **Poor Practice**

Poor practice can be viewed as the behaviour that can place a child or young person in a risky situation or leave a leader vulnerable to allegations that they were acting inappropriately. The following are a list of some incidents of poor practice but is not exhaustive

- working in a private or unobserved situations and encouraging an environment of secrets
- not treating young people with respect and dignity
- not following agreed guidelines if physical support is needed, or seeking the parents' / carers' views
- not being up to date with the technical skills, qualifications and insurance for the activity
- banning parents or carers, or
- constantly giving negative criticism

## APPENDIX J

### GENERIC RISK ASSESSMENT

<b>ACTIVITY COVERED:</b>			
<b>Reference No:</b>		<b>Version:</b>	1.0

GENERAL HAZARDS	Risk Rating			Who at Risk	
	Low	Med	High	Emp	MoP
				✓	
				✓	
				✓	
				✓	
Slips, trips and falls				✓	

<b>PRIMARY LEGISLATION/REFERENCES:</b>
Health and Safety at Work (NI) Order 1978, Manual Handling Operations Regulations (NI) 1992
Management of Health and Safety at Work Regulations (NI) 2000
Health and Safety (First aid) Regulations (NI) 1982

CONTROL MEASURES	Check
<b>PLANNING:</b>	
<b>PHYSICAL:</b>	
<b>MANAGERIAL/SUPERVISORY:</b>	
<b>TRAINING:</b>	

### SITE/TASK SPECIFIC RISK ASSESSMENT

On each site the generic risk assessment must be validated by reviewing the specific aspects/circumstances

<b>SITE LOCATION/SPECIFIC TASK:</b>	the MAC Belfast
<b>Max number of people involved in activity:</b>	
<b>Frequency and duration of activity:</b>	

<b>Additional hazards identified (whether site or activity orientated):</b>

<b>Additional control measures required:</b>	<b>Who to action and by when:</b>		

<b>Assessment of remaining risks:</b>	<b>Low</b>	<b>Medium</b>	<b>High</b>

<b>Circumstances which may require additional information:</b>
New equipment / hired equipment requires additional risk assessment to be carried out.

<b>Circulation of risk assessment:</b>							
Operative:	✓	Manager/supervisor:	✓	Other:		Other:	

<b>Assessment completed by:</b>					
Name:		Date:		Signature:	
<b>Review record:</b>					
Next review due:		Reviewed by:		Date:	
Next review due:		Reviewed by:		Date:	
Next review due:		Reviewed by:		Date:	

		Severity of the potential injury/damage				
		Insignificant damage to Property, Equipment or Minor Injury	Non-Reportable Injury, minor loss of Process or slight damage to Property	Reportable Injury moderate loss of Process or limited damage to Property	Major Injury, Single Fatality critical loss of Process/damage to Property	Multiple Fatalities Catastrophic Loss of Business
		1	2	3	4	5
		0 – 5 = Low Risk	6 – 10 = Moderate Risk	11 – 15 = High Risk	16 – 25 = extremely high unacceptable risk	
Likelihood of the hazard happening	Almost Certain 5	5	10	15	20	25
	Will probably occur 4	4	8	12	16	20
	Possible occur 3	3	6	9	12	15
	Remote possibility 2	2	4	6	8	10
	Extremely Unlikely 1	1	2	3	4	5

## APPENDIX K

## Near Miss Report

This form is to be used by anyone to notify Operations & Technical Manager of incidents which do not involve personal injury.

When completed, this form must be countersigned by a 'responsible person', (usually the Duty Manager), who will **send the form immediately to: Operations Manager or Via email to:**

[lisa@themaclive.com](mailto:lisa@themaclive.com) & [simon@themaclive.com](mailto:simon@themaclive.com)

### A. WHAT IS BEING REPORTED?

<input checked="" type="checkbox"/> 'Near Miss' - incident involving no injuries or damage	<input type="checkbox"/> Dangerous Occurrence (as defined under RIDDOR)
<input type="checkbox"/> Damage to equipment or premises	<input type="checkbox"/> Fire

### B. DETAILS OF PERSON MAKING REPORT

*Staff* - provide departmental information

*Visitors/Contractors* - Report the incident to the Staff member who is your main contact. They must complete this form and include your complete details in Section C

Family Name:	Other Names:
Job Title:	Email:
Tel No:	

### C. INCIDENT DETAILS

Date:	Time (use 24hr clock)
Location: St Anne's SQ	
Department:	

**DESCRIPTION OF INCIDENT** Give full details of what happened including the nature and extent of any damage which may have occurred. If the incident involved a fall from height, state the distance. Include name and full contact details of visitors/contractor here.

Continue overleaf if necessary

#### ACTION TAKEN FOLLOWING INCIDENT

Continue overleaf if necessary

### D. RESPONSIBLE PERSON

Signed:	
Name (please print):	Tel No:

**Data Protection Act 1998** - the information on this form is used for the purposes of investigation and securing the health, safety and welfare of people at work. It is held by the Operations Manager. Any queries about data protection issues should be addressed to the Operations Manager.



## **APPENDIX L**

### **The MAC Disciplinary and Dismissal Rules and Procedures for Misconduct**

#### **Objective**

Whilst it is accepted that most employees will observe acceptable standards of conduct it is considered, nevertheless, necessary to establish a procedure for dealing with those employees who fail to comply with the rules and regulations laid down by the MAC or who fail to reach or maintain acceptable standards. The objective of this procedure is to give employees the opportunity to improve their conduct. It identifies who has authority to take disciplinary action and aims to ensure that employees are protected against unjustifiable or inconsistent disciplinary action. It also identifies the type of offence which would result in disciplinary action being taken, what that action could be and what further action would result if there is no improvement or a recurrence takes place.

#### **General Principles**

- The MAC expects all its employees to abide by the terms and conditions of their employment and the established rules, regulations and standards.
- Prior to taking any form of disciplinary action, there will be a thorough investigation into any allegation of misconduct.
- In such cases of alleged misconduct employees have:
  - The right to a fair disciplinary hearing with the opportunity to state their case before any disciplinary actions are taken
  - The right to receive, prior to disciplinary hearings
    - a written statement of the alleged misconduct and
    - particulars on the basis of the allegation
  - The right to reasonable opportunity, prior to disciplinary hearings, to consider their responses to the information provided on the allegation

- The right, where reasonably requested, to be accompanied at a disciplinary hearing by a work colleague from the employer or by a trade union official (who may be either a full-time official employed by a union or a lay union official who has been reasonably certified in writing by his/her union as having experience of, or as having received training in, acting as a worker's companion at disciplinary hearings) before any disciplinary action is taken.
- The MAC further acknowledges the right of individuals to appeal against what might appear to be an unjust or unfair penalty. The right of accompaniment, as outlined above, will also apply at disciplinary appeal hearings.
- The MAC is responsible for ensuring that the disciplinary rules and procedure are applied fairly and consistently.
- The MAC will endeavour to ensure that:
  - All steps under the procedure are taken without unreasonable delay
  - The timing and location of all hearings are reasonable
  - Hearings are conducted in a manner which enables employees to explain their cases
  - Disciplinary appeal hearings will be conducted, as far as is reasonably practicable, by a more senior manager than the manager who took the disciplinary action being appealed. This does not apply where the most senior manager attended the disciplinary hearing at which the decision was taken to take the disciplinary action being appealed.
- The employee must take all reasonable steps to attend hearings under this procedure.

## **1. Precautionary Suspension**

In certain cases, for example in cases involving gross misconduct, where relationships have broken down or there are risks to the employer's property or responsibilities to other parties, consideration will be given to a brief period of

suspension with full pay whilst unhindered investigation is conducted. Such a suspension will only be imposed after careful consideration of the necessity for this.

The MAC will also consider alternative actions which would be more acceptable to the employee yet still serve the same purpose as a suspension. Alternatives to suspension might include the agreeing of a temporary transfer to other duties or another work station without loss of pay or the taking of annual holidays to which the employee is entitled. Any action taken will be reviewed to ensure that it is not unnecessarily protracted. It will be made clear that any action taken is not considered a disciplinary action.

## **2. Disciplinary Warnings**

All warnings will clearly state the misconduct concerned and clearly indicate what the eventual outcome will be if there is no improvement on the employee's part or a recurrence takes place.

Warnings normally related to the same or similar misconduct and are not generally transferable between different types of misconduct. However, where a number of warnings are called for in respect of different types of misconduct, this will entitle management to review the employee's overall suitability for continued employment and if necessary, to issue a final general warning irrespective of the offence.

Once the warnings have lapsed through time (as indicated in subsequent sections of this document), they will be erased from the employee's personal record.

## **3. Keeping Records**

The MAC will keep written records during the disciplinary process for future reference. Records will include:

- The complaint against the employee
- The employee's defence
- Findings made and actions taken
- The reason for actions taken
- Whether an appeal was lodged

- The outcome of the appeal
- Any grievances raised during the disciplinary procedure and
- Subsequent events.

Records will be treated as confidential and be kept no longer than necessary in accordance with the Data Protection Act 1998. This Act gives individuals the right to request and have access to certain personal data.

#### **4. Procedure**

In the event of a breach of employer rules, disciplinary hearings will be conducted by the appropriate disciplinary authority as follows:

##### **Disciplinary Authority**

Stage 1	Line Manager
Stage 2	Line Manager
Stage 3	Line Manager
Stage 4	Next, more Senior Manager
Appeals	CEO/Chair of the Board

##### **4.1 Minor Misconduct**

If the breach is in the minor misconduct category and the Line Manager is satisfied that an offence has occurred the procedure will be as follows:

Stage 1	You will be given a verbal warning. It will be recorded and retained on file for a period of 6 months.
Stage 2	If the same or similar offence is repeated within 6 months you will be given a first written warning. It will be retained and recorded on file for a period of 12 months.
Stage 3	If the same or similar offence is repeated within 12 months you will be given a final written warning. This will contain a clear notice that a repeat of the offence within 12 months will result in dismissal.
Stage 4	If the same or similar offence is repeated within 12 months you will be dismissed.

## **4.2 Major Misconduct**

If an offence which falls within the major misconduct category is committed and your line manager is satisfied that it has occurred, the disciplinary procedure will be invoked at Stage 3 (i.e. you will receive a final written warning which will contain clear notice that a repeat of the offence within 12 months will result in dismissal).

## **4.3 Gross Misconduct**

Committing gross misconduct will lead to a disciplinary hearing during which you will be given the opportunity to offer an explanation. If it is decided that gross misconduct has been committed you will be dismissed summarily (i.e. without notice and without wages in lieu of notice).

## **5. Disciplinary Rules**

The following list outlines examples of the type of rules/offences which the MAC has categorised for each level of misconduct. This is not an exhaustive list and management reserves the right to decide how any other misconduct shall be categorised.

### **Minor Misconduct**

- Absenteeism
- Lateness
- Failure to comply with Absence Notification and Certification Procedure
- Failure to complete TOIL sheets and attendance records as instructed
- Excessive time away from the job
- Careless work and poor effort at work
- Workmanship or performance of duties below an acceptable standard
- Minor breach of safety/hygiene/security rules

- Failure to maintain a tidy and safe working environment
- Extended tea and meal breaks
- Excessive time away from the job

### **Major Misconduct**

- Neglect causing damage to or loss of the MACs property or equipment
- Serious neglect of safety/hygiene/security rules
- Dangerous physical horseplay
- Smoking in prohibited areas
- Consuming intoxicants during working hours or bringing intoxicants into the premises without permission
- Entry into any unauthorised areas
- Wilful or excessive wastage of material
- Use of foul language
- Gambling on the premises
- Unsatisfactory attitude to customers
- Insubordination
- Unauthorised absence

### **Gross Misconduct**

- Theft
- Physically violent behaviour
- Obscene behaviour
- Refusal to carry out a reasonable work request

- Deliberately ignoring safety/hygiene/security rules
- Fraud
- Wilful damage to or gross negligence of employers, user's or other employee's property or equipment
- Leaving the premises without permission
- Undertaking work in competition
- Falsification of records
- Intoxication induced by alcohol or drugs
- Disclosing confidential business information to a third party
- Misuse of telephone, email or internet

## **Note**

**Any allegation of bullying in the workplace or any allegation of discrimination, victimisation or harassment linked to anti-discrimination legislation including gender, gender reassignment, sexual orientation, marriage, disability, race, religious beliefs or political opinions will be thoroughly investigated and, where appropriate, will be dealt with under the disciplinary procedure. The disciplinary response will depend upon the nature and seriousness of the incident and in extreme cases will result in summary dismissal.**

## **6. Appeal**

You have the right to appeal any disciplinary decision under this procedure. All appeals must be made within 5 working days of being informed of a disciplinary hearing decision to the CEO stating the basis of the appeal and this shall be heard by the CEO or the MAC Board.

At the appeal hearing the MAC will be represented as far as reasonably practicable by a more senior manager than the manager who attended the disciplinary hearing. Appeal hearings shall be held within 5 working days of receipt of appeal. If for any reason it is not practically possible to do so, you will be informed in writing of the reason why and provided with an alternative date.

The result of appeal hearings shall be notified to the employee within 5 working days of the appeal hearing.

Disciplinary action/penalty decisions taken following disciplinary hearings may be implemented before appeals against these decisions are heard.

## **7. Statutory Modified Dismissal and Disciplinary procedure**

There may be some limited and very exceptional situations involving alleged acts of gross misconduct where some of the general principles of the Dismissal and Disciplinary Rules and Procedures for Misconduct will not apply. These situations will be where:

- Dismissal is without notice and occurs at the time when the MAC became aware of the misconduct or immediately thereafter
- The MAC is entitled, in the circumstances, to dismiss by reason of the misconduct without notice and without pay in lieu of notice, and
- The MAC believed that it was reasonable, in the circumstances, to dismiss before enquiring into the circumstances in which the misconduct took place.

In these **very exceptional situations** the following modified procedure will apply:

### **Step 1: Statement of grounds for action**

The MAC will provide the dismissed employee with:

- A written statement of the alleged misconduct which led to the dismissal
- Written particulars on the MAC's basis for thinking at the time of the dismissal that the employee was guilty of the alleged misconduct, and
- A written confirmation of the employees right of appeal against the dismissal.

### **Step 2: Appeal**



- If the employee wishes to appeal, he/she must inform the MAC
- All appeal requests must be made to the CEO
- The Appeal hearing shall be heard within 5 working days of receipt of the request
- The employee must take all reasonable steps to attend the hearing
- The employee has the right, where reasonably requested, to be accompanied at the appeal hearing by a work colleague from the employer or by a trade union official (who may either be a full-time official employed by a union or a lay union official who has been reasonably certified in writing by his/her union as having experience of, or as having received training in, acting as a worker's companion);
- The result of the appeal shall be notified to the employee within 5 working days of the appeal hearing.

### **The MAC's Dismissals Procedure General (other than Misconduct)**

This procedure applies where the MAC is contemplating dismissing an employee. It does not apply in cases of misconduct for which there is a separate procedure. It will apply, for example, in cases of dismissal related to capability, redundancy or expiry of a fixed term contract.

#### **1. Procedure**

- The MAC will provide an employee with a written statement of the employee's alleged characteristics, or other circumstances which have led to contemplation of dismissal (or action short of dismissal on capability grounds) and invite the employee to a hearing to discuss this.
- Prior to the hearing the employee will be provided with particulars on the basis for the grounds given in the written statement. The employee will be given reasonable opportunity to consider his/her response to the written statement and the particulars provided before any hearing takes place. No action (other than suspension on full pay) will be taken by the MAC before the hearing takes place.

- After the hearing the employee will be informed of the MAC's decision and of his/her right of appeal against this if he/she is not satisfied.
- If an employee wishes to appeal, he/she must inform the CEO who acts on behalf of the MAC. Where an appeal is requested, the employee will be invited to an appeal hearing. Appeal hearings shall be held within 5 working days of the request for an appeal. At the appeal hearing the MAC will be represented, as far as it is reasonably practicable, by a more senior manager than the manager who attended the first hearing (unless the most senior manager attended that hearing).
- The MAC may implement any decision taken at the first hearing before the appeal hearing is held.
- After the appeal hearing the employee will be informed of the MAC's final decision.
- The employer will endeavour to ensure that:
  - Each step and action under the procedure is taken without unreasonable delay
  - Timing and locations of hearings are reasonable
  - Hearings are conducted in a manner that enables an employee to explain his/her case.
- The employee must take all reasonable steps to attend the hearings.
- At hearings and appeal hearings an employee may, where reasonably requested, be accompanied by a work colleague from The MAC.

## **APPENDIX M**

### **The MAC - Individual grievance procedure**

#### **Objective**

The objective of this procedure is to provide an employee (or ex-employee) who has a grievance, with the opportunity to have it examined quickly and effectively and where a grievance is deemed to exist, to have it resolved if possible, at the earliest practicable moment and at first level of management. Ideally, employees should initially raise any grievances informally with their line manager, with a view to finding solutions. Where an employee chooses to raise matters informally, the formal procedure outlined hereunder does not apply.

#### **Mediation**

There may be circumstances where the employer and employee feel it would be beneficial to involve a third party to help in resolving the issue, through for example a process of mediation. In this instance the grievance procedure may be temporarily set aside.

Mediation is a process whereby an independent third party intervenes in a workplace dispute to assist the parties to reach a satisfactory outcome.

#### **Formal Procedure**

This procedure has been drawn up to establish the appropriate steps which must be followed when formally pursuing and dealing with a grievance. The procedure contains a total of 3 stages. However, as it is the aim of this procedure to settle matters at the earliest practicable moment, and at the first possible appropriate management level, it is not anticipated that all grievances will go through all procedural stages. Any stages following the submission of grievance stage (Stage 1) are regarded as appeal stages.

The MAC will endeavour to ensure that:

- All steps under the procedure are taken without unreasonable delay
- The timing and location of all hearings are reasonable
- Hearings are conducted in a manner which enables employees to explain their cases
- As far as it is reasonably practicable, appeal hearings will be conducted by a more senior manager than the manager who took the decision which is

being appealed. This does not apply where the most senior manager attended the hearing at which the decision being appealed was taken.

## **Keeping Records**

The MAC will keep written records during the grievance process for future reference as follows:

- The nature of the grievance raised
- A copy of the written grievance
- The MAC's response
- Action taken
- Reasons for action taken
- Whether there was an appeal and, if so, the outcome
- Subsequent developments

Records will be treated as confidential and be kept no longer than necessary in accordance with the Data Protection Act 1998. This Act gives individuals the right to request and have access to certain personal data.

## **Stage 1      Submission of Grievance**

Should you wish to raise a grievance regarding your employment, you must submit a written statement of the grievance to your line manager. Prior to the hearing of the grievance, you must also provide particulars on the basis for the grievance. Your line manager will subsequently arrange a hearing with you within 5 working days from the time both the written statement and the particulars on the basis for which the grievance are provided and attempt to resolve the issue. Your line manager will provide his/her decision on the grievance as soon as possible and in any case, within 5 working days from the date of the hearing. You may, if so desired, be accompanied at the hearing by a work colleague.

## **Stage 2      Appeal**

If you are not satisfied with the decision of your line manager you may appeal against this to the next more senior manager.

On receipt of such a request the next more senior manager will make arrangements to hear the appeal and at this hearing you may, if so desired, be accompanied by a work colleague. It is the responsibility of the next more senior

manager to make arrangements for the appeal hearing to be held within 5 working days of the request.

The decision of the next more senior manager shall be given to you as soon as possible and not later than 5 working days from the appeal being heard.

### **Stage 3      Final Appeal**

If you are not satisfied with the decision from the next more senior, you may appeal against this to the CEO.

On receipt of such a request, the CEO shall make arrangements to hear the appeal and at this hearing you may, if so desired, be accompanied by a work colleague. It is the responsibility of the CEO to make arrangements for the hearing to be made within 5 working days from the appeal being heard.

If the CEO has heard the grievance at an earlier stage, the Chair of the MAC Board will nominate two members of the MAC Board to hear the appeal. On receipt of such a request, the MAC Board shall make arrangements to hear the appeal and at this hearing you may, if so desired, be accompanied by a work colleague. It is the responsibility of the Chair of the MAC Board to make arrangements for the hearing to be made within 5 working days from the appeal being heard

Reference to the MAC Board shall be the final stage of the employer's individual grievance procedure and the decision is final.

### **Note**

- I. All time scales referred to in this document shall be adhered to or if this is not possible, the matter will be dealt with without unreasonable delay.
- II. Any employee who has a grievance must exhaust each stage of the procedure before progressing to the next stage. Where this has not taken place the matter shall be referred back to the appropriate stage. The matter shall not be progressed unless and until the appropriate procedural stages are complied with.
- III. This procedure does not remove any statutory rights which you might have in respect of accompaniment by certain types of trade union officials at certain types of grievance hearings under Article 12 of the Employment Relations (Northern Ireland) Order 1999 and in accordance with Part IV of Schedule 1 to the Employment (Northern Ireland) Order 2003.

