



The Guernsey Charity for the support of Victims and Witnesses

**PLEASE NOTE: The Data Protection (Bailiwick of Guernsey) Law, 2017 requires us to provide certain information to you. We provide this via our Data Processing Notice below.**

## **DATA PROCESSING NOTICE**

This Data Processing Notice (also known as a Privacy Policy) sets out how the Bailiwick of Guernsey Victim Support and Witness Service LBG (VS&WS) processes personal information, i.e., any information relating to an identified or identifiable living individual, whether that information is collected directly from you, through VS&WS website or by any other means.

This notice sets out your data protection rights.

### **Who is VS&WS?**

The Bailiwick of Guernsey Victim Support and Witness Service is an independent charitable organisation offering free and confidential support to victims and witnesses of crime and their family and friends.

Our services are free and confidential

We are committed to protecting your personal information.

VS&WS is committed to respecting and keeping safe any personal information you share with us or that we get from other agencies/organisations. This privacy notice sets out the basis on which we will process personal information, whether that information is collected through VS&WS or by any other means.

### **What information do we collect?**

We process personal information to enable us to provide emotional support and practical assistance to victims and witnesses of crime.

Personal information includes contact details, gender, date of birth and other identifying information.

We also process other information which may include

- brief details of any crime/alleged crime committed against, or witnessed by you and, if available, the name of the perpetrator/alleged perpetrator.
- brief details of any support we provide to you

- other details as provided which may include Special Category Data which requires explicit consent.

“Special Category Data” means –

- personal data revealing an individual’s –
  - Racial or ethnic origin
  - Political opinion
  - Religious or philosophical belief
  - Trade union membership
- genetic data
- biometric data
- health data
- personal data concerning an individual’s sex life or sexual orientation
- criminal data

#### **How do we use the information we hold, and what is the legal basis for this use?**

- We process personal information to enable us to provide emotional support and practical assistance to victims and witnesses of crime. We use the legal basis of ‘consent’ to process your data and will request that you sign a separate Confidentiality and Consent Agreement to evidence your consent to the processing of your personal data for this purpose. In certain circumstances we may receive and, necessarily, process data about you before you have signed the VS&WS Consent Agreement. This data is usually received directly from you, your family members/concerned parties or, with your consent, through the Police, legal representatives, or other legitimate agencies.

#### **Why we might share your personal information**

The VS&WS Service will only share personal information with another agency/organisation under exceptional circumstances. These are: -

- if we believe that you or someone else is at risk of significant harm. We have a duty to report any issues or suspicions relating to child protection or adult safeguarding
- also, in relation to adult safeguarding, if you have been assessed as ‘at high risk’ by MARAC (Multi Agency Risk Assessment Conference) we may pass relevant information relating to our contact with you to the MARAC co-ordinator. This is done via secure email and a record of this is stored on our database
- where there is another legal reason or requirement to disclose personal information

#### **Who might we share this data with?**

Personal data may be shared with government authorities, law enforcement officials or other agencies if required for the purposes above.

### **What information do we receive from third parties?**

For victims of crime who have given their consent, the Police provide us with your contact information and date of birth, details of the crime committed and the name and date of birth of the alleged perpetrator. We hold the same information for self-referrals and those received from other agencies.

For criminal court witnesses and people appearing in the Family Courts, the type of information we hold can vary but it may include contact details, the name of the defendant/other party and, if applicable, the nature of the crime. All witness referrals must be made with your consent and they may be received from the Police, the Law Officers, private legal offices or other agencies and organisations, e.g., Safer LBG. You may also self-refer.

### **Withdrawing consent**

1. Wherever we rely on your consent, you will always be able to withdraw that consent unless we have legal grounds for processing the data, such as those set out above. You can withdraw your consent by contacting us using the details set out in the '**Getting in touch with us**' section below. By withdrawing your consent, we may not be able to provide you with the services you require.

### **What rights do you have?**

At the heart of data protection are the [10 rights](#) of the individual whose personal data is being processed.

#### **You have the following 10 rights under *The Data Protection (Bailiwick of Guernsey) Law, 2017***

1. the right to information about the collection and the use of your personal data
2. the right to access personal data
3. the right to object to processing for direct marketing purposes
4. the right to object to processing on grounds of public interest
5. the right to object to processing for historical or scientific purposes
6. the right to have inaccurate or incomplete personal data to be rectified or changed
7. the right to erasure (to be forgotten) in certain circumstances
8. the right to restrict processing in certain circumstances
9. the rights not to be subject to decisions based on automated processing
10. the right to data portability

## Your rights- highlights

For more detailed information and guidance about your rights please contact Office of the Data Protection telephone 742074, email: [enquiries@odpa.gg](mailto:enquiries@odpa.gg) or visit the website [www.odpa.gg](http://www.odpa.gg).

- This Data Processing Notice serves to satisfy your **right to information** about the collection and the use of your personal data.
- You have the right to **ask us for a copy** of your personal data, either electronically or as a hard copy by submitting a 'data subject access request' (DRAR). Please see [guidance for individuals who wish to make a DSAR](#)
- If you dispute the accuracy or completeness of your personal data about you, you have the right to require that we **correct or change** the data.
- For data processed in certain circumstances you have the right to require that we **erase your personal data**. This right is sometimes referred to as a "right to be forgotten".
- For data processed in certain circumstances you have the right to obtain a **restriction of processing**.

You can exercise these rights by writing to us. Please see the '**Getting in touch with us**' section below.

## How long will we retain personal data?

Personal data may be retained for 7 years following date of last contact to allow us to provide an effective service to clients. This retention period is subject to review.

## Getting in touch with us

Our designated Data Protection Officer can be contacted for enquiries and complaints: -

The Manager, Tel: 223000, Email: [victimsupportgsy@cwgsy.net](mailto:victimsupportgsy@cwgsy.net), or write to Victim Support and Witness Service, Royal Court, St Peter Port, Guernsey, GY1 2NZ.



The Guernsey Charity for the support of Victims and Witnesses

## COMPLAINTS POLICY & PROCEDURE

Ratified by Board on	<b>15.12.21</b>
Name of Chairperson	<b>Peter Harwood</b>
Next review date	<b>15.12.24</b>

### **Purpose**

The Bailiwick of Guernsey Victim Support and Witness Service is committed to conducting our business with honesty and integrity and we expect our staff and volunteers to maintain high standards in accordance with our policies and procedures. However, in the unlikely event that clients and other service users are not satisfied with the service they receive, our complaints procedure allows complaints to be made and ensures that the complaint is heard and responded to promptly and professionally.

If you are dissatisfied with any aspect of our services we ask that you let a member of staff know at the time. If we know about it, the matter can sometimes be resolved immediately.

### **Raising a complaint**

Anyone using the Victim Support & Witness Service can make a formal complaint.

If the complaint is made on behalf of someone else, we will need the complainant's written permission for us to discuss the relevant details of the matter. This can be done when completing the Complaint Form at the end of this document.

We will process any personal data that you provide in accordance with The Data Protection (Bailiwick of Guernsey) Law 2017.

### **Confidentiality**

All information must be treated as confidential by all parties.

We aim to foster an environment where any party can voice complaints openly. However, if you want to raise your complaint confidentially, we will make every effort to maintain your anonymity. If it is necessary for anyone investigating your concern to know your identity, we will discuss this with you.

## **Protection and support**

It is understandable that people making a complaint may feel worried about possible repercussions. We aim to encourage openness and will support clients, volunteers, staff or any other party that raises genuine concerns under this policy, even if they turn out to be mistaken.

## **How do I complain?**

Your complaint should be made in writing, using the form at the end of this document, and sent to The Manager, The Bailiwick of Guernsey Victim Support & Witness Service, Royal Court, St Peter Port, GY1 2NZ or by email to [victim.support@gov.gg](mailto:victim.support@gov.gg)

If the complaint is against the Manager of the service please send this in writing to The Chairperson, The Bailiwick of Guernsey Victim Support & Witness Service, Royal Court, St Peter Port, GY1 2NZ. You should mark the letter 'Private and Confidential' and 'To be Opened by the Addressee only'.

## **What information should be provided?**

Please give details of any specific issues that you wish to have addressed, giving background information with relevant dates, times and names, if possible. If you have several issues, it will help if you have them in date order.

## **Is there a time limit for making a complaint?**

A complaint should be made within one month if possible.

## **What happens after the complaint is made?**

We will acknowledge receipt of your complaint within 5 working days of receiving it. Your complaint will be investigated by the Manager in the first instance or, if it concerns the Manager, the Chairperson of the Management Committee. We aim to respond within 28 working days from the receipt of the complaint, however if the complaint takes longer than 28 days to investigate, you will receive a letter informing you of the delay.

## **Results of the investigation**

The response letter will set out the results of the investigation and any action that has been taken.

## **What happens if I am not satisfied with the response?**

If you are dissatisfied with the outcome, you may request that this is reviewed by the Directors of the service. This request must be received in writing within 15 working days of the response letter being issued. This should be addressed to Brian Richings, The Bailiwick of Guernsey Victim Support & Witness Service, Royal Court, St Peter Port, GY1 2NZ. You should mark the letter 'Private and Confidential' and 'To be Opened by the Addressee only'.

### **External disclosures**

The aim of this policy and procedure is to provide an internal mechanism for reporting, investigating and remedying complaints in the workplace. In most cases you should not find it necessary to alert anyone externally. However in some circumstances it may be appropriate for you to report your complaint to an external body/regulator such as:-

- The Association of Guernsey Charities
- Guernsey Community Foundation
- The States of Guernsey

### **External Contact Information**

The Association of Guernsey Charities

Tel: 07781 433334

Email: [mail@charity.org.gg](mailto:mail@charity.org.gg)

Guernsey Community Foundation

Tel: 01481 723426

Email: [info@foundation.gg](mailto:info@foundation.gg)

The States of Guernsey – Home Affairs

Tel: 01481 717353

Email: [homeaffairs@gov.gg](mailto:homeaffairs@gov.gg)



The Guernsey Charity for the support of Victims and Witnesses

## **Complaint Form**

Complainant's name	
Address	
Contact number:	
Email:	

If you are making a complaint **on behalf of** someone else please complete the following section:

Your Name	
Your Address	
Your Contact number:	
Your Email:	
Your Relationship to the Complainant	

**Authorisation of Complainant**

**If the complaint is being made by someone on your behalf, please complete:**

I, \_\_\_\_\_ (complainant's name) hereby authorise the complaint to be made on my behalf, and agree that any information which I have provided to Victim Support & Witness Service staff or volunteers, which is relevant to the complaint, may be disclosed to the person completing this form on my behalf.

Signature of complainant: \_\_\_\_\_ Date: \_\_\_\_\_







The Guernsey Charity for the support of Victims and Witnesses

## EQUALITY AND DIVERSITY POLICY

Ratified by Board on	<b>03.03.22</b>
Name of Chairperson	<b>Peter Harwood</b>
Next review date	<b>03.09.22</b>

### **Our aim**

In carrying out its functions as a Charity the Bailiwick of Guernsey Victim Support and Witness Service is committed to promoting equality of opportunity for all, and to ensuring that no individual is discriminated against in the planning and delivery of any of our activities.

We therefore aim to ensure that the values of equality, diversity, and respect for all are embedded into everything that we do.

### **About our policy**

This policy is intended to demonstrate the Bailiwick of Guernsey Victim Support and Witness Service's commitment to eliminating discrimination and encouraging and valuing diversity among staff, volunteers, partners, suppliers, users of our services and our Board.

We recognise our responsibilities and are committed to meeting them in full. We believe that a culture that embraces equality and values diversity will help us to ensure that everyone feels involved and included in our plans, programmes and activities.

We aim to create an environment which respects and welcomes everyone, and in which no form of bullying, harassment, disrespectful or discriminatory behaviour is tolerated by anyone towards anyone. This includes:

Age, disability, gender reassignment, income, marriage or civil partnership status, pregnancy and maternity, race, religion or belief, sex and sexual orientation.

### **Our responsibilities**

The Bailiwick of Guernsey Victim Support and Witness Service understands that for equality to be achieved this policy needs to be made understandable to, and embraced by staff, volunteers, suppliers, partners and the Board/Management Committee.

All staff, volunteers, suppliers, partners and the Management Committee have a responsibility to ensure that their own language and actions are consistent with the spirit as well as the contents of this policy.

Overall responsibility for the implementation of this policy lies with The Bailiwick of Guernsey Victim Support and Witness Service Manager and its Management Committee.

### **Our commitments**

The Bailiwick of Guernsey Victim Support and Witness Service recognise that an Equality and Diversity Policy alone is not enough to ensure that equality and diversity are central to everything that we do.

We will seek to create an environment in which diversity and the contributions of all staff, volunteers, suppliers, partners, residents and Management Committee are recognised and valued in all that we do. In this way we hope to provide an example of good equality practice and promote community cohesion within the workplace.

In introducing this policy, we recognise that many people are unfamiliar with the ways in which discrimination and disadvantage affect people's health, well-being and quality of life. We will therefore support people to develop equalities awareness and understanding.

To ensure that we are meeting the aims and the spirit of this policy we will:

- Review how well we are implementing this policy, and adjust our practices and/or develop an action plan where necessary
- Assess any significant new or revised policies and procedures for their impact on equality
- Embed equality and diversity into our development plans
- Ensure our employment practices and procedures are consistent with the aims of this policy

### **Working with contractors, suppliers and partners**

It is important to us that suppliers, contractors and any other individual or organisation working for and on behalf of the Bailiwick of Guernsey Victim Support and Witness Service are aware of and agree to comply with our equality and diversity policy while that work is underway. In addition, we are committed to:

- Using accessible venues for events and meetings
- Using plain English, and offering accessible communications, for example, emails, letters, reports and publicity materials as far as it is within our means to do so

### **Review and Action**

We recognise that it is important for us to regularly review this policy to ensure that it reflects up to date equality best practice.

A review of our Equality and Diversity Policy will be carried out every 3 years as a minimum and any necessary actions taken.



The Guernsey Charity for the support of Victims and Witnesses

## HEALTH AND SAFETY POLICY

Ratified by Board on	<b>15.12.21</b>
Name of Chairperson	<b>Peter Harwood</b>
Next review date	<b>15.12.24</b>

This policy reflects the Bailiwick of Guernsey Victim Support and Witness Service's (VS&WS) commitment to complying with The Health and Safety at Work (General) (Guernsey) Ordinance, 1987, together with any other existing relevant statutory provisions.

As the VS&WS suite of rooms forms part of the Royal Court building, the Health and Safety at Work Policy Statement for that building (see Appendix 1) applies to VS&WS and all staff, volunteers and Board/Committee members are required to familiarise themselves with that document.

In line with The Royal Court's Health and Safety at Work Policy Statement, VS&WS will:-

- Provide reasonable control of exposure to the health and safety risks arising from our working activities
- Undertake recorded risk assessments of all activities provided by VS&WS staff, volunteers and Board/Committee members
- Create a safe environment by putting health and safety measures in place as identified by the risk assessments
- Provide access to adequate first aid equipment and qualified first aider
- Record any injuries or accidents sustained during any VS&WS activity and take appropriate action
- Provide and maintain safe equipment and environmental conditions
- Provide information, instruction and supervision for employees
- Consult with our staff and volunteers on matters affecting their health and safety
- Ensure safe handling and safe use of equipment
- Deliver training to all staff and volunteers
- Prevent accidents and cases of work-related ill health
- Maintain safe and healthy working conditions
- Take practicable measures to ensure any premises it controls are safe and without risks to health
- Review and republish this policy statement every 3 years

- Ensure that all staff and volunteers are aware of and follow The Royal Court Health and Safety at Work Policy Statement

**All staff and volunteers must co-operate by:**

- Taking reasonable care for their own and others' health and safety
- Not misusing or interfering with anything provided in the interest of health and safety
- Using equipment and materials in accordance with their training
- Reporting any hazards in the workplace or shortcoming in the protection for employees

**Health & Safety Officer**

The Health & Safety Officer for Victim Support & Witness Service is Jenny Murphy (Manager).

**Public Liability Insurance**

Victim Support & Witness Service hold Public liability Insurance to cover their activities. The limit of indemnity is £5,000,000. The Insurance is currently held with NFU Mutual through Island's Insurance Brokers. The Certificate of Public Liability Insurance is displayed in the VS & WS office.

**Appendix 1**



**THE ROYAL COURT**

**HEALTH AND SAFETY AT WORK**

**POLICY STATEMENT**

# **THE ROYAL COURT**

## **HEALTH AND SAFETY AT WORK**

### **POLICY STATEMENT**

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# THE ROYAL COURT OF GUERNSEY

## HEALTH AND SAFETY AT WORK - POLICY STATEMENT

### 1 INTRODUCTION

The Health and Safety at Work (General)(Guernsey) Ordinance, 1987, together with any other existing relevant statutory provisions, impose certain responsibilities on both employer and employees for the health and safety of persons at work and those who may be affected by work activities, including self-employed persons, contractors, persons in control of premises and members of the public.

### 2. POLICY OBJECTIVES

This policy reflects the Royal Court's commitment to:

- comply with the Health and Safety at Work (General)(Guernsey) Ordinance, 1987 (hereinafter referred to as the 1987 Ordinance), ensuring so far as is reasonably practicable, the safety of all persons in the Royal Court Building and of all persons using the Royal Court's services;
- carry out risk assessments, maintain records and review/revise procedures as necessary in accordance with the legal requirement;
- promote and maintain the Health and Safety of all employees, contractors and volunteers working in the Royal Court Building;
- avoid unnecessary injury, illness, loss of well-being or absence as a result of work activities;
- ensure that all employees are aware of their legal responsibilities regarding Health and Safety; and,

- secure the support and commitment of all staff on Health and Safety matters.

For the purpose of this policy, reference to the Royal Court shall be deemed to include the Bailiff's Chambers, the Offices of Her Majesty's Greffier and Her Majesty's Sheriff and Sergeant and the Guernsey Victim and Witness Support Service.

The Royal Court Building forms part of a complex that also includes the premises of the Law Officers of the Crown. Although physically joined together, for reasons of judicial independence, the premises of the Law Officers are operated independently and separately of the Royal Court. This policy only extends to the offices of the Royal Court.

Notwithstanding the above, it is acknowledged that there is a single external and two internal link corridors between the two premises for which the Royal Court and the Law Officers share joint responsibility. It is also acknowledged that the Royal Court provides a reception service for the Law Officers. Any visitors to the Law Officers arriving and/or waiting in this reception area are subject to the provisions of the Royal Court's policy.

### **3. GENERAL STATEMENT OF INTENT**

Her Majesty's Greffier has overall responsibility for ensuring that every member of staff at the Royal Court abides with all Health and Safety legislation and with this Policy Statement. Authority is delegated to the Head of Operations to lead on this area to ensure the Royal Court is compliant.

Managers of individual departments are accountable for implementing agreed health and safety arrangements, and monitoring compliance with health and safety management and operational procedures with their respective areas.

It is important to safeguard the health, safety and welfare of staff and of other persons who may visit the Royal Court Building. This requires the full and continuing commitment of all staff members. The Royal Court recognises its responsibilities as an employer under the 1987 Ordinance and all subsequent legislation delegated from it.

#### **3.1 General Duties of Employers to their Employees**

It is the duty of the Royal Court as the employer to provide and maintain for all employees and contractors working at the Royal Court Buildings, so far as is reasonably practicable, the following:

- a) safe and healthy working conditions and places, systems and methods of work for the protection of staff and others, including members of the public;
- b) plant and equipment which is safe and without risk to health;
- c) arrangements to ensure that the control, use, handling, storage and transport of articles and substances are safe and free from risk to health;
- d) safe access/egress to and from the place of work; and,
- e) such information, instruction, training and supervision as are necessary to ensure health and safety at work.

The Royal Court will also ensure, so far as is reasonably practicable, that service users, contractors and other professional workers, including visitors, are not exposed to risk to their health and safety and are provided with clear instructions and information about such matters which might affect their health and safety.

### **3.2 General Duties of Employees at Work**

It is the duty of all employees at work:

- a) to take reasonable care of their own health and safety and that of other persons, including contractors and visitors, who may be affected by their acts or omissions at work; and
- b) to cooperate with their employer in matters of health and safety and comply with any legal obligations and safety procedures.

### **3.3 General Duties of Contractors**

It is the duty of every contractor to ensure that they and their employees comply with the general duties set out above.

#### **4. ORGANISATIONAL ARRANGEMENTS FOR IMPLEMENTING HEALTH AND SAFETY**

Formal accountability for all matters relating to Health and Safety rests with HM Greffier.

The Head of Operations is the **Delegated Officer**. He has delegated authority from HM Greffier for Health and Safety in areas under the Royal Court's control and for advising senior staff on the implementation of the Royal Court's Health and Safety Policy. This includes the development and implementation of Fire Safety Procedures, Business Continuity Management and ensuring that there are adequate numbers of staff trained in key elements. The Head of Operations shall consult with States Property Services, as owners of the Royal Court Building, in respect of health and safety matters pertaining to building and plant maintenance.

As **Department Managers**, the following Officers are responsible for ensuring the effective implementation of the Royal Court's Health and Safety Policy within their respective Departments or Divisions: Head of Operations, the Principal Officer of the States Assembly & Constitution Committee; the Secretary to the Bailiff, Her Majesty's Sheriff, The Principal Clerk to the Royal Court, The Principal Clerk to the Magistrates Court, The Facilities and Projects Manager, the Head of Registration and the Finance Manager. (See Appendix A for a more detailed breakdown of responsibilities)

All employees will ensure that they comply with the standards in this Policy Statement.

All **employees** have a responsibility to co-operate with **Departmental Managers** to achieve a healthy and safe workplace and to take reasonable care of themselves.

#### **5. COMMUNICATIONS**

A copy of this Policy Statement will be available on the Royal Court Drive and will be displayed on notice boards throughout the Royal Court.

### **5.1 Notices**

The Head of Operations will ensure that A copy of the “Health and Safety Law – What You Should Know” notice is displayed at prominent points around the Royal Court Building.

A copy of the Royal Court’s Public Liability Insurance certificate is displayed at the entrance to the Building in St James Street.

Certificates of inspection for passenger lifts are displayed in each of the four lifts in the Royal Court Building.

### **5.2 New Employees**

On the first day of appointment, or as soon as is reasonably practicable thereafter, new employees will be given the welcome pack which will include fire evacuation procedure information and be verbally briefed by their immediate line manager. As part of their induction new employees will be required to sign a declaration that they have read and understood this Policy Statement and the Fire Safety Procedures.

### **5.3 Health and Safety sub group**

The quarterly meeting of the entire management team will have Health and Safety as a standing agenda item, to deal with Health and Safety issues and to encourage all employees and all Court Users to work and act safely.

The Head of Operations Health and or the Health and Safety Coordinator will report on the previous quarter to the meeting.

The meeting will consider the following issues relating to Health and Safety:

- any change which may have a significant impact on Health and Safety matters;
- the planning of health and safety training;
- incident reports and associated recommendations for improvements;
- any Health and Safety issues associated with the introduction of new technology; and,
- arrangements for reporting the outcomes of meetings to employees.

In addition the Head of Operations will report to the Court's Senior Management Team at its meetings with an update on health and safety matters at the Royal Court as and when required.

#### **5.4 Reporting of Accidents, Diseases and Dangerous Occurrences**

Persons working within the Royal Court Buildings are required to report any health and safety issues or concerns relating to the general aspects of this policy to the Head of Operations.

They must also report any accidents to the Health and Safety Officer (Lars) and in their absence the Head of Operations.

The Law requires the employer to keep a record of all accidents at work. Further procedures are required in respect of any accident in which a person dies or sustains certain specified injuries. Certain prescribed diseases and dangerous occurrences are also notifiable.

The Health and Safety representative must be advised immediately in the event of any person:

- sustaining an injury as a result of an accident at work;
- contracting a disease; or,

- becoming involved in or observing a dangerous incident or occurrence while at work (near-miss incidents etc).

He will then consider whether such an event is notifiable under the Law or whether any other form of action is required. Accident Report Forms are available from the Health and Safety representative.

## **6. DOCUMENTATION**

Health and Safety representative will, in conjunction with and where appropriate with the Policy and Resources Committee, ensure that the following records and documentation are maintained:

- fire detection system inspection and testing;
- fire extinguisher services;
- building and plant maintenance and inspections;
- staff health and safety training records;
- accident records;
- a COSHH Register;
- an approved contractor register will be commenced from Oct 2019, including copies of their insurance documentation and their own health and safety policies and method statements for all new contracts;
- risk assessments

The above documentation will be maintained in a General Health and Safety Register on the Royal Court Drive.

## **7. CONTRACTORS**

The Royal Court has contracts with a number of different contractors providing cleaning, maintenance and security services within the Royal Court Building.

The Health and Safety Coordinator will ensure the following:

- each contractor has been provided with a copy of this Policy Statement and the Fire Safety Procedures and has certified in writing that they understand them and their responsibilities under them;
- each contractor provides the Court with copies of their own health and safety policy statements, their public liability and professional indemnity insurance documentation and, where applicable, their method statements.

The above documentation will be maintained in the General Health and Safety Register on the Royal Court Drive.

Contractors working inside the Royal Court Building are required to register with the Court's Security Officers before being given access to the premises. The Facilities Team will oversee the management of contractors working at the Building.

## **8. RISK ASSESSMENTS**

The Royal Court has a duty to make a suitable and sufficient assessment of the risks to the Health and Safety of its employees to which they are exposed whilst they are at work and the risks to the Health and Safety of persons not in its employment arising from or in connection with the Royal Court's business or activities. Such assessments must be recorded.

Following an assessment of risk, there is a requirement to record any significant findings, to identify persons at risk and to ensure that suitable controls are put in place to reduce those risks identified to acceptable levels.



Assessments need only be completed once, unless significant changes occur in the workplace, to work equipment or to work processes and procedures. Assessments can be shared across sections where similar work or activities or risk exist.

Department Managers are responsible for ensuring that adequate risk assessments in accordance with the above are undertaken. It is critical that ownership of operational control is retained by those with each specific area. As such, risk assessments must be created by a person competent to do so, under the direction of the person responsible for the area.

Where assessments identify significant (medium or high level) risks, it is the responsibility of the Departmental managers, in conjunction with the Delegated Officer to ensure that suitable control measures are identified, documented, implemented, monitored and reviewed.

Staff members must be satisfied that control measures in place bring the risk rating down to acceptable levels before engaging in the activity; where risk level remains high; consideration must be given to additional controls to further mitigate the risk before going ahead.

Copies of documented risk assessments must be provided to the Health and Safety Coordinator for maintenance in the General Health and Safety Register on the Royal Court drive

Risk assessments for any given activity should be reviewed whenever any of the following occur:

- Change in legislation
- An accident, dangerous occurrence or near miss incident
- Changes in control measures
- Changes (minor or major) to specific activity carried out
- Transfer to new technology
- Original assessment no longer valid
- At least every 12 months

## **9. PERIODIC INSPECTIONS**

Bi-annual inspection of the offices, stairwells, Court rooms, public areas and walkways, plant rooms and car parking areas will be organised by the Health and Safety Coordinator. A Health and Safety checklist has been established for these inspections and this is attached as Appendix 2 to this Policy Statement.

## **10. DETAILED STATEMENT ON HEALTH & SAFETY**

Specific attention is drawn to the following key aspects of health and safety management:

An office is often assumed to be a safe environment in which to work and, whilst undoubtedly safer than a factory, this assumption is false and can lead to complacency. In an effort to minimise accidents and loss, staff are expected to apply general principles of common sense to their work routine. This will include the following precautions:

### **10.1 Slips and falls**

Avoid bending, twisting and leaning backwards whilst seated.

Exercise caution when using trailing power cables and telephone leads. Cables and leads must be made safe and should not obstruct walkways between desks etc.

Filing cabinets must not be left with protruding drawers and not more than one drawer should be opened at a time;

Do not use chairs, boxes etc to gain access to high shelves or windows, ie where steps or ladders should be used.

Never climb on shelving.

Clean up spills

Be patient and do not rush.

## **10.2 Lifting and carrying**

Manual handling is one of the most common causes of absence through injury at the work place.

Poor lifting or carrying techniques can result in discomfort and increase the risk of injury. These risks can be reduced by adopting the following simple precautions:

- Make full and proper use of aids to lifting and carrying. Suitable step ladders have been provided around the building for access to upper shelves in storage areas. Suitable trolleys have also been provided for transporting boxes and other heavy loads. Do not pile the load so high as to obstruct forward vision.
- Store heavy items between shoulder and hip height. Only store small light items above shoulder height or below knee height;
- Use the legs and knees to bend and lift. Keep the back straight. Do not stoop or bend the back;
- Avoid tasks which require stretching or twisting.
- Ensure that regular rest breaks are taken where manual handling activities are repetitive and to prevent the onset of fatigue;

- Ensure that there are no sharp, hot or cold edges on the item being lifted which could cause injury;
- Ensure that walkways are free from obstruction and are not slippery;
- Report any problems or concerns associated with manual handling operations to your line manager or the Health and Safety Co-ordinator without delay;
- Heavy or bulky items should not be carried on stairs. The lifts should be used when carrying such items.

Staff should consult with the Head of Operations over the movement of particularly heavy items so that, if necessary, outside assistance can be provided.

### **10.3 Housekeeping**

Poor standards of housekeeping are a common cause of injury and damage at work and can create unnecessary fire hazards. All employees must:

- Ensure that articles are not left in walkways;
- Ensure that there are no trailing cables. If a trailing cable is necessary, it must be secured to the floor using gaffa tape or covered with a “walkover” cover. Liaise with Health and Safety Co-ordinator.
- Ensure that articles are stored in designated places;
- Remove obstacles or unwanted articles from the work area;
- Ensure they do not allow waste materials to accumulate in their work area.

### **10.4 Machinery**

Apart from electrical issues (below), office machinery tends to present a low hazard, but some items can be dangerous if incorrectly used. Always read instructions before using any electrical or other equipment or seek appropriate instruction from trained staff.

### **10.5 Electrical safety**

Electricity represents a potential hazard in offices and the following precautions must be observed at all times:

- Users, as well as supervisors, should check electrical appliances regularly for signs of worn leads, broken plugs, etc, as a matter of routine;
- Any faults in portable or fixed electrical equipment must be reported to your line manager or the Health and Safety Coordinator immediately and appropriate action taken. Do not attempt to use the item in the meantime;
- Do not try to repair faulty equipment. The Health and Safety Coordinator will make appropriate arrangements for such repairs by a properly qualified individual;
- Never use electrical equipment in damp surroundings or where flammable vapours may be present;
- Do not overload electrical sockets. The use of adapters is discouraged and, wherever practicable, a suitable number of plugs and sockets should be provided;
- Electrical equipment should be switched off before being plugged in or having the plug removed;
- Electrical equipment must be switched off at the end of each working day;
- Liquid refreshments must not be placed where they can be knocked over onto electrical equipment;
- Desk lamps or other portable appliances which may cause a fire hazard must be switched off when left unattended.

As part of its responsibilities as the owner of the Royal Court Building, the States Property Services will carry out testing of the Building's fixed wire installations every five years.

## **10.6 Workstation Assessments**

A workstation assessment will be carried out for all members of staff who request one. The assessment will determine what Display Screen Equipment each employee may require and will include an ergonomic assessment. The assessment will include recommendations on adjustments to existing chairs/seating or replacement of chairs that may be required.

## **10.7 Dangerous Substances**

Modern working methods involve the use of substances, principally chemicals, which may pose a risk to the health of the people using them.

Stocks of cleaning fluids or any other potentially dangerous substances must be kept safely stored in locked cupboards.

A COSHH (Control of Substances Hazardous to Health) Register is maintained by the Royal Court. This identifies substances in use around the Building which may be hazardous to health. For each substance, a Material Safety Data Sheet provided by the manufacturer is included in the Register that details matters such as what the risks are, how the substance can be safely handled and what action to take in the event of an accident involving the substance.

The Health and Safety Coordinator will ensure that the COSHH Register is updated on an annual basis. Copies of the Register are stored in the offices of the Health and Safety Coordinator (as part of the General Health and Safety Register).

It is Royal Court policy that the Cleaning staff undertakes periodic training in the use of hazardous substances.

## **10.8 Working at height**

In order to prevent falls of persons or objects from a height, the following measures should be taken:

- Under no circumstances should any wooden ladders or steps be used;
- All ladders and steps must be suitable for purpose.
- Ladders and steps must be checked for defects before use. Employees should check the sides for buckles or dents, that the rungs/steps are tight and that there are no dents or buckles in the rungs/steps. In the case of steps, check to ensure that the platform locates correctly (if applicable).
- The base of the ladder or steps should be set on firm and flat ground. The top should rest firmly against a support. Precautions to prevent the ladder from slipping should be taken;
- Do not overreach when using a ladder or steps.

## **10.9 Environmental Issues**

The States Property Services undertakes annual testing of air and water quality within the Royal Court Building as part of its responsibilities as owner of the Building.

## **10.10 Smoking**

Members of staff who wish to smoke shall only do so in the recognised areas on the outside of the building. When using those areas, burning cigarettes must not be left unattended and cigarette ends must always be properly extinguished and deposited in the metal containers provided. They must not be deposited with other waste.

### **10.10.1 E-Cigarettes**

E-Cigarettes are not permitted to be used on the premises and can only be used in the designated areas as per 10.10

## **10.11 Office Furniture and Storage**

Some forms of damage or defect in office furniture can be considered to constitute a potentially hazardous or dangerous situation. Therefore, the existence of any such damage or defect should be reported to the Health and Safety Coordinator who will take appropriate action.

Filing cabinets should be filled from the bottom drawer upwards to minimise the risk of them toppling over. Cardboard storage boxes should not be stacked more than four high.

## **10.12 Office Re-organisations**

Any office alterations, no matter how small, should first be discussed with the Health and Safety Coordinator. Such measures could have implications on the provision of electrical, fire safety, data and telecommunications services or impede circulation or evacuation routes.

## **10.13 First Aid**

The delegated person accountable for First Aid provision will be the CSO Supervisor. They will conduct a First Aid risk assessment which will determine how many First aiders are required and their distribution. First Aiders are responsible for taking prompt and appropriate action following any accident. They are also responsible for maintaining the contents of all First Aid kits within the building, including maintenance and testing of Defibrillators and the First Aid room itself.

## **10.14 Other Issues**

Extra caution should be exercised when walking around the building and up/down staircases whilst carrying bundles of paperwork.

Take care in kitchen areas. Avoid wet floors and do not touch electrical equipment with wet hands.

Switch on electric lights whenever natural lighting is insufficient, especially on staircases and landings.



## **11. EMERGENCY PREPAREDNESS AND RESPONSE**

Procedures for the identification and response to potential emergency situations are also set out in the Critical Incidents Plan and the Business Continuity Plan. It will be ensured these plans are robust and practical and will be tested at least once a year.

After an emergency situation, accident or near miss, the plans will be reviewed in light of the incident.

## **12. LONE WORKING**

An employee shall be deemed to be working alone if they are working alone outside of normal working hours or if there is a chance of not having contact with any person for more than 2 hours whilst at work. See Lone Working Policy on Royal Court drive.

## **13. GENERAL FIRE SAFETY**

All members of staff are required to familiarise themselves with Fire Safety Policy and Procedures in operation within the Royal Court Building. Copies of the Fire Safety Procedures are displayed throughout the general office areas of the Building. They are available from the Head of Operations and on the Royal Court drive and will be made available to all new members of staff.

## **14. COURT SECURITY**

Court Security Officers (CSO) are employed to operate a range of security systems and procedures at the Royal Court buildings to safeguard the building and to provide for the safety and security of all Court users, including the Judiciary, Jurats, States Members, staff, members of the public, witnesses and defendants. Overall responsibility for Security rests with the Head of Operations, and a separate Security Review and risk assessment process is being conducted to address all elements of Security which will link in with this document.

(SEE ALSO LONE WORKING POLICY AND PMVA POLICY)

## **15. TRAINING**

The Head of Operations will complete an appropriate Occupational Health and Safety course.

Training in manual handling and in the use of hazardous substances will be organised, as appropriate, for new members of staff.

Relevant managers will be provided training in the undertaking of risk assessments.

The CSO Supervisor will ensure those trained in First Aid maintain their qualifications with relevant training.

Breakaway training will be organised for new Court Security Officers and Court Ushers and for new members of staff within the Office of HM Sheriff. It will be a requirement that these staff attend refresher training in this area no less than every two years.

A record of training will be maintained on the Royal Court drive.

## **16. ACCIDENT AND NEAR MISS INCIDENT REPORTING**

All accidents and near miss incidents must be reported. This will be done centrally on The Bridge when that element of the site is operational.

## **17. REVIEW**

This policy will be kept up to date as the nature, size and activities of the Royal Court evolves. To ensure this, the Policy and the way that it operates will be reviewed at least annually as a minimum, and as per the elements listed in Section 8.

A handwritten signature in black ink, appearing to read 'Gregg Stuart', is written over a horizontal line. The signature is stylized and cursive.

Gregg Stuart

Head of Operations

Date 11/10/19

## **APPENDIX 1**

### **Royal Court Health and Safety sub group (Joint Management quarterly meeting)**

#### **Purpose and Objectives;**

The Royal Court Health and Safety sub group (quarterly Management meeting) will assist the Court's Senior Management Team in dealing with Health and Safety issues and encourage all Court Users (Staff, Judiciary, Contractors and visitors to the building) to work and act safely.

#### **Terms of reference**

Day to day Health and Safety matters will continue to be dealt with locally, as they arise.

The sub group will consider the following issues relating to Health and Safety including;

- Any change which may have a substantial affect on Health and Safety matters;
- The planning of health and safety training
- Incident reports, and recommendations for improvements.
- The health and safety consequences of introducing new technology.
- Arrangements for reporting the outcome of meetings to employees

Meetings are to be held quarterly.

Standing items for the agenda are listed below, other items will be added as necessary.

- Statistics on accident records, ill health and sickness absence;
- Accident investigations and subsequent action;
- The reports of the quarterly workplace health-and-safety checks and such other inspections that may be carried out by enforcing authorities, management or other health and safety representatives;
- Risk assessments;
- Health and safety training;
- Emergency procedures;
- Changes in the workplace affecting the health, safety and welfare of employees; and
- Health and Safety communications and publicity in the workplace.

Minutes of the meeting will be circulated and any relevant matters relating to Health and Safety will be circulated to staff.

Specific areas of management responsibility:

### **HM Greffier**

- Provide Leadership and promote a positive health and safety culture throughout the organisation by considering the impact on health and safety when developing business plans and implementing key strategic business initiatives
- Ensure appointment of a Health and Safety lead to confirm the Royal Court meets its obligations in this area
- Review health and safety performance and ensure that preventative and corrective actions are taken where necessary as part of regular meetings of the Senior Management Team.

### **Head of Operations**

- Delegated responsibility from HM Greffier to lead on Health and Safety on behalf of the Court.
- Provide leadership and promote a positive culture throughout the organisation
- Ensure that their staff are competent in order to meet legal obligations, the health and safety policy commitments and their delegated responsibilities
- Introduce and maintain H&S dialogue within non “H&S” meetings and discussion sessions
- Review the H&S risk register at least quarterly and where necessary confirm that actions to mitigate significant risk are being managed.
- Ensure that accidents, near miss incidents and cases of work related ill-health are reported and investigated to determine the root causes and to identify and implement the action required to minimise the likelihood of reoccurrence.
- Provide sufficient budgetary funding and other resource to fulfil the requirements of health and safety management.
- Provide line management to HM Sheriff, the Registrar, Project and Operations Manager and Finance Manager in their risk assessment process for their departments.

### **Senior Deputy Greffier**

- Ensure that their staff are competent in order to meet legal obligations, the health and safety policy commitments and their delegated responsibilities
- Have documented risk assessments in place to manage actions undertaken by their staff
- Ensure staff have received relevant training, which is current and maintained.
- In conjunction with other managers ensure the court rooms are a safe working environment
- Ensure that adequate arrangements are in place throughout their area of responsibility for meeting the commitments contained in the Health and Safety Policy by implementing the documented health and safety procedures and guidance relevant to their activities and operational risks

### **Secretary to the Bailiff**

- Ensure that their staff are competent in order to meet legal obligations, the health and safety policy commitments and their delegated responsibilities
- Ensure staff have received relevant training, which is current and maintained.
- Have documented risk assessments in place to manage actions undertaken by their staff
- Have documented risk assessments in place to manage actions undertaken by the Bailiff & Deputy Bailiff in all roles of the position. (Civic, Parliamentary and Judicial)
- In conjunction with other Court managers ensure the court rooms are a safe working environment for the Judiciary
- Ensure that adequate arrangements are in place throughout their area of responsibility for meeting the commitments contained in the Health and Safety Policy by implementing the documented health and safety procedures and guidance relevant to their activities and operational risks

### **Principal Officer of SACC (or States Greffier when appointed)**

- Ensure that their staff are competent in order to meet legal obligations, the health and safety policy commitments and their delegated responsibilities
- In conjunction with other Court managers ensure the States of Deliberation are a safe working environment for the Deputies through a documented risk assessment process
- Ensure that adequate arrangements are in place throughout their area of responsibility for meeting the commitments contained in the Health and Safety Policy by implementing the documented health and safety procedures and guidance relevant to their activities and operational risks

### **HM Sheriff, Head of Registration, Operations and Project Manager and Finance Manager**

- Ensure that their staff are competent in order to meet legal obligations, the health and safety policy commitments and their delegated responsibilities
- Ensure staff have received relevant training, which is current and maintained.
- Have documented risk assessments in place to manage actions undertaken by their staff

### **Health and Safety Manager**

- Provide governance and advice for the effective management of health and safety risks arising from activities by developing and maintaining Health & Safety, and ensuring consistency with agreed best practice and States of Guernsey requirements.
- Develop and maintain health and safety procedures and guidance relevant to the activities and operational risks
- Promote co-operation between individuals to share knowledge and best practice for the management of operational health and safety risks.
- Coordinate audit processes on the site and maintain the audit programme.
- Advise on the setting of health and safety objectives
- Participate in the conduct of health and safety reviews annually
- Maintain safety records and lead investigations into breaches with Head of Operations

**Health and Safety Checklist**

Name of person appointed for inspection	
Date of inspection	
Premises:	

HOUSEKEEPING					
		Yes	No	Comment	Action Date
1.	Is the general housekeeping satisfactory?				
2.	Are the floors clean and uncluttered?				
3.	Are the passageways clear?				
4.	Is the front entrance slip & trip free?				
5.	Is there adequate storage space for archive materials?				
6.	Are glass panels clean and undamaged?				

ELECTRICS					
		Yes	No	Comment	Action Date
1.	Are all wire cable tied to avoid trip hazards?				



2.	Are all electrics in good order – no frayed wires, broken plugs, cracks etc?				
3.	Are any multiple adaptors used and are they suitable?				

### HEATING & VENTILATION

		Yes	No	Comment	Action Date
1.	Would you consider the temperature to be satisfactory?				
2.	Is the temperature at least 16C° within 1hr of start of work?				
3.	Are the premises adequately ventilated?				

### LIGHTING

		Yes	No	Comment	Action Date
1.	Is the general lighting adequate?				
2.	Are stairways adequately lit?				
3.	Do windows have appropriate means to reduce glare?				

### CONVENIENCES & ACCOMMODATION FOR CLOTHING

		Yes	No	Comment	Action Date
1.	Are they (WCs & WHBs) kept clean & flushed?				
2.	Are lavatory pans & WHB free from cracks and chips?				
3.	Do soap dispensers work?				

4.	Are hand drying facilities adequate and working?				
5.	Is there provision for safe disposal of STs in the ladies lavatory?				
6.	Are facilities provide for storing outdoor clothing?				

<b>DSE</b>					
		Yes	No	Comment	Action Date
1.	Are any workstations poorly set up?				
2.	Have you received any complaints of neck /shoulder ache or discomfort from users?				
3.	Have any employees complained of headaches or eye strain?				

<b>ACCESS EQUIPMENT</b>					
		Yes	No	Comment	Action Date
1.	Are hop ups and stepladders entered into ladder log?				
2.	Is the equipment in good condition?				

<b>FIRST AID FACILITIES</b>					
		Yes	No	Comment	Action Date
1.	Are first aid kits available and properly stocked?				

2.	Are they accessible?				
3.	Is there a notice stating the First-Aiders in charge?				

<b>FIRE</b>					
		Yes	No	Comment	Action Date
1.	Are the doors free from chocks, blocks, or other items keeping them open?				
2.	Does the door release mechanism work on automatic fire doors?				
3.	Are fire doors closed at all times?				
4.	Are direction signs easily visible?				
5.	Are there clearly marked instructions indicating assembly points?				
6.	Are fire extinguishers accessible and correctly positioned?				
7.	Has a fire drill been held in the last 12 months?				

<b>ANY OTHER HAZARDS</b>					
		Yes	No	Comment	Action Date
1.					
2.					
3.					
4.					

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Signature of Inspector:	
Date:	

## **Appendix 3 Roles and Responsibilities**

The below members of staff, by virtue of their role and position, carry specific accountability and/or responsibilities for the management of health and safety – these include:

### **HM Greffier:**

- Provide leadership and promote a positive health and safety culture throughout the organisation by considering the impact on health and safety when developing business plans and implementing key strategic business initiatives.
- Ensure access to competent health and safety assistance in order to meet its legal obligations and policy commitments by appointing a Health and Safety Manager or making other suitable arrangements.
- Ensure adequate arrangements are in place throughout operations for meeting the commitments contained with the Health and Safety Policy statement by putting in place documented procedures and guidance relevant to services, activities and operational risks.
- Review Health and Safety performance and ensure that preventive and corrective actions are taken where necessary as part of regular meetings of the Senior Management Team.

### **Senior Managers:**

- Provide leadership and promote a positive health and safety culture throughout their areas of responsibility by considering the impact of health and safety when developing business plans and implementing key business initiatives.
- Ensure that staff are competent in order to meet their legal obligations, the health and safety policy commitments and their delegated responsibilities.

- Ensure that those delegated to create and review risk assessments are doing so
- Ensure that all those members of staff that are affected by individual risk assessments are made aware of the content of them and acknowledge their responsibility to adhere to the controls reflected in them
- Ensure that accidents, near miss incidents and cases of work related ill health are reported and investigated to determine the root causes and to identify and implement the action required to minimise the likelihood of recurrence.

### Departmental Managers

- Ensure their staff are competent in order to meet legal obligations and where there are any concerns ensure they are addressed.
- Support the requirements laid down in this document
- Develop and maintain health and safety procedures and guidance relevant to the activities and operational risks of the area of responsibility.
- Consult with staff on matters that could affect their safety or health
- Report accidents, near miss incidents and work related ill-health
- Provide assistance and advice on the creation of risk assessment and safe systems of work
- Identify and evaluate all significant health and safety hazards and ensure they are appropriately controlled





The Guernsey Charity for the support of Victims and Witnesses

## WHISTLEBLOWING POLICY

Ratified by Board on	<b>15.12.21</b>
Name of Chairperson	<b>Peter Harwood</b>
Next review date	<b>15.12.24</b>

The Bailiwick of Guernsey Victim Support and Witness Service LBG (VS&WS) is committed to operating with honesty and integrity and all staff, Board/Committee members and volunteers are expected to maintain high standards, in accordance with our policies and procedures. We promote a culture of transparency, honesty and accountability. However, all organisations face the risk of things going wrong.

### **Purpose**

The purpose of this policy is:

- to encourage all staff, Board/Committee members, volunteers and clients to report suspected malpractice, impropriety or wrongdoing as soon as possible and in the knowledge that their confidentiality will be respected and that their concerns will be taken seriously and investigated
- to provide all parties with guidance as to how to raise any concerns
- to reassure all parties that they should be able to raise concerns without fear of reprisal

### **Definition**

Whistleblowing is the disclosure of information which relates to suspected wrongdoing - generally a breach of a legal, statutory or regulatory requirement or unethical, immoral behaviour.

### **Protection and support for whistle blowers**

It is understandable that whistle blowers may feel worried about possible repercussions. We aim to encourage openness and will support staff members and volunteers that raise genuine concerns under this policy, even if they turn out to be mistaken.

### **Raising a whistleblowing concern**

All whistleblowing disclosures will be treated as confidential and should be reported in the first instance to the Manager of VS&WS.



If reporting your concern to the Manager is, for any reason, not appropriate, the alternative point of contact is the Deputy Manager of VS&WS.

All information must be treated as confidential by all parties and treated in a sensitive manner. All disclosures will be investigated by a member of the VS&WS Management Committee. In accordance with our Data Protection Policy we will provide the whistle blower with an update where possible. A thorough and accurate record of the investigation will be securely stored electronically by the investigating officer. If there is evidence of criminal activity, then the investigating officer should inform the police.

### **Confidentiality**

We aim to foster an environment where any party can voice concerns openly. However, if you wish to raise your concern confidentially, we will make every effort to ensure that your identity is not disclosed. If it becomes necessary for those investigating your concern to be informed of your identity, we will discuss this with you beforehand.

### **Anonymous Allegations**

Individuals are encouraged to put their name to any disclosures they make. Concerns expressed anonymously are less credible and will only be accepted at the discretion of the Manager or Deputy Manager. When exercising this discretion, the factors to be taken into account will include:-

- The seriousness of the issues raised
- The credibility of the concern
- The likelihood of confirming the allegation

### **External disclosures**

The aim of this policy is to provide an internal mechanism for reporting, investigating and remedying any wrongdoing in the workplace. In most cases you should not find it necessary to alert anyone externally. However, in some circumstances it may be appropriate for you to report your concerns to an external body/regulator such as:-

- The Association of Guernsey Charities
- Guernsey Community Foundation
- The States of Guernsey

### **Timescales**

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

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

All responses to the complainant should be in writing and sent to their home address marked "Confidential".

### **Investigating Procedure**

The investigating officer must:-

- Obtain full details and clarifications of the complaint
- Inform the individual against whom the complaint is made as soon as is practically possible. The individual will be informed of their right to be accompanied by a trade union or colleague at any future interview or hearing held under the provision of these procedures. At the discretion of the investigating officer and dependent on the circumstances of the complaint, an alternative representative may be allowed e.g. the individual's legal representative
- Consider the involvement of the VS&WS Board and the Police at this stage and consult with the Chairman if appropriate
- Fully investigate the allegation(s) with the assistance, where appropriate, of other individuals/bodies.
- Make a judgement relating to the complaint and its validity
- Detail this judgement in a written report containing the findings of the investigation and the reasons for the judgement.
- Pass the report to the Chairman who will decide what action should be taken. If the complaint is found to be justified, the organisation's disciplinary procedure or other appropriate procedure will be invoked
- Keep the complainant informed of the progress of the investigation and, if appropriate, of the final outcome

If the complainant is not satisfied that their concern is being, or has been, properly dealt with by the investigating officer, they have the right to raise their dissatisfaction, in confidence, with the Chairman.

If the investigation finds the allegations unsubstantiated and all internal procedures have been exhausted, but the complainant remains dissatisfied with the outcome of the investigation, VS&WS recognises the lawful rights of employees and ex-employees to make disclosures to prescribed persons or bodies (e.g. the Health and Safety Executive).



The Guernsey Charity for the support of Victims and Witnesses

## CODE OF CONDUCT

Ratified by Board on	<b>21.10.22</b>
Signature of Chairperson	
Name of Chairperson	<b>Peter Harwood</b>
Next review date	<b>21.10.25</b>

### **1. Introduction**

Victim Support and Witness Service (VS & WS) is committed to setting and maintaining high standards of personal and professional practice, conduct and integrity. This Code of Conduct clarifies the minimum standards, values and behaviours that are expected of every employee and volunteer.

It forms a part of the contractual relationship between Victim Support and its employees and part of volunteer agreements. Everyone at VS & WS is expected to embrace and abide by these standards. Any conduct contrary to this code will be dealt with in accordance with the VS & WS disciplinary procedures.

### **2. Guidelines**

This Code of Conduct should be read in conjunction with Victim Support's Policies, Procedures and Guidance, with particular reference to:

- Equality & Diversity Policy
- Safeguarding Policies
- Data Protection Policy
- Health and Safety Policy
- Disciplinary Policy
- Whistleblowing Policy
- Social Media Policy

### **3. Expectations of conduct**

To deliver on our values, we expect all staff and volunteers to:

#### **Be diligent**

You are expected to carry out your duties in a professional, responsible and conscientious manner and be accountable for your actions and decisions.

#### **Be inclusive**

We welcome and support people of all backgrounds and identities. This includes, but is not limited to sexual orientation, gender identity and expression, race, ethnicity, culture, national origin, social and economic class, educational level, colour, immigration status, sex, age, size, family status, political belief, religion or belief, and mental and physical ability.

We will not tolerate discrimination or inappropriate behaviour on the grounds of protected characteristics and remain committed to improving the accessibility and inclusiveness of our services.

#### **Protect people**

We believe that the prevention and protection of all from crime and its impacts, but especially the most vulnerable, is important, and that it is a matter of personal integrity to always act, and that ignoring or tolerating any form of abuse is never an option.

You must always conduct yourself in a manner which promotes and safeguards the interests and wellbeing of service users, and which will also promote co-operation and harmonious relations amongst colleagues.

#### **Be patient, courteous, considerate and respectful**

We all depend on each other to provide the best services that we can. Your decisions will affect service users and colleagues, and you should take those consequences into account when making decisions. We won't all agree all the time, but disagreement is no excuse for disrespectful behaviour. We will all experience frustration from time to time, but we cannot allow that frustration to become personal attacks. An environment where people feel uncomfortable or threatened is not a productive or creative one.

#### **Always consider your impact upon others**

Always conduct yourself professionally. Be kind to others and treat all with dignity. Do not insult or put others down. Harassment and exclusionary behaviour aren't acceptable. This includes, but is not limited to:

- Threats of violence.
- Discriminatory jokes and language.
- Sharing sexually explicit or violent material via electronic devices or other means.
- Personal insults, especially those relating to protected characteristics.
- Unwelcome sexual attention.

- Advocating for, or encouraging, any of the above behaviour.

In general, if someone asks you to stop something, then stop. When we disagree, try to understand why. Differences of opinion and disagreements are mostly unavoidable. What is important is that we resolve disagreements and differing views constructively.

You are expected to be courteous and responsive in dealing with other people, whether they are work colleagues, service users, partner agencies, contractors, service providers, or any other person in contact with the charity.

### **Work collaboratively with others**

Our differences can be our strengths. We can find strength in diversity. Different people have different perspectives on issues, and that can be valuable for solving problems or generating new ideas and innovation. Being unable to understand why someone holds a viewpoint doesn't mean that they're wrong. Don't forget that we all make mistakes, and blaming each other doesn't get us anywhere. Instead, focus on resolving issues, learning from mistakes and innovation.

## **4. Expectations of conduct in detail**

### **4.1 Compliance**

#### *4.1.1 Our frameworks*

You are expected to act in accordance with all Victim Support policies, procedures and guidance that are relevant to your role at all times in order to support our objectives and strategy.

#### *4.1.2 Your role*

You are required to behave in accordance with your Role description and the VS & WS values. You have a personal responsibility to:

- Act within the law and any statutory or regulatory codes relevant to VS & WS practices and your role, and where relevant, of partner organisations.
- Maintain your knowledge of and act in accordance of all VS & WS policies, procedures and guidance relevant to your employment/ engagement and role.
- Maintain training appropriate to your role, including mandatory learning and enhance your skills and expertise and keep up to date with developments and knowledge associated with your area of work.
- Maintain police clearance and professional accreditations required for your role.
- Take responsibility for your actions, ensuring the appropriate use of information, exercising diligence and duty of care obligations and avoiding conflicts of interest.
- Notify VS & WS immediately of any change of circumstances which may prevent you from carrying out, or jeopardise your ability to carry out, the activities set out within Role Descriptions.

- Be loyal to, and positively promote, the reputation, integrity, aims and values of VS & WS and its partners and funders, avoiding any act which may bring VS & WS into disrepute or result in the disclosure of confidential information;
- Take every reasonable precaution to maintain your own wellbeing and avoid causing harm to yourself and to others, be proactive about health and safety issues, and actively demonstrate compliance with all health and safety requirements.

## **4.2 Confidentiality**

You may have access to sensitive, private and confidential information relating to the work of VS & WS or the Charity as an entity within the course of your work. You must not, either during or at the end of your employment/engagement as a volunteer, disclose any sensitive, private or confidential information or make other use of it, unless you are expressly authorised to do so by VS & WS management.

All notes, documents and other confidential information about the charity's business which are acquired, received or made by you during your employment or volunteer engagement remain VS & WS's property.

## **4.3 Respect for and looking after others**

### *4.3.1 Inappropriate behaviour*

VS & WS has a zero-tolerance approach to violence at work, either perpetrated by colleagues or against colleagues, and appropriate action will be taken in all cases to uphold this commitment. The following types of behaviour are completely unacceptable:

- the use of swearing and personal insults about colleagues, service users or members of the public.
- Physical assaults and violent physical acts including door-slamming or throwing objects.
- Threatening and/or shouting at colleagues, service users or members of the public.

### *4.3.2 Domestic abuse*

Victim Support are committed to providing high quality and comprehensive support to staff and volunteers experiencing domestic abuse. Colleagues aware or concerned that domestic violence is affecting staff or volunteers should raise their concerns in line with VS & WS Adult Safeguarding Policy and be confident in the knowledge that these will be addressed sensitively, supportively and appropriately.

Allegations of domestic violence against staff and volunteers will be taken very seriously and appropriate disciplinary action will be taken.

### *4.3.3 Safeguarding*

All staff and volunteers who work in roles that have the potential for unsupervised contact with children or persons with vulnerabilities must maintain valid Criminal Records clearance at all times in order to commence or continue to work in such roles. Any changes that may potentially affect existing clearance must be immediately brought to the attention of

management. Any safeguarding concerns must be brought to immediate attention of line managers or the Designated Safeguarding Officer.

#### *4.3.4 Working with others*

You are personally responsible for your own behaviour, attitudes and working relationships and must attain the same high standards with all people regardless of their age, sex, gender identity/ trans status, sexual orientation, race, disability or religion, respecting their privacy and personal choice of lifestyles, customs, values and spiritual beliefs.

You are responsible for finding a way of working constructively with all colleagues and to seek help if finding this difficult. You are responsible for establishing effective communication, which forms the basis of all working/volunteering relationships. To ensure communications are effective:

- each employee/volunteer needs to establish for themselves, and agree with colleagues, what they need to know about and what is not relevant to them
- employee/volunteers have a responsibility not to divulge information inappropriately
- each employee/volunteer has a responsibility to tell colleagues who need to know (e.g. managers, partners) what they are doing and when
- employees/volunteers must always explain to the appropriate colleague/manager if, for any reason, they are unable to do what they said they would do, when they said they would do it
- it is each employee/volunteer's responsibility to ensure that they comply with the communication systems developed in the workplace - such as reading official communications and using the office calendar.
- All are required to understand that whilst important to develop a friendly working environment, banter and making jokes at colleagues' expense should be treated with great care. There is a fine line between friendly banter and bullying in the workplace. Bullying will not be tolerated, and will lead to appropriate management action.

#### *4.3.5 Managing others*

If you supervise others, you have a special responsibility to treat employees and volunteers fairly, to communicate clearly to ensure that they understand what is expected and to provide support and development as required.

#### *4.3.6 Raising concerns*

All staff and volunteers have a responsibility to behave appropriately and to refuse to tolerate inappropriate behaviour in the workplace. In the first instance this may involve them challenging the colleague involved and asking them to stop the behaviour. If this does not work, or is not felt to be appropriate, the issue should be reported to an appropriate manager.

All staff and volunteers should note and abide by the following:

- where an employee/volunteer has a concern about a colleague which is related to serious professional misconduct, including dangerous or illegal behaviour, these concerns must always be reported urgently and directly to the manager or a board member
- under no circumstances is it appropriate to discuss complaints about a colleague with anyone other than that colleague and/or the manager
- all complaints about colleagues which cannot be settled informally will be dealt with through Victim Support's Disciplinary Policy & Procedures as appropriate.

#### *4.3.7 Looking after our resources*

You should treat our equipment, materials, facilities and finance with appropriate care and secure them against theft and misuse. In addition, you should not remove any of VS & WS's property from its premises without proper authorisation. You should report any damage to, loss of, or evidence of theft of VS & WS property immediately to the manager.

#### **4.4 Financial & other conflicts of interest**

Conflicts of interest may arise where your personal, financial or family interests and/or loyalties conflict with those of VS & WS. Conflicts of interest can also arise if the interest does not apply to you, but to someone close to you, such as someone you live with, your partner, someone related to you, or a close personal friend or business partner.

You must disclose any financial or other conflict of interest you may have in any transaction, proposed transaction or any other activity, between VS & WS and a third party or service user as soon as possible

##### *4.4.1 Personal relationships*

#### Colleagues within VS & WS

Conflicts of interest can arise when staff or volunteers make or take part in decisions that affect another person they are related to or have a close personal relationship with. You must not be involved in recruitment or selection, or any other action or decision that may, beneficially or otherwise, affect someone with whom you have close personal relationship.

You must disclose any such conflicts of interest to the manager immediately as and when they arise.

#### Service users

You must maintain professional and personal boundaries when dealing with VS & WS service users, and you should not form any personal relationship that could compromise your work/volunteering or the reputation of VS & WS.

In the event that you are concerned that professional and personal boundaries are becoming compromised, you must disclose this to the manager immediately.



## Partner organisations/ Funders

Conflicts of interest can arise when staff or volunteers may have previous experience and relationships from working with partners and/or Funders of VS & WS. You must maintain personal and professional boundaries and behave in an ethical way at all times being mindful of the different relationship that you now have with the Partner organisation and/or Funder.

You should ensure that the manager is aware from any potential conflicts arising from such a situation. In the event that you believe that your previous experience and/or relationship is impacting upon your role with VS & WS, you must disclose this to the manager immediately.

### *4.4.2 Gifts & hospitality*

You must not accept gifts, rewards or hospitality from any organisation or person with whom you have contact in the course of your work/volunteering if it would put you under an obligation, or even risk giving that impression. If in doubt about what you can or can't accept, politely refuse the offer or seek advice from the manager.

## **4.5 Appropriate dress**

The way you dress makes a significant impression on others. Your appearance, including your clothing, should convey a positive and professional image of the charity. You should dress neatly and appropriately at work. You may need to dress more smartly for formal occasions when representing or appearing on behalf of VS & WS, for example when meeting funders or partner agencies, being in court or at public meetings.

Cultural diversity is something to be valued, and this means we recognise there will be different styles of dress. You must not wear clothing with slogans or messages that others might find offensive or that are overtly political or inconsistent with VS & WS's values.

## **4.6 Communications**

### *4.6.1 Media contact*

You should not communicate with the press, television, radio or other media organisations about the charity or its work without authorisation from the manager. If commenting publicly as a private citizen you must avoid doing or saying anything that affects the charity negatively.

### *4.6.2 Social media*

You should ensure that you act in accordance with the Social Media Policy when publishing or making comment on social media that directly refers to VS & WS or can be linked to your employment/volunteering with the organisation.

#### *4.6.3 Covert recordings*

Covert recordings are made without the prior knowledge or consent of participants. You must not make covert recordings of conversations with any device, including mobile telephones, digital camera or voice memo recorder.

#### **4.7 Other employment**

You must not undertake any other employment, or engage in any outside activity which might conflict with the carrying out of your duties or adversely affect VS & WS, without the prior written permission of your manager. VS & WS reserves the right to withdraw its consent at its discretion.

### **5. Equality, diversity, inclusion & equal opportunities**

This Code applies to all employees and volunteers within VS & WS regardless of race, colour, ethnic origin, age, sex, sexual orientation, gender identity/trans status, marriage or civil partnership status, disability, religion or belief. It will also not discriminate on grounds of trade union membership or political activities, pregnancy or maternity leave, socio-economic status, responsibility for dependents, part-time status or fixed-term contract status or any other reason which cannot be shown to be justified.

### **6. Status of this code**

This Code of Conduct is not a contractual term of employment or volunteer agreement. It is intended to act as a general framework only. It may be varied in any way and at any time where VS & WS deems this to be necessary. However, failure to comply with the standards and requirements set out in this Code is likely to result in disciplinary or appropriate management action which may result in termination of employment or volunteering agreement.



The Guernsey Charity for the support of Victims and Witnesses

Ratified by Board on	<b>25.08.22</b>
Signature of Chairperson	
Name of Chairperson	<b>Peter Harwood</b>
Next review date	<b>25.08.25</b>

# Data Protection Policy & Procedures

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# Introduction and Overview

“Data protection is so much more than a compliance tick box exercise”

Emma Martins , Data Protection Commissioner

This Data Protection Policy is a living document setting out our obligations to protect personal data and the procedures in place to meet those obligations.

**For the purposes of this Policy and Procedure the term “we” includes the staff, volunteers, board members and management committee members of the Victim Support & Witness Service.**

Victim Support & Witness Service (VS&WS) is legally responsible to comply with the regulatory framework surrounding the processing of personal data.

The Data Protection (Bailiwick of Guernsey) Law, 2017 (“the Law), which came into effect on 25 May 2018 requires that information held about an individual is handled properly and it contains legal rights and responsibilities to strengthen individuals’ rights to fair processing of personal data and includes, but is not limited to, rights

To access data held

To object to processing of data

To the rectification of data

To the erasure of data

To the restriction of processing of data

## Data Protection Policy

Our data protection policy sets out our commitment to protecting personal data and how we implement that commitment with regard to the collection and use of personal data.

### ***We are committed to:***

- Ensuring that we comply with the data protection principles
- Meeting our legal obligations as laid down by the Data Protection (Bailiwick of Guernsey) Law, 2017
- Ensuring that data is collected and used fairly and lawfully
- Processing personal data only in order to meet our operational needs or fulfil legal requirements
- Taking steps to ensure that personal data is up-to-date and accurate
- Establishing appropriate retention periods for personal data
- Ensuring that data subjects’ rights can be appropriately exercised
- Providing adequate security measures to protect personal data

- Ensuring that a nominated officer is responsible for data protection compliance and provides a point of contact for all data protection issues
- Ensuring that all staff and volunteers are made aware of good practice in data protection
- Providing adequate training for all staff responsible for personal data
- Ensuring that everyone handling personal data knows where to find further guidance

### **What is Personal Data?**

The data we hold pertains to its “subject”, or the individual to which that the data relates. Data subjects include our Board and Committee members, staff, volunteers, and clients, as well as some third parties with whom we interact.

‘Personal data’ has a very broad legal definition, it is: *‘any information relating to an identified or identifiable [living] individual’*.

The scope of what is considered ‘personal data’ expands even further when you consider that it includes both factual information about people as well as opinions expressed about people. It also includes anonymised data that could identify people if it was combined with other information.

NOTE: personal data does not include any data about a dead person

### **What Personal Data do we process?**

Personal data that we process includes, but is not limited to

- Name, address, and telephone numbers
- Email address and internet IP address
- Anything that can identify the person (passport, driving licence)
- Photographs, videos, or any other image
- Information belonging to, and about, a person

### **What is Special Category Data?**

Special Category Data is personal data revealing an individual’s racial or ethnic origin, political opinion, religious or philosophical belief, trade union membership, genetic data, biometric data, health data, data concerning an individual’s sex life or orientation, criminal data.

### **What Special Category Data do we process?**

The nature of our services is such that we have access to, and we process information, which is undoubtedly classified as Special Category Data, especially but not limited to crime. For individuals with specific vulnerabilities, we may hold data pertaining to those vulnerabilities to provide them with appropriate support.

We are legally obliged to adhere to the 7 Data Protection Principles from which our legal duties as a Data Controller & Data Processor flow-

### ***The 7 Data Protection Principles:***

- 1. Lawfulness, Fairness and Transparency** – *We must have a valid legal reason for processing an individual's information, we must obtain it without deception, and we must make it clear to individuals exactly how we are going to use it.*

Our processing of data is lawful on the basis that it is necessary for the provision of the victim and witness services we offer.

Additionally, we obtain the consent of the individual to the processing of personal data for the purposes of providing victim and /or witness support services.

This consent is captured in the Client Privacy Notice & Confidentiality Notice, which sets out how their personal data is used. This Notice is read by and signed by the individual.

- 2. Purpose Limitation** – *We must only use an individual's information for the reason (or reasons) we have told them we're using it for.*

The Client Privacy Notice & Confidentiality Notice includes this statement *"We process personal information to enable us to provide emotional support and practical assistance to victims and witnesses of crime"*

However, the Notice further explains that we may share information, why information may be shared and with whom

All staff, volunteers, Board and Committee Members are aware of our commitment to maintain client data confidentiality and that no individual's information may be used except for the provision of support to victims and witnesses.

- 3. Data Minimisation** – *We can only ask for the minimum amount of information necessary from individuals.*

The Section "What information do we collect?" contained in the Client Privacy Notice & Confidentiality Notice advises the individual of the basic information necessary to provide our services and a further explanation is provided about information received from third parties. It is recognised that as the relationship with the client develops, further necessary information is provided by the client and/or third parties and forms part of our data processing.

- 4. Accuracy** – *We must ensure that any information we hold about individuals is accurate and where necessary, up to date.*

Every effort is made to ensure that all personal data is accurate and recorded correctly.

The information we hold has been provided either by the data subject themselves or by the agency through which they were referred to us.

Information may also be provided by a VS&WS volunteer who has been in contact with the data subject.

We rely to a great extent on these sources for the accuracy of any data collected, however verification of data is conducted where necessary and appropriate.

Reasonable steps are taken to erase or correct inaccurate data without delay.

Where data processing is performed (e.g., entry into our database, 'DAISy2'), the policy is to ensure that the processing is accurate, relevant, and concise.

**5. Storage Limitation** – *We must not keep an individual's information for longer than is needed.*

As stated in the Client Privacy Notice & Confidentiality Notice Personal data is retained for 15 years in order that we may provide an effective service to clients.

The destruction of hard copy paperwork on a daily basis, and on determined and non-determined occasions, is facilitated by the secure shredding of documentation by office staff prior to the shredded material being destroyed by a reputable commercial operator. Periodic purges of data held and no longer needed is to be carried out.

The retention period of 15 years applies to all data, however held.

**6. Integrity and Confidentiality** – *We must keep personal data safe so that it doesn't get accidentally deleted or changes or seen by someone who is not allowed to see it.*

All staff, volunteers, board and committee members are expected to act honestly, reasonably, in good faith and without negligence and to uphold our commitment to the maintenance of client data confidentiality.

Sensitive or confidential information, whether in electronic or hard copy form, is always kept securely and destroyed or deleted as soon as possible after establishing that it no longer needed.

Client information is shared on a need-to-know basis, computer screens are locked when not in use, key access to locked furniture is restricted and controlled.

Data security measures are to be reviewed annually.

**7. Accountability** - *We must show that we take responsibility for how we look after individuals' information* and must be able to demonstrate, compliance with the data protection principles

VS&WS considers effective Data Protection as a fundamental component in our governance regime. It is afforded high priority at Board and Management Committee level and the ethics of good Data Protection as enshrined in the Law, is shared by all staff and volunteers.

The Board and Management Committees are determined to monitor compliance with the Law and the 7 Data Protection Principles and to implement improvements in the management of Data Protection on a continual basis.

The Senior staff have been tasked with monitoring developments in the Data Protection arena and is expected to maintain current knowledge by attending training sessions, workshops, drop-in sessions etc as appropriate and is fully supported by the Board and Management committees in their efforts.

Data Protection is a major consideration when systems enhancements, operating procedures or any other changes are planned.

This Policy and Procedure is subject to review annually in Jan/Feb when Data Protection registration is reviewed and renewed.

VS&WS is aware of the severe and damaging consequences of failures in effective Data Protection, not only as it affects the finances and reputation of the company but the damage that may be caused to people's lives, careers, and reputations.

### **Additional General Information**

In the case of victims of crime who accept our offer of support, we share minimal data with the volunteer allocated to the client. Our Victim Support volunteers do not retain any information about clients they support other than that which is required to enable them to contact the client and only until support is no longer required.

In the case of witnesses who accept our offer of support, we share only the name of the witness with the allocated volunteer, along with the name of the perpetrator of the alleged crime and the nature of that crime. This is done to ensure there is no conflict of interest. Our Witness Service volunteers do not retain any information about the clients they support.

For both victims of crime and witnesses, we hold personal data on a secure database, called DAISy2, to which only staff of The Bailiwick of Guernsey Victim Support and Witness Service, and the database developers, have access. This information is retained for 15 years in order to allow us to provide an effective service to clients. As per our Confidentiality Policy (see Appendix I), no personal data is shared with any other person unless:

- The client discloses something which leads us to believe:-
  - that they, or someone else, may be at risk of serious harm
  - that a serious criminal offence has been, or may be, committed
- There is a court order for disclosure

Data extracted from DAISy2 is anonymised before being used in the compilation of statistical information.



**Note:** Victims of crime must give their consent for their details to be passed to VS&WS. This consent is given to the reporting police officer at the time of taking the complaint.

For witnesses who have been referred to us or who have self-referred, we hold the individual's name, contact details and the nature of the alleged crime that they witnessed.

We may record the name of individuals who appear in the criminal courts as defendants. This is to enable us to check that they are not known to any volunteers or staff members supporting the victim(s) and/or witness(es) connected to the case and so avoid a conflict of interest. The defendant's name, if recorded, may be included in the victim or witness's Notes on Daisy2 or they may be set up as an 'Offender' within the relevant Victim Event. No information other than the defendant's name and (potentially) the nature of the crime they are alleged to have committed is recorded.

VS&WS staff and new Victim Support volunteers undertake a Basic Police Disclosure. We do not retain copies of these checks and only the document number allocated to the result of the check is recorded along with the date of issue.

### **Children**

We do not support victims of crime who are under the age of 18 years. However, children who are required to give evidence in court are able to utilise the Witness Service, in that they may use the facilities in the Witness Suite and receive our support in court. Referrals for witnesses under the age of 18 years must come through to VS&WS from either the police, the witness's parent(s) or guardian, or a statutory body.

### **Website**

Our website, [www.victimsupport.gg](http://www.victimsupport.gg), allows us to communicate with the public and promote our services. The site may contain the names of staff members but no personal information relating to volunteers or clients is included. Anonymised statistical information is provided on the News page of our website.

### **Facebook**

Facebook is another means of promoting our services and communicating with the public but again, no personal information relating to volunteers or clients is posted. If staff related information is posted, it is done only with the express permission of the staff member concerned.

**Victims of crime** are referred to us by the police on a weekly basis via secure email. The referrals list is printed and the information transferred to DAISy2. The hard copy referrals lists are retained for two months, after which they are destroyed. Victims of crime who accept our offer of support, including those who self-refer or those who are referred by agencies other than the police, are required to sign a Confidentiality Agreement (see Appendix I). This is retained electronically for as long as the individual receives support from VS&WS for that particular event, after which time it is deleted from our system. A new

Confidentiality Agreement is required if the individual subsequently receives support from VS&WS for a different event.

**Witnesses** may be referred to us by the police or a legal firm or they too may self-refer. No hard copy paperwork is retained in relation to witnesses.

**Volunteer** application forms are retained on file for as long as the volunteer works with VS&WS. Contact details and attendance information is recorded for operational purposes. All hard copy documentation is destroyed when the volunteer leaves the service and electronic information is deleted or anonymised.

**Staff** application forms are retained on file, along with other employment related information, for as long as the individual works for the service, after which the information is destroyed.

### **Privacy Notice**

See Page 12.

### **NOTE:**

Although not accessible to any States of Guernsey department, our DAISy2 system forms part of a larger database utilised by the States of Guernsey's Probation Service. Service providers (website, Facebook) are required to have an Information Security Policy that includes local Data Protection Law provisions.

# Procedure – Data Subject Access Requests (SARs)

One of the fundamental rights individuals have within the Law is the right of access to their personal data. This entitles an individual to ask about the information we hold about them and why, and to help them understand how information about them is being processed. Through the submission of a SAR an individual may be very specific or may wish to know about all their personal data being processed

- what do you **know** about me?
- what do you **think** about me?
- what do you **think you know** about me?
- what are you **doing** with it all?

**No action is to be taken on requests concerning personal information from any person other than the data subject. No response should be made to such other persons as that is an acknowledgement that a relationship exists which, may constitute a Data Breach**

It is important to focus on the human being who is making the request and appreciate that that person has a legal right to know what is being done with information about them. Responses to individuals seeking to exercise their legal rights should be fair and impartial.

We must respond to a SAR within one month, and we do not impose a fee for supplying information. There are however exceptions on response times and on the question of fees. Questions about response times and fees should be referred to the Manager. An individual 'subject request' is made any time a data subject asks us to provide, change or delete the information we hold about them.

***Requests must be actioned within one calendar month***

Upon receiving a subject access request, we should take the following action immediately: -

**Procedure – Subject Request: - DO NOT CONFIRM NOR DENY THAT A RELATIONSHIP EXISTS OR ACKNOWLEDGE RECEIPT OF ANY REQUESTS UNTIL THE IDENTITY OF THE REQUESTER HAS BEEN VERIFIED AS BEING THE DATA SUBJECT**

No action is to be taken on requests concerning personal information from any person other than the data subject. No response should be made to such other persons as that would indicate that a relationship exists which, may constitute a Data Breach

1. Document all communication, including precise dates and times on a continuous basis. - and log the request (date, time, receiver, requester, phone/email/etc) on the GDPR log.
2. Document how identity verification was established.
3. All such requests and supporting documentation must be referred to the DPO or the Manager.
4. The DPO/Manager will advise on the initial response to requestor and will seek clarity on the extent of information required. The requestor will be asked to be as specific as possible about what information is required and in what format the data is to be provided. The DPO/Manager will oversee the collation of information to be provided ensuring that all record sources are interrogated, and no other individual's personal data is disclosed. It is recognised that VS&WS may refer to the ODPA for guidance in any Data Protection matter or situation.

**Erasure** - having made appropriate identity/authority verification.

We understand the right to erasure and when such requests need to be complied with, and when personal data needs to be erased it is erased without delay.

**Rectification** – having made appropriate identity/authority verification.

**we will:** -

- Document any errors, their location, the data subject to which they relate, etc.
- Locate the data and fix it
- Document the repair work (who, when, what and where)

# Procedure – Breach Handling

A 'personal data breach' is defined as a breach of security leading to the accidental or unlawful destruction, loss, alteration, unauthorised disclosure of, or access to, personal data transmitted, stored or otherwise processed.

For clarity, the following circumstances are lawful and do not constitute a breach:

- Data is deleted from DAISy2 when a subject has requested that it be deleted or when the system is purged by staff
- Paper forms are shredded or otherwise destroyed when no longer required
- Information is provided to medical personnel or police in an emergency (as per the VS&WS Confidentiality Agreement)
- Information is provided to the regulator when required

## Procedure – Subject Access

Identify that a breach has occurred. Who found it? Who notified us? What happened? When? Where? Who does it affect? What information has been involved? Begin to document the facts, keeping comprehensive notes

1. Notify the DPO. Confirm conditions are met for a breach and log it either way
2. The DPO must identify which data subjects and what data were affected and the timeline
3. The DPO must document and keep records of the breach and the response
4. The organisation as a whole must take any remedial action possible/reasonable
5. The organisation must determine if there is a risk to the rights and freedoms of the subject and whether a regulatory notification is required (number and type of personal data)
6. The DPO must make a Data Breach Notification to the regulator ***within 72 hours*** if required. See [www.odpc.gg](http://www.odpc.gg) and the link for Breach Reporting
7. If there is a risk to the rights and freedoms of the subject, or a high level of risk to the individual's significant interests, then the organisation must notify them in a timely manner and in clear and plain language

The Data Breach Notification to the regulator must:

1. Describe the nature of the personal data breach:
  - a. categories and approximate number of data subjects concerned
  - b. categories and approximate number of data records concerned
2. Communicate the name and contact details of the DPO or other contact point where more information may be obtained
3. Describe the likely consequences
4. Describe measures taken by the controller to address it, including any measures taken to mitigate possible adverse effect

# Privacy Notice

This notice describes how the Bailiwick of Guernsey Victim Support and Witness Service LBG (also referred to as 'the VS&WS', 'we', 'our' or 'us') will make use of the data we handle in relation to our clients, volunteers and staff (also referred to as 'you' or 'your'). It also describes an individual's data protection rights.

## What information do we collect?

### a) In relation to the delivery of our services to victims and witnesses:-

- personal details, including contact details, gender, date of birth and other identifying information
- brief details of any crime/alleged crime committed against, or witnessed by, the individual and, in some cases, the name of the perpetrator/alleged perpetrator
- brief details of support provided
- other details as provided by the victim or witness. For example, this may include information about their sexuality, life experiences etc

### b) In relation to other functions:-

- personal details, including contact details, gender, date of birth and other identifying information
- other personal information relating to:-
  - i. our donors/sponsors
  - ii. individuals who make donations to victim support via third-party giving websites
- other personal information relating to individuals who enquire about volunteering or fundraising opportunities
- other personal information of employees/board members for administration and general management purposes
- other personal information of volunteers for administration and general management purposes
- other details that the individual may choose to provide, including, for example, equality, diversity and inclusion data

**NOTE:** some of the above information may be considered special category data

## Why we would share personal information

The VS&WS Service will normally only share personal information, including special category data, with another agency/organisation with the permission of the individual concerned. However, there are exceptional circumstances in which we may be obliged to disclose information without the individual's consent. These are:-

- if we believe that the individual or someone else is at risk of significant harm. We have a duty to report any issues or suspicions relating to child protection or adult safeguarding
- also in relation to adult safeguarding, if you have been assessed as 'at risk' by MARAC (Multi Agency Risk Assessment Conference) we may pass relevant

information relating to our contact with you to the MARAC co-ordinator. This is done via secure email and a record of this is stored on our database

- where there is another legal reason or requirement to disclose personal information

### **What information do we receive from third parties?**

For victims of crime who have agreed that their details may be passed to us, the Police provide us with a Victim Referrals list each week via secure email. This includes contact information and date of birth for the victim, details of the crime committed and the name and date of birth of the alleged perpetrator. Victims of crime may also self-refer and we occasionally receive referrals from other agencies (with the consent of the individual concerned).

For witnesses, including individuals appearing in the Family Courts, the type of information we hold can vary depending on who refers the witness to us but it may include contact details, the name of the defendant/other party and, if applicable, the nature of the crime. All witness referrals must be made with the consent of the individual and they may be received from the Police, the Law Officers, private legal offices or other agencies and organisations, e.g. Safer LBG. Witnesses may also self-refer.

For employees and volunteers, we require two character references before taking on any new staff or volunteers. We may also hold a record of the reference number of any Police/DBS checks undertaken. We do not hold hard or electronic copies of Police/DBS check reports.

Within victim and witness electronic notes on our database, we may record the name of the alleged or convicted perpetrator(s) of crime. This is purely to enable us to check that there is no conflict of interest for the volunteer or staff member providing support to the victim or witness

**NOTE:** Staff are required to purge their email folders regularly to delete actioned emails that contain personal information about our clients. Similarly, hand written notes made during telephone conversations are shredded once the information has been transferred to our database.

### **How do we use the information we hold, and what is the legal basis for this use?**

We process personal information to enable us to provide emotional support and practical assistance to victims and witnesses of crime and to support and manage our employees, volunteers and Board/Committee members. Each data subject has requested or given consent to the processing of personal data for the purpose for which it is processed.

We also process personal information for purposes which are required by law:-

- we maintain certain records in order to meet specific legal requirements
- we ensure that all staff and volunteers undergo an appropriate Police check (carried out with the consent of the individual)
- for employees, we check their right to work within the Bailiwick
- we may respond to requests by government or law enforcement authorities conducting an investigation

### **Withdrawing consent**

Wherever we rely on an individual's consent, that individual will always be able to withdraw that consent, although we may have other legal grounds for processing the data for other purposes, such as those set out above.

Individuals can withdraw their consent by contacting us using the details set out in the '**Getting in touch with us**' section below.

### **Who will we share this data with, where and when?**

Personal data may be shared with government authorities and/or law enforcement officials if required for the purposes above, if mandated by law or if required for the legal protection of our legitimate interests in compliance with applicable laws.

### **What rights do individuals have?**

Individuals have the right to **ask us for a copy** of their personal data, either electronically or as a hard copy, and to **correct, delete or restrict** (stop any active) processing of their personal data.

Individuals can exercise these rights by contacting us using the details set out in the '**Getting in touch with us**' section below.

### **How long will we retain personal data?**

For clients, personal data is retained for 15 years in order to allow us to provide an effective service to clients. The data may include the name of the alleged/convicted perpetrator. As per our Confidentiality Policy (see Appendix I), no personal data is shared with any other person unless:

- the client discloses something which leads us to believe:-
  - o that they or someone else may be at risk of serious harm
  - o that a serious criminal offence has been, or may be, committed
- the client is assessed as 'at risk' by MARAC
- there is a court order for disclosure

For staff, volunteers, board and committee members, personal data is retained for as long as the individual is involved with the VS&WS and for three months afterwards.

### **Getting in touch with us**

Tel: 223000

Email: [victimsupportgsy@cwgsy.net](mailto:victimsupportgsy@cwgsy.net)

Address: Victim Support and Witness Service, Royal Court, St Peter Port, Guernsey, GY1 2NZ.



## Appendix I: Client Privacy Notice & Confidentiality Agreement



Page 1 of 2

### **CLIENT PRIVACY NOTICE & CONFIDENTIALITY AGREEMENT**

#### **PRIVACY NOTICE**

This notice describes how the Bailiwick of Guernsey Victim Support and Witness Service LBG (VS&WS) makes use of your personal data and explains your data protection rights.

##### **What information do we collect?**

- o personal details, including contact details, gender, date of birth and other identifying information
- o brief details of any crime/alleged crime committed against, or witnessed by you and, if available, the name of the perpetrator/alleged perpetrator
- o other details as provided
- o brief details of any support we provide to you

##### **Why we might share your personal information**

The VS&WS Service will only share personal information with another agency/organisation under exceptional circumstances. These are:-

- o if we believe that you or someone else is at risk of significant harm. We have a duty to report any issues or suspicions relating to child protection or adult safeguarding
- o also in relation to adult safeguarding, if you have been assessed as 'at high risk' by MARAC (Multi Agency Risk Assessment Conference) we may pass relevant information relating to our contact with you to the MARAC co-ordinator. This is done via secure email and a record of this is stored on our database
- o where there is another legal reason or requirement to disclose personal information

##### **Who might we share this data with?**

Personal data may be shared with government authorities and/or law enforcement officials if required for the purposes above.

##### **What information do we receive from third parties?**

For victims of crime who have given their consent, the Police provide us with your contact information and date of birth, details of the crime committed and the name and date of birth of the alleged perpetrator. We hold the same information for self-referrals and those received from other agencies.

For criminal court witnesses and people appearing in the Family Courts, the type of information we hold can vary but it may include contact details, the name of the defendant/other party and, if applicable, the nature of the crime. All witness referrals must be made with your consent and they may be received from the Police, the Law Officers, private legal offices or other agencies and organisations, e.g. Safer LBG. You may also self-refer.

##### **How do we use the information we hold, and what is the legal basis for this use?**

We process personal information to enable us to provide emotional support and practical assistance to victims and witnesses of crime. The legal basis for this use is that, by signing this form, you are consenting to the processing of your personal data for this purpose.

Confidentiality Agreement – Client  
Revised March 2020

**Withdrawing consent**

Wherever we rely on your consent, you will always be able to withdraw that consent unless we have legal grounds for processing the data, such as those set out above. You can withdraw your consent by contacting us using the details set out in the 'Getting in touch with us' section below.

**What rights do you have?**

You have the right to ask us for a copy of your personal data, either electronically or as a hard copy, and to request that we correct, delete or restrict (stop any active) processing of your personal data. You can exercise these rights by contacting us using the details set out in the 'Getting in touch with us' section below.

**How long will we retain personal data?**

Personal data is retained for 15 years in order to allow us to provide an effective service to clients.

**Getting in touch with us**

Our designated Data Protection Officer can be contacted for enquiries and complaints:-

Debbie Robinson, Manager, Tg: 713000, Email: [victimsupportgsy@cwgsy.net](mailto:victimsupportgsy@cwgsy.net), or write to her at Victim Support and Witness Service, Royal Court, St Peter Port, Guernsey, GY1 2NZ.

**CONFIDENTIALITY AGREEMENT**

Confidentiality is one of the key principles underpinning VS&WS. We believe that confidentiality is central to the trust between our staff and our clients. It is our policy that everyone who uses our service:-

- has the right to expect that information about them will be held in confidence
- knows that the information they provide will only be used for the purposes for which it was given
- understands that information about them will not be released to any person outside of VS&WS without their consent, unless conditions for breaching confidentiality are met

Breaching confidentiality means telling someone else information about you without your consent. We believe that confidentiality should only be breached in exceptional circumstances, as described on Page 1 of this document.

**What happens when confidentiality is breached?**

Where appropriate, if there is no risk of immediate danger or possible escalation of a situation, a staff member will inform you at the earliest opportunity of the reasons for breaching your confidence. We will make every effort to ensure that you are given as much control as possible over the process of breaching confidentiality and we will keep you informed at every stage of the action we take.

I, the undersigned, have read and understand the Victim Support and Witness Service Privacy Notice and the accompanying Confidentiality Agreement.

Signed:
Name (in block capitals):
Date:

## Appendix I: Non-Client Privacy Notice & Confidentiality Agreement



Page 1 of 2

### **NON-CLIENT PRIVACY NOTICE & CONFIDENTIALITY AGREEMENT**

#### **PRIVACY NOTICE**

This notice describes how the Bailiwick of Guernsey Victim Support and Witness Service LBG (VS&WS) makes use of your personal data and explains your data protection rights.

##### **What information do we collect?**

- o personal details, including contact details, gender, date of birth and other identifying information
- o other personal information relating to our donors/sponsors
- o other personal information relating to individuals who enquire about volunteering or fundraising opportunities
- o other personal information of employees/board members for administration and general management purposes
- o other personal information of volunteers for administration and general management purposes
- o other details that the individual may choose to provide, including, for example, equality, diversity and inclusion data

##### **Why we might share your personal information**

The VS&WS Service will only share personal information with another agency/organisation under exceptional circumstances. These are:-

- o if we believe that you or someone else is at risk of significant harm. We have a duty to report any issues or suspicions relating to child protection or adult safeguarding
- o where there is another legal reason or requirement to disclose personal information

##### **Who might we share this data with?**

Personal data may be shared with government authorities and/or law enforcement officials if required for the purposes above.

##### **What information do we receive from third parties?**

We require two character references before taking on any new staff or volunteers. We may also hold a record of the reference number of any Police/DBS checks undertaken. We do not hold hard or electronic copies of Police/DBS check reports.

##### **How do we use the information we hold, and what is the legal basis for this use?**

We process personal information to enable us to provide emotional support and practical assistance to victims and witnesses of crime. The legal basis for this use is that, by signing this form, you are consenting to the processing of your personal data for this purpose.

We also process personal information for purposes which are required by law:-

- we maintain certain records in order to meet specific legal requirements
- we ensure that all staff and volunteers undergo an appropriate Police check (carried out with the consent of the individual)
- for employees, we check their right to work within the Bailiwick
- we may respond to requests by government or law enforcement authorities conducting an investigation

Confidentiality Agreement – Non-Client  
Revised March 2020

#### **Withdrawing consent**

Wherever we rely on your consent, you will always be able to withdraw that consent unless we have legal grounds for processing the data, such as those set out above. You can withdraw your consent by contacting us using the details set out in the 'Getting in touch with us' section below.

#### **What rights do you have?**

You have the right to ask us for a copy of your personal data, either electronically or as a hard copy, and to request that we correct, delete or restrict (stop any active) processing of your personal data. You can exercise these rights by contacting us using the details set out in the 'Getting in touch with us' section below.

#### **How long will we retain personal data?**

For staff, volunteers, board and committee members, personal data is retained for as long as the individual is involved with the VS&WS and for three months afterwards.

#### **Getting in touch with us**

Our designated Data Protection Officer can be contacted for enquiries and complaints:-

Debbie Robinson, Manager, Tg: 713000, Email: [victimsupportgsy@cwgsy.net](mailto:victimsupportgsy@cwgsy.net), or write to her at Victim Support and Witness Service, Royal Court, St Peter Port, Guernsey, GY1 2NZ.

## **CONFIDENTIALITY AGREEMENT**

Confidentiality is one of the key principles underpinning VS&WS. We believe that confidentiality is central to the trust between our staff and our clients. It is our policy that everyone who uses our service:-

- has the right to expect that information about them will be held in confidence
- knows that the information they provide will only be used for the purposes for which it was given
- understands that information about them will not be released to any person outside of VS&WS without their consent, unless conditions for breaching confidentiality are met

Breaching confidentiality means telling someone else information about you without your consent. We believe that confidentiality should only be breached in exceptional circumstances, as described on Page 1 of this document.

#### **What happens when confidentiality is breached?**

Where appropriate, if there is no risk of immediate danger or possible escalation of a situation, a staff member will inform you at the earliest opportunity of the reasons for breaching your confidence. We will make every effort to ensure that you are given as much control as possible over the process of breaching confidentiality and we will keep you informed at every stage of the action we take.

I, the undersigned, have read and understand the Victim Support and Witness Service Privacy Notice and the accompanying Confidentiality Agreement.

Signed:

Name  
(in block capitals):

Date:



The Guernsey Charity for the support of Victims and Witnesses

## **ADULT SAFEGUARDING POLICY**

Ratified by Board on	<b>21.10.22</b>
Signature of Chairperson	
Name of Chairperson	<b>Peter Harwood</b>
Next review date	<b>21.10.23</b>

### **Adult Safeguarding Policy Statement**

This policy will enable Victim Support & Witness Service (VS & WS) to demonstrate its commitment to keeping safe the adults at risk with whom it works alongside. VS & WS acknowledges its duty to act appropriately to any allegations, reports or suspicions of abuse.

It is important to have the policy and procedures in place so that staff, volunteers, service users and carers, and the board/Management Committee can work to prevent abuse and know what to do in the event of abuse.

The Policy Statement and Procedures have been drawn up in order to enable VS & WS to:

- Promote good practice and work in a way that can prevent harm, abuse and coercion occurring.
- To ensure that any allegations of abuse or suspicions are dealt with appropriately and the person experiencing abuse is supported.
- And to stop that abuse occurring.

The Policy and Procedures relate to the safeguarding of adults at risk. Adults at risk are defined as:

- People aged 18 or over
- Who are receiving or may need community care services because of learning, physical or mental disability, age or illness
- Who, on account of the above, may be unable to take care of him or herself, or unable to protect him or herself against significant harm or exploitation

The policy applies to all staff, including managers, board/management committee, paid staff, volunteers, agency staff, students or anyone working on behalf of the VS & WS.

It is acknowledged that significant numbers of adults at risk are abused and it is important that the VS & WS has an Adult Safeguarding Policy, a set of procedures to follow and puts in place preventative measures to try and reduce those numbers.

In order to implement the policy the VS & WS will work:

- To promote the dignity and freedom of the person who has or is experiencing abuse
- To promote the rights of all people to live free from abuse and coercion
- To ensure the safety and wellbeing of people who do not have the capacity to decide who they want to respond to abuse that they are experiencing
- To manage services in a way which promotes safety and prevents abuse
- Recruit staff and volunteers safely, ensuring all necessary checks are made
- Provide effective management for staff and volunteers through supervision, support and training

Victim Support & Witness Service:

- Will ensure that all board/management committee members, staff, volunteers, service users and carers/families are familiar with this policy and procedures
- Will work with other agencies within the framework of the Committee for Health and Social Care (HSC) multi-agency Adult Safeguarding Policy and Procedures.
- Will act within its data protection policy and will aim to gain permission from service users before sharing information about them with another agency, unless to do so would put them at further risk of harm.
- Will pass information to the HSC Adult Safeguarding Manager, Safeguarding Unit, Perruque House, Castel, including when more than one person is at risk. For example: If the concern relates to a worker, volunteer or organisation who provides a service to adults at risk or children
- Will inform service users that where a person is in danger, a child is at risk or a crime has been committed then a decision may be taken to pass information to another agency without the service user's consent
- Will make a referral to the HSC Adult Safeguarding Manager as appropriate
- Will endeavour to keep up to date with island wide developments relating to preventing abuse and welfare of adults
- Will ensure that the Nominated Safeguarding Lead understands their responsibility to refer incidents of adult abuse to the relevant agencies (Police/HSC Adult Community Services/HSC Safeguarding Unit)

Nominated safeguarding lead

Name: Jenny Murphy (Manager)

Phone: 01481 223000

Email: [jenny.murphy2@gov.gg](mailto:jenny.murphy2@gov.gg)

They should be contacted for support and advice on implementing this policy and procedures.

This policy should be read in conjunction with the Committee for Health and Social Care Adult Safeguarding Policy and Procedural documents which are available by contacting the HSC Adult Safeguarding Manager at [PerruqueHouseAdmin@gov.gg](mailto:PerruqueHouseAdmin@gov.gg) with “Adult Safeguarding enquiry” in the subject line. A copy of this policy will be kept by VS & WS alongside this policy.

## **Adult Safeguarding Procedure**

### **1. Introduction**

The Bailiwick of Guernsey Victim Support & Witness Service (VS & WS) is a charity that supports victims and witnesses of crime in the Bailiwick of Guernsey. These procedures have been designed to ensure the welfare and protection of any adult who accesses services provided by VS & WS. The procedures recognise that adult abuse can be a difficult subject for workers to deal with. VS & WS is committed to the belief that the protection of adults at risk from harm and abuse is everybody's responsibility and the aim of these procedures is to ensure that all staff, board/management committee and volunteers act appropriately in response to any concern around adult abuse.

### **2. Preventing Abuse**

VS & WS is committed to putting in place safeguards and measures to reduce the likelihood of abuse taking place within the services it offers and that all those involved within the VS&WS will be treated with respect.

Therefore, this policy needs to be read in conjunction with the following policies:

- Equality & Diversity
- Complaints
- Whistle Blowing
- Disciplinary and Grievance
- Data Protection
- Safe Recruitment
- Lone Working

The VS & WS is committed to safer recruitment policies and practices for paid staff, volunteers and board/management committee members. This may include criminal record disclosures for staff and volunteers, ensuring references are taken up and adequate training on Adult Safeguarding is provided for staff and volunteers.

The organisation will work within the current legal framework for reporting staff or volunteers that are abusers.

Information will be available about abuse and the complaints policy and adult safeguarding policy statement will be available to service users and their carers/families.

### **3. Recognising the signs and symptoms of abuse**



The VS & WS is committed to ensuring that all staff, board/management committee and volunteers undertake training to gain a basic awareness of signs and symptoms of abuse. VS & WS will ensure that the Designated Named Person and other members of staff, board/management committee and volunteers have access to training around Adult Safeguarding.

“Abuse is a violation of an individual’s human and civil rights by any other person or persons” (No Secrets: UK Department of Health, 2000)

**Abuse includes:**

- Physical abuse: including hitting, slapping, punching, burning, misuse of medication, inappropriate restraint
- Sexual abuse: including rape, indecent assault, inappropriate touching, exposure to pornographic material
- Psychological or emotional abuse: including belittling, name calling, threats of harm, intimidation, isolation
- Financial or material abuse: including stealing, selling assets, fraud, misuse or misappropriation of property, possessions or benefits
- Neglect and acts of omission: including withholding the necessities of life such as medication, food or warmth, ignoring medical or physical care needs
- Discriminatory abuse: including racist, sexist, that based on a person’s disability and other forms of harassment, slurs or similar treatment
- Institutional or organisational: including regimented routines and cultures, unsafe practices, lack of person-centred care or treatment

Abuse may be carried out deliberately or unknowingly. Abuse may be a single act or repeated acts.

People who behave abusively come from all backgrounds and walks of life. They may be doctors, nurses, social workers, advocates, staff members, volunteers or others in a position of trust. They may also be relatives, friends, neighbours or people who use the same services as the person experiencing abuse.

**4. Designated Named Person for Adult Safeguarding**

VS & WS has an appointed individual who is responsible for dealing with any Adult Safeguarding concerns. The Nominated Safeguarding lead for Adult Safeguarding within the VS & WS is:

Nominated safeguarding lead

Name: Jenny Murphy (Manager)

Phone: 01481 223000

Email: jenny.murphy2@gov.gg

**Should the nominated safeguarding lead not be available then board/management committee members, staff or volunteers should contact the HSC Adult Safeguarding Manager, HSC Safeguarding Team Lead, HSC Named Nurse for Safeguarding or in their absence, a duty social worker, directly. See below for contact details between 08.45-17.00 Monday-Friday. In the event of an emergency (Where a vulnerable adult may be at risk of significant harm outside of the above hours), the Guernsey & Alderney Police should be contacted.**

The roles and responsibilities of the named person is:

- To ensure that all staff including volunteers and board/management committee are aware of what they should do and who they should go to if they have concerns that a vulnerable adult may be experiencing, or has experienced abuse or neglect.
- To ensure that concerns are acted on, clearly recorded and referred to HSC adult safeguarding team or to the allocated social worker/care professional where necessary.
- To follow up any referrals and ensure the issues have been addressed.
- Consider any recommendations from the Adult Safeguarding Process.
- To reinforce the utmost need for confidentiality and to ensure that staff and volunteers are adhering to good practice with regard to confidentiality and security. This is because it is around the time that a person starts to challenge abuse that the risks of increasing intensity of abuse are greatest.
- To ensure that staff and volunteers working directly with service users who have experienced abuse, or who are experiencing abuse, are well supported and receive appropriate supervision.
- If appropriate staff or volunteers will be given support and afforded protection if necessary: they will be dealt with in a fair and equitable manner and they will be kept informed of any action that has been taken and its' outcome.

## **5. Responding to people who have experienced or are experiencing abuse**

VS & WS recognises that it has a duty to act on reports, or suspicions of abuse or neglect. It also acknowledges that acting in cases of adult abuse is never easy.

How to respond if you receive an allegation:

- Reassure the person concerned
- Listen to what they are saying
- Record what you have been told/witnessed as soon as possible
- Remain calm and do not show shock or disbelief
- Tell them that the information will be treated seriously
- Don't start to investigate or ask detailed or probing questions
- Don't promise to keep it a secret

If you witness abuse, or abuse has just taken place the priorities will be:

- To call an ambulance if required
- To call the police if a crime has been committed
- To preserve evidence
- To keep yourself, staff, volunteers and service users safe
- To inform the Nominated Safeguarding Lead in your organisation
- To record what happened on an incident form where adult safeguarding concerns will be recorded (Appendix 1)

All situations of abuse or alleged abuse will be discussed with the Nominated Safeguarding Lead. If a member of the board/Management committee, a staff member or volunteer feels unable to raise this concern with the Nominated Safeguarding Lead, then concerns can be raised directly with the HSC Adult Safeguarding Manager. The alleged victim will be told that this will happen. This stage is called the alert.

If it is appropriate and there is consent from the individual, or there is a good reason to override consent, such as a risk to others, a referral (alert) will be made to the HSC Adult Safeguarding Manager.

If the individual experiencing abuse does not have capacity to consent a referral will be made without that person's consent, in their best interests.

The Nominated Safeguarding Lead may take advice at the above state from the HSC Adult Safeguarding Manager and/or one of the HSC Adult Safeguarding Lead Managers and/or other "advice giving" organisations such as the Police.

### **Guernsey Police**

Phone: 01481 222222

(ask for Public Protection Unit)

### **HSC Adult Safeguarding Manager**

Phone: 226923

Available: Monday, to Friday 8.45 am-17.00

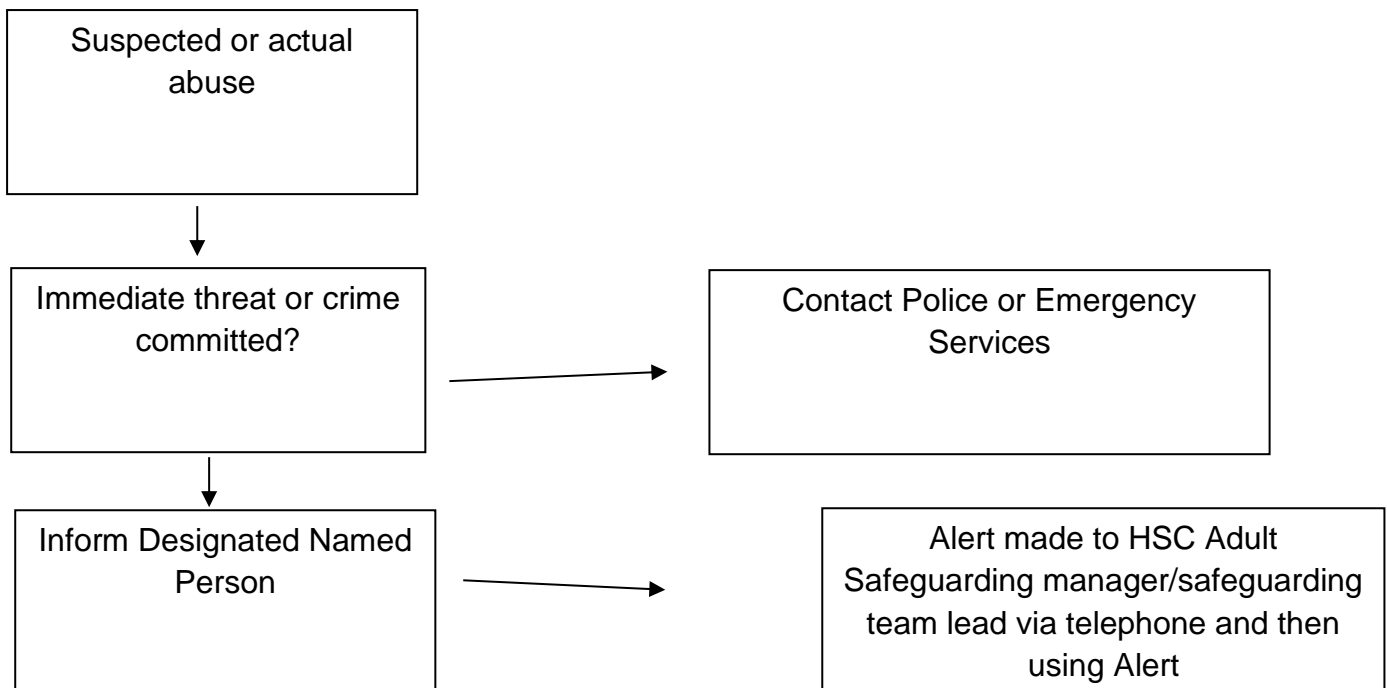
### Raising an Adult Safeguarding Concern (Alert)

The telephone call should be followed up in writing to the HSC Adult Safeguarding Manager outlining concerns using an Adult Safeguarding Inter-Agency Alert form. This form can be found at the end of these procedures (Appendix 2). A word document version of this form and body map appendix may be obtained from the HSC Adult Safeguarding Manager and will allow the alerter to type directly into the form if preferred.

All alerts may be

- Emailed securely to [perruqueHouseAdmin@gov.gg](mailto:perruqueHouseAdmin@gov.gg) with “Adult Safeguarding Concern” as the subject
- Or sent by secured post in a double envelope – marked strictly confidential.

In an emergency situation outside of these times please contact the Guernsey Police.



The HSC Adult Safeguarding Manager or a Safeguarding Team Lead (a designated Team Manager from HSC Adult Community Services) will then decide if the safeguarding

process should be instigated or if other support/services are appropriate. Feedback will be given to the person who raised the Adult Safeguarding alert as soon as practicable.

If the Adult Safeguarding Manager or lead decides the safeguarding process needs to be instigated this will then lead to the implementation of the next stages of the HSC Adult safeguarding Policy and Procedures. This may include discussion at the Multi Agency Safeguarding Hub (MASH) for adults.

The Nominated Safeguarding Lead will have an overview of this process so they can explain it to the person concerned and offer all relevant support to the person and process. This could be practical support e.g. providing a venue, or information and reports and emotional support.

Information should be provided to the individual. This could be about other sources of help or information that could enable them to decide what to do about their experience, enable them to recover from their experience and enable them to seek justice.

## **6. Managing an allegation made against staff or volunteers**

VS & WS will ensure that any allegations made against staff/volunteers will be dealt with swiftly.

Where a member of staff/volunteer is thought to have committed a criminal offence, the police will be informed. If a crime has been witnessed the police should be contacted immediately.

The safety of the individual(s) concerned is paramount. A risk assessment must be undertaken immediately to assess the level of risk to all service users posed by the alleged perpetrator. This will include whether it is safe for them to continue in their role or any other role within the service whilst the investigation is undertaken.

The Nominated Safeguarding Lead will liaise with the HSC Adult Safeguarding Lead to discuss the best course of action and to ensure that the VS & WS's disciplinary procedures are coordinated with any other enquiries taking place as part of the ongoing management of the allegation.

VS & WS has a whistle blowing policy and staff are aware of this policy. Staff will be supported to use this policy.

## 7. Recording and Managing Confidential information

VS & WS is committed to maintaining confidentiality wherever possible and information around Adult Safeguarding issues should be shared only with those who need to know.

All allegations/concerns should be recorded on an incident form and passed to the Nominated Safeguarding Lead who will store this securely. The information should be factual and not based on opinions, record what the person tells you, what you have seen and witnesses if appropriate.

The information that is recorded will be kept secured and will comply with the Guernsey Data Protection Law 2017.

Appendix 1.

### STRICTLY CONFIDENTIAL

This form may be used to notify the Office *of the* Committee for Health and Social Care of a concern or incident where safeguarding duties apply:

- 
- **Safeguarding duties apply to an adult who has needs for care and support: *AND***
  - **is experiencing, or at risk of, abuse or neglect: *AND***
  - **as a result of those care and support needs is unable to protect themselves from either the risk of, or the experience of abuse or neglect.**
- A. You should first contact **01481 725241** and ask for the Adult Safeguarding Manager, or in their absence, the Adult Safeguarding Team Lead for the HSC service providing support to the adult at risk, to discuss.
- B. Please complete this form with as much detail as possible. Lack of access to the necessary information should NOT delay reporting the alert.

REMEMBER: If you suspect that someone is being abused and they are in **immediate** danger you should contact the Police without delay. **Guernsey Police 01481 725111 (OR 999 in an emergency)**

**This Inter-Agency form should be used to report an adult safeguarding concern where HSC safeguarding duties apply; *even where* you have already reported the matter to the police; or raised an incident via the HSC Ulysses Incident Reporting system; reported a clinical incident; reported this concern as a disciplinary or regulatory matter; or reported this concern within your own organisation.**

<b>PART A: Please indicate date of the concern / incident if known:</b> <input type="text"/>	
<b>1 Tell us about the adult at risk that you are concerned about:</b> <i>(please complete as much of this as is known – if not known put N/K)</i>	
Name: <input type="text"/>	
Gender: <input type="text"/>	
Home address: <input type="text"/>	
Telephone No: <input type="text"/>	
Age: <input type="text"/>	Date of Birth: <input type="text"/>
Ethnic Origin/Nationality: White British	Religion: <input type="text"/>
Primary support needs of the adult at risk: Choose an item.	

<b>2 Tell us about the main contact for the adult at risk</b>	
Name: <input type="text"/>	
Relationship to adult at risk: <input type="text"/>	
Are they the relative/carer? <input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Unknown	
Are they aware that this concern has been raised? <input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Unknown	
Contact address: <input type="text"/>	Telephone No: <input type="text"/>

	Mobile No: <input type="text"/>
Postcode <input type="text"/>	Email: <input type="text"/>
Are they willing to be contacted? <input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Unknown	

**3a Tell us about the concern (s) being raised**

Has the allegation of abuse occurred within a Service, relate to a Service, (E.G. service user on service user assault) or implicate a Service or a named individual who works within a Service?  
 Yes  No

*If 'Yes' please give details of Service (e.g. name of establishment/type of organisation):*

Have you or anyone else reported this to the relevant regulatory body, where appropriate?  
 Yes  No  Not relevant  Unknown  Undecided

*If 'Yes' please give details e.g. HSC Inspector of homes, HSC Governance Ulysses Incident report/ HSE(RIDDOR)/ other:*

Is the adult at risk involved with any other support agencies or service providers?

**Type of abuse suspected- Please select all that apply:**



<input type="checkbox"/> Financial	<input type="checkbox"/> Physical	<input type="checkbox"/> Emotional/ Psychological
<input type="checkbox"/> Sexual	<input type="checkbox"/> Discriminatory	<input type="checkbox"/> Organisational
<input type="checkbox"/> Modern Slavery	<input type="checkbox"/> Self-Neglect	<input type="checkbox"/> Neglect and acts of omission
<b>Domestic Abuse (this includes Forced Marriage, Sexual Exploitation, Female Genital Mutilation and Honour Based Violence) by a third party</b> <input type="checkbox"/> Yes <input type="checkbox"/> No		
<b>Does the concern involve sexual exploitation?</b> <input type="checkbox"/> Yes <input type="checkbox"/> No		
<b>And do you consider this abuse is also Hate Crime?</b> <input type="checkbox"/> Yes <input type="checkbox"/> No		
<b>3b Tell us about the alleged incident/concern(s) being raised - continued</b>		

**3c Actions taken to reduce the risk of harm or abuse to the adult at risk.**

**Summarise what actions (if any) have been taken to ensure the immediate safety of the adult at risk.**

**4.MAKING SAFEGUARDING PERSONAL (MSP)**

**Has the adult at risk given their consent for this information to be shared?**

See guidance at the end of this form

Consent given  Consent not given  Unsafe to seek consent

Unable to give consent

**If no consent obtained, have you informed the adult at risk that you will be escalating this concern?**

NB: You should explain that you are raising this concern, unless there is good reason for you not to do so IE: by doing this, it may put the adult or others at further risk. **However, please do not commence an investigation or interview the adult at risk with regard to the safeguarding concerns unless advised to do so by the HSC safeguarding lead or the police.** If you have NOT spoken to the adult at risk to inform them that you are raising a concern, please explain why in the space below.

**Does the adult at risk:**

**A. feel safe at the moment in relation to this safeguarding concern,**

Yes  No  Unknown

**B. Has the adult at risk indicated what outcomes they wish to achieve?**

*(EG: I want protective action taken, I want to feel safe, I want to make a statement to the police, I want to manage this concern in my own way, I need support to manage this concern, I want to move to a safe location etc.)*

*In their own words where possible, please indicate what action (if any) the adult at risk would like taken?*

---

**Where is the adult at risk now? (Include where they are in relation to the person alleged to have caused harm)**

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**Is anyone else at risk of abuse?**

Yes  No  Unknown

*If 'Yes' give name(s) and details including details of dependant adults.*

*Please advise Children's Multi-Agency Support Hub (MASH) on 01481 723182 if there are concerns regarding the welfare of any children present. If a child is at risk of immediate harm, call Police on 999.*

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**In your opinion, does the adult at risk have the mental capacity to understand the risks within this safeguarding concern?**

Yes  No  Unknown

**Are there any difficulties in gaining access to the adult at risk? Or In your view, is there any potential risk to anyone visiting the adult?**

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**If you think that a crime has been committed have police been contacted?**

Yes  No  inappropriate *If Yes, what was the outcome?*

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**Who did you speak to?**

*If No, why not?*

**Who else has been informed / made aware of this concern?**

--

**5 Details of person(s) alleged to have caused harm (if known)**  
*(please complete as much of this as is known and continue on a separate sheet if more than one is involved)*

**Name:**

--

**Address:**

--

**Occupation/Position/Title/:**

--

**Organisation:**

--

**Date of Birth:**

--

**Gender:**

--

**What is the relationship of the person alleged to have caused harm to the adult at risk?**

Choose an item.

**Does the adult at risk know the person alleged to have caused harm?**

Yes  No  Unknown

**Is the person alleged to have caused harm also a person with care and support needs?**

Yes  No  Unknown

**Is the person alleged to have caused harm the main family carer?**

Yes  No  Unknown

**Is the person alleged to have caused harm aware of this alert?**

**Yes**    **No**    **Unknown**

*If yes, what is their response, and are there any hazards to be aware of?*

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## 6: Details of person raising the concern

<b>Name:</b> <input type="text"/>	<b>Job title:</b> <input type="text"/>
<b>Organisation</b> <i>(if applicable):</i> <input type="text"/>	<b>Type of organisation:</b> Choose an item.
<b>Contact address:</b> <input type="text"/>	<b>Telephone No:</b> <input type="text"/> <b>Mobile No:</b> <input type="text"/>
<b>Email:</b> <input type="text"/>	<b>Postcode:</b> <input type="text"/>
<b>Relationship to the adult at risk:</b> <input type="text"/>	
<b>Who made the disclosure /raised the concern with you?</b> <input type="text"/>	<b>Date form completed:</b> <input type="text"/>

**This form Completed by (if different to above)**

**Contact details**

Please send the completed form as a confidential document to:

**Adult Safeguarding Manager**, Perruque House, Rue de la Perruque, Castel, Guernsey, GY5  
7NT

The form can also be e-mailed securely to HSC [PerruqueHouseAdmin@gov.gg](mailto:PerruqueHouseAdmin@gov.gg) with  
'Safeguarding adults concern' as the subject.

**Where physical injury / wounds / bruising are evident in relation to the concerns raised, please use and attach (appendix 1) BODY MAP which should be completed by hand and signed.**

## Guidance Notes for completing this form

### (a) ON COMPLETING THE WRITTEN DETAILS OF CONCERNS

The written details will need to include:

- The date and time when the disclosure was made, or when you were told about/witnessed the incident
- Who was involved, any other witnesses, (including service users and other staff if within a service)
- Exactly what happened or what you were told, in the persons own words, keeping it factual and not interpreting what you saw or were told
- The views and wishes of the adult (see further guidance below)
- The appearance and behaviour of the adult and/or the person making the disclosure
- Any injuries observed (attach body map)
- Any actions and decisions taken at this point
- Any other relevant information e.g. previous incidents that have caused you concern

#### **REMEMBER TO:**

- Include as much detail as possible
- Make sure the written report is legible and is of a quality that can be photocopied
- Make sure you have printed your name on the report and that it is signed and dated
- Keep the report factual as far as possible. However, if it contains your opinion or assessment, it should be clearly stated as such and be supported by factual evidence. Information from another person should be clearly attributed to them and they should be informed that the information they provide is to be used in this manner.
- Keep the report confidential, storing in a safe and secure place until needed

### (b) ON OBTAINING CONSENT OF THE ADULT

- ‘MAKING SAFEGUARDING PERSONAL’ means that the adult is placed at the centre of the process by considering their wishes, views and feelings.
- Gaining consent of the adult involved is good practice, but the provisions of the Guernsey Data Protection Law do not present a barrier to the sharing of such personal information.
- This means that if you are seriously concerned about the risks and the adult does not wish for this to be pursued within the safeguarding process you should still give consideration to raising your concerns in line with HSC safeguarding procedures.
- You should clearly document the adult’s views on this form and evidence why you are still raising these concerns. (Please consider public interest and duty of care – this may also mean reporting your concerns to the Police if you believe a crime may have been committed).
- Remember the adult’s consent is **not** required in all situations. Where the allegations are against a Person in a Position of Trust, whether or not consent is given by the adult with care and support needs, consideration should be given to the possible risks to others. These risks could outweigh respecting the wishes and feelings of the adult with care and support needs and so an AAR (A) Safeguarding Alert ‘Raising a Concern’ form should be completed.

### **How to respond if you receive an allegation:**

- Reassure the person concerned
- Listen to what they are saying
- Record what you have been told/witnessed as soon as possible
- Remain calm and do not show shock or disbelief
- Tell them that the information will be treated seriously
- Don’t start to investigate or ask detailed or probing questions
- Don’t promise to keep it a secret

### **If you witness abuse or abuse has just taken place the priorities will be:**

- To call an ambulance if required
- To call the police if a crime has been committed

- To preserve evidence
- To keep yourself, staff, volunteers and service users safe
- To inform your manager (unless they are implicated in the alleged abuse) or the designated adult safeguarding lead in your organisation as soon as you can
- To contact the HSC adult safeguarding manager to escalate your concern and forward this completed alert form.
- To record what happened and store this information as per your organisation's policy for recording and storing sensitive adult safeguarding information

*Please be aware that the information you provide may be shared sensitively with other organisations involved in the safeguarding process*

Appendix 2.

**ACCIDENT/INCIDENT & NEAR MISS REPORT FORM**

Example: Physical Injury, Safeguarding concern, unsafe/unfair practice, security/confidentiality breach, bullying, property damage

Name and role of person reporting:	
Name Injured Party:	Date of Birth:
Female    Male    Prefer not to specify	Parent/Carer's Name (If U18):
Injured party Contact Information:	
<input type="checkbox"/> Phone Number:	<input type="checkbox"/> Address:
<input type="checkbox"/> Email Address:	<input type="checkbox"/> Postcode:
Have parent/carer been notified of this accident/Incident? Yes / No	
<i>If yes, provide details of what was said/agreed action:</i>	
When accident/incident occurred: <i>(date and time)</i>	Where accident/incident occurred: <i>(name of session &amp; room or place)</i>
About the accident/incident – what happened?: <i>(include as much information as possible)</i>	

Action taken: (*was First Aid administered, what equipment was used, outside agencies involved, parents/carers called, staff involved, incident reported to, etc*)

Near Miss Notification: (a near miss is an incident where no one is injured but the incident gives cause for concern)

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Witnesses (Names & contact details of any relevant witnesses)

Print Name:	Signature:	Date:
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*All personal information is kept in accordance with the **Data Protection (Bailiwick of Guernsey) Law, 2017***





The Guernsey Charity for the support of Victims and Witnesses

## **SAFEGUARDING CHILDREN POLICY**

Ratified by Board on	<b>21.10.22</b>
Signature of Chairperson	
Name of Chairperson	<b>Peter Harwood</b>
Next review date	<b>21.10.23</b>

### **Policy Statement**

The Bailiwick of Guernsey Victim Support and Witness Service (VS & WS) is a charity that supports victims and witnesses of crime in the Bailiwick of Guernsey.

The purpose of this policy statement is:

- to protect children and young people from harm. This includes the children of adults who use our services.
- to provide staff and volunteers, as well as children and young people and their families, with the overarching principles that guide our approach to child protection.

This policy applies to anyone working on behalf of The Bailiwick of Guernsey Victim Support and Witness Service including the board/management committee, paid staff, volunteers, sessional workers, agency staff and students.

### **Legal framework**

This policy has been drawn up on the basis of legislation, policy and guidance that seeks to protect children in Guernsey. A Summary of the relevant legislation can be found at [Children Law - Child Protection Guidelines \(iscp.gg\)](http://iscp.gg)

**We believe that:**

- Children and young people should never experience abuse of any kind
- We have a responsibility to promote the welfare of all children and young people, to keep them safe and to practise in a way that protects them

**We recognise that:**

- the welfare of children is paramount in all the work we do. In all the decisions we take all children, regardless of age, disability, gender reassignment, race, religion or belief, sex, or sexual orientation have an equal right to protection from all types of harm or abuse
- some children are additionally vulnerable because of the impact of previous experiences, their level of dependency, communication needs or other issues
- working in partnership with children, young people, their parents, carers and other agencies is essential in promoting young people's welfare.

**We will seek to keep children and young people safe by:**

- valuing, listening to and respecting them
- appointing a nominated safeguarding lead for children and young people
- adopting child protection and safeguarding best practice through our policies, procedures and code of conduct for staff and volunteers
- developing and implementing an effective online safety policy and related procedures
- providing effective management for staff and volunteers through supervision, support, training and quality assurance measures so that all staff and volunteers know about and follow our policies, procedures and behaviour codes confidently and competently
- recruiting and selecting staff and volunteers safely, ensuring all necessary checks are made
- recording, storing and using information professionally and securely, in line with data protection legislation and guidance

- making sure that children, young people and their families know where to go for help if they have a concern
- using our safeguarding and child protection procedures to share concerns and relevant information with agencies who need to know, and involving children, young people, parents, families and carers appropriately
- using our procedures to manage any allegations against staff and volunteers appropriately
- creating and maintaining an anti-bullying environment and ensuring that we have a policy and procedure to help us deal effectively with any bullying that does arise
- ensuring that we have effective complaints and whistleblowing measures in place
- ensuring that we provide a safe physical environment for our children, young people, staff and volunteers, by applying health and safety measures in accordance with the law and regulatory guidance
- building a safeguarding culture where staff and volunteers, children, young people and their families, treat each other with respect and are comfortable about sharing concerns.

Nominated safeguarding lead

Name: Jenny Murphy (Manager)

Phone: 01481 223000

Email: jenny.murphy2@gov.gg

## **Safeguarding Children Procedure**

### **1. Introduction**

The Bailiwick of Guernsey Victim Support & Witness Service (VS & WS) is a charity that supports victims and witnesses of crime in the Bailiwick of Guernsey. These procedures have been designed to ensure the welfare and protection of any child or young person who accesses services provided by VS & WS. The procedures recognise that child abuse can be a difficult subject for workers to deal with. VS & WS is committed to the belief that the protection of children at risk from harm and abuse is everybody's responsibility and the aim of these procedures is to ensure that all staff, board/management committee and volunteers act appropriately in response to any concern around child abuse.

### **2. Preventing Abuse**

VS & WS is committed to putting in place safeguards and measures to reduce the likelihood of abuse taking place within the services it offers and that all those involved within the VS&WS will be treated with respect.

Therefore, this policy needs to be read in conjunction with the following policies:

- Equality & Diversity
- Complaints
- Whistle Blowing
- Disciplinary and Grievance
- Data Protection
- Safe Recruitment
- Lone Working

The VS & WS is committed to safer recruitment policies and practices for paid staff, volunteers and board/management committee members. This may include criminal record disclosures for staff and volunteers, ensuring references are taken up and adequate training on Safeguarding Children is provided for staff and volunteers.

The organisation will work within the current legal framework for reporting staff or volunteers that are abusers.

### **3. Recognising the signs and symptoms of abuse**

The VS & WS is committed to ensuring that all staff, board/management committee and volunteers undertake training to gain a basic awareness of signs and symptoms of abuse. VS & WS will ensure that the Designated Named Person and other members of staff, board/management committee and volunteers have access to training around Safeguarding Children.

#### **Abuse includes:**

- Physical abuse: including hitting, slapping, punching, burning, misuse of medication, inappropriate restraint
- Sexual abuse: including rape, indecent assault, inappropriate touching, exposure to pornographic material
- Emotional abuse: including belittling, name calling, threats of harm, intimidation, isolation
- Neglect and acts of omission: including withholding the necessities of life such as medication, food or warmth, ignoring medical or physical care needs

Abuse may be carried out deliberately or unknowingly. Abuse may be a single act or repeated acts.

People who behave abusively come from all backgrounds and walks of life. They may be doctors, nurses, social workers, advocates, staff members, volunteers or others in a position of trust. They may also be relatives, friends, neighbours or people who use the same services as the person experiencing abuse.

### **4. Designated Named Person for Safeguarding Children**

VS & WS has an appointed individual who is responsible for dealing with any Safeguarding children concerns. The Nominated Safeguarding lead for child Safeguarding within the VS & WS is:

#### Nominated safeguarding lead

Name: Jenny Murphy (Manager)

Phone: 01481 223000

Email: jenny.murphy2@gov.gg

**Should the nominated safeguarding lead not be available then board/management committee members, staff or volunteers should contact MASH (multi agency support hub) for advice on 723182 from 9am-5pm. Out of Hours the duty/on call Social Worker can be reached on 222222. In the event of an emergency (Where a child may be at risk of significant harm), the Guernsey & Alderney Police should be contacted on 999.**

The roles and responsibilities of the named person is:

- To ensure that all staff including volunteers and board/management committee are aware of what they should do and who they should go to if they have concerns that a child may be experiencing, or has experienced abuse or neglect.
- To ensure that concerns are acted on, clearly recorded and referred to MASH or to the allocated social worker/care professional where necessary.
- To follow up any referrals and ensure the issues have been addressed.
- Consider any recommendations from the MASH process.
- To reinforce the utmost need for confidentiality and to ensure that staff and volunteers are adhering to good practice with regard to confidentiality and security. This is because it is around the time that a person starts to challenge abuse that the risks of increasing intensity of abuse are greatest.
- To ensure that staff and volunteers working directly with service users who have experienced abuse, or who are experiencing abuse, are well supported and receive appropriate supervision.
- If appropriate staff or volunteers will be given support and afforded protection if necessary: they will be dealt with in a fair and equitable manner and they will be kept informed of any action that has been taken and its' outcome.

## **5. Responding to a concern**

VS & WS recognises that it has a duty to act on reports, or suspicions of abuse or neglect. It also acknowledges that acting in cases of child abuse is never easy.

How to respond if you receive an allegation:

- Reassure the person concerned

- Listen to what they are saying
- Record what you have been told/witnessed as soon as possible
- Remain calm and do not show shock or disbelief
- Tell them that the information will be treated seriously
- Don't start to investigate or ask detailed or probing questions
- Don't promise to keep it a secret

If you witness abuse, or abuse has just taken place the priorities will be:

- To call an ambulance if required
- To call the police if a crime has been committed
- To preserve evidence
- To keep yourself, staff, volunteers and service users safe
- To inform the Nominated Safeguarding Lead in your organisation
- To record what happened on an incident form where child safeguarding concerns will be recorded (Appendix 1)

All situations of abuse or alleged abuse will be discussed with the Nominated Safeguarding Lead. If a member of the board/Management committee, a staff member or volunteer feels unable to raise this concern with the Nominated Safeguarding Lead, then concerns can be raised directly with MASH. The parent/guardian of the alleged victim will be told that this will happen. This stage is called the alert.

If it is appropriate and there is consent from the parent/guardian, or there is a good reason to override consent, such as a risk to others, a referral (alert) will be made to the MASH.

The Nominated Safeguarding Lead may take advice at the above state from the MASH and/or other "advice giving" organisations such as the Police.

### **Guernsey Police**

Phone: 01481 222222

(ask for Public Protection Unit)

### **MASH**

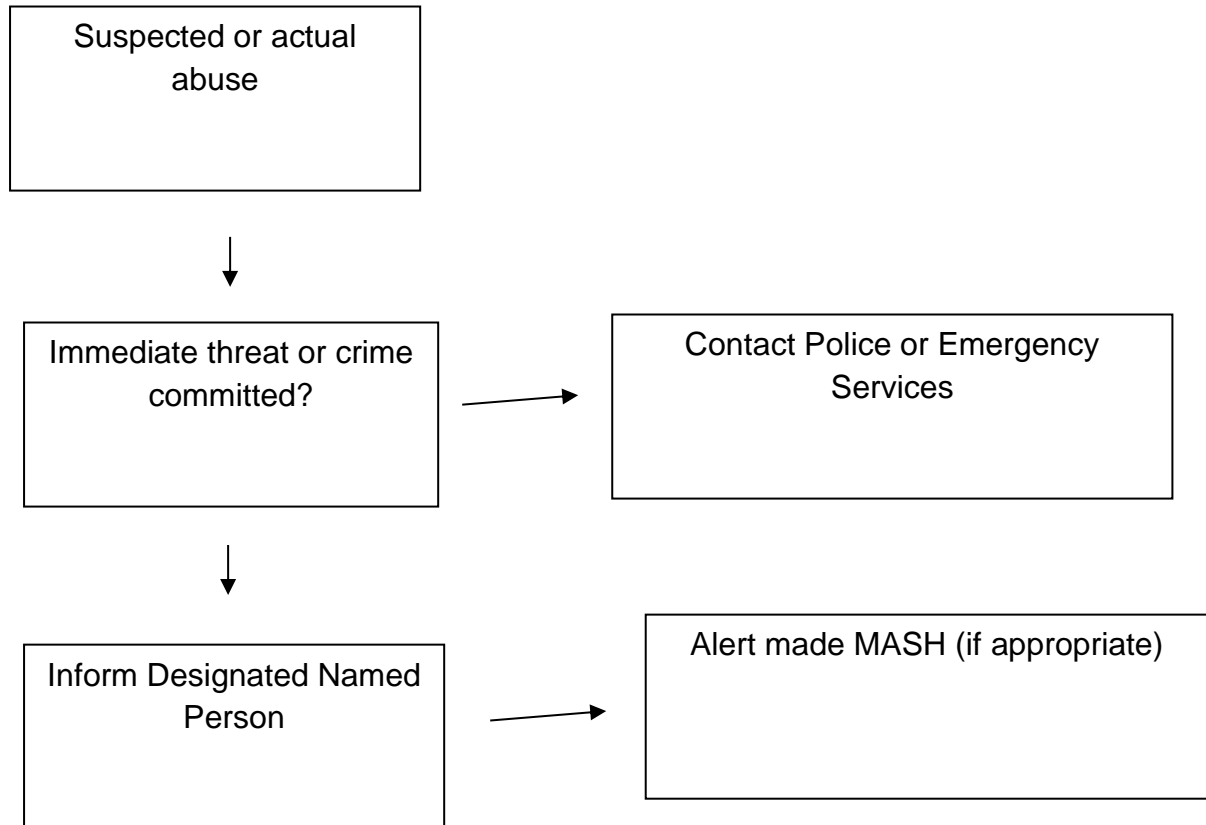
Phone: 723182 (ask for MASH)

Available: Monday, to Friday 9.00-17.00

## Duty Social Worker

Out of hours

Phone: 222222 (ask for duty social worker)



MASH will then decide if the safeguarding process should be instigated or if other support/services are appropriate.

## 6. Managing an allegation made against staff or volunteers

VS & WS will ensure that any allegations made against staff/volunteers will be dealt with swiftly.

Where a member of staff/volunteer is thought to have committed a criminal offence, the police will be informed. If a crime has been witnessed the police should be contacted immediately.



The safety of the individual(s) concerned is paramount. A risk assessment must be undertaken immediately to assess the level of risk to all service users posed by the alleged perpetrator. This will include whether it is safe for them to continue in their role or any other role within the service whilst the investigation is undertaken.

The Nominated Safeguarding Lead will liaise with the MASH to discuss the best course of action and to ensure that the VS & WS's disciplinary procedures are coordinated with any other enquiries taking place as part of the ongoing management of the allegation.

VS & WS has a whistle blowing policy and staff are aware of this policy. Staff will be supported to use this policy.

## **7. Recording and Managing Confidential information**

VS & WS is committed to maintaining confidentiality wherever possible and information around Adult Safeguarding issues should be shared only with those who need to know.

All allegations/concerns should be recorded on an incident form and passed to the Nominated Safeguarding Lead who will store this securely. The information should be factual and not based on opinions, record what the person tells you, what you have seen and witnesses if appropriate.

The information that is recorded will be kept secured and will comply with the Guernsey Data Protection Law 2017.

Appendix 1

**ACCIDENT/INCIDENT & NEAR MISS REPORT FORM**

Example: Physical Injury, Safeguarding concern, unsafe/unfair practice, security/confidentiality breach, bullying, property damage

Name and role of person reporting:	
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Name Injured Party:	Date of Birth:
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Female    Male    Prefer not to specify	Parent/Carer's Name (If U18):
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Injured party Contact Information:	
<input type="checkbox"/> Phone Number:	<input type="checkbox"/> Address:
<input type="checkbox"/> Email Address:	<input type="checkbox"/> Postcode:

Have parent/carer been notified of this accident/Incident? Yes / No
<i>If yes, provide details of what was said/agreed action:</i>

When accident/incident occurred: <i>(date and time)</i>	Where accident/incident occurred: <i>(name of session &amp; room or place)</i>
--	---

About the accident/incident – what happened?: <i>(include as much information as possible)</i>
--

Action taken: (*was First Aid administered, what equipment was used, outside agencies involved, parents/carers called, staff involved, incident reported to, etc*)

Near Miss Notification: (a near miss is an incident where no one is injured but the incident gives cause for concern)

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Witnesses (Names & contact details of any relevant witnesses)

Print Name:	Signature:	Date:
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*All personal information is kept in accordance with the **Data Protection (Bailiwick of Guernsey) Law, 2017***