

Open Minds Policy Documents 2021



Open Minds Policy Documents

MAIN CONTACTS:

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If you are reading this policy it means you have a role in the organisation, OPEN MINDS Counselling Service. Whether this ROLE is as a Trustee/Director/Guarantor, employee, volunteer or partner you have a RESPONSIBILITY to the children, young people and vulnerable adults with whom we work to act upon suspicions, disclosures or reports of abuse.

NB the DBS disclosure policy is a separate document produced by the umbrella organisation with whom we are registered for police checks.

All OPEN MINDS workers will be DBS checked to enhanced level

CONTENTS

We have taken the perhaps unusual step of incorporating all of our policies & procedures under this 'umbrella' policy of protecting CYP & vulnerable adults (VA). We have decided on this direction in order to ensure that all of our policies, practices and ethos return to the core value of protecting CYP & VA.

COVER PAGE	
MAIN CONTACTS	
CONTENTS	
INCORPORATED POLICIES & PROCEDURES CONTENTS:	
GENERAL INFORMATION	
OPEN MINDS CONTRACT OF SERVICE	5
POLICY Complaints Procedure	10
POLICY Communications & Confidentiality	27
POLICY Privacy and GDPR	33
POLICY Financial Management	52
POLICY Library Lending	53
CHILD AND VULNERABLE ADULTS PROTECTION	57
POLICY Suicide Prevention Policy	58
POLICY Child Protection	61
HEALTH AND SAFETY	70
POLICY Health & Safety	71
POLICY Environmental	82
POLICIES DETERMINING PAID/VOLUNTARY EMPLOYMENT CONTENTS	89
POLICY Equal Opportunities incl. INTERNAL Recruitment And Selection	91
POLICY Equal Opportunities incl. EXTERNAL Recruitment And Selection	95
POLICY Handling Stress At Work Guidance	100
POLICY Training And Development	105
POLICY Sickness And Absence	108
POLICY Lone Working	111
POLICY Volunteer	113
POLICY Secondment	116

GENERAL INFORMATION

Service Contract Open Minds

Open Minds exists to provide counselling to adults and children aged 8 and over, on any issue and for as long as the counselling is useful and necessary. We offer an initial 10 sessions which can be extended if the counselling is constructive.

ASK YOUR PRACTITIONER SUPPORT WORKER FOR PERMISSION BEFORE EXTENDING YOUR WORK WITH A CLIENT.

The client is the first priority of Open Minds, the only exception being where safeguarding issues take precedence.

We appreciate the benefit to Open Minds of our counselling volunteers and provide a comprehensive support service to our counsellors, including administrative support, case-work management, mentoring, academic guidance, training, internal supervision and more.

We recognize that counsellors need client work experience in order to qualify or sustain qualifications but must always put the client first; their vulnerability, availability, gender preference of counsellor, etc. take precedence over the counsellor's need for more client work.

Open Minds expect that clients will attend their scheduled sessions, on time.

Persistent, unscheduled non-attendance (i.e. not including holidays or other mutually agreed 'breaks' in therapy) - If clients persistently fail to attend then Open Minds will not contact the client to make future appointments and will reallocate their appointment slot to another client on the waiting list. If the client who has failed to attend regularly then contacts Open Minds to make future appointments then at the discretion of the Managing Director the client may be accepted as a new referral and placed on the waiting list.

Counsellors are responsible for ensuring that:

1. Open Minds' policies and procedures are followed wheresoever these do not contravene UK laws
2. Regardless of the counsellor's personal beliefs or therapeutic modality, the client and the relationship therewith is paramount and primary to the therapy offered
3. Clients are informed about confidentiality
4. Safeguarding issues are immediately reported to the line-manager in order for them to be acted upon
5. The counsellor has regular external supervision; appropriate to the quantity of their client work
6. Safeguarding issues are reported at the first opportunity to the external supervisor
7. The counsellor's notes are up-to-date and filed away appropriately
8. Information on the client is kept up-to-date and office staff informed of any relevant changes (e.g. health issues, contact information) THIS IS BECAUSE WE KEEP A DATABASE OF CLIENT DATA FOR OUR FUNDERS
9. The line-manager is informed if the counsellor is finding client work difficult so that support for can be arranged. This may include:
 - a) Where the intensity of a client relationship has become too great for you
 - b) Where the boundaries have changed and cannot be re-drawn
 - c) Where you are unwell or have other mitigating personal circumstances
 - d) Where you do not believe the relationship has therapeutic benefit to the client
10. Other staff and service users are treated with respect, compassion and an I, Thou ethos
11. Clients who have agreed to pay for counselling are reminded of that agreement and encouraged to pay
12. Concerns about other practitioners are brought promptly to the appropriate staff at Open Minds
13. The counsellor attends all scheduled sessions, on time, except in exceptional circumstances
 - b) That scheduled appointments take into account:
 - 1) The client's vulnerabilities and physical mobility issues (we have 2 ground floor rooms)
 - 2) The availability of rooms
 - 3) Open Minds' hours
14. The office staff are informed in good time if the counsellor cannot attend, so that clients can be informed

Failure to fulfill these obligations may result in termination of employment, honorary or paid, as a counsellor with open minds counselling service ltd.

This section represents an addendum, or additional detail to point 13) of the 'Counsellors are responsible for ensuring that:' section of the contracts;

When you take clients on you are always warned not to overstretch yourself.

1. Clients (including days of working) committed to while counsellors are desperately working towards their hours for qualification should not then be abandoned at the counsellor's convenience once you no longer need them. **If the client has developed a reasonable expectation of you being flexible, because you have consistently in the past agreed to change times, days or frequency of appointments subject to your mutual flexibility, then they have a right to continue to expect the same; regardless of your incentive to do so.**
2. If you know that you will not in the future be able to be flexible then you have a responsibility to prepare the client for ending, or transitioning to another counsellor.
 - a. This includes being willing to be flexible in the short term until the client is 'safe'.
3. **If you suddenly cannot be flexible due to unavoidable circumstances then we recommend that instead of a sudden withdrawal of services, that you discuss with Open Minds the possibility of an extra session or 2 with which to come to an ending.**
4. To make yourself unavailable (if this is avoidable) with inadequate notice is both irresponsible and unprofessional and does not reflect well on either yourself or Open Minds and is not good practice.

PLEASE REMEMBER THAT THE CLIENT IS (OR SHOULD BE) INHERENTLY MORE VULNERABLE THAN YOU ARE

Open Minds Responsibilities

Open Minds is responsible for ensuring that:

1. Counsellors practicing with Open Minds are training or qualified to an appropriate level prior to commencing client work
2. Counsellors have enhanced DBS disclosures made prior to commencing client work
3. All employees, paid or honorary, sign a confidentiality agreement
4. All employees, paid or honorary, follow the ethos and procedures of Open Minds
5. Safeguarding issues are dealt with promptly
6. UK law and BACP guidelines are followed wherever possible in the work of Open Minds
7. Open Minds premises are maintained to a professional standard
8. Non-safeguarding concerns about counsellors, clients or others, are dealt with promptly and fairly
9. Open Minds aim always to allocate clients to counsellors within 2 weeks of referral if a counsellor of appropriate competency is available at a time convenient to the client.
 - However there may be busy periods or mitigating circumstances in the service in which this is not possible, for which we apologise.

Open Minds will support clients and counsellors by ensuring that:

1. Counsellors are sufficiently competent to practice at Open Minds
2. Counsellors are sufficiently indemnified by Open Minds and their individual insurance
3. Counsellors are supported through safeguarding issues, both with disclosures and supporting the client
4. A contribution is made towards the counsellor's external supervision, wherever the budget allows
5. Training opportunities towards continuing counsellor's professional development are provided
6. Internal group supervision is provided
7. Administrative support is provided in managing appointments and case-work
8. Internal Mentoring support is available where funding allows
9. Line-management support is provided in being an effective and responsible practitioner;
 - Discussion of client work, including concerns the counsellor may have about their practice, efficacy or ethics
 - Discussion of academic work, including (where scheduled) support understanding and complying with criteria
 - Discussion of concerns about operational factors at Open Minds
10. Any person having access to buildings and service users and who has not received the necessary pre-employment checks is accompanied by appropriate staff at all times

HOWEVER if you wish to rebook a session, change an appointment time or otherwise discuss scheduling or availability this can be done with any member of the office staff and does not require the manager's intervention, except in mitigating circumstances.

Client Responsibilities

Code of Conduct

CLIENTS AND SERVICE RECEIVERS TOWARDS OUR STAFF

1. To follow the contract to which you agree with your counsellor
2. To treat our staff with respect and courtesy
3. To accept that you need to be flexible and that although we will make every effort to accommodate your needs that there will be times when you will have to accommodate ours
4. To inform us when you know that you cannot attend an appointment. This in order to help us to reschedule this and avoid your counsellor waiting unnecessarily

VOLUNTEERS, EMPLOYEES AND COUNSELLORS TO CLIENTS

1. To provide a contract, verbal or written which explains the counselling relationship and how this works
2. To treat all users with respect, dignity and care
3. To be courteous and consider client needs at all times
4. To store client data in an appropriate and secure manner
5. To discuss client work only in a professional manner, with appropriate personnel and where **inappropriate** persons, e.g. other clients, cannot overhear.

We recognise that **inside the counselling session a client may become angry and they or the counsellor may swear in the course of their time together and it is for the client and counsellor to decide together whether this is appropriate.**

IN GENERAL

ANY VIOLENT BEHAVIOUR OF ANY SORT WHETHER WITHIN OR OUTSIDE THE COUNSELLING RELATIONSHIP WILL NOT BE TOLERATED.

We will not tolerate any aggressive behaviour from or towards our staff, users or anyone accessing our services in any capacity.

SWEARING, ESPECIALLY IN FRONT THOSE UNDER 18 WILL NOT BE TOLERATED.

Anyone violating this code of conduct can be removed from our premises and banned from accessing our services in the future.

THIS IS TO PROTECT ALL OF OUR BENEFICIARIES.

POLICY Complaints Procedure

POLICY Complaints Procedure

Many people may approach OPEN MINDS at times when they feel vulnerable or anxious. If services are not satisfactory, this may be particularly distressing. It is very important for OPEN MINDS to be aware of areas of dissatisfaction and to correct any shortcomings.

Service users need to have the right to complain about the service they receive by means of free and clear access to a complaint procedure.

This procedure is to enable people using services of, or taking part in activities organised by OPEN MINDS to be heard when they feel things have gone wrong.

OPEN MINDS aim to ensure that complaints/problems are resolved quickly, fairly and as close to the point of service delivery as possible to ensure that the individuals involved and the organisation as a whole benefit from the experience.

OPEN MINDS also have mechanisms to hear *suggestions* that individuals may have to improve services.

Before making a complaint, service users should think about whether their issue could be resolved by using the suggestion process and if it is felt that this may be the case then this avenue should be tried first.

Suggestions can be emailed to openminds@counsellingdoncaster.com.

To make a suggestion anonymously go to the bottom of the website www.counsellingdoncaster.com and use the contacts form. In the email section simply input anon@anon.com and your suggestion will be anonymous.

Please read this policy before completing the complaints form

Who Can Complain?

1. Any individual who is receiving a service from OPEN MINDS
1. Any individual who has received a service from OPEN MINDS
2. Any individual who has been refused a service from OPEN MINDS.
3. Any individual acting on their behalf.

The Principles

1. People making complaints have the right to be treated equally and not suffer discrimination.
2. Complaints are to be treated seriously and dealt with in good time.
3. There should be ease of access to enable service users or their representatives to make their views known.
4. There should be clearly indicated means of challenging decisions on service provision/non provision or other matters of concern to service users.
5. No person should be involved in investigating a complaint relating to his/her own actions or judgement.
6. Complaints are to be treated with an open mind, and will be investigated without prejudice. Those making a complaint must be reassured that complaining will not result in any discrimination against them.
7. The overall number of complaints is to be recorded and monitored.

Confidentiality

People making complaints ([the complainants](#)) have the right to confidentiality. If requested and appropriate, names of complainants will not be disclosed in investigating complaints.

Limits on confidentiality:

1. The person being complained against ([the respondent](#)) has the right to sufficient information to present their own version of events.
2. This means that where the complaint is by a client about their therapist and relating to events occurring within the counselling session, the counsellor can discuss their perception of events.
3. *Wherever possible* the counsellor's defense should avoid breaking the client's confidentiality beyond the immediate incident under discussion.
4. Anonymous complaints may not be investigated if they appear to be malicious.
5. The complainant should also be aware that anonymous complaints do not always allow for the complainant to be made aware of any possible resolution.

The Procedure

The procedure identifies two types of complaints:

- **Informal Complaints** – those that appear to be able to be resolved quickly and easily e.g. complaint about people talking too loudly in corridor.
- **Formal Complaints** – those that appear to be more serious and which should follow a set procedure e.g. complaint that discrimination has occurred or that the confidentiality policy has been breached.

Informal Complaints

If you have an informal complaint any member of staff will be happy to discuss it with you and take any action required.

If you feel that an informal complaint has not been remedied to your satisfaction you can decide to make a formal complaint.

Formal Complaints – A 3 Step process

1. If you have a complaint about any service, individual or activity which you wish to be handled formally, **you should speak to the Managing Director**. You can also email the Managing Director to discuss this on md@counsellingdoncaster.com

Written postal complaints about the Managing Director should be addressed to The Chairperson, OPEN MINDS, 28 Christchurch Road, DN1 2QL

Complaints can be submitted by email to:
openminds@counsellingdoncaster.com or md@counsellingdoncaster.com
 subject headed FAO: relevant professional
 (Chairperson, Managing Director, Vice-Chairperson, Company Secretary)

The person investigating the complaint, whether the Managing Director or Chairperson, is known as [the investigating officer](#). At their discretion the investigating officer may seek the support of Open Minds' external Human Resources and/or other members of the Board of Directors.

2. Where formal complaints are raised with the investigating officer, the investigating officer will ask how you would like the complaint to be dealt with.

There are two options as to how formal complaints can be dealt with and these are:

- You can use the complaint form to detail your complaint and opt out of mediation.
- You can use the complaint form to detail your complaint, and opt into mediation meetings where appropriate.

Mediation meetings would incorporate the complainant and a support person of their choice; the respondent and a support person of their choice; and the investigating officer along with possible other investigation support or human resources support.

The aim of a mediation meeting would not be to attribute blame but rather to examine ways of resolving the situation, which are acceptable to everyone.

Please be aware that the complainant can request mediation meetings but the respondent has the right to refuse these.

Where mediation meetings are not possible or fail to achieve an acceptable result, you can continue with the formal written complaint following the steps below.

3. In the case of FORMAL WRITTEN COMPLAINTS, the following procedure shall apply:

1. If not immediately clear from the guidance on the following page, the Chairperson will decide, from the nature of the complaint, who is the appropriate person/people to deal with the complaint.
2. The person making the complaint will receive an acknowledgement of their complaint from the appropriate person (the investigating officer) within 10 working days of receipt of the complaint.
3. The complaint will be investigated, and the complainant given a response, within 25 working days of the complaint being received.

If for any reason it seems unlikely that the original time period for response is not going to be met, the person making the complaint will be advised of this fact and a new time-scale for completion will be agreed with them.

4. **The investigating officer will make a judgement as to whether each complaint is UPHELD, NOT UPHELD OR NOT SUBSTANTIATED and detail any action which they recommend to be taken as a result of the complaint.**
5. This information will be passed to the Chairperson who will respond in writing on behalf of OPEN MINDS.

Appeal Process:

1. The complainant should be given the right to state whether they are satisfied with the response *and if not whether they wish the complaint to be considered by the Management Committee (Board of Directors) as a whole.*
2. Complainants who are not satisfied with the response should write to the Management Committee, within 10 working days, outlining why they are not satisfied with the response.
3. **The Management Committee will discuss the complaint at the next committee meeting and make a judgement as to whether each complaint should be further investigated, and/or whether the complaint is UPHELD, NOT UPHELD OR NOT SUBSTANTIATED and note any action which should be taken as a result of the complaint.**
 - a. At the Management Committee's discretion they can seek independent support at this point from VCF agencies with whom Open Minds' work.
 - b. If such agencies are to be part of the appeal process the complainant must be informed and given the right to refuse this process if their confidentiality will be affected.
4. The complainant will be informed in writing of the outcome and will be given the opportunity to state whether they are satisfied with the response.
5. The decision of the Management Committee is final

SUMMARY OF STEPS:

INFORMAL COMPLAINTS:

to any member of staff

if not resolved

(OR IF INFORMAL COMPLAINT PROCESS IS NOT APPROPRIATE)

FORMAL COMPLAINTS:

Step 1 Speak to (or write to) the Managing Director or write to the Chairperson to explain your concerns

Step 2 The Managing Director or the Chairperson will offer you the opportunity to complete a complaints form AND arrange a mediation meeting

if not resolved (OR IF STEP 2 IS NOT APPROPRIATE)

Step 3 You can complete the complaints form yourself, or the Managing Director or the Chairperson will complete a complaints form with you and then investigate your complaint

if not resolved

The response can be appealed to the Management Committee.

This decision is final

Who to address **FORMAL WRITTEN** complaints to:

1. Formal complaints **about the Chair** of the Management Committee should be addressed to the Vice-Chair or Company Secretary.

These will be dealt with by either the full Management Committee or by a Sub-Group appointed by the Management Committee, *which would not include the person who is being complained about.*

2. Formal complaints **about individual members** of the Management Committee should be addressed to the Chairperson of the Management Committee.
3. Formal complaints about **any member of staff, paid or unpaid**, should be addressed to the Managing Director or Chairperson
4. Formal complaints about **any service user** should be addressed to the Managing Director or Chairperson
5. Any complaint, which alleges malpractice by a **counsellor**, can be dealt with under OPEN MINDS's complaints procedure by following the steps outlined above.

The address for all written postal complaints is

[i.e. Chairperson, Managing Director, Vice-Chairperson, Company Secretary]

COMPLAINTS, OPEN MINDS Counselling Service,

28 Christchurch Road, Doncaster, DN1 2QL

Complaints can be submitted by email to:

chairperson@counsellingdoncaster.com or md@counsellingdoncaster.com

subject headed FAO: relevant professional

(Chairperson, Managing Director, Vice-Chairperson, Company Secretary)

example complaints letter

Private & Confidential

Dear

I am writing to inform you that Open Minds have become aware that you have expressed concerns about the service you have received from (your counsellor, office team, named other).

Open Minds' Management Committee take very seriously any concerns about any of the people who provide services on our behalf. As such if you would like to express your concerns to Open Minds, you can make an informal complaint or a formal complaint, through the Managing Director (or the Chairperson of the Management Committee if the complaint is about the Managing Director).

Open Minds will deal with any such response promptly and thoroughly.

I have included a copy of Open Minds' complaints procedures for your reference.

You can address any response to

MANAGING DIRECTOR / CHAIRPERSON,

Open Minds, 28 Christchurch Road, Doncaster, DN1 2QL.

This will then not be opened by any other employee of the charity.

AN EXAMPLE OF THE COMPLAINTS FORM IS BELOW, AND THE COMPLAINTS FORM ITSELF IS AT THE END OF THE POLICY

EXAMPLE complaints form

FORMAL complaint

by the person making the complaint (the complainant) : **Joe Bloggs, client**

GDPR Consent

In order for us to proceed with your complaint please delete the following which do not apply to you:

- ~~• I would like my complaint to be anonymous and do not want feedback~~
- ~~• I would like my complaint to be anonymous BUT I do want feedback about what happens next~~
- I consent for my name to be shared with the respondent so that they know who has made this complaint
- I consent for Open Minds' investigating officer to contact me regarding this complaint using my email: **Joe@Bloggs.com**
- I consent for Open Minds' investigating officer to contact me regarding this complaint using my phone number: **07775 55555**

If you do not complete the section in yellow we will assume you want to make an anonymous complaint and will not contact you with feedback or for more details

Date Complaint Made to Open Minds: **19th May 2018**

This means the date on which you are completing this form

COMPLAINT TAKEN BY **name, role** **Helen Mason, Managing Director**

IF YOU ARE SENDING THIS BY EMAIL WE WILL ACCEPT THIS AS EVIDENCE OF SIGNED BY SENDING.

IF YOU ARE SENDING THIS BY HARD COPY PLEASE SIGN THIS PAGE.

EXAMPLE complaints form²

The person the complaint is against (the respondent) : Jane Smith, counsellor

Date Incident Occurred On: 12th May 2018

If you do not know the date you can give a rough estimate of when the cause for your complaint happened

DESCRIPTION OF INCIDENT AND NATURE OF COMPLAINT

Please attach additional sheets as required, remember to clearly label them with page numbers

Jane was persistently off sick at short notice and when I was very upset and wanting counselling this made it very difficult to want to work with her.

On 12th May she told me she was leaving Open Minds and I could have a new counsellor.

I think if she was so ill she couldn't carry on she should have let me know sooner and I could have been working with a different counsellor by now.

EXAMPLE complaints form³

WHAT ACTION WOULD THE COMPLAINANT LIKE?

Please delete the options below as appropriate, leaving the ones you would like:

1. Please **discuss** my complaint with the respondent
2. **Feedback** to me what they have said
3. I would like the opportunity to attend **mediation** meetings
4. I would like an ~~apology in person / in writing~~
5. I would like you to change your **systems** so that this does not happen again
6. Please let me know what **changes** you are making
7. I would like the respondent to be ~~disciplined~~

WHAT RESOLUTION WOULD COMPLAINANT LIKE? (what would you like to happen?)

I think in future if Jane becomes ill she should think of the impact on her clients, and Open Minds should offer a different counsellor a lot sooner.

If the respondent is a member of staff there are several actions Open Minds might take, including but not limited to the following:

1. Suspension with pay while we investigate (this is not a disciplinary action)
2. Contacting the respondent's external supervisor for details
3. Putting in place more support
4. Changing Open Minds' systems to prevent further incidents
5. Verbal warning
6. Written warning
7. Final written warning
8. Suspension without pay
9. Termination of work at Open Minds
10. Contacting the organisation overseeing the respondent's practice to inform them of concerns

DATE FOR ACTION TO BE TAKEN

(this should be within 15 working days of receiving the complaint)

7th June 2018

DATE FOR RESPONSE TO BE MADE

(this should be within 25 working days of receiving the complaint)

21st June 2018

**Open Minds'
complaint form
follows on the next 3
pages for people to
complete and return
if they wish to make
a formal complaint**

FORMAL complaint

by the person making the complaint (the complainant) :

GDPR Consent

In order for us to proceed with your complaint please delete the following which do not apply to you:

- I would like my complaint to be anonymous and do not want feedback
- I would like my complaint to be anonymous BUT I do want feedback about what happens next
- I consent for my name to be shared with the respondent so that they know who has made this complaint
- I consent for Open Minds' investigating officer to contact me regarding this complaint using my email:
- I consent for Open Minds' investigating officer to contact me regarding this complaint using my phone number:

If you do not complete the section in yellow we will assume you want to make an anonymous complaint and will not contact you with feedback or for more details

Date Complaint Made to Open Minds:

This means the date on which you are completing this form

COMPLAINT TAKEN BY **name, role**

IF YOU ARE SENDING THIS BY EMAIL WE WILL ACCEPT THIS AS EVIDENCE OF SIGNED BY SENDING.

IF YOU ARE SENDING THIS BY HARD COPY PLEASE SIGN THIS PAGE.

FORMAL complaint

The person the complaint is against (the respondent) :

Date Incident Occurred On:

**If you do not know the date you can give a rough estimate of when the cause
for your complaint happened**

DESCRIPTION OF INCIDENT AND NATURE OF COMPLAINT

**Please attach additional sheets as required, remember to clearly label them with
page numbers**

FORMAL complaint

WHAT ACTION WOULD THE COMPLAINANT LIKE? Please delete the options below as appropriate, leaving the ones you would like:	
1. Please discuss my complaint with the respondent 2. Feedback to me what they have said 3. I would like the opportunity to attend mediation meetings 4. I would like an apology in person / in writing 5. I would like you to change your systems so that this does not happen again 6. Please let me know what changes you are making 7. I would like the respondent to be disciplined	
WHAT RESOLUTION WOULD COMPLAINANT LIKE? (what would you like to happen?)	
If the respondent is a member of staff there are several actions Open Minds might take, including but not limited to the following: 1. Suspension with pay while we investigate (this is not a disciplinary action) 2. Contacting the respondent's external supervisor for details 3. Putting in place more support 4. Changing Open Minds' systems to prevent further incidents 5. Verbal warning 6. Written warning 7. Final written warning 8. Suspension without pay 9. Termination of work at Open Minds 10. Contacting the organisation overseeing the respondent's practice to inform them of concerns	
DATE FOR ACTION TO BE TAKEN (this should be within 15 working days of receiving the complaint)	Investigating Officer complete
DATE FOR RESPONSE TO BE MADE (this should be within 25 working days of receiving the complaint)	Investigating Officer complete

POLICY Communications & Confidentiality

Open Minds offers clients a confidential setting for their personal work for the following reasons:

- To maintain safety and privacy
- To allow the development of trust
- To minimize the potential for misunderstanding
- To comply with professional, legal and ethical obligations and requirements

All electronic information pertaining to a client will be kept in a secured password protected database and hard copies of client information will be kept in a locked cabinet in a locked room on site at the counselling facility. These will not be accessible to anyone outside OPEN MINDS unless requested by the client or with the client's consent, or by law.

In certain instances there are legal obligations which must be adhered to by the organisation which may require breach of confidentiality. Such circumstances will be brought to the awareness of the client at initial contact and may be referred to during the course of ongoing counselling if there was a likelihood of occurrence.

The legalities which apply to this project are set out below throughout the following paragraphs.

Criminal Law Act 1995 Section 3111(8)(6):

This piece of legislation requires workers notes on clients to be made available if requested under subpoena during a court hearing. In order to safeguard the client's process from misinterpretation by others, workers will restrict their written records to their own personal process and the implications of this on their therapeutic availability to the client therefore omitting all factual accounts and objective details.

Change these once Lamplight is active

Notes and Records

Principles

1. All paper records, including any process and case notes, must be kept securely locked in a locked filing cabinet in OPEN MINDS office.
 - a. Any counsellor who requires to keep records at home or in another place outside of OPEN MINDS on site must seek the approval of the Managing Director as to the necessity of this and where agreement is reached the counsellor must satisfy the Managing Director that the above security measures have been put in place at the agreed location.
 - b. If notes are required for the production of a report on the client's behalf, or for other reason, the notes themselves must stay at Open Minds and copies be taken which are destroyed once their use is completed
2. Any process notes taken to support the counsellor's work e.g. in supervision should be kept secure and destroyed when they have served their purpose. Clients must not be identified in supervision, case studies or research, except with their explicit and informed decision.
3. Data held on computer will be made secure from access by others through use of password protection and a 'firewall' to secure the site. This measure applies to data held electronically within OPEN MINDS premises and in other locations including the homes of counsellors.
4. Process and case notes must be archived within 6 months of the client ceasing accessing support from OPEN MINDS.
5. Initial working agreements on record keeping will be drawn up and agreed with each client as part of the counsellor/ client initial contract.
6. Clients have the right to access information stored about them.

Change these once Lamplight is active

Processes of Applying confidentiality

Open Minds office 07765 224564 is the main channel of communication between service users and volunteers. Open Minds will ensure that all messages will be passed on to relevant volunteers /service users as soon as possible.

Open Minds uses a password protected database system, in accordance with the Data Protection Act 1998, for recording contact and minimal personal details, e.g. names, addresses, D.O.B, and preferred means of contact details (if appropriate).

Clients are coded by initials and year of birth (eg Helen Mason, born in 1979 is HM79) as an added measure of confidentiality in their files, and on the calendar.

The database is also used for recording dates of referral, attendance along with referring body details (if applicable) and finishing date on cessation of counselling/support. When clients finish their contact with OPEN MINDS their files are archived.

Where clients have been formally referred, the referring letter is kept on the client's file. Hard copies of any letters sent out to clients are kept in the client files, and electronic copies on our password protected computer where appropriate. Information recorded for Open Minds stakeholders/funders' is minimal and will not include identifying particulars of any clients.

The only paper records other than case notes we hold about clients (unless otherwise agreed with clients) are detailed below:

1. 'Contact Details/Membership of OPEN MINDS' form.

This is the form that we need clients to sign to indicate that they agree to us holding their contact details.

2. Client Assessment form

An agreed contact form which includes the details you have agreed for us to hold. This hard copy is a backup in case of damage or loss of the electronic files.

3. Records of any borrowing of books.

This is to enable us to track and recall any books which you may borrow from the lending library

4. Materials for use in session

Your counsellor might have agreed with you to work on particular worksheets or interventions in which case these might be left in your file

5. Auditing and monitoring

There are occasions when anonymized data will be used to provide evidence of our work to funders. This might include the numbers and percentages of clients attending with

anxiety or depression, but does not include any information which identifies specific clients.

Breach of Confidentiality

There are certain circumstances where confidentiality could be compromised by legal obligations of the Project. These are as follows:

1) Children (Scotland) Act 1995

OPEN MINDS complies with Local Authority Guidelines for Child Protection which requires workers to break client confidentiality if they receive specific information concerning a child who is at risk because of physical, sexual or emotional abuse. (This includes information on the use of child pornography.) Any action will be taken following discussion with the client, supervisor and Managing Director.

2) Road Traffic Act 1988

Information must be disclosed **upon request by the police** to permit identification of the driver of a vehicle involved in an offence. The client will be informed of the information disclosed.

3) Terrorism Act 2000

Information regarding the use of threat or action designed to influence the government for political reasons, including violence to individuals or property, public health and safety risk, or damage to electronic systems must be reported.
*See notes below.

4) Criminal law Act 1995(section 39)

Information regarding a person known or suspected of being involved in **drug money laundering** has to be reported by law. *See note below.

*NB. A worker who receives information under categories **3)** or **4)** above, must contact the Police immediately (if possible, following discussion with the supervisor/line manager) without informing their client of this course of action either before or after it has been taken.

Third Party Involvement

A worker will not disclose any information about a client to a third party without the permission of the client unless required to by law as outlined above. When this agreement is sought, the worker will explain to the client how the information is communicated and for what purpose. **Any unanticipated communication with a third party must be reported to the client, together with the content, as soon as possible to alleviate any misinterpretation of client counsellor boundaries/relationship issues**, e.g., trust, respect, confidentiality, etc.

Supervision

External supervision and internal supervision, including peer supervision, is undertaken to identify personal and therapeutic process relating to ongoing counselling work of the counsellors. It is a professional requirement for the counsellor to attend regular supervision to maintain good working practice and no contact details for clients will be discussed or available during this process. Supervision will be purposeful, non-trivialising and remain confidential to the setting and context of the discussion avoiding identification of individuals unnecessarily.

Training

Many of OPEN MINDS's counsellors are undertaking their Diploma in Counselling or similar training. Such training requires students to participate in process groups and may require students to write about their counselling role in assignments.

Similarly to supervision, these requirements are necessary to help the trainee understand their own personal and therapeutic process relating to counselling work. Use of process material in these areas will remain confidential to the setting and context of the discussion and all identifying information will be anonymised.

Use of Tapes, Discs and Electronic Material

In some instances it may be appropriate for audio/visual data to be collated on tapes/discs or electronic material of the counselling session e.g. during training or for use within supervision. In all instances this must be discussed and agreed with OPEN MINDS Managing Director or Head Counsellor and the BACP Guidelines for data recording: use and storage of tapes, discs and electronic material must be adhered to. A copy is available to the client on request.

Confidentiality

Confidentiality is a core value underpinning the majority of work undertaken by Open Minds. It is an obligatory requirement of any counselling work undertaken on behalf of Open Minds. Open Minds follows the Statement of Ethics and Code of Practice set out by the BACP, as far as is reasonably possible, and abides by the definitions set out in these documents for confidentiality, supervision, etc. Open Minds operates an open access policy to clients who request to see any records or notes personal to themselves. Any client who wishes to view their records should make this known to any paid worker or volunteer. We will endeavour to have such notes available within 10 working days.

Privacy Policy (GDPR)

Change these once Lamplight is active

This privacy policy sets out how Open Minds Counselling Service uses and protects any information that you give to us.

Open Minds Counselling Service may update this policy.

You should check this page from time to time to ensure that you are happy with any changes. This policy is effective from 20.05.18.

Open Minds Counselling Service is a registered Charity number: 1155119.

We comply with the Data Protection Act 1998. All electronic communications are made in accordance with The Privacy and Electronic Communications (EC Directive) Regulations 2003.

Open Minds Counselling Service is committed to ensuring that your privacy is protected. Should we ask you to provide certain information by which you can be identified, then you can be assured that it will only be used in accordance with this privacy statement.

Open Minds Counselling Service's data protection officer is Helen Mason

You have the right to withdraw consent at any time.

Legal Terms:

Open Minds is the data controller

The data subject is any person whose information we hold or process

Open Minds' basis for processing information under article 6 of Regulation (EU) 2016/679 (General Data Protection Regulation) is as follows:

1. the data subject has given consent to the processing of his or her personal data for one or more specific purposes

You as the data subject give consent for us to process basic information about you in order for us to contact you about appointments, scheduling and service provision.

We can offer you services without this consent but it does mean that we will not be able to inform you of changes to your appointments.

You have the right to withdraw consent at any time. This will not prevent you accessing services from Open Minds.

However consent does not apply to every aspect of Open Minds' information processing. In some areas of information processing we refer to point 2 below.

2. processing is necessary for the performance of a contract to which the data subject is party or in order to take steps at the request of the data subject prior to entering into a contract;

Open Minds requires you to enter into a contract with us as service provider. This contract specifies the nature of the service we are providing to you, for example counselling or training.

We require your information in order to assess whether the service we are providing is most suitable to address your needs.

We also require basic information about you to allow us to complete referrals or safeguarding if these are required. This also fits into point 3 below.

3. processing is necessary for compliance with a legal obligation to which the controller is subject;

Open Minds work very often with vulnerable people, both adults and children, who might present a risk to themselves or other people, or be at risk from other people. For this reason we may ask for information about you or about children or vulnerable adults in your life. If necessary we then have the appropriate information to act upon any safeguarding concerns which may be raised.

This is the only time we would share your information without your prior knowledge and consent.

We do ask for your consent to share information with specified third parties, which is described under point 6.

6. processing is necessary for the purposes of the legitimate interests pursued by the controller or by a third party, except where such interests are overridden by the interests or fundamental rights and freedoms of the data subject which require protection of personal data, in particular where the data subject is a child.

Open Minds is funded by third party organisations such as Big Lottery Fund, who may require us to provide basic information about people using our service in order to evidence to them that we are fulfilling the terms of their contracts with Open Minds.

This is only to prove to the funders that Open Minds is indeed working with the numbers of people we claim to.

We ask for your consent to share this information and will tell you which information we are being asked to share.

You can refuse Open Minds permission to share this information with third parties and we will continue to offer you services.

Your rights to be forgotten, to object to information processing and to opt out of processing

You have the right to opt out of the following use of your information by Open Minds:

1. Open Minds contacting the client about appointments (cancellations, change of times etc)

- a. For example if your counsellor is off sick we would with your permission contact you to let you know. You can opt out of this contact at any time but this will mean we cannot inform you if your counsellor is unavailable
- b. For example if you have difficulties with memory and have asked to be reminded about your appointments we would with your permission contact you remind you before your appointments. You can opt out of this contact at any time but this will mean we cannot remind you about appointments

2. Open Minds contacting the client about referrals and other service provision

- a. For example if we have made a referral on your behalf we would with your permission inform you of any contact we receive which follows that referral up. You can opt out of this contact at any time but this will mean we cannot update you about such referrals
- b. For example if you have expressed interest in other services such as training, art or relationship therapy, other than services you already attend or have received. We would with your permission contact you to let you know services have become available. You can opt out of this contact at any time but this will mean we cannot inform you of service provision

3. Open Minds contacting the client about feedback on our services in order to improve our work

- a. For example we audit our work every 6 – 12 months in order to assess how well we are doing. We would with your permission contact you, normally by text, with a link to an online survey and ask you to complete it anonymously. This allows us to gather information in a confidential way which we can use to change how Open Minds work for the better. The information provided by clients is prepared into a report for the public which shows how we are doing and what changes we are making. You can opt out of this contact at any time

but this will mean we cannot ask you for feedback about our work with you

4. Open Minds sharing your data with third party (funder) to confirm service attended

- a. For example we code our clients by initials and year of birth and with your permission would give the funder your name, address and phone number or email to prove that we are working with real people, not falsifying our data. The funder does not receive information about the content or reasons that you attended therapy at Open Minds. You can opt out of this contact at any time but this will mean we cannot prove to our funders that we are working with real people

5. Open Minds sharing your data with a third party (agency) for Open Minds to refer you externally

- a. For example if you have asked to be referred to the NHS for CBT we need to share some of your information in order to do this. You can opt out of this information sharing at any time but this will mean we cannot complete the referral.
6. Open Minds sharing your data with specified third party (eg probation) for Open Minds to confirm attendance
- a. For example if you have been asked to attend Open Minds as part of a requirement of your terms of probation, or by Social Services or by another agency we would with your permission inform that third party agency of your attendance. You can opt out of this information sharing at any time but this will mean we cannot confirm your attendance to other agencies.
 - b. For example if you want us to provide a report to Social Services about your suitability for contact with your children we would with your permission write a report on your behalf. You can opt out of this information sharing at any time but this will mean we cannot provide such reports to other agencies.

THIS DOES NOT APPLY TO SAFEGUARDING CONCERNS; WE WOULD DISCLOSE SAFEGUARDING CONCERNS WITH OR WITHOUT PERMISSION

Open Minds does however need to process some information about you, as explained on page 2 and 3, in order to provide you with services.

You have the right to object to Open Minds processing and holding this data, or the right to ask to be forgotten. In this event we will take the following actions:

1. **If you have not accessed any services** at Open Minds and are only on the waiting list you can object and we will destroy your referral.
2. **If you have attended assessment or counselling** you can object to Open Minds processing or holding your data and we will physically archive this data and destroy it 7 years after your contact with us.
 - a. We do not destroy data for service users because of the risk to Open Minds if allegations are made against our employees or volunteers. We will not allow any personnel to access your data in the archive unless such allegations pertaining to you or our work with you were made.
 - b. Electronic information held on you will be printed out and attached to your physical data file and archived.
3. **If you have attended training** at Open Minds and there is no outstanding financial consideration we will destroy the data we hold on you.
4. **If you have attended other services** at Open Minds and there is no outstanding financial consideration we will destroy the data we hold on you.

Security

We are committed to ensuring that your information is secure.

In order to prevent unauthorised access or disclosure, we have put in place suitable physical, electronic and managerial procedures to safeguard and secure the information we collect.

Security of physical information:

1. The files in the filing cabinets are coded for confidentiality and anonymity.
2. Cardboard files are encoded and kept in locked filing cabinets
3. Filing cabinets are covered 24/7 by CCTV.
4. The filing cabinets are only unlocked in the morning for administrative staff to put the previous day's files away and remove the current day's files.
5. Files for clients attending on the current day are placed in a separate drawer which remains unlocked during the working day.
 - a. Counsellors can only access client files for the day on which they are attending.
 - b. Counsellors do not know the names of people attending on days they are in who are not their own clients.
 - c. If counsellors ask to access files for clients they are not seeing on that day they can only do so under observation and with good reason.
6. The locked filing cabinets are themselves kept in a locked office
7. The building has two separate internal burglar alarms
8. CCTV covers the ground floor and entrances and parts of the first floor
 - a. CCTV only covers public areas of the building and records for 14 days before automatically being overwritten
9. The building is locked overnight
10. The building is only accessible during the day by those with a key or by a security system of electronic door access

Security of electronic information:

Electronic information is password protected at computer, e-mail and pen drive access point

Data breach = accidental/illegal/unauthorised destruction, loss, alteration or access to or disclosure of someone's personal data.

If a member of staff or a service user or someone else believes there has been a data breach by Open Minds then you must in the first instance report this to the data protection officer at Open Minds. This is Helen Mason, the Managing Director of Open Minds.

The data protection officer will investigate how the data breach occurred, what the likelihood and severity of the risk to people is from the breach, and how it can be prevented in future. If necessary the data protection officer has the power to begin disciplinary proceedings against those responsible for data breaches.

Not all data breaches need to be reported to the ICO. The ICO steps in when the breach of data is likely to place the person whose data it is at risk of harm to their freedom or personal rights.

For example if the data which had been lost or disclosed revealed that the person was homosexual to people who might then commit hate crimes against them then this would threaten the individual's right and freedom.

If necessary breaches can be reported to the ICO here:

<https://ico.org.uk/for-organisations/report-a-breach/personal-data-breach/>

In the event of a data breach for your information we will contact you as soon as this is identified, and provide all the details we can on how such a breach occurred and how it will be prevented in the future.

Who can access what information at Open Minds: **Change these once Lamplight is active**

Data type	Who normally has access? And Why?	How is it protected?
Office mobile with your client code and phone number / text messages to Open Minds	If you have given us permission to communicate with you between sessions about appointments then the admin team, and your counsellor, have access to this. If you have opted out of such contact your details will not be in the phone	The office mobile does not leave the office
Emails you have sent to Open Minds or which have been sent about you	The admin team know the computer password and email password and can access e-mails. If an email is headed FAO a specific person it is filed separately for their attention, or printed out and put in your file,	The computer and emails are password protected
Electronic database with your contact details	Office Team of our administrators. This is to allow them to contact you about appointments etc if you have given permission	The computer is password protected The information is not kept online
Appointment management Calendar (print outs or on computer)	Only the admin team or internal supervisors access the computer calendar, eg in order to schedule appointments. Calendar print outs only contain client codes and counsellor name and are placed on the wall of the office on the relevant day, in order to indicate who is attending that day and what room they have been allocated	
Paperwork such as your referral form, case-notes, and any paperwork completed during counselling sessions	Only your counsellor would access these normally and only on days you are seeing them. In special circumstances the data protection officer or an internal supervisor might do so if we needed to safeguard you or someone in your life See Page 7 for description of physical security	

Collecting information Change these once Lamplight is active

We collect the personal data that you volunteer as part of booking appointments for counselling or other therapies, booking on events/workshops/projects, signing up for e-newsletters, attending sessions as a participant, becoming a volunteer, member or trustee, engaging in fundraising activity or making a donation.

Personal information that we collect may include:

- Your full name, title and date of birth / age range
- Your postal address, e-mail address and phone number
- Reasons you may have been referred for counselling (if applicable)
- Diversity monitoring information as volunteered by you

We will also collect and hold information about any appointments you have with us as a client of Open Minds Counselling Service.

This is so that we can track attendance, communicate with you during your participation in therapy or service provision, evaluate the impact of our work and report back to the organisations that fund our programmes.

We may also use this information to improve our programmes, products and services.

Ways we collect information might include:

- Calendar bookings of appointments attended or missed
- Contact preferences
- Details of correspondence sent to you, or received from you
- Diversity monitoring information
- Donor status/Amounts paid
- Gift Aid status
- Gift/donation information, including payment details where applicable
- Reports we have written on your behalf

- Reports which you have agreed or us to receive
- Ticket purchases/booking and event/workshop/project attendance (at internal venues or at external venues)
- Volunteer hours
- Any other information provided by you at the request of Open Minds Counselling Service

We may also use profiling and screening techniques to analyse your personal data and create a profile of which of our services, or external services, might best suit your therapeutic needs. We will do this in a transparent and legitimate way and will communicate what we are doing, ensuring that you have the opportunity to opt out.

Gathering information in this way might make use of additional information about you, including thorough exploration of your experiences (this is known as a history) which led you to seek our support, any additional psychological treatments you may have had in the past, and any risk factors such as if you present a risk to yourself or to other people, and if you are at risk from other people.

When we ask you to provide your personal information, we will let you know why we are asking and how we will use your data, by directing you towards this notice.

Where we are approaching potential corporate or Trust partners, we will follow a Legitimate Interest Assessment to ensure we have legitimate reason to contact an individual, that any direct contact is in a professional context, that the individual concerned knows that we are processing their data and for what purpose, and that they have the option to opt out of further communications if they wish.

Preferences

Depending on your relationship with Open Minds Counselling Service, and the preferences you have indicated, data we hold may be used by us for the following purposes:

- To send you promotional, marketing or fundraising information by post, telephone or electronic means
- To inform you of other products, services or events related to Open Minds

Counselling Service, such as events, volunteering opportunities, or retail offers.

- News and updates about Open Minds Counselling Service and marketing or supporter e-newsletters
- Information on our fundraising operations, including occasional targeted requests to consider giving financial support to Open Minds Counselling Service, or to ask you to consider supporting us in other ways
- Other relevant communications based upon your relationship with Open Minds Counselling Service, including direct contact during a project that you are participating in

Holding data

We understand that your personal information and privacy are important to you.

We make every effort to ensure that the information you share with us is recorded accurately, retained securely and used only according to your wishes.

We protect your personal information and adhere to all current data protection act legislation with respect to protecting privacy.

We do not give out, sell or trade our data with third parties except in the circumstances described previously such as for safeguarding, referral or to provide you with reports and attendance confirmation at your request.

The information you provide will be used primarily to protect your attendance.

The information we share with funders is normally anonymous and enables us to demonstrate the impacts of our work and the difference that the funding has made. If funders request identifying information in order to confirm that we are indeed working with the numbers of people we claim to then we would contact you to ensure you were willing to consent for us to share your name and contact details (address, phone number, email address) with the funder so that you could confirm that you had attended Open Minds' services. You can withdraw consent for this at any time.

We will hold personal data on our internal systems for a maximum of 7 years for adults and 7 years after your 18th birthday for children before contacting you to check that you are still happy for us to keep your data for the original reasons that you identified, or destroying the data we hold.

Processes

You can sign up to be informed about appointments and so forth when we first take your referral, or you can contact us by phoning 01302 344192 or 07765 224564 or emailing openminds@counsellingdoncaster.com to **opt in** if you did not do so at the point of referral. This contact would be by text, telephone, email or letter.

You can **opt out** of receiving information at any time by phoning 01302 344192 or 07765 224564 or emailing openminds@counsellingdoncaster.com.

If you are referring yourself, or someone else, or booking an appointment over the telephone, we will ask you for your consent to keep the data you give on our internal systems for monitoring.

When you attend an Open Minds Counselling Service initial assessment, therapeutic appointment, workshop, session or event, you may be asked to complete a registration form or contract, or asked for your contact details for a register. Information about opting in will be clearly stated at the top of the registration form and register.

By completing the forms and registers, you are giving us permission to hold the personal information given for monitoring and reporting purposes.

We may also contact you during your participation in therapy or other services for administrative reasons e.g. to provide specific information – change of time/venue or a session cancellation.

Market research

From time to time, we may also use your information to contact you for market research purposes. We may contact you by email, phone, or post. We may use the information to customise the website and our services according to your interests.

How we use cookies

A cookie is a small file which asks permission to be placed on your computer's hard drive. Once you agree, the file is added and the cookie helps analyse web traffic or lets you know when you visit a particular site. Cookies allow web applications to respond to you as an individual. The web application can tailor its operations to your needs, likes and dislikes by gathering and remembering information about your preferences.

We use traffic log cookies to identify which pages are being used. This helps us analyse data about web page traffic and improve our website in order to tailor it to customer needs. We use Google Analytics and Wix to do this. We only use this information for statistical analysis purposes and then the data is removed from the system.

Overall, cookies help us provide you with a better website, by enabling us to monitor which pages you find useful and which you do not. A cookie in no way gives us access to your computer or any information about you, other than the data you choose to share with us.

You can choose to accept or decline cookies. Most web browsers automatically accept cookies, but you can usually modify your browser setting to decline cookies if you prefer. This may prevent you from taking full advantage of the website.

Links to other websites

Our website may contain links to other websites of interest. However, once you have used these links to leave our site, you should note that we do not have any control over that other website. Therefore, we cannot be responsible for the protection and privacy of any information which you provide whilst visiting such sites and such sites are not governed by this privacy statement. You should exercise caution and look at the privacy statement applicable to the website in question.

Controlling your personal information

You may choose to restrict the collection or use of your personal information in the following ways:

- Whenever you are asked to fill in a form on the website, look for the box that you can click to indicate that you do not want the information to be used by anybody for direct marketing purposes
- If you have previously agreed to us using your personal information for direct marketing purposes, you may change your mind at any time by writing to or emailing us at openminds@counsellingdoncaster.com
- We will not sell, distribute or lease your personal information to third parties unless we have your permission or are required by law to do so. We may use your personal information to send you relevant promotional information about third parties which we think you may find interesting
- You may request details of personal information which we hold about you under the Data Protection Act 1998. A small fee will be payable. If you would like a copy of the information held on you please write to Open Minds Counselling Service Ltd., 28 Christchurch Road, Doncaster, DN1 2QL

If you believe that any information we are holding on you is incorrect or incomplete, please write to or email us as soon as possible, at the above address. We will promptly correct any information found to be incorrect.

The data controller and data protection officer for Open Minds Counselling Service is Helen Mason – 01302 344192. If you are unhappy with the way that we have handled your data, do contact us to discuss how we could improve our processes. If you still have a concern about our information rights practices, you are entitled to contact the Information Commissioner's Office (ICO) on 0303 123 1113 or via their website <https://ico.org.uk/concerns/>.

Disclaimer

The information contained in this policy and on the website is for general information purposes only. The information is provided by Open Minds Counselling Service and while we endeavour to keep the information up to date and correct, we make no representations or warranties of any kind, express or implied, about the completeness, accuracy, reliability, suitability or availability with respect to the website or the information, products, services, or related graphics contained on the website for any purpose. Any reliance you place on such information is therefore strictly at your own risk.

- In no event will we be liable for any loss or damage including without limitation, indirect or consequential loss or damage, or any loss or damage whatsoever arising from loss of data or profits arising out of, or in connection with, the use of the website.
- Through the website you are able to link to other websites which are not under the control of Open Minds Counselling Service. We have no control over the nature, content and availability of those sites. The inclusion of any links does not necessarily imply a recommendation or endorse the views expressed within them.
- Every effort is made to keep the website up and running smoothly. However, Open Minds Counselling Service takes no responsibility for, and will not be liable for, the website being temporarily unavailable due to technical issues beyond our control.

- Every effort has been made to ensure that the website is free from viruses, but Open Minds Counselling Service offers no warranties that its site is free from viruses, and the user is responsible for ensuring that they have installed adequate virus-checking software.

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[Back to top](#)

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You may not, except with our express written permission, distribute or commercially exploit the content. Nor may you transmit it or store it in any other website or other form of electronic retrieval system.

Terms and Conditions of website use

If you continue to browse and use the website, you are agreeing to comply with and be bound by the following terms and conditions of use, which together with our privacy policy govern Open Minds Counselling Service relationship with you in relation to the website. If you disagree with any part of these terms and conditions, please do not use our website.

The term Open Minds Counselling Service or 'us' or 'we' refers to the owner of the website whose registered office is 28 Christchurch Road, Doncaster, DN1 2QL. Our company registration number is 1155119. We are also a Registered Charity

(registration number 6695828). The term 'you' refers to the user or viewer of our website.

The use of the Open Minds website is subject to the following terms of use:

- The content of the pages of the website is for your general information and use only. It is subject to change without notice.
- We may collect information about your computer, including your IP address, operating system and browser type, for system administration and in order to create reports. This is statistical data about our users' browsing actions and patterns, and does not identify any individual. The only cookies in use on our site are for Google Analytics. Google Analytics is a web analytics tool that helps website owners understand how visitors engage with their website. Google Analytics customers can view a variety of reports about how visitors interact with their website so that they can improve it. Like many services, Google Analytics uses first-party cookies to track visitor interactions as in our case, where they are used to collect information about how visitors use our site. We then use the information to compile reports and to help us improve our site. Cookies contain information that is transferred to your computer's hard drive. These cookies are used to store information, such as the time that the current visit occurred, whether the visitor has been to the site before and what site referred the visitor to the web page. Google Analytics collects information anonymously. It reports website trends without identifying individual visitors. You can opt out of Google Analytics without affecting how you visit our site – for more information on opting out of being tracked by Google Analytics across all websites you use, [visit this Google page](#).
- Neither we nor any third parties provide any warranty or guarantee as to the accuracy, timeliness, performance, completeness or suitability of the information and materials found or offered on the website for any particular purpose. You acknowledge that such information and materials may contain inaccuracies or errors and we expressly exclude liability for any such inaccuracies or errors to the fullest extent permitted by law.
- Your use of any information or materials on the website is entirely at your own risk, for which we shall not be liable. It shall be your own responsibility to ensure that any products, services or information available through the website meet your specific requirements.

- The website contains material which is owned by or licensed to us. This material includes, but is not limited to, the design, layout, look, appearance and graphics. Reproduction is prohibited other than in accordance with the copyright notice, which forms part of these terms and conditions.
- All trademarks reproduced in the website, which are not the property of, or licensed to the operator, are acknowledged on the website.
- Unauthorised use of the website may give rise to a claim for damages and/or be a criminal offence.
- From time to time, the website may also include links to other websites. These links are provided for your convenience to provide further information. They do not signify that we endorse the website(s). We have no responsibility for the content of the linked website(s).
- Your use of the website and any dispute arising out of such use of the website is subject to the laws of England, Northern Ireland, Scotland and Wales.

POLICY Financial Management

With each transaction made the person making that transaction will inform the Finance Officer, on that date or within 3 working days.

The Finance Officer will the input this data into the appropriate financial management software.

Once bank statements are received monthly all data inputted will be cross referenced and reconciled with this bank statement.

Finances will then be discussed with the Treasurer in preparation for the General Meeting of the Director/Guarantors.

AUTHORISATIONS:

Authorisation for using cheques is as follows:

2 signatories must sign for each cheque, of which one should be a Director/Guarantor.

Authorisation for using the debit card is as follows:

1) only two of the signatories, Avis Straw (Finance Officer and Guarantor) and Helen Mason (Managing Director, Director and Guarantor) have access to a card issued in their name and only for the account into which unrestricted monies are paid in

2) The pin number and the cards should be kept in the income box in the Finance Officer's desk

Library Lending Procedure

Information for Borrowers

Open Minds holds a number of books, which are available to be borrowed by clients, staff (paid and unpaid) and other interested professionals. This lending procedure has been introduced to ensure that this valuable resource is co-ordinated and maintained.

Lending of OPEN MINDS books

Due to the small number of books held in stock, and the expense involved in replacing them only **two** books can be borrowed at any time. All requests for borrowing should be directed to the Office Team.

All books will be issued for a maximum period of 4 weeks and you are expected to either return books within this timescale or renew the book before the end of the 4-week period.

To renew a book please contact the Office Team prior to the date that the book is due to be returned.

Books can be renewed once only (total borrowing time = 8 weeks) before they must be returned and made available to other borrowers. You may however return a book after the 8 week period and if it has not been requested by other borrowers you may borrow it again on the terms described above.

You will not be able to borrow any of OPEN MINDS's books if you have any books outstanding until such books are returned.

Tracking borrowed books

Where a book has not been returned on time, a reminder letter will be sent out to you, inviting you to either return the book or renew the book.

Recalling Books

A list of all the books that OPEN MINDS hold is kept beside their place in the literature store.

If the book you wish to borrow is on loan to another individual you can ask the Office Team to recall the book. In such cases a letter will be sent to the individual who has the book explaining that the book is being recalled and must be returned within two weeks of the date of the letter.

Recalled books will be kept aside for you for a period of 2 weeks from the date that the books are received at OPEN MINDS.

You are responsible for contacting Open Minds to find out if the book is ready for collection, as no reminder letter will be sent.

Recalled books, which are not collected by you by the end of the 2-week period, will be placed back in the library.

Lost Books

Open Minds recognises that it is inevitable that a small number of books may get lost. If you lose a book please inform the Office Team so that we are aware that this is a book that requires to be repurchased.

In the event that a book is lost while in your care you may be fined any amount up to the value of the book at its original purchase price. This is because it is difficult to replace the books and to encourage borrowers to take good care of these valuable resources.

Requests for Books

Open Minds will keep a list of books that individuals request Open Minds to purchase and as funds become available will endeavour to purchase books requested.

Suggestions

Open Minds welcomes suggestions from you as to how to improve this facility. Please direct any comments to any paid member of staff who will channel your suggestion in the appropriate direction.

Library Lending Log – BOOK

This log will be kept on site and will be used to track all borrowing of this book, expected return dates and quality on lending and returning each book.

In signing this book out you agree to the following:

1. To be responsible for the security and maintenance of this book
2. To return the book within a maximum 4 week period from the date of your 1st borrowing it, or to renew it at this point
3. To reimburse Open Minds for damage or loss of this book while in your care
4. to return this book within 10 working days of being requested to do so by the Office Team of Open Minds

Book Title

Borrower's Name & signature	Borrower's Phone number	Date of borrowing	Date of return	Quality at lending	Quality at return
1.					
2.					
3.					
4.					
5.					
6.					
7.					
8.					
9.					
10.					
11.					
12.					
13.					

Library Lending Log – INDIVIDUAL

This log will be kept on site and will be used to track all books you have borrowed and their expected return date and quality on your lending and returning each book.

In signing each book out you agree to the following:

1. To be responsible for the security and maintenance of the book
2. To return the book within a maximum 4 week period from the date of your 1st borrowing it, or to renew it at this point
3. To reimburse Open Minds for damage or loss of any books while in your care
4. to return any book within 10 working days of being requested to do so by the Managing Director or Chair of Open Minds

Borrower's Name

Borrower's Phone number

Book Title	Quality at lending	Quality at return	Date of borrowing	Date of return	Borrower's Signature
1.					
2.					
3.					
4.					
5.					
6.					
7.					
8.					
9.					
10.					
11.					
12.					
13.					

Safeguarding CHILD AND VULNERABLE ADULT PROTECTION

Adult Safeguarding Policy

Safeguarding adults means protecting a person's right to live:

- In safety
- Free from abuse
- Free from neglect

At Open Minds this means complying with relevant guidance and legislation, such as pertaining to confidentiality and vulnerable adults, and support the Local Authority to comply with the Care Act 2014.

This most applies to Open Minds co-operating with relevant partners in order to protect adults experiencing or at risk of abuse or neglect.

This means any person aged 18 years or over who is at risk of abuse or neglect *because of their needs for care and or support.*

Definition of an adult at risk:

- Aged 18 years or over
- May be in need of community care services by reason of:
 - Mental Disability
 - Other Disability
 - Age
 - Illness
- May be unable to take care of him or herself
- May be unable to protect him or herself against significant harm
- May be unable to protect him or herself against exploitation

The Health Professions Council standards state: 'a person who is capable of giving their consent *has the right to refuse treatment*. You must respect this right. You must also make sure they are fully aware of the risk of refusing treatment, particularly if you think there is a significant or immediate risk to life.'

Where we have reason to believe such an adult is being harmed, or at risk of harm, the procedure is as follows:

1. The individual identifying the risk contacts the safeguarding officer (Helen, Mel, Simon) to discuss the issue.
2. Where appropriate you would discuss this with the person making the disclosure, but not if this increases the danger to the at risk adult.
3. If practicable establish what the at risk individual's views and wishes are about the safeguarding issue and procedure

Inform the person that you are required to share the information, explaining what information will be shared and why

4. Make a written record of what the person has told you, using their words, what you have seen and your actions.
5. If we can obtain the at risk adult's consent Open Minds then makes a disclosure to the Adult Safeguarding Team.
6. If we cannot obtain consent then we will make a disclosure and record that consent could not be obtained.

Safeguarding Adults who are not defined as at risk:

If the danger is severe and imminent you should phone 999

If the danger does not meet this standard you cannot act to protect an adult who has mental capacity without their consent. If there are children involved you should refer to the Children and Young People's policy, regardless of if the information was disclosed in the context of an adult. For this reason if you believe an adult is in danger, but has mental capacity and is not an 'at risk adult' you **MUST ALWAYS** ask if there are children at risk.

Deprivation of Liberty Safeguards 2009

1. Open Minds only works with adults who meet mental capacity of the standards of the Mental Capacity Act 2005.
2. We will always presume an adult has such capacity.
3. If an adult is stated to not have capacity due to mental illness, or neurological illness, it would not be appropriate to offer our services.

Use of Restraint

There are no circumstances in which any individual of any age attending Open Minds might be restrained.

Suicide Prevention Policy

STATEMENT OF PURPOSE

To protect clients and to provide guidance on appropriate responses to the worker, operating in a counselling role, to whom a disclosure of intended suicide may be made **More detailed information follows, this first page is intended to help you manage the immediate crisis.**

RESPONSE

Regardless of when a disclosure of suicidal intent is made the following is recommended as immediate and necessary responses:

1. Believe the client

- a. Every expression of suicidal intent should be taken seriously, even where this seems irreconcilable with your other insights into the client

2. Hold/bracket your own emotions

- a. At this point you may feel frightened and may even feel angry and want to reject the client. This is normal: death anxiety is part of human nature but it is important to recognise that this is coming from within you as the therapist and to 'hold' it and continue to work with the client's feelings

3. FEELING + MEANS + PLAN = LIKELIHOOD

- a. Discuss with the client whether they have a **plan**, including when/how they would do it, and if they have access to the **means** they describe, and **how often** they think about this or have felt the urge to act on their thoughts **USE OUR SUICIDAL IDEATION TEMPLATES**
- b. It is important to recognise and acknowledge the feelings involved; **how do they feel when they are suicidal? Do they self-harm? Have they made suicidal gestures¹?**

¹ An attempted (i.e. failed or aborted) suicide, or non-lethal self-harming which could be increased to fatal levels, such as cutting/asphyxiation (self-strangulation)/suffocation/burning/walking into traffic/taking non-life-threatening but dangerous numbers of pills

4. Explain about confidentiality

- a. Inform the client that they were aware when you contracted that this was beyond the conditions under which you can maintain confidentiality
 - i. This may mean you continue to work with the client through this time but may also need to refer on

5. Inform them of your shared options

- a. If it seems clear that they present an immediate risk to themselves you as therapist are legally required to take action to prevent them committing suicide.
- b. The client needs to be aware of this and that OPEN MINDS will have to contact the **Crisis Team on 01302 566999** or at the very least their GP (refer to assessment sheet for GP/Key Worker's contact details) for immediate support
- c. Give the client the BUSINESS CARD WITH THE number for the **Samaritans on 116123**
- d. If possible try to negotiate for them to return for another session the following week

6. LOOK AFTER YOURSELF

- a. Contact your Practitioner Support Worker and external clinical supervisor and line-manager, take time out if necessary (this is for your personal well-being and professional accountability)
- b. Make case notes and record the disclosure of attempted suicide (this is for your professional accountability)

Internal Procedure for handling safeguarding

<p style="text-align: center;">About suicidal thinking</p> <ol style="list-style-type: none"> 1. Believe the client even if historically they do not act 2. If the threat to self is immediate ask them to wait in the counselling room while you get Helen/Simon or Mel 3. Helen/Simon or Mel will come and explain that we must phone the crisis team on 01302 566999 and ask for support <ol style="list-style-type: none"> a. We might also phone an ambulance 4. If the threat is not immediate ask them to contact the crisis team, Samaritans and Rethink when they are in distress 5. Check out what sources of support they have in their daily life and what triggers to their distress 	<ol style="list-style-type: none"> 1. Always write your concerns in the pink safeguarding book (Diary on the wooden cabinet near the window) 2. Always tell the Practitioner Support Worker and seek advice 3. Always include disclosures in your notes in brief 4. If agreed with Helen/Simon/Mel complete a safeguarding electronic alert
<p style="text-align: center;">About risk to others</p> <ol style="list-style-type: none"> 1. Believe the client even if historically they do not act 2. If the threat to others is immediate ask them to wait in the counselling room while you get Helen/Simon or Mel 3. Helen/Simon or Mel will come and explain that we must phone the police on 111 and ask for support <ol style="list-style-type: none"> a. This might mean the police come to collect the client and accompany them to A&E 4. If the threat is not immediate ask them to contact the crisis team, Samaritans and Rethink when they are in distress 5. Check out what sources of support they have in their daily life and what triggers to their distress 	<ol style="list-style-type: none"> 1. Always write your concerns in the pink safeguarding book (Diary on the wooden cabinet near the window) 2. Always tell the Practitioner Support Worker and seek advice 3. Always include disclosures in your notes in brief 4. If agreed with Helen/Simon/Mel complete a safeguarding coversheet for the CSI door in Narnia

CHILD PROTECTION

STATEMENT OF INTENT:

Given the particular vulnerability of the users of OPEN MINDS counselling service, whether as clients or other beneficiaries it is important to have in place measures to protect both the service receiver and service provider, whether child, young person or adult. The aim of this policy is to raise awareness of what is child abuse, provide guidance on appropriate conduct one to one in relationships with children/young people (CYP) and adults especially in the therapeutic relationship, and offer clear direction on how to proceed in the event of abuse being reported or disclosed.

“A child protection policy provides a framework of principles, standards and guidelines on which to base individual and organisational practice in relation to areas, such as:

1. Creating a 'child safe' and 'child friendly' organisation (in relation to environmental safety as well as protection against physical, psychological and sexual abuse)
2. Prevention of abuse
3. Personnel recruitment and training
4. Robust management systems
5. Guidelines for appropriate and inappropriate behaviour / attitude
6. Guidelines for communications regarding children
7. Recognising, reporting and reacting to allegations of abuse
8. Ramifications of misconduct for those failing to follow the policy

A policy is not necessarily solely directed towards sexual abuse, but rather may also encompass all aspects of child protection including, but not limited to: disciplinary measures, health and safety measures, physical harm, working with information about children, proper recruitment and managerial procedures, and the ramifications of misconduct.”

All quotes, such as that above, unless otherwise indicated are from CHILDHOPE (2005) child protection policies and procedures toolkit

WHAT TO DO IF A CHILD REPORTS ABUSE

1. **Ensure The Safety Of The Child Or Young Person.**
 - a. If they need urgent medical attention phone 999 and make sure doctors or hospital staff know that this is a child protection issue
2. **react calmly** (Maintain good eye contact and explain that you are listening and are here for them)
3. **reassure them** that they were right to tell **but do not promise confidentiality**
4. take what they say seriously, even if it involves someone you feel sure would not harm them. We must listen to what we are told even if it is difficult to believe

IF YOU FEEL AT ANY STAGE THAT YOU CANNOT MANAGE THIS PROCESS INFORM THE CPO WHO WILL HELP YOU TO COLLECT YOURSELF – YOU WILL NOT BE THOUGHT LESS OF, THIS IS A STRESSFUL TIME

5. If you are not in the one-to-one counselling setting take the child to one side and find a private room.
 - a. If you are in the counselling room move to the next step.
6. **listen carefully** and explain that you cannot keep this confidential because of the seriousness of the matter, let them know that you and the counselling service will help them get through this, and that they are not alone
7. AVOID LEADING QUESTIONS (say 'Then what happened?'; don't say, 'Did he touch your leg?').
 - a. Try to get a clear understanding of what the person is saying to you
8. Ask the designated child protection officer (CPO) on site to come in (explain to the CPO that there has been a disclosure, *they will guide you both through the next steps*)
 - a. Sit with the child
 - b. Explain that Open Minds must contact an outside agency (eg Social Services) to inform them there is a risk to the child
9. parents and carers should only be contacted and involved once you have advice and guidance from our designated child protection staff, manager or external agencies.

REMEMBER IF YOU HAVE ANY CONCERNS PLEASE SPEAK TO HELEN, SIMON, MEL OR AVIS. THESE ARE YOUR CHILD PROTECTION OFFICERS

- Listen carefully to children
- Wait for appropriate physical contact such as holding hands, to be initiated by the child
- Ask permission from children and their care-givers before taking photographs of a child/children to be used in promotional materials
- Be good role models of how to be with children both in our homes or working places
- Be sensitive to acts of abuse, and aware of children's concerns and complaints
- Respect children's dignity in homes, workplace and centres
- Act on children's concerns / problems immediately
- Act fairly on matters that involve children and adults together
- Play a positive role in safeguarding children and promoting their safety
- Endeavour to provide advice and clear guidance to children. Offer appropriate advice and guidance

Parental Consultation

Where possible discuss your concerns with the parent and secure their agreement sought for a referral to Doncaster Children's Services Trust. This does not apply where seeking agreement is likely to:

- place the child at risk of significant harm through delay
- place the child at risk of significant harm through from the parent's actions or reactions

When parental permission cannot be sought the decision must be clearly noted in the child's records with reasons, dated and signed and confirmed in the referral.

When a referral is deemed to be necessary in the interests of the child, and the parents have been consulted and are not in agreement, the following action should be taken:

- **The reason for proceeding without parental agreement must be recorded;**
- **The parent's withholding of permission must form part of the verbal and written referral to Doncaster Children's Services Trust;**
- **The parent should be contacted to inform them that, after considering their wishes, a referral has been made.**

A child protection referral from a professional cannot be treated as anonymous and where any court proceedings may follow, whether criminal or family court, the information may be made available.

Internal Procedure for handling safeguarding About Child Protection

Information may be revealed purposefully, or inadvertently, by either adults or children, and may be about themselves or others in their lives.

<ol style="list-style-type: none"> 1. Believe the client even if historically they tell stories 2. If the disclosure is obvious and the threat is ongoing ask them to wait in the counselling room while you get Helen/Simon or Mel <ol style="list-style-type: none"> a. The Practitioner Support Worker/CPO will come and explain that we must phone the NSPCC or Social Services on 01302 737777 or out of hours 01302 796000 and ask for support <ol style="list-style-type: none"> i. We might also phone the police 3. If the disclosure is obvious and the threat is NOT ongoing BUT is about someone who is still a child, refer back to the contract and ask them to wait in the counselling room while you get the Practitioner Support Worker <ol style="list-style-type: none"> a. The Practitioner Support Worker will come and explain that we must phone the NSPCC or Social Services on 01302 737777 or out of hours 01302 796000 and ask for support 4. If the disclosure is obvious and the threat is historical and is about someone who is now an adult, refer back to the contract and explain that if the perpetrator is no longer a threat to children that your priority is to work with the client on the ways in which this experience or the knowledge of it is traumatising to the client 5. If the disclosure is UNCLEAR but recent and about children, refer back to the contract and explain that your priority is to protect children, but if they will not or cannot give you enough details to report the issue then you will continue to work with the client on the ways in which this experience or the knowledge of it is traumatising to the client 	<ol style="list-style-type: none"> 1. Always submit your concerns electronically by email to onlinetherapy@counsellingdoncaster.com AND to cypsteam@counsellingdoncaster.com 2. Always tell Helen or Simon and seek advice <ol style="list-style-type: none"> a. On Saturdays tell Mel 3. Always include disclosures in your notes in brief 4. If agreed with Helen/ Simon/ Mel complete a safeguarding electronic alert
<p style="text-align: center;">About other risk from others</p> <ol style="list-style-type: none"> 1. Believe the client even if historically they tell stories 2. If the threat is ongoing and immediate ask them to wait in the counselling room while you get Helen/Simon or Mel 3. Helen/Simon or Mel will come and explain that we must phone the Police on 111 and ask for support 4. If the threat is ongoing BUT NOT immediate then refer back to the contract and explain that your priority is to work with the client on the ways in which this experience or the knowledge of it is traumatising to the client <ol style="list-style-type: none"> a. At the end of the session inform them that you will Helen/Simon or Mel for sources of support for their specific situation 5. If the threat is historical and is about someone who is now an adult then refer back to the contract and explain that your priority is to work with the client on the ways in which this experience or the knowledge of it is traumatising to the client 	

WHAT IS ABUSE?

NB: Female Genital Mutilation (FGM) is abuse, regardless of culture of origin

This section contains definitions of abuse to aid your understanding and help you recognise signs and symptoms thereof. REMEMBER the client might not always disclose abuse; sometimes you may suspect abuse as a result of their behaviour.

“DEFINITIONS OF ABUSE: Child abuse According to the world health organisation, ‘child abuse’ or ‘maltreatment’ constitutes ‘all forms of physical and/or emotional ill-treatment, sexual abuse, neglect or negligent treatment or commercial or other exploitation, resulting in actual or potential harm to the child’s health, survival, development or dignity in the context of a relationship of responsibility, trust or power.’ ”

Recognising indications of potential abuse is complex and there is no simple checklist to allow easy recognition. There are potential warning signs that [you] can be alert to but they should be observed and assessed with care, it should not be automatically assumed that abuse is occurring, and talking to the child may reveal something quite innocent. It is important, however, not to dismiss these signs. Report any concerns to the manager

POSSIBLE SIGNS OF CONCERN REGARDING ADULT BEHAVIOUR:

- A person in whose presence a child or children becomes unusually distressed or agitated can be a cause for concern
- A professional, volunteer, or parent asking child to lie about anything (especially if it is about meeting that child)
- Any professional, volunteer, or parent who asks you to lie about a situation involving a child – particularly if that child looks distressed – is a cause for concern
- Private (i.e. outside of work) meetings between a child and a professional or unrelated adult are a cause for concern”

The following tables are adapted from Colin Parrish, child protection specialist

<p>Physical abuse may involve: Hitting, shaking, throwing, poisoning, burning, scalding, drowning, suffocating or otherwise causing physical harm to a child.</p> <p>Physical harm may also be caused when a parent or carer feigns the symptoms of, or deliberately causes, ill health to a child whom they are looking after.</p> <p>This situation is commonly described using terms such as 'Factitious Illness by Proxy' or 'Munchausen Syndrome by Proxy'.</p>	<p>Possible signs of physical abuse:</p> <ul style="list-style-type: none"> • Bruises, burns, sprains, dislocations, bites, cuts • Improbably excuses given to explain injuries • Injuries which have not received medical attention • Injuries which occur to the body in places which are not normally exposed to falls, rough games, etc. • Repeated urinary infections / unexplained tummy pains • Refusal to discuss injuries • Withdrawal from physical contact • Arms and legs kept covered in hot weather • Fear of returning home or of parents being contacted • Showing wariness or distrust of adults • Self-destructive tendencies • Being aggressive towards others • Being very passive and compliant • <u>Chronic running away</u>
<p>Sexual abuse involves forcing or enticing a child or young person to take part in sexual activities, whether or not the child is aware of what is happening.</p> <p>The activities may involve physical contact, including penetrative or non-penetrative acts.</p> <p>They may include non-contact activities, such as involving children in looking at pornographic material or watching sexual activities; or encouraging children to behave in sexually inappropriate ways.</p>	<p>Possible signs of sexual abuse:</p> <ul style="list-style-type: none"> • Age inappropriate sexualised behaviour • Physical indicators, general and in genital and anal areas • Behavioural indicators (general and sexual) which must be interpreted with regard to the individual child's level • Of functioning and development stage

<p>Emotional abuse is the persistent ill-treatment of a child such as to cause severe and persistent adverse effects on the child's emotional development.</p> <p>It may involve conveying to children that they are worthless or unloved, inadequate, or valued only in so far as they meet the needs of another person.</p> <p>It may involve causing children frequently to feel frightened or in danger, or the exploitation or corruption of children.</p> <p>Some level of emotional abuse is involved in all types of ill-treatment of a child, though it may occur alone.</p>	<p>Possible signs of emotional abuse:</p> <ul style="list-style-type: none"> • Physical, mental and emotional development is delayed • Highly anxious • Showing delayed speech or sudden speech disorder • Fear of new situations • Low self-esteem • Inappropriate emotional responses to painful situations • Extremes of passivity or aggression • Drug or alcohol abuse • Chronic running away/absconding behaviours • Compulsive stealing • Obsessions or phobias • Sudden under-achievement or lack of concentration • Attention seeking behaviour • Persistent tiredness • Lying
<p>Neglect is the persistent failure to meet a child's basic physical and / or psychological needs, likely to result in the serious impairment of the child's health or development.</p> <p>It may involve a parent or carer failing to provide adequate food, shelter and clothing, failing to protect a child from physical danger, or the failure to ensure appropriate medical care or treatment.</p> <p>It may also include neglect of, or unresponsiveness to, a child's basic emotional needs.</p>	<p>Possible signs of neglect:</p> <ul style="list-style-type: none"> • Frequent hunger • Failure to grow • Stealing or gorging food • Poor personal hygiene • Constant tiredness • Inappropriate clothing, e.g. summer clothes in winter • Frequent lateness or non-attendance at school • Untreated medical problems low self-esteem • Poor social relationships • Compulsive stealing, drug or alcohol abuse

RISKS OF THE ONE TO ONE COUNSELLING RELATIONSHIP

INTENTIONAL		
Physical Abuse	Sexual Abuse	Verbal/Emotional Abuse
Naturally any intentional abuse is extremely serious and likely to rely upon the client reporting the abuse but unintentional abuses are also important and serious and must be considered in order to be avoided		
UNINTENTIONAL		
Physical Abuse	Sexual Abuse	Verbal/Emotional Abuse
1. Accidents naturally happen but taking steps to avoid these or manage them	1. Cuddles or other well-intended touching which the client may interpret as inappropriate 2. Use of inappropriate language 3. Use of age inappropriate language 4. Discussing subjects which are age inappropriate or which the client is not ready for emotionally, or with an 'adult' level of reasoning	1. Overtly adult or age inappropriate language 2. Patronising or belittling the client's intelligence, understanding or disempowering them 3. Use of age inappropriate language 4. Discussing subjects which are age inappropriate or which the client is not ready for emotionally, or with an 'adult' level of reasoning 5. Crossing appropriate relationship boundaries
ENVIRONMENTAL	CONFIDENTIALITY	DEPENDENCY
Ensuring health & safety concerns are fulfilled, with the environment being appropriate, safe and secure	1. Ensuring the client's information is kept secure, locked and according to data protection laws 2. Avoiding sharing too much information with the client's parents/guardians/professional support organisations	Encouraging the client's independence, ensuring an adult (counsellor) to adult (client) interaction or adult (counsellor) to child (client) interaction, not child – child or parent – child interaction

MINIMISING RISKY SITUATIONS: WHAT NOT TO DO

NEVER

- Develop physical/sexual relationships with a child
- Behave physically in a manner that is inappropriate or sexually provocative
- Engage in or allow sexually provocative games with children to take place
- Do things of a personal nature that a child could do for him/herself, including dressing, bathing, and grooming
- Condone or participate in behaviour that is illegal or unsafe
- Hit or otherwise physically assault or physically abuse a child

Staff / volunteers / consultants should never

- Spend excessive time alone with children away from others
- Take children to their home, especially when they will be alone with you
- Hit or otherwise physically abuse children
- Develop physical or sexual relationships with children or any client of OPEN MINDS (Sexual abuse)
- Use language, make suggestions or offer advice, which is inappropriate, offensive or abusive
- Behave in a manner, which is inappropriate or sexually provocative
- Have a child / children with whom they are working stay the night at their home unsupervised
- Do things for children of a personal nature that they can do for themselves
- Condone or participate in behaviour of children which is illegal, unsafe or abusive
- Act in ways intended to shame, humiliate, belittle or degrade children, or otherwise perpetrate any form of emotional abuse
- Discriminate against, show different treatment or favour particular children to the exclusion of others
- Perpetrate psychological and emotional abuse
- Expose children to pornography
- Expose children to hazardous work
- Stigmatise children
- Discriminate between children of different genders e.g. punishing pregnant schoolgirls, favouring boy / girl child
- Neglect children e.g. not meeting children's needs, not offering adequate care to children
- Infringe children's rights e.g. to privacy and confidentiality
- Employ children under the age of 18 or those who have not completed their primary school
- Involve children in harmful practices e.g. female genital mutilation
- Involve children in sexual relationships
- Beat or otherwise assault children

If allegations are made against any professional working with children and young people this information must be shared with the LADO, Local Authority Designated Officer. The following is taken from Local Authority Designated Officer | Doncaster Children's Services Trust (doncasterchildrenstrust.co.uk)

The Local Authority Designated Officer (LADO) is the person who should be notified when it has been alleged that a person who works with children has:

- Behaved in a way that has harmed a child, or may have harmed a child
- Possibly committed a criminal offence against or related to a child
- Behaved towards a child or children in a way that indicates she or he may pose a risk of harm to children.

The LADO may also become involved if:

- A complaint or an allegation is made against a person in relation to his/her work with adult service users, which causes concern about the welfare of an adult service user's children or if the person also has another role working with children
- A complaint or an allegation is made against a person in relation to a matter that may indicate that the person may not be suitable to work with children

All organisations providing services for children, including those who provide paid staff or volunteers to work with or care for children should inform the LADO if allegations are made.

What happens when I contact the LADO?

- Referrers will be asked to complete a referral form and where necessary provide other supporting information.
- Information should not be disclosed to the accused person until discussions have taken place with the LADO, the police and / or LA children's social care as this may hinder investigations.
- The LADO will review the information and may need to hold a LADO strategy meeting. The accused adult will not be invited to this meeting but all other relevant people will be invited.
- The LADO will normally chair the LADO strategy meeting and the participants should be sufficiently senior to contribute all relevant available information about the allegation, child and accused person and make decisions on behalf of their agencies.

The LADO should regularly monitor the progress of cases either by:

- Holding review LADO strategy meetings or by liaising with those that attended the initial meeting.
- A final LADO strategy meeting is usually held after all investigations have been completed to ensure that all tasks have been completed and where appropriate, to agree an action plan for learning lessons in order to inform future practice.

Useful information and contact details

LADO, Mary Woollett Centre, Danum Road, Doncaster, DN4 5HF

Tel: [01302 737748](tel:01302737748) or [01302 737332](tel:01302737332)

Email: LADO@dcstrust.co.uk

Doncaster Safeguarding Children Board (DSCB) Procedure for Allegations Against Staff, Carers and Volunteers can be found

at: https://doncasterscb.proceduresonline.com/p_alleg_against_staff.html

HEALTH AND SAFETY POLICY AND SUPPORTING DOCUMENTS

POLICY Health & Safety & Environmental

Introduction

OPEN MINDS Counselling Service (OPEN MINDS) recognises and accepts the promotion of health and safety measures as a mutual objective for all its volunteers and employees and believes that:

- **High standards of health and safety to eliminate accidents and ill health are crucial to its continued success.**
- **An effective policy requires the co-operation of everyone in OPEN MINDS.**
- **All employees and volunteers have personal responsibility for their own health and safety and the health and safety of others.**
- **Suitable instruction, training and supervision is necessary if employees are to be able to carry out their duties effectively and safely.**
- **Constant vigilance is required if safety awareness is to be encouraged and maintained.**
- **Operations should be conducted in such a way as to ensure that the exposure of members of the public to risks to their health and safety is minimised.**

OPEN MINDS's general policy on health and safety at work is made under section 2 (3) of the Health and Safety at Work etc. Act 1974.

OPEN MINDS's Responsibility

In common with all employers, OPEN MINDS has a statutory responsibility in respect of the health, safety and welfare of its employees, to comply with the requirements of acts of Parliament. These requirements restate the employer's common law duties to take reasonable care of their employee's health and safety.

OPEN MINDS will take all reasonable and practicable steps to prevent personal injury and damage to property and to protect all employees, volunteers, visitors and contractors from foreseeable work hazards.

This responsibility arises from its:

- **Moral responsibility to its employees volunteers to provide the best practicable conditions of work from a health & safety point of view.**
- **Obligation to consult and implement policies agreed between itself and its employees and contractors.**
- **Duty to ensure that all sub-contractors undertaking work on its behalf are made aware of the health and safety policy and are contractually obliged to adhere to it.**
- **Legal requirements.**

It also recognises the need to conduct its undertaking in such a way as to ensure, as far as is reasonably practical, that persons who are not employed by them, but who may be affected by their operations, are not exposed to risks to their health and safety.

Employees Responsibility

The establishment and maintenance of a good health and safety record depends not only on the work of management to provide a safe environment but also on each employee / volunteer being responsible for following safe methods within this safe environment.

It is the duty of each employee / volunteer and contractor to take reasonable care of the health and safety of themselves, their fellow employees and other persons who may be affected by their actions at work.

H&S Helpline (vols) - The 1974 Health and Safety Act and the 1992 Management of Health and Safety at Work Regulations reinforce that duty and:

- **Place a duty on an employee / volunteer to take reasonable care to ensure that they do not endanger themselves or anyone else who may be affected by his/her activities and to co-operate fully with their employer and others in meeting statutory requirements.**
- **Place a duty on all persons not to misuse anything provided in the interests of health and safety at work under a statutory requirement.**

The Health and Safety at Work Act lays down penalties for any person who fails to carry out these duties and therefore both employer and employee have legal duties to comply. It follows that, whilst the overall policy responsibility for health and safety rests with the Management Committee, all individuals at every level have a responsibility to carry out that policy.

With this in mind, staff are required to:

- | | |
|----------------------|---|
| - REPORT | Potential hazards. |
| - OBSERVE | Safety procedures and codes of practice. |
| - USE | With all reasonable care the tools, equipment, safety equipment and <u>protective clothing</u> provided. These items should be kept in good condition. |
| - PARTICIPATE | In training courses when called upon to do so. |
| - TAKE | An active and personal interest in promoting health and safety at work. |

OPEN MINDS Health and Safety at Work Policy

- To allocate sufficient resources to provide and maintain conditions and places of work that are, as far as is reasonably practical, safe and healthy.
- To take all reasonable and practicable steps to ensure all known safety factors are taken into account in the operation and maintenance of machinery/equipment. Work Places will be operated and maintained so as to ensure, as far as is reasonably practicable, a safe and healthy system of working.
- To ensure that adequate instruction and information is given to both staff and sub-contractors in all aspects of their work (i.e., Lifting and Handling)
- To provide, where necessary, approved protective equipment and clothing and to ensure that the proper use thereof is understood and used.
- To take all reasonable steps to inform employees / volunteers about materials, equipment or operations used in their work which are known to be potentially hazardous to their health.
- To keep all operations and materials under review so that they can be revised in the light of experience and up to date knowledge obtained.
- To provide appropriate first aid facilities and prompt treatment of injuries and illness at work.
- To provide appropriate instruction, training, re-training and supervision in health and safety and first aid and to ensure that adequate publicity is given to such matters.

- To ensure that procedures are in operation for fire prevention, fire fighting and evacuation.
- To conduct regular Safety Audits and risk assessments on all projects.

Implementation Responsibilities

Management Committee - **Ultimately responsible for OPEN MINDS's H&S Policy and for all related matters.**

Management Team/

Project Team

- **Responsible for the successful and Practical implementation of that Policy**
- **H & S issues to be included on a regular agenda for team meetings**
- **To be included on a regular agenda to Review the H & S Plan**
- **Periodic Assessments of H & S Performance**
- **Periodic H & S Audits.**

Immediate responsibility for Health and Safety (both at base and on site) is that of the Management Team/Project Leaders, who, through the issuing of clear and explicit working instructions, will seek to prevent accidents involving members of their staff, sub-contractors and all other persons. Compliance with such instructions will ensure safe working practices and require the effective use of approved equipment.

The management team will draw up an implementation plan and communicate its contents to all employees. The team will then meet monthly to review the plan and to consider items of particular importance.

Periodic self-assessments will also be carried out to determine OPEN MINDS' position in relation to the policy statement and in line with its commitment to continual improvement there will be a periodic evaluation of Health and Safety performance across the range of activities.

Safe Working Practice

Safe working practice will be enforced by the Managing Director, and Project Leaders and scrupulously observed by all employees. Before the commencement of work in a designated area, the appropriate Project Leaders will satisfy themselves personally that all risks have been identified, assessed and all safety precautions carried out. Deliberate flouting of safe working practices renders an employee liable to disciplinary action.

Training

OPEN MINDS recognises its responsibility to provide training for employees who require specific skills to perform their duties and will make available the necessary training to enable each employee to fulfil his/ her own job description.

Fires

Unlike the earlier proposals for regulations under the Fire Precautions Act 1971, the new Fire Precautions (Workplace) Regulations 1997 do not now limit the definition of "premises" in section 43(1) of that Act. Accordingly, the scope of the new Regulations now not only apply to workplaces in a building or part of a building.

The Managing Director will comply with the new regulations and ensure that:

- **What is provided will safeguard the safety of OPEN MINDS employees / volunteers in the event of such provision being dependent on all relevant circumstances of the workplace, including its size, contents and use.**
- **The workplace will be provided with such fire extinguishers or other means for fighting fire as are appropriate. It will also be necessary to install fire detectors and fire alarm systems where, in all the circumstances referred to above, their provision is justified.**
- **Any non-automatic fire-fighting equipment provided in accordance with this regulation - such as fire extinguishers - must be simple to use, kept where it will be easily accessible and be indicated by pictographic signs.**
- **All necessary plan of action (e.g. the drawing up of a suitable emergency plan of action) to safeguard OPEN MINDS employees at work in the event of a fire. He/she shall nominate a sufficient number of the workers to implement those measures**

and ensure that they are adequately trained and equipped to carry out their responsibilities.

- There will be adequate emergency routes and exits for everyone to escape quickly and safely; and the routes and exits will lead as directly as possible to the open air or a safe area, be adequately marked with pictographic signs, illuminated with emergency lighting where necessary, and kept clear.
- Unless all the relevant circumstances referred to above require otherwise, doors provided or designated as emergency doors will open outwards and these doors and doors along escape routes will not be locked or fastened that they cannot be easily and immediately opened from the inside when the workplace is occupied.
- All fire extinguishers, alarm systems and emergency doors, shall be regularly maintained and any faults found rectified as quickly as possible.

Accidents

All accidents, major injuries and dangerous occurrences will be reported immediately to the Line Manager who will ensure that an established procedure is implemented, an investigation takes place and changes are implemented to prevent reoccurrence.

Health and Safety at Work

OPEN MINDS will :

- Encourage appropriate employees to undertake voluntary First Aid training.
- Operate a no-smoking policy in the building.
- Comply with the Management of Health and Safety at Work Regulations (1992) by making "suitable and sufficient" risk assessments to control the exposure of people to all risks; this will include hazardous substances arising from the work place.
- Undertake to identify noise sources which may present a potential loss of hearing to any employee / volunteer who may be over-exposed. A general policy to reduce noise levels to a minimum, where reasonably practical, will be pursued. Where noise levels are considered to be a problem, then hearing protection and training will be provided.

Consultation

OPEN MINDS believe open dialogue should be encouraged and accepts the combined obligation on all parties to take full account of guidance and advice to ensure a safer and healthier place of work.

Revision of the General Policy Statement

The policy statement will be made available to all employees / volunteers who will be informed of all subsequent amendments.

The policy statement will be reviewed on its anniversary date or earlier if required.

From <http://www.hse.gov.uk/riddor/>

"Regulations 4 - 6 cover the reporting of work-related deaths and injuries other than for certain gas incidents RIDDOR requires deaths and injuries to be reported only when:

- there has been an **accident** which caused the injury
- the accident was **work-related**
- the injury is of a type which is **reportable**

What is an 'accident'?

In relation to RIDDOR, an accident is a separate, identifiable, unintended incident, which causes physical injury. This specifically includes acts of non-consensual violence to people at work.

Injuries themselves, eg 'feeling a sharp twinge', are not accidents. There must be an identifiable external event that causes the injury, eg a falling object striking someone. Cumulative exposures to hazards, which eventually cause injury (eg repetitive lifting), are not classed as 'accidents' under RIDDOR.

What is meant by 'work-related'?

RIDDOR only requires you to report accidents if they happen 'out of or in connection with work'. The fact that there is an accident at work premises does not, in itself, mean that the accident is work-related – the work activity itself must contribute to the accident. An accident is 'work-related' if any of the following played a significant role:

- the way the work was carried out
- any machinery, plant, substances or equipment used for the work or
- the condition of the site or premises where the accident happened

What are 'reportable' injuries?

The following injuries are reportable under RIDDOR when they result from a work-related accident:

- **The death of any person** (Regulation 6)
- **Specified Injuries** to workers (Regulation 4)
- Injuries to workers which result in their **incapacitation for more than 7 days**(Regulation 4)

- Injuries to non-workers which result in them **being taken directly to hospital for treatment**, or specified injuries to non-workers which occur on hospital premises. (Regulation 5)

Types of reportable incidents

Deaths and injuries

If someone has died or has been injured because of a work-related accident this may have to be reported. Not all accidents need to be reported, other than for certain gas incidents, a RIDDOR report is required only when:

- the accident is work-related
- it results in an injury of a type which is reportable

Types of reportable injury

The death of any person

All deaths to workers and non-workers, with the exception of suicides, must be reported if they arise from a work-related accident, including an act of physical violence to a worker.

Specified injuries to workers

The list of 'specified injuries' in RIDDOR 2013 replaces the previous list of 'major injuries' in RIDDOR 1995. Specified injuries are (regulation 4):

- fractures, other than to fingers, thumbs and toes
- amputations
- any injury likely to lead to permanent loss of sight or reduction in sight
- any crush injury to the head or torso causing damage to the brain or internal organs
- serious burns (including scalding) which:
 - covers more than 10% of the body
 - causes significant damage to the eyes, respiratory system or other vital organs
- any scalping requiring hospital treatment
- any loss of consciousness caused by head injury or asphyxia
- any other injury arising from working in an enclosed space which:
 - leads to hypothermia or heat-induced illness
 - requires resuscitation or admittance to hospital for more than 24 hours

For further guidance on specified injuries is available.

Over-seven-day incapacitation of a worker

Accidents must be reported where they result in an employee or self-employed person being away from work, or unable to perform their normal work duties, for more than seven consecutive days as the result of their injury. This seven day period does not include the day of the accident, but does include weekends and rest days. The report must be made within 15 days of the accident.

Over-three-day incapacitation

Accidents must be recorded, but not reported where they result in a worker being incapacitated for more than three consecutive days. If you are an employer, who must keep an accident book under the Social Security (Claims and Payments) Regulations 1979, that record will be enough.

Non fatal accidents to non-workers (eg members of the public)

Accidents to members of the public or others who are not at work must be reported if they result in an injury and the person is taken directly from the scene of the accident to

hospital for treatment to that injury. Examinations and diagnostic tests do not constitute 'treatment' in such circumstances.

There is no need to report incidents where people are taken to hospital purely as a precaution when no injury is apparent.

If the accident occurred at a hospital, the report only needs to be made if the injury is a '[specified injury](#)' (see above).

Occupational diseases

Employers and self-employed people must report diagnoses of certain occupational diseases, where these are likely to have been caused or made worse by their work:

These diseases include (regulations 8 and 9):

- carpal tunnel syndrome;
- severe cramp of the hand or forearm;
- occupational dermatitis;
- hand-arm vibration syndrome;
- occupational asthma;
- tendonitis or tenosynovitis of the hand or forearm;
- any occupational cancer;
- any disease attributed to an occupational exposure to a biological agent.

Further guidance on [occupational diseases](#) is available.

Specific guidance is also available for:

- [occupational cancers](#)
- [diseases associated with biological agents](#)

Dangerous occurrences

Dangerous occurrences are certain, specified near-miss events. Not all such events require reporting. There are 27 categories of dangerous occurrences that are relevant to most workplaces, for example:

- the collapse, overturning or failure of load-bearing parts of lifts and lifting equipment;
- plant or equipment coming into contact with overhead power lines;
- the accidental release of any substance which could cause injury to any person.

Further guidance on these [dangerous occurrences](#) is available.

Additional categories of dangerous occurrences apply to [mines, quarries, offshore workplaces](#) and relevant transport systems ([railways](#) etc).

Gas incidents

Distributors, fillers, importers & suppliers of flammable gas must report incidents where someone has died, lost consciousness, or been taken to hospital for treatment to an injury arising in connection with that gas. Such incidents should be reported using the [online form](#).

Registered gas engineers (under the Gas Safe Register,) must provide details of any gas appliances or fittings that they consider to be dangerous, to such an extent that people could die, lose consciousness or require hospital treatment. The danger could be due to the design, construction, installation, modification or servicing of that appliance or fitting, which could cause:

- an accidental leakage of gas;
- incomplete combustion of gas or;
- inadequate removal of products of the combustion of gas.

Unsafe gas appliances and fittings should be reported using the [online form](#)

Who should report?

Only 'responsible persons' including employers, the self-employed and people in control of work premises should submit reports under RIDDOR. If you are an employee (or representative) or a member of the public wishing to report an incident about which you have concerns, please [refer to our advice](#).

An employer or person in control of premises

Self-employed

Members of the public, employees, injured persons and their representatives

An employment agency

A gas supplier

A gas engineer

Working offshore

Special cases (Mines, quarries, pipelines and wells)

What records do I need to keep?

You must keep a record of any reportable injury, over-three day injury, disease or dangerous occurrence. You can print and/or save a copy of the online form. A copy of the form will be automatically emailed to the email address provided by you. If you don't receive your email acknowledgement and copy of the form this could be because:

- There may be stringent rules that your IT department has set, that quarantine this type of email as a SPAM message. You will need to ask them to release the message and to allow them to be passed through in future.
- You may have made a typing error in the 'email' field (on Page 1 of the form). This will have the effect that when the email acknowledgement is triggered, the email will not go to the email address because it does not exist in the form it was typed. In this instance you should submit a duplicate form (please mark it as a duplicate in the 'Describe what happened' field).

If you do not keep a copy of the online form your records must include the date and method of reporting; the date, time and place of the event; personal details of those involved; and a brief description of the nature of the event or disease.

In the case of accidents, employers who must keep an accident book (B1510) under Social security Law can use this for keeping the records of injuries although, a separate method will be needed for cases of disease.

Information supplied to HSE in a RIDDOR report is **not** passed on to your insurance company. If you think your insurer needs to know about a work-related accident, injury or case of ill health, please remember to contact them separately – insurers have told us that reporting injuries and illnesses at work to them quickly could save you time and money.

When do I need to report an incident?

For most types of incident, including:

- accidents resulting in the death of any person
- accidents resulting in specified injuries to workers
- non-fatal accidents requiring hospital treatment to non-workers and
- dangerous occurrences

the responsible person must notify the enforcing authority without delay, in accordance with the reporting procedure (Schedule 1). This is most easily done by [reporting online](#). Alternatively, for fatal accidents or accidents resulting in specified injuries to workers **only**, you can phone 0845 300 9923.

NB: A report must be received within 10 days of the incident.

For accidents resulting in the over-seven-day incapacitation of a worker, you must notify the enforcing authority within 15 days of the incident, using the appropriate online form.

Cases of [occupational disease](#), including those associated with exposure to [carcinogens, mutagens or biological agents](#), as soon as the responsible person receives a diagnosis, using the [appropriate online form](#).

How to make a RIDDOR report

Who should report?

Only 'responsible persons' including employers, the self-employed and people in control of work premises should submit reports under RIDDOR. If you are an employee (or representative) or a member of the public wishing to report an incident about which you have concerns, please [refer to our advice](#).

Reporting online

Responsible persons should complete the appropriate online report form listed below. The form will then be submitted directly to the RIDDOR database. You will receive a copy for your records

- [Report of an injury](#)
- [Report of a dangerous occurrence](#)
- [Report of an injury offshore](#)
- [Report of a dangerous occurrence offshore](#)
- [Report of a case of disease](#)
- [Report of flammable gas incident](#)
- [Report of a dangerous gas fitting](#)

If you have problems accessing a form, this may be due to the (Internet) security settings on the PC that you are using. A series of [frequently asked questions](#) is available to help you complete your online form.

Telephone

All incidents can be reported online but a telephone service is also provided for reporting fatal and specified injuries **only** - call the Incident Contact Centre on 0845 300 9923 (opening hours Monday to Friday 8.30 am to 5 pm).

Reporting out of hours

The HSE and local authority enforcement officers **are not an emergency service**.

More information on when, and how, to report very serious or dangerous incidents, can be found by visiting the HSE [ways to contact HSE webpage](#). If you want to report less serious incidents out of normal working hours, you can always complete an online form.

Paper forms

There is no longer a paper form for RIDDOR reporting, since the online system is the preferred reporting mechanism. Should it be essential for you to submit a report by post, it should be sent to:

RIDDOR Reports
Health and Safety Executive
Redgrave Court
Merton Road
Bootle
Merseyside
L20 7HS"

NEAR-MISS REPORT FORM

This form should be completed by any employee, client or visitor who witnesses a near-miss incident, such as a fall from height, items falling from height, a burst pipe, poor hygiene standards in the toilets/bathrooms/kitchens, moving something too heavy, a slip, trip or fall, any other situation that could have caused you harm including if you have been effected by another person's behavior both off and on-site.

Instructions

1. This report form should be completed by the witness as soon as possible following the incident.
2. The witness should restrict their comments to facts and not include assumptions or make guesses.
3. If you have doubts as to whether a near-miss incident should be reported, check with your line manager first.

Witness name:	Date:
Job title:	
Location of near-miss:	Time of near-miss:
Please describe the near-miss which you witnessed below:	
Names of other witnesses:	

This form has been completed to the best of my knowledge.

Signed:..... Date:

This form should be kept for at least three years.

POLICY Environmental

This is taken from www.wastewatch.org.uk

Disposing of potentially useful materials as waste means that the resources they contain are lost forever, producing a continuing demand on the need for, non-renewable, raw materials.

The safety of disposal methods and their implications on public health are also a serious consideration. All businesses must, by law under the Duty of Care, have proper arrangements.

A good way to start and identify areas where there could be greater efficiency is to conduct an environmental audit, considering every aspect of your organisation and the implications for waste and the environment.

Everyone subject to the Duty of Care must ensure that their waste is kept in a secure container so none can escape and that it is only transferred to authorised carriers.

OPEN MINDS will provide recycling containers in the kitchen area for:

- 1. Cardboard**
- 2. Plastic Bottles**
- 3. Cans/Tins**
- 4. Ink Cartridges**
- 5. Paper**

These will be disposed of monthly by the Managing Director, or as appropriate (dependent upon waste load).

REMEMBER ANY CONFIDENTIAL PAPERS MUST BE SHREDDED AND RECYCLED SEPARATELY.

Steps your business can take to reduce, reuse and recycle

Waste Watch supports the waste hierarchy of reducing your waste by not creating it in the first place, reusing when possible by finding alternative uses or using durable over disposable items and finally recycling. Doing a waste audit, will give you a good starting point, identifying areas where the bulk of your waste is produced and giving you ideas as to how to minimise it in these areas.

Catering Equipment

This applies whether you just have a kettle and a few cups, or if your office has a canteen.

- ☐ Choose reusable alternatives to plastic or paper cups, plates and cutlery.
- ☐ Try to avoid individual portion products, such as milk and sugar, providing a jug of milk and a sugar bowl eliminates this waste.
- ☐ Bulk buying where possible helps reduce the amount of packaging to be disposed of. Investigate the opportunities to compost any waste food or look at central composting through the local authority or community group.
- ☐ If there is no real alternative to a vending machine with plastic cups for tea/coffee, there are schemes available that collect them for recycling - and provide recycled plastic cups for use with the machine.
- ☐ Can banks could be provided for recycling cans. Collectors operate nationally and would be able to collect them from your offices, although this may depend on being able to store the cans.
- ☐ Cooking oil can be recycled, but again there is a minimum quantity for collection.

Stationery

- ☐ Circulate memos to all staff or put them on the notice board - even better, use email if you have it.
- ☐ Print documents on both sides of the paper - making sure you proofread it on the screen first. If draft copies are needed, print them on scrap paper.

- Put scrap pieces of paper together to make a notepad, use them for notes to colleagues too.
- Reuse envelopes for internal circulation and, if possible, externally with a reuse sticker.
- Always photocopy using the duplex option when available, and remember to return the setting to one copy if you've done several.
- Set up an office paper recycling scheme. White paper is of a high grade and so is in demand from the paper industry. The market for this quality is much more stable than lower grades.

Computers and electrical equipment

- Try to repair equipment before having them replaced - invest in a long term maintenance contract for any appliances.
- When buying replacement equipment such as printers, photocopiers and fax machines, choose those with a duplex option and recycle the outdated items.
- Rather than buy new floppy diskettes or CDs, use a pen drive - and use unwanted CD-ROMS as coasters or as art materials with clients.
- Once your equipment reaches the end of its life, take it to a computer / electronic recycling scheme.
- Mobile phones and their batteries can be recycled through British Telecom Communications Centres that are located throughout the country

Miscellaneous

- Make sure your mailing lists are up to date to avoid sending out unnecessary details.
- Join your local business in the environment group. This provides a great way to exchange practical ideas with others who are trying to improve their environmental performance.
- Encourage staff to use public transport, cycle or walk to work, and pool cars, where possible.

Buying recycled in the office

Many businesses in the UK are showing their commitment to the environment by adopting policies that specify recycled content for purchases where practicable. A buy recycled policy will usually form part of a more general environmental policy, with most companies implementing this initially through the purchase of items such as recycled stationery and remanufactured toner cartridges. The existence of such a policy is good for a company's image, and, increasingly, organisations are specifying that their suppliers or contractors have sound environmental policies or use recycled materials.

Most suppliers and printers can now provide very high grades of recycled paper suitable for any application at competitive prices. Many ranges of paper are guaranteed for use in printers and photocopiers and are designed to the same specifications as virgin paper. Manufacturers of machines such as Canon and Rank Xerox will also be able to suggest the most suitable types of paper to use.

Choose post-consumer waste content rather than post-industrial mill waste, which brings no real environmental benefits in terms of energy and resource conservation or the reduction of consumer waste. Many suppliers can provide a range of recycled stationery including envelopes, fax paper, mailing labels, files and document wallets, flip charts, storage boxes and Post-It notes.

If you discover a fire immediately inform the office staff. If for any reason they are not available immediately phone 999 and ask for the fire services. The address is 28 Christchurch Road, DN1 2QL

EVACUATION PROCEDURE

IN THE EVENT OF FIRE:

<p>From upstairs rooms</p> <ol style="list-style-type: none"> 1. Counsellors to take clients into waiting room 2. Fire Warden to check all upstairs rooms if safe 3. All personnel to leave building by stairs 4. Fire Warden to check all downstairs rooms if safe to do so 5. Fire Warden to collect Fire register 6. EXIT via front door onto street, wait outside for Fire Services 	<p>From downstairs rooms</p> <ol style="list-style-type: none"> 1. Staff/Counsellors to take clients into corridor 2. All personnel to leave building by front door 3. Fire Warden to check all downstairs rooms if safe to do so 4. Fire Warden to collect Fire register (Whiteboard) 5. EXIT via front door onto street, wait outside for Fire Services
<p>If the front door is inaccessible due to fire:</p> <ol style="list-style-type: none"> 1. EXIT via back door into garden, wait at end of garden 	<p>If the front door is inaccessible due to fire:</p> <ol style="list-style-type: none"> 2. EXIT via back door into garden, wait at end of garden
<p>If the front door is inaccessible due to fire:</p> <ol style="list-style-type: none"> 1. Await rescue in BLUE room. 2. If fire or smoke present an immediate danger exit can be made via the BLUE room window (Risk of broken bones due to falling) 	<p>If the both outside doors are inaccessible:</p> <ol style="list-style-type: none"> 1. Await rescue in YELLOW room/DDPA office. 2. If fire or smoke present an immediate danger exit can be made via the YELLOW room / DDPA office window (Risk of broken bones due to falling)

EMPLOYMENT POLICY AND SUPPORTING DOCUMENTS

NB: Employment law changes continuously, always refer to Peninsula HR for the most up to date documentation, which will over-ride these policies

POLICIES DETERMINING PAID/VOLUNTARY EMPLOYMENT
POLICY Equal Opportunities incl. INTERNAL and EXTERNAL Recruitment And Selection
POLICY Handling Stress At Work Guidance
POLICY Sickness And Absence
POLICY Lone Working
POLICY Volunteer
POLICY Secondment
POLICY Training And Development

Internal Recruitment Policy

NB: Employment law changes continuously, always refer to Peninsula HR for the most up to date documentation, which will over-ride this policy

1. POLICY

It is the policy of Open Minds Counselling Service Ltd, heretofore referred to as 'the Organisation' to fill positions by drawing from internal candidates possessing the desired qualifications, and to promote from within whenever possible.

2. SCOPE

This policy and procedure applies to all employees and volunteers of the Organisation.

3. ACCOUNTABILITY

3.1 All managers are accountable for identifying the staffing needs of their department and the qualifications for each position within their department.

3.2 Human Resources is solely accountable for obtaining qualified candidates for all open positions and providing all necessary forms to implement this policy and procedure.

4. DEFINITIONS

4.1 *Transfer*--Moving an existing employee to a new position, department, or location at the same level within the Organisation.

4.2 *Promotion*--Moving an existing employee to a new position, department, or location at a higher level within the Organisation.

4.3 *Demotion*--Moving an existing employee to a new position, department, or location at a lower level within the Organisation.

5. FORMS

5.1 Employee Requisition

5.2 Job Available Notice

6. PROCEDURE

6.1 Identifying Open Position and Obtaining Candidates

6.1.1 When a position becomes available, the Managing Director will first decide whether to fill the position from within or from outside the Organisation, based on the position's requirements.

6.1.2 If the position is to be filled from within the Organisation, the Managing Director first considers employees and volunteers within the department and/or a re-organisation of the department's work.

6.1.3 If no employees or volunteers are qualified for the position, and if the work cannot be reorganized, the Managing Director and the Managing Director's manager decide and/or obtain candidates from outside the Organisation. **Follow external recruitment policy at this point.**

6.1.4 Internal selection is appropriate if one internal candidate is clearly better suited to the position than others. In this case **internal selection is followed**. If there are multiple candidates appropriately qualified and suitable for the position then **internal recruitment is followed**.

6.1.5 If **internal selection** is appropriate for an identified candidate the Managing Director completes an Employee Requisition, has it approved and signed by the Trustees/Directors.

6.1.6 Prior to this being signed, a full list of volunteers and employees should be discussed to ensure there are not multiple potential candidates for the job.

6.1.7 Procedures if there are no identified internal candidates:

6.1.7.1 If the job is to be posted, Human Resources completes a Job Available Notice and posts it, as per the Job Posting procedure (6.2 below).

6.1.7.2 If external candidates are to be sought, Human Resources implements the External Selection Policy and Procedure.

6.2 Job Posting

Job posting is used to notify existing employees and volunteers of a position's availability and obtain interested and qualified internal candidates of it.

6.2.1 Human Resources posts the Job Available Notice at all job posting locations, stating a description of the position with salary grade, required qualifications, and the date by which applications must be received. If external candidates will also be considered, it is stated on the Notice.

6.2.1.1 The Notice for the position is posted by Human Resources on the employee/volunteer information bulletin board(s) or on separate job posting bulletin board(s) maintained by Human Resources.

6.2.2 Any eligible and qualified employee or volunteer may apply for a posted position by completing an application supplied by Human Resources. However, applications will only be considered for the position if the employees:

6.2.2.1 Provide evidence that they possess the required qualifications.

6.2.2.2 Have been with the organisation for at least six months.

6.2.2.3 Have no current Performance Improvement notifications.

6.2.2.4 Have not been excessively absent or late during the past 12 months.

6.2.2.5 Have received at least a Good rating on their last performance appraisal.

6.2.2.6 Human Resources will notify an employee or volunteer within one week of receiving an application if the employee or volunteer does not meet the above requirements. Such notice will state which requirement(s) was not met, and that the employee or volunteer will not be considered for the position unless the employee or volunteer can provide information to support her/his qualifications within one week.

6.2.2.7 Applications from employees or volunteers who apply for the position and possess the required qualifications are forwarded, after the closing date for applying, to the Managing Director of the position.

6.2.3 The Managing Director interviews all qualified applying employees or volunteers and makes a decision regarding each one.

6.2.4 Interview panel will include at least the Managing Director, another member of staff, and where possible one company director.

6.2.5 Scoring at interview will be based upon suitability of the employee at application stage, and their scores at interview.

6.2.5.1 In the event there are two or more employees with identical qualifications and scores, the Managing Director is encouraged to use length of service with the Organisation as a tie-breaker.

6.2.6 When the selection has been made, Human Resources notifies the selected candidate and any non-selected but considered candidates.

6.2.7 Human Resources coordinates the date of the employee transfer/promotion.

6.2.8 The Finance Officer ensures that the change of employment is within budget, approves it, and submits it to Human Resources.

6.2.9 The Managing Director and selected employee sign the new contract of employment.

6.2.10 Payroll is informed of the change of employment, start date, hours and salary.

7. REFERENCES

7.1 External Recruitment Policy and Procedure

POLICY Equal Opportunities incl. EXTERNAL Recruitment And Selection

NB: Employment law changes continuously, always refer to Peninsula HR for the most up to date documentation, which will over-ride this policy

MISSION STATEMENT

“OPEN MINDS exists to provide a counselling service accessible to all”

Equality of opportunity arises from OPEN MINDS's commitment to working with equality and fairness for all. Therefore everyone should be treated with respect and no one should be treated unfairly and less well than others within the organisation.

Statement of Policy

The aim of this policy is to communicate the commitment of the OPEN MINDS management committee to the promotion of equality of opportunity within OPEN MINDS.

It is our aim to provide employment equality to all, whether paid or unpaid.

In particular, OPEN MINDS is committed to promoting equal treatment irrespective of: gender, marital status, religious or political belief, race, colour, nationality, ethnic or national origins, age, sexual orientation, employment status, responsibilities for dependents, physical or mental disability, or offending background, or disadvantage by any condition which cannot be shown to be relevant to performance.

We are opposed to all forms of unfair and unlawful discrimination.

All full-time and part-time paid and unpaid workers and job applicants (actual or potential) will be treated fairly and election for employment, promotion, training or any other benefit will be on the basis of aptitude and ability.

We recognise that the provision of equal opportunities in the work place is not only good management practice; it also makes sound business sense. Our equal opportunities policy will help all workers to develop their full potential and the talents and resources of the workforce will be fully utilised to maximise the efficiency of the organisation.

We are committed to:

- preventing direct or indirect discrimination or victimisation;
- promoting equal opportunities for all

- promoting a good and harmonious working environment where all staff are treated with respect and dignity and in which no form of intimidation or harassment will be tolerated;
- fulfilling all legal obligations under the relevant legislation and associated codes of practice; and,
- taking any necessary positive or affirmative action.

Breaches of our equal opportunities policy and practice will be regarded as misconduct and could lead to disciplinary proceedings.

This policy is fully supported by OPEN MINDS Management Committee.

Implementation

The Managing Director has specific responsibility for the effective implementation of this policy. Each committee member, manager and supervisor also has responsibilities and we expect all of our workers to abide by the policy and help create the equality environment which is its objective.

In order to implement this policy we will ensure that:

1. The policy is communicated to all workers, through induction training, management training, team briefings, display on notice boards, reference in staff handbooks, and other documents. Job applicants will be informed of the content of the equal opportunities policy;
2. Managers and supervisors are aware of their responsibilities through appropriate and regular training;
3. An equal opportunities programme will be developed and will include a range of initiatives, indicating where appropriate positive or affirmative action.
4. All those involved in assessing candidates for recruitment or promotion will be trained in non-discriminatory recruitment and selection techniques;
5. An information system will be established to assist the effective implementation of this policy and the guidelines will be drafted for assessing the provision of equality of opportunity; and,
6. Adequate resources are made available to fulfill the aims of this policy.

Affirmative Action

Where appropriate, lawful positive action measures such as special encouragement in advertisements or special training will be developed. These measures are available in certain circumstances, for example where there is an under-representation of a particular group in specific areas of work.

Monitoring and review

The provision of equality of opportunity between women and men will be monitored through the collection and analyses of statistical data on the sex, marital status, ethnic origin, disability and full or part-time status of workers and job applicants.

Progress on the implementation of this policy and any equal opportunities and affirmative action programmes will be reviewed annually in consultation with staff representatives. A joint employer/worker working group will be established for this purpose.

Complaints

Employees who believe that they have suffered any form of discrimination, harassment or victimisation are entitled to raise the matter through the agreed procedures.

A copy of these procedures is available from OPEN MINDS Managing Director. All complaints of discrimination will be dealt with seriously, promptly and confidentially.

These internal procedures do not replace or detract from the right of workers to pursue complaints under any relevant employment, discrimination or other relevant legislation.

In fact, workers should take independent advice on the timing of any tribunal application when considering a complaint under this policy;

Every effort will be made to ensure that workers making complaints will not be victimised.

Any complaint of victimisation will be dealt with seriously, promptly, and confidentially. A finding of victimisation by a worker will result in disciplinary action and may warrant dismissal.

Equal Opportunities Policy Objectives & Action Points

The Managing Director will have overall responsibility in ensuring that the objectives and action points outlined below are upheld and that progress in achieving them is monitored.

Responsibility for each area will be delegated to the appropriate person or sub group and meetings will be held regularly with the Managing Director to review progress made, identify gaps and establish strategies to address these gaps.

1. Provide a meeting space that is all embracing.
2. Ensure that information services are equally accessible, up to date and comprehensive.
3. Books, leaflets etc. will be translated to tape according to demand if our budget allows this.
4. Books on loan can be renewed by telephone and can be posted out to those who are unable to come into the centre.
5. The information system will be catalogued for ease of reference.
6. Computer training will be arranged on demand.
7. Information will promote positive images of oppressed groups and reflect a range of population groups, e.g. older people, women, children etc.
8. Books will be provided which reflect a range of philosophies and belief systems.
9. Reasonable requests for information which is not available will be dealt with promptly.
10. Books, periodicals etc. will be regularly reviewed and updated and any identified gaps will be addressed.
11. Members will be kept informed about updated information through OPEN MINDS's mail out to members and posters.
12. Establish contact with minority ethnic groups in order to promote OPEN MINDS's services to these groups and to improve group members' awareness of minority cultures.
13. OPEN MINDS will give talks to groups by request and this will be advertised.
14. Through mutual and peer support, create an open, relaxed atmosphere in which all will have freedom of expression and freedom to challenge inappropriate expressions of prejudice and bigotry.
15. All members of groups of OPEN MINDS will subscribe to group rules which are commonly agreed and which facilitate an atmosphere as described above.
16. Respond to requests from users to provide particular services, as long as these are in keeping with the agreed equality policy.
17. Requests from service users can be made via appropriate channels.

- 18.Regular additional measures will be taken to assess needs of users, for example questionnaires.
- 19.This process will be monitored and appropriately reviewed to ensure that members are happy with the procedure for responding to requests.
- 20.Contracts agreed with outside agencies and individuals will be subject to the condition that they must comply with OPEN MINDS's equal opportunities policy.
- 21.All outside individuals and agencies, including sessional workers will be given a copy of the Equal Opportunities Policy and will be expected to abide by it.
- 22.When recruiting staff, OPEN MINDS will comply with all relevant equality legislation. Vacancies will be widely advertised and appropriately drafted to be inclusive in language and imagery.
- 23.All adverts will be made according to the recruitment and interviewing policy.
- 24.Volunteers and Staff will be trained in awareness of equality issues and OPEN MINDS's policy in equal opportunities. Information regarding equality issues will be made available to service users
- 25.Volunteers will be recruited from a wide-cross section of the community with the aim of matching volunteers to service users specific needs and circumstances wherever possible.
- 26.Volunteer publicity will be sent to a wide cross section of the community representing a diverse range of individuals.
- 27.Any public education or promotion work undertaken by OPEN MINDS will aim to challenge myths and negative stereotypes and to use inclusive imagery and language
- 28.All services and activities provided will be discussed and agreed by the Managing Director in order to ensure that these are in keeping with the equal opportunity policies, for example, access and childcare needs.
- 29.OPEN MINDS will always strive to provide services and activities that are accessible to everyone. It is recognised that there will be situations where this may not be possible. In such situations an acceptable alternative service would always be provided.
- 30.When supplying food for service users, OPEN MINDS will be responsible to specific requests. Any refreshments provided will include alternatives such as a vegetarian choice

31. Whenever food is provided during a service or activity OPEN MINDS will endeavour to advertise and cater for special diets according to need. The ingredients of all lunches, snacks supplied will be clearly labelled.

POLICY Handling Stress At Work Guidance

NB: Employment law changes continuously, always refer to Peninsula HR for the most up to date documentation, which will over-ride this policy

Introduction

We are committed to protecting the health, safety and welfare of our employees. We recognise that workplace stress is a health and safety issue and acknowledge the importance of identifying and reducing workplace stressors.

This policy will apply to everyone in OPEN MINDS. Managers are responsible for implementation and OPEN MINDS is responsible for providing the necessary resources.

Definition of stress

The Health and Safety Executive define stress as “the adverse reaction people have to excessive pressure or other types of demand placed on them”. This makes an important distinction between pressure, which can be a positive state if managed correctly, and stress which can be detrimental to health.

Guidance

Here are some good coping strategies for dealing with stress at work:

DON'T TRY TO DO TOO MUCH

Often we place completely unreasonable demands on ourselves. This just adds to the pressure and actually makes us less effective.

1. Remind yourself that it's ok not to be perfect all the time.

PRIORITISE

2. First thing every day, make a list of what you MUST get done that day – and then get on with it!
 - a. Tackle the task you're dreading most first – once you've done it, you'll feel so pleased with yourself that you'll breeze through the rest of your work.

- b. At the end of the day, take 10 minutes to update your to-do list and plan for the next day.

LEARN TO SAY “NO”

Often we end up taking on work that isn't our responsibility because we're scared of upsetting someone by saying no. There is a limit to what you can do and you shouldn't be afraid to say so.

3. If your boss or colleagues or clients are making too many demands, calmly explain that you can't do everything at once and ask which tasks are the priority –
it is their responsibility to prioritise too!

GET ORGANISED

4. Clear the clutter from your desk.
 - a. If you don't have one already, put in place a straightforward filing system.
5. Set aside time every day to clear routine emails and paperwork.
 - a. Try to handle each piece of paper only once – deal with it straightaway if you can.
 - b. And resist the temptation to keep checking your email – that's one of the biggest time drains!

PREPARE

6. For bigger tasks, be clear what your deadlines are and plan accordingly.
 - a. Don't leave a big project until the last minute – that just gives you unnecessary extra stress.
 - i. Break it down into smaller chunks and do a little every day.
 - ii. That makes the task less daunting and means that you won't end up panicking and having to work flat out at the last minute.

TAKE REGULAR BREAKS

7. Always have a lunch break and, if you can, get outside for some fresh air. It will clear your head and help you to focus better.
8. If you find yourself regularly working very long hours, book an appointment at least once a week - a gym class, massage or just arrange to meet friends – so that you are forced to leave work on time.
9. Don't allow yourself to get drawn into the “I must be the first to arrive/last to leave” competition that often happens in an office environment.
 - a. As long as you've done what you need to do, don't be afraid to get up and go home at the normal time. Other people will thank you for it!

10. MAKE SURE THAT YOU TAKE YOUR FULL HOLIDAY ENTITLEMENT

- a. No one is indispensable – OPEN MINDS will NOT fall apart if you are not there for a few days.
- b. And no one ever wished on their deathbed that they'd spent more time in the office!
- c. The key is to get the balance right so that you enjoy, rather than dread, going to work and can switch off effectively when you leave.

Policy

- OPEN MINDS will identify all workplace stressors and conduct risk assessments to eliminate stress or control the risks from stress. These risk assessments will be regularly reviewed.
- OPEN MINDS will consult with Trade Union Safety Representatives on all proposed action relating to the prevention of workplace stress.
- OPEN MINDS will provide training for all managers and supervisory staff in good management practices.
- OPEN MINDS will provide time for confidential counselling for staff affected by stress caused by either work or external factors.
- OPEN MINDS will provide adequate resources to enable managers to implement OPEN MINDS's agreed stress management strategy.

Responsibilities

Managers

- Conduct and implement recommendations of risks assessments within their jurisdiction.
- Ensure good communication between management and staff, particularly where there are organisational and procedural changes.
- Ensure staff are fully trained to discharge their duties.
- Ensure staff are provided with meaningful developmental opportunities.
- Monitor workloads to ensure that people are not overloaded.
- Monitor working hours and overtime to ensure that staff are not overworking. Monitor holidays to ensure that staff are taking their full entitlement.

- Attend training as requested in good management practice and health and safety.
- Ensure that bullying and harassment is not tolerated within their jurisdiction.
- Be vigilant and offer additional support to a member of staff who is experiencing stress outside work e.g. bereavement or separation.

Occupational health and safety staff

- Provide specialist advice and awareness training on stress.
- Train and support managers in implementing stress risk assessments.
- Support individuals who have been off sick with stress and advise them and their management on a planned return to work.
- Refer to workplace counsellors or specialist agencies as required.
- Monitor and review the effectiveness of measures to reduce stress.
- Inform the employer and the health and safety committee of any changes and developments in the field of stress at work.

Human resources

- Give guidance to managers on the stress policy.
- Help monitor the effectiveness of measures to address stress by collating sickness absence statistics.
- Advise managers and individuals on training requirements.
- Provide continuing support to managers and individuals in a changing environment and encourage referral to occupational workplace counsellors where appropriate.

Employees

- Raise issues of concern with your Safety Representative, line manager or occupational health.
- Accept opportunities for counselling when recommended.

Safety representatives

- Safety Representatives must be meaningfully consulted on any changes to work practices or work design that could precipitate stress.
- Safety Representatives must be able to consult with members on the issue of stress including conducting any workplace surveys.
- Safety Representatives must be meaningfully involved in the risk assessment process.
- Safety Representatives should be allowed access to collective and anonymous data from HR.
- Safety Representatives should be provided with paid time away from normal duties to attend any Trade Union training relating to workplace stress.
- Safety Representatives should conduct joint inspections of the workplace at least every 3 months to ensure that environmental stressors are properly controlled.

Management Committee

- The Director/Guarantors will perform a pivotal role in ensuring that this policy is implemented.
- The Director/Guarantors will oversee monitoring of the efficacy of the policy and other measures to reduce stress and promote workplace health and safety.

POLICY Training And Development

NB: Employment law changes continuously, always refer to Peninsula HR for the most up to date documentation, which will over-ride this policy

OPEN MINDS is committed to ensuring continuing professional development for all employees and volunteers.

We are committed to:

1. allowing 30 hours (pro-rata) continuing professional development per annum release from work for training appropriate to your job role
2. Seeking funding to ensure workers are trained in areas of benefit to OPEN MINDS
3. Working with each worker, whether at appraisal or otherwise, to ensure your needs are identified and wherever possible met by OPEN MINDS

If you have identified a training opportunity which is in your work time or would affect your work time you should discuss this with your line-manager and the Managing Director of OPEN MINDS.

Scheduling of CPD must be mutually convenient.

SELLING

RISK ASSESSMENT MATRIX – OCCUPATIONAL STRESS									
ACTIVITY	PERSON AT RISK	SIGNIFICANT HAZARDS	RISK			RISK CONTROL MEASURES	RESIDUAL RISK**		
			L	S	DR		L	S	DR
Workload demands	Staff	Workloads are excessive leading to long hours causing ill-health	4	4	16	<ul style="list-style-type: none">Individual workloads to be planned and regularly reviewed and monitored through monthly supervision.Staff to be encouraged to discuss workloads with their manager if becoming excessive and they feel unable to cope.Managers to undertake case file reviews as part of monitoring of workload process.Consideration given to change of duties, either temporarily or permanently.To discuss general workload in team meetings.	3	2	6
Personal control over individual workload	Staff	Staff having no say in how their workload is managed can lead to them being unable to cope and to sick leave	3	4	12	<ul style="list-style-type: none">Staff to be given an input into the control over their daily tasks, e.g. task variation, flexible meal breaks, work rotation.Staff to be encouraged to discuss work situations with their manager to alleviate problems both informally and as part of formal supervision.Managers to regularly review workloads through the supervision process.	3	2	6

Work/life balance	Staff	Lack of flexibility in workload can lead to excessive working hours conflicting with private life leading to illness, sick leave etc.	4	3	12	<ul style="list-style-type: none"> All staff work commitments to be regularly reviewed as part of supervision and working hours monitored through time sheets and supervision. Managers to be aware of staff showing extremes of fatigue etc. where it is relative to long working hours. Staff to be encouraged to raise such issues with their manager either informally or during supervision. 	3	2	6
Personal relationships at work	Staff	Poor personal relationships can lead to bullying, harassment etc.	4	4	16	<ul style="list-style-type: none"> Managers to be trained to recognise and to adopt a positive attitude towards unacceptable behaviour. Staff to be encouraged to raise such issues with their manager either in private one to one or during supervision. 	3	2	6

Working to incorrect, or without a, job description	Staff	Staff who do not have or understand their job description may feel isolated, leading to increased stress levels	4	3	12	<ul style="list-style-type: none"> All staff to have a current job description and for it to be reviewed on a regular basis with both staff and manager input. Staff to be given regular feedback on their work performance. Where necessary, managers to assess the provision of job related training and personal development as part of the one to one supervision process. 	1	2	2
Managing change in the workplace	Staff	Staff not kept informed of company changes may feel that their job is in jeopardy leading to increased levels of stress and possibly sick leave	4	3	12	<ul style="list-style-type: none"> Change to be managed effectively to prevent it leading to uncertainty and insecurity. Staff to be kept informed and involved with company or work changes. Regular team meetings to be held to allow an exchange of information. Staff to be given the opportunity and encouraged to contribute and comment on proposed changes during one to one supervision 	1	2	2

LIKELIHOOD (L) = Frequent (5) - Probable (4) - Occasional (3) - Improbable (2) - Remote (1)

SEVERITY (S) = Catastrophic (5) - Major (4) - Reportable (3) - Serious (2) - Minor (1)

Degree of Risk (DR) = LIKELIHOOD x SEVERITY

** Residual risk is the level of risk that remains after suitable and sufficient control measures are introduced

POLICY Sickness And Absence

NB: Employment law changes continuously, always refer to Peninsula HR for the most up to date documentation, which will over-ride this policy

OPEN MINDS is committed to work life balance and to ensuring that workers, if ill or absent due to ill-health are supported both in the workplace and in returning to work after illness.

- **employees can expect that OPEN MINDS will:**
 - work with trade union representatives and other employee representatives on developing and reviewing the operation of the return to work policy;
 - make reasonable adjustments to retain an employee who has become disabled or whose disability has worsened so they are not put at a substantial disadvantage in their job;
 - support returns to work e.g. in the form of adjustments to the workplace or changes to systems or hours of work wherever possible and redeployment where this is necessary;
 - agree return to work plans with everyone affected;
 - ensure that employees that have suffered ill health, injury or disability will be treated fairly, equally and consistently.

In case of incapacity to work

You should contact your line-manager or the Managing Director of Open Minds Counselling Service before 10am on the day in which you are next expected to work

If you will continue to be absent you can self-certify for up to 5 working days absence after which a doctor's note will be necessary.

In the event of long-term sickness as evidenced by a medical note you will continue to be paid in full for 3 months, then statutory sick pay only.

Your line-manager or the Managing Director will contact you once fortnightly or as agreed between you and them in order to ensure that we follow our duty of care to you as your employer.

Recording sickness absence

Absences should be recorded on your timesheet as a physical record and this will be inputted to the electronic timesheets and into the sickness & absence recorded on electronic file.

Starting June 2020 we now use BrightHR attendance management software.

We use the Bradford system to calculate whether absences are becoming a problem and this will then be feedback to you at your 6 monthly appraisal meeting with the Managing Director and your line-manager, or at your monthly line-management meetings if appropriate.

We operate the Bradford system as follows:

Number of individual incidents of absence multiplied by total number of days off sick (so one solid block of 30 days absence is $1 \times 30 = 30$ or 30 individual days off is $30 \times 30 = 90$)

HIGH	MEDIUM	LOW
Equal to or greater than 51	Between 21 and 50	Equal to or less than 20
Action taken: Discuss with line-manager and worker, ensure worker has appropriate support, consider referral to occupational health, allow 3 months for improvement, place worker on probation pending review	Action taken: Discuss with line-manager and worker, ensure worker has appropriate support allow 3 months for improvement	Action taken: Discuss with line-manager and worker, ensure worker has appropriate support

POLICY Lone Working

NB: Employment law changes continuously, always refer to Peninsula HR for the most up to date documentation, which will over-ride this policy

Introduction

Due to the nature of the work carried out by the organisation, it is possible that any member of staff could be exposed to the dangers of lone working. Therefore it is important that all members of staff are aware of the dangers of lone working.

Every effort should be made to minimise the likelihood of lone working, this should include making all office appointments in normal working hours and wherever possible another member of staff should be present when office interviews are taking place.

What is Lone Working?

Lone working could be defined as, "A person is working alone when that person works alone in any environment where there are no other workers who have knowledge of the work and workplace, and who are available to respond effectively to unusual occurrences or emergencies."

What to do when working alone

It is not always possible to eliminate lone working therefore; the following guidance should always be considered when working alone.

Organisation Base

1. All clients should be seen in normal operating hours, if the work is to extend out of normal hours, wherever possible, arrangements should be made for another member of staff to be present in the office.
2. If it is necessary to meet a client alone always ensure that another member of staff is aware that you will be working alone.
3. **It is important that your designated colleague is made aware of:**
 - a. The location of your work

- b. Expected start and finish times of your work
 - c. who you will be meeting with
- 4. All staff working alone must be made aware of a contact number in case of an emergency.
- 5. When working alone in the office, out of normal office hours, the office door must be locked.
- 6. When working with a client alone, always position yourself between the client and the exit door of the room.
- 7. Be careful not to tell anyone that you are alone in the workplace. This applies to people who telephone or e-mail you, as well as to visitors.

Other Premises

- 1. When visiting other premises, take alarm equipment with you.
- 2. When visiting other premises, tell your colleagues where you will be going, who you will be meeting, what time you will be expected back.
- 3. Make sure that you inform your colleagues when you have finished work away from the office and won't return to the office.
 - a. If you are the designated colleague responsible for checking on a colleague who is working alone ensure you phone them within 5 minutes of their expected completion time if they have not phoned you. If you have not contacted them successfully phone the venue. If this is still unsuccessful contact the police.
- 4. When visiting other premises, take a mobile phone with you and keep in touch with colleagues on a regular, agreed basis. Phone 07765 224564 before entering the premises and on leaving.
 - a. Ring colleagues and use an agreed codeword **WATER THE FLOWERS** when you feel you are in a potentially difficult situation but do not want to alert the person you are dealing with.
 - b. If you are the designated colleague responsible to the lone worker ensure that if they use the code word you immediately contact the police and inform them you believe your colleague is in a threatening situation, giving them the location and any contact details.
- 5. When visiting other premises staff should avoid taking technical equipment such as laptops along.
- 6. Staff working on other premises must obtain a copy of the Health and Safety Policy and relevant risk assessments from the manager.

- a. When visiting other premises staff must follow the Health and Safety procedures that are in place.
- b. When visiting other premises, staff must make themselves aware of the Health and Safety procedures for lone working and familiarise themselves with any control measures that are in place e.g. office arrangements, panic buttons, incident reporting.
- c. Any queries about Health and Safety on other premises should, in the first instance, be discussed with the manager. If after discussing problems with the manager a member of staff still has concerns they should raise their concerns with the manager.

Violence towards Staff

1. In the event of violence or threats of violence being made to any member of staff, the following procedure must be followed:
2. All incidents of violence or threats of violence must be entered in the accident book and reported immediately to the manager. (The accident book is located in the main office, desk drawer/door)
3. The manager will investigate any incidents of violence or threats of violence staff.
4. Any further control measures identified by the investigation will be introduced, after consultation with staff.

The above procedure will be reviewed after any incident and following consultation of all staff.

POLICY Volunteer

We recognise that volunteers provide a vital and much appreciated service within our organisation.

OPEN MINDS aims to provide a service of high quality at all times.

We also undertake to provide volunteers with ongoing training and support opportunities during the time that they volunteer with OPEN MINDS. However this is subject to the availability of funding.

Recruitment.

OPEN MINDS welcomes potential volunteers from all parts of the community.

Client Volunteers:

Open Minds may on occasion provide opportunities for clients to volunteer, such as with fundraising events and other opportunities appropriate to their needs and abilities.

These opportunities can only be provided where Open Minds has the capacity to manage clients on days separate to those at which their counsellor might be on site. This is to prevent cross-over of boundaries.

Clients on the volunteer pathway should be selected on the basis that they might benefit nurturing volunteering opportunities, which provide a benefit to their self-esteem, confidence and personal development.

Client volunteers will be line-managed and supported by the Managing Director and the ratio of non-client volunteers to client volunteers should always be at least 3:1. This is to ensure that if clients do not feel able to volunteer the work to be undertaken can still be done.

To prevent exploitation clients should only ever be engaged in non-essential duties which can be fulfilled by other team members. The purpose of volunteering is to allow the individual to test the waters of their confidence and abilities, in an environment that they already consider to be safe and supportive.

For example Open Minds regularly attend Doncaster Pride to raise awareness of our work, and to raise money for future activities. On occasion clients may request

to support Open Minds by helping out at the stall. This should be done only where there are sufficient other volunteers who can support a client if they become distressed, and so that if they choose to leave the work can continue without them.

In accordance with the requirements of Open Minds' funders that Open Minds is people led we will advertise such opportunities to contribute where relevant.

Such opportunities such be regularly reviewed by the board of Directors and the Managing Director, and should be open only so long as the MD has the capacity to manage the volunteers, and so long as the client remains sufficiently robust as to benefit from such activities.

Due to the nature of the service, all volunteers are required to have an Enhanced Criminal Records Bureau Disclosure which they need to finance themselves.

Please see the equal opportunities policy for further information on recruitment & selection

Training

OPEN MINDS has a commitment to ensuring that all volunteers receive appropriate induction training and ongoing skills development. We recognise that training is essential to maintain the quality of our services and to ensure that volunteers have access to ongoing personal development opportunities.

All volunteers are required to attend any training that has been agreed as appropriate to the individuals' needs or organisational requirements. We encourage volunteers to participate in group training wherever possible. However, we recognise that it is not always possible for volunteers to attend group training.

Agreements

A representative from OPEN MINDS and each volunteer will be required to sign agreements detailing the nature of the service, policies and boundaries. This is to ensure that all volunteers are fully aware of the responsibilities that their role involves and that this has been discussed with the Managing Director/Practitioner Support Team (whichever is appointed your supervisor).

Support and Supervision

OPEN MINDS will ensure that regular support and supervision is provided to each volunteer. This will be provided by the [Managing Director/Practitioner Support Team](#) (whichever is appointed your supervisor). Attendance at these sessions will be an essential requirement of all volunteer agreements within this service.

Organisational Policies

OPEN MINDS ensures that volunteers work within the same policies that apply to paid staff wherever appropriate. Details of the relevant policies will be discussed as part of induction training with copies included in the **Volunteer Handbook**. A personal copy of the Handbook will be issued to all volunteers at the start of their volunteering with OPEN MINDS.

Developing Services

In line with OPEN MINDS' commitment of inclusion, volunteers will be encouraged to participate in evaluation and development of new and existing services. We will therefore conduct staff meetings at which volunteers are welcome to attend and contribute towards, on the same basis as paid staff.

In line with this commitment, OPEN MINDS aims to conduct exit interviews or postal surveys with all volunteers who no longer wish to volunteer with OPEN MINDS.

POLICY Secondment

NB: Employment law changes continuously, always refer to Peninsula HR for the most up to date documentation, which will over-ride this policy

OPEN MINDS recognises that secondment offers valuable opportunities for staff development. By placing employees in different work situations we recognise that secondment offers the chance of improving communications and problem solving skills or gaining experience in project management.

What is secondment?

We define secondment as follows:

“The temporary loan of an employee to another organisation, or to a different part of the same organisation, for a specific purpose for a specific time to mutual benefit of all parties”

This policy identifies three main types of secondment:

- Internal secondment within OPEN MINDS;
- External secondment, e.g. Local Authority, Trade Unions, Professional Organisations and the Voluntary Sector.

The Secondment Process

OPEN MINDS recognises that:

- Secondment opportunities should be made available for all staff and these will not be unreasonably refused;
- Secondment opportunities may arise through a variety of circumstances.

The most obvious of these should be identification of a job requiring to be done and should be accessed in the normal recruitment methods;

- Individuals may also identify through appraisal and review their development needs. In these circumstances individual secondment arrangements will apply.

All arrangements for accessing secondment should take account of the following points:

- Clear reasons identified for secondment;

- • Clear arrangements for start and finish dates;
- • Training requirements and training needs during and following a period of secondment;
- • Replacement costs;
- • Statutory obligations;
- • Appraisal arrangements;
- • What the benefits are;
- • Monitoring arrangements;
- • Arrangements for this should be clearly documented within the secondment contract.

Term of Secondment

Secondments vary in length, usually from 3 months to 2 years depending upon the circumstances. The period of secondment however must be agreed and clearly defined in a secondment agreement, signed by all parties, the seconding manager/organisation, the secondee and the host manager/organisation.

Recruitment

An appropriate legal recruitment and selection process should be undergone except in the following circumstances:

- • Where the secondment is being used to prevent redundancy or other loss of the secondee's employment
- • Where a valid and justified case can be made that the individual to be seconded is the best fit for the role
- • other terms in law which apply

Terms and Conditions of Employment

Seconded staff are entitled to maintain their terms and conditions of employment except where mutually agreed otherwise. Where the terms and conditions for the secondment opportunity would be greater than those in the substantive post, the appropriate terms and conditions of the secondment post would apply.

For certain staff, the statutory requirements for maintenance of professional registration, must be explicit within the secondment arrangements.

Secondments outside the OPEN MINDS may require a return to OPEN MINDS duties for short periods during the term of secondment to assure registration.

Arrangements for appraisal and PDPs will be clearly documented in the secondment contract, particularly for those staff on Executive, Senior Manager terms and conditions. In such circumstances the host organisation will complete the documentation using our appraisal system.

Where secondment is to a post of a higher substantive grade; credit will be given for time spent in this post in line with the arrangements of the functional Whitley Secondar. The original terms and conditions to the substantive post would apply.

Agreement must be reached at the start of the secondment regarding arrangements for review. The period for review will be specified in the secondment contract. Secondment opportunities should be allowed to run their course, however, we reserve the right, exceptionally, to recall staff prematurely if required. Termination, prior to expiry of the secondment, will normally be subject to an agreed period of notice.

Continuity of Employment

Time spent on secondment with another employer within or outside OPEN MINDS will not affect continuity of employment.

Expenses

Expenses incurred as a result of the secondment will be reimbursed in line with the provisions of the General Whitley Secondar normally by the host organisation with any variations agreed prior to commencement and clearly detailed in secondment contract.

Health and Safety

The Seconding organisation and host organisation may share responsibility for the Employers Liability Insurance and both have a duty of care under the relevant Health and Safety legislation for the secondee. This will be agreed in the secondment contract.

Keeping in Touch

Keeping in touch with staff on secondment throughout the period is essential.

Arrangements for this should be clearly documented. The responsibility for this will be mutual, where both the secondee and their manager will be responsible for keeping in touch. The manager will act as the contact point and keep the secondee in touch with developments. Account must be taken of individual requirements, including:

- • Monitoring arrangements;
- • Appraisal;
- • Maintaining professional registration;
- • Retraining requirements on return;
- • Evaluation of secondment.

Examples of keeping in touch may include:

- • Mailing lists – remaining on the list for team communications;
- • Restructuring or proposed departmental changes – secondees must be advised/consulted as appropriate;
- • Attendance at regular team meetings.

Appraisal arrangements must be explicit within the secondment contract. Both managers must be in agreement as to who takes this forward, but should normally be the host organisation. For longer-term secondment, account must be taken of the potential skills lost, changing work practice, changing cultures and new technology. Successful keeping in touch will minimize the impact of this.

During the Secondment

Effective induction is essential. Where appropriate the host organisation / department will organise a briefing package for the secondees, providing background information on the organisation, functions of the host workplace, duties and responsibilities of the post, office procedures etc.

After the Secondment

Following completion of the secondment:

- • Secondees might find it valuable to maintain the contacts and networks they have built;

- • It may be helpful if secondees could report back to colleagues and managers on their return and to offer advice to fellow employees considering a secondment;
- • We will maximise the benefits of applied learning, when the secondee returns from secondment.

AGREEMENT Secondment**APPENDIX 1 – SAMPLE SECONDMENT AGREEMENT**

NOTE - individual contracts will vary in accordance with arrangements agreed between all parties

THIS AGREEMENT IS MADE THIS *[insert date]* BETWEEN:

- 1) *[Insert employer's name]* of *[insert address]* ('the Seconder'), and
- 2) *[Insert host organisation's name]* of *[insert address]* ('the Host'), and
- 3) *[Insert individual's name]* of *[insert address]* ('the Employee').

WHEREAS the Seconder has agreed to second the Employee to the Host in accordance with the terms set out in this Agreement THE PARTIES AGREE AS FOLLOWS:

1. Interpretation

- 1.1 In this Agreement the following words will have the meanings set out below
'Period of Secondment' means the period from *[insert start date]* to *[insert end date]*
'Contract' means the contract of employment between the Seconder and the Employee.
- 1.2 References to clauses only relate to this Agreement unless stated otherwise.
- 1.3 The masculine includes the feminine and vice versa and the singular includes the plural and vice versa.
- 1.4 The headings to this Agreement will not affect its interpretation.

- 1.5 This Agreement shall be governed by and construed in accordance with the laws of England and Wales.

2. Secondment of the Employee

- 2.1 The Seconder shall second the Employee to the Host on the terms of this Agreement for the Period of Secondment.
- 2.2 During the Period of Secondment the Employee shall act as *[insert title]*, whilst continuing to be employed by the Employer under the Contract, which shall remain in force.
- 2.3 The Employee's line manager for day-to-day purposes during the period of secondment will be as nominated by the Host, and the Employee agrees to accept such control.
- 2.4 During the period of secondment the Host agrees to release the Employee for the purpose of attending training necessary to maintain the Employee's skills and/or to maintain any relevant professional qualification and the Seconder and the Host agree *[insert arrangements for payment for training]*.

3. Duties of the Employee

- 3.1 During the Period of Secondment the Employee shall carry out all reasonable instructions of the Host and the Host shall ensure that the duties of the Employee are appropriate to the Employee's status, skills and abilities.
- 3.2 In the event that the Employee's performance is not satisfactory the Host shall:
 - 3.2.1 Draw to the Employee's attention at an early stage the areas of unsatisfactory performance.
 - 3.2.2 Provide any support and training necessary to assist the Employee to improve his/her performance.

- 3.2.3 Arrange a meeting between the parties, at which the Employee will have a right to be accompanied, to consider whether the secondment should continue.
- 3.3 In the event of misconduct the Host shall:
 - 3.3.1 Notify the Seconder in writing within seven days of the alleged misconduct occurring or being discovered;
 - 3.3.2 Arrange a meeting between the Seconder and the Host to discuss how best to investigate the alleged misconduct, in accordance with any of the Seconder's relevant policies;
 - 3.3.3 Arrange a meeting between the parties, at which the Employee will have the right to be accompanied, to consider whether the secondment should continue and whether the employee should be subject to disciplinary proceedings.

4. Payment of Employee

- 4.1 The Host agrees to pay the Employee such sum as agreed between them for the period of the secondment OR the Host agrees to reimburse the Seconder for the value of the Employment and for any agreed costs.
- 4.2 In the event that the Host has agreed an increase in salary during the Period of Secondment, on the termination of this agreement the Employee's salary shall revert to that payable under the Contract.
- 4.3 *[Set out any arrangements for payment, i.e. Employee will continue to be paid through the Seconder's payroll, the Host agrees to pay the Seconder a sum equivalent to the Employee's salary plus on-costs, any pension arrangements]*
- 4.4 The Host will reimburse the Employee reasonable expenses incurred in the performance of agreed duties during the Period of Secondment.

- 4.5 The Host will reimburse the Employee for any additional hours incurred in performance of the agreed duties during the Period of Secondment.
- 4.6 If the Host wishes to pay further additional amounts to the Employee they will be paid direct to the Employee and the Host will be responsible for deducting any tax in respect of such payments.

5. Information

- 5.1 The Secunder will provide the Host with sufficient details of the Contract to enable the Host to comply with any relevant contractual terms and conditions during the Period of Secondment.
- 5.2 The Host will provide the Secunder with all such information as the Secunder may reasonably require in respect of the performance by the Employee of agreed duties during the Period of Secondment.
- 5.3 The Host will maintain and make available to the Secunder on request an attendance record in respect of the Employee, recording absence due to annual, sick or special leave, industrial action, unauthorised absences, and overtime.
- 5.4 The Secunder will inform the Employee of any changes to the workforce during the Period of Secondment, and the Host agrees to release the Employee if the Secunder deems it necessary in order for the Employee to attend any meeting on changes to the workforce affecting the Employee.

6. Termination

- 6.1 This Agreement will automatically terminate at the end of the Period of Secondment unless the parties have agreed, in writing, to an extension.
- 6.2 This Agreement may be terminated by any party giving one month's notice in writing to the other parties.
- 6.3 Notwithstanding clauses 6.1 and 6.2, this Agreement may be terminated immediately by the Host if it reasonably considers that the Employee is guilty of gross or serious misconduct, subject to following the procedure in clause 3.3.

6.4 Notwithstanding clauses 6.1 and 6.2, this Agreement will automatically terminate if the Employee leaves the Secunder's employment.

6.5 Any party may terminate this agreement if one of the other parties is in material breach of the Agreement and fails to remedy the breach, if capable of remedy, within seven days of a notice from the non-defaulting party requiring such breach to be remedied and specifying how to remedy it.

7. Health and safety

7.1 During the Period of Secondment the Host will be responsible for compliance with all duties relating to health, safety and welfare at work imposed upon an employer by any relevant statutory provision as if the Host was the employer of the Employee.

7.2 The Host will provide to the Secunder such information and access to its premises as the Secunder may reasonably require to monitor the Host's performance of its obligations under this clause.

8. Indemnity

8.1 The Host agrees to indemnify the Secunder against:

8.1.1 Any liability which the Secunder incurs due to any bodily injury or disease sustained by the Employee during the Period of Secondment and arising out of the Employee's secondment under this Agreement; and

8.1.2 Any liability the Secunder incurs as a result of any claim by the Employee to an employment tribunal or other court arising out of the Employee's Secondment under this Agreement, provided that before entering into a settlement or compromise with the Employee the Secunder will give the Host an opportunity to defend any such claim or to effect a settlement or compromise of such claim. The Host may elect not to defend any such claim but will provide such assistance to the Secunder in defending, settling or compromising the claim as the Secunder may reasonably require.

8.1.3 Exceptions to the above 8.1.1. and 8.1.2. are exclusive to circumstances in which such liability or claim during the secondment period is the responsibility of the Secunder directly, such as injury sustained on the Secunder's premises or through the Secunder's actions.

9. Working Time

- 9.1 The Employee is entitled to [insert number] days' annual leave under the Contract. The Employee's annual leave year runs from [insert date] to [insert date] and at the start of the Period of Secondment the Employee will have [insert number] days' annual leave entitlement remaining. The Employee's annual leave entitlement is exclusive of public holidays.
- 9.2 The Employee will take annual leave at such times approved in advance by the Host.
- 9.3 The Employee is further entitled to paid days leave each year as set out in their contract of employment
- 9.4 During the Period of Secondment the Employee will be required to work a five-day week of [insert number] hours.
- 9.5 The Host agrees to comply with all obligations towards the Employee under the Working Time Regulations 1998.

10. Confidentiality

- 10.1 The Employee agrees not to divulge any confidential information during or after the Period of Secondment without the prior written consent of the Host. In this clause 'confidential information' means all documents and information in whatever form disclosed or made available to the Employee during or in connection with the secondment to the Host but will not include information which:
 - 10.1.1 Is already in the public domain; or
 - 10.1.2 Is disclosed to the Employee without any obligation of confidence by a third party who has not derived it directly or indirectly from the Host; or is trivial or cannot reasonably be considered to be confidential.

11. **Miscellaneous**

- 11.1 No amendment or variation to this Agreement will be effective unless it is in writing and signed by or on behalf each of the parties.
- 11.2 This Agreement may not be assigned or sub-contracted in whole or in part by any without the prior written consent of the other parties.
- 11.3 Any notice to be given shall be delivered personally or sent by first class post to the relevant party's address as set out at the beginning of this agreement. Any such notice will be deemed to be served, if delivered personally, at the time of delivery, or, if sent by post, 48 hours after posting.

Signed by/on behalf of

[insert Seconder's name]

Date

Signed by/on behalf of

[insert Host's name]

Date

Signed by

[insert Employee's name]

Date