

# Policies and Procedures

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# Paragon Music Values Statement

Paragon is an artist led organisation that is passionate about inclusive music and dance creativity and performance. It aims to transform the lives of young people and adults, including those with additional support needs, through participation in high quality music and dance programmes. Highly skilled performing artists and arts practitioners support the delivery of Paragon's programmes ensuring that participants receive professional training and support that motivates, educates and inspires innovative work of high quality.

## **Mission**

"Paragon is dedicated to inspiring young people and adults in Scotland to create and perform music and dance; helping them to transform their lives through opportunities to learn and develop new skills in an inclusive environment."

## **Vision**

Our vision is to reach as many people in Scotland as possible who want to engage with music and dance but find it too difficult to find an access point where they can learn and unlock their creative talents. To achieve this we aim to:

- Ensure all necessary measures are in place to enable people with and without disability to participate, connect and value their engagement with high quality arts experiences and perform at an equal level in public venues with high production values.
- Train performing artists in inclusive practice, engaging leading artists in the field, from Scotland and elsewhere, to build a cohort of music and dance specialists that are dedicated practitioners in the art of high quality inclusive practice and performance.
- Collaborate with like-minded partner organisations in Europe, Asia and America commissioning new work for performances in Scotland and abroad.
- Raise the profile of people with additional support needs as performing artists and support their aspirations to take up a career in the arts.
- Ensure that places of further education and arts organisations create genuine accessible routes for young aspiring artists with additional support needs to learn the skills necessary to support their career aspirations.
- Stimulate debate and connect with academic research in the efficacy of inclusive practice and the powerful impact it has on the conventions of current artistic practice and learning.
- Our vision is to create a level playing field for all people in Scotland to engage and participate in the arts as creators, performers, practitioners and as audiences through the two of the most important principles of music — equality and inclusion — Paragon aims to inspire and empower people across all ages and abilities.

Paragon will achieve a definitive outcome that demonstrates greater equality of opportunity and talent development for people of all ages and abilities to engage in arts practice and performance and for audiences to learn from and enjoy. This vision will see Scotland leading the way in equalities arts practice where "mainstream" flagship arts organisations genuinely embed inclusive practice in their programmes and performances, challenging accepted conventions, creating a new framework and vocabulary for artists and audiences from a much wider range of backgrounds to express their ideas through a new artistic idiom.

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Dr Lio Moscardini  
Chair, Paragon Board of Directors, April 2015

# Child Protection Policy

## **Introduction**

Paragon is committed to the protection of children and regards the safeguarding and promoting the interests and wellbeing of children as of paramount concern. We consider it the duty of all those employed or involved with the organisation to prevent the physical, sexual, or emotional abuse of all children with whom they come into contact, including reporting any abuse discovered or suspected.

## **Who needs protection?**

Children and young people under the age of 16, and young people between the ages of 16 and 18 who are affected by disability or are vulnerable.

## **What is child abuse?**

The general definition of child abuse adopted in Scottish Office guidance refers to circumstances where “a child or young person’s basic needs are not being met in a manner appropriate to his or her individual needs and stages of development and the child is, or will be, at risk through avoidable acts of commission or omission on the part of their parent(s), sibling(s) or other relative(s) or a carer. (i.e. the person(s) while not a parent who has actual custody of, charge of, or control over a child). Additional information in Appendix 1

What to do if you think a child or young person is at risk of abuse

- Be supportive to the person disclosing information about the child. Listen with care but do not ask any unnecessary questions. Take what the child or young person is saying seriously and advise them you will have to pass the information on.
- Write down the nature of your concern and anything the child or young person may have told you using, so far as possible, the words used by the child or young person. Remember to sign and date the notes taken.
- Staff should immediately report the grounds for concern to Ninian Perry, Creative Director, or a Paragon Board Member, who will take steps to pass the information on to the appropriate person or organisation who will investigate the concerns. Do not delay in reporting your concerns.
- If you are unhappy with the response from the person you have approached you should contact the local Social Work Services Office and outline your concerns and the basis for them.

The welfare of a child or young person who may be at risk of harm will always override a professional or organisational requirement to keep information confidential. Those employed or involved with the organisation have a responsibility to act to make sure that a child whose safety or welfare may be at risk is protected from harm. Children, young people and their parents will always be told this.

Action to be taken by the Manager.

- All cases of suspected or alleged abuse must be treated seriously and the local Social Work Services Office should be contacted immediately. The concerns should be clearly stated including the basis for them. When the local office is closed the Emergency Social Work Service should be alerted.
- If you are unhappy with the response from Social services you can contact the local Police Office or the Reporter to the Children’s Panel and outline your concerns to them.

What happens next?

It is the duty of Social Work Services to investigate matters of concern in relation to the protection of the child or young person. Where it is alleged a crime has been committed against a child the matter is likely to be investigated jointly with the Police.

The investigating Social Worker Services/Police Officer may require to speak to the person with whom the concerns originated. You should co-operate fully with any future enquiries.

What if your concerns are about someone within the organisation?

If you have observed someone within the organisation acting in a way that has caused you to be concerned and feel the matter needs to be investigated you should contact Ninian Perry, Creative Director outlining your concerns and the basis for them. The Creative Director will take your concerns seriously and decide on an appropriate course of action. This may involve the use of the organisations disciplinary procedures and/or a referral to Social Work Services/Police.

All Paragon staff working with children and young people are required to be a member of the PVG Scheme checked by Disclosure Scotland. All staff are expected to attend regular Child Protection Training provided by Paragon.

If the concerns involve the Creative Director this should be reported to the Chair of the Paragon Board or to Social Work Services/Police.

# Adult Protection Policy

## Introduction

Paragon is committed to the protection of Adults and regards the safeguarding and promoting of the interests and wellbeing of Adults as of paramount concern. We also consider it the duty of all those employed or involved with the organisation to prevent the physical, sexual, or emotional abuse of all adults with whom they come into contact, including reporting any abuse discovered or suspected.

## Who is a vulnerable Adult?

In this guidance, adult means a person aged sixteen or over. The broad definition of a vulnerable adult is a person:

Who is or may be in need of community care services by reason of mental or other disability, age or illness; and who is or may be unable to take care of him or herself, or unable to protect him or herself against significant harm or exploitation.

## What is Abuse?

Abuse is an emotive term and can be subject to wide interpretation. The starting point for a definition is the following statement:

Abuse is a violation of an individual's human and civil rights by any other person or persons but has also been defined as the wrongful application of power by someone in a dominant position. Whether the abuse occurs within institutions or in the home, it involves the elements of power on balance, exploitation and the absence of full consent. It also involves acts of omission and commission.

Additionally vulnerable adults may place themselves in risk situations where a judgment call of individual rights and choices verses the duty to protect has to form part of the assessment process.

## Different Forms of Abuse

The following lists the main forms of abuse that have been identified:

- Physical abuse — including hitting, slapping, pushing, kicking, misuse of medication, inappropriate restraint or sanctions.
- Sexual abuse — including rape and sexual assault or sexual acts to which the vulnerable adult has not consented, could not consent or was pressured into consenting.
- Psychological and/or emotional abuse, threats of harm or abandonment, deprivation of contact, humiliation, blaming, controlling, intimidation, coercion, harassment, verbal abuse, isolation or withdrawal from services or supportive networks,
- Financial or material abuse — including theft, fraud, exploitation, pressure in connection with wills, property, inheritance, financial transactions, or the misuse or misappropriation of property, possessions or benefits.
- Neglect and acts of omission — including ignoring medical or physical care needs, failure to provide access to appropriate health, social care or educational services, the withholding of the necessities of life, such as medication, adequate nutrition and heating.
- Discriminatory abuse, actions (on omissions) and/or remarks of a prejudicial nature, focusing on a person's age, gender, disability, race, colour, sexual or religious orientation.

- Institutional abuse — inappropriate rituals/practices carried out that deny the rights of choice, independence, activity and privacy due to staff desensitisation.
- Any or all of these types of abuse may be perpetrated as the result of deliberate intent, negligence or ignorance.

### **Signs of potential abuse**

Suspicion of abuse or neglect can come to light in a number of ways. The clearest indicator is a statement or comment by the adult themselves in relation to a carer or others, disclosing or suggesting abuse or neglect.

It should be emphasised that the list below is not intended to be exhaustive, but simply an indication of the range of the many types of abuse:

### **Physical abuse**

- Multiple bruising that is not consistent with the injuries, e.g. explanation given of a fall
- Black eye, marks resulting from violent acts
- Abrasions, especially around wrists and/or ankles
- Unexplained burns, especially on the back of the hands
- Scalds, especially with a well-defined edge from immersion in water
- Hair loss in one area — scalp sore to touch.

### **Sexual Abuse**

- Aversion to being touched
- Tendency to withdraw and spend time in isolation
- Deliberate self-harm
- Complaints of soreness, bruising or bleeding in genital or rectal area
- The presence of sexually transmitted diseases
- Excessive washing.

### **Psychological Abuse**

- Weight change — loss of appetite or overeating
- Withdrawal, confusion
- Loss of confidence
- Extreme submissiveness or dependence in contrast with known capacity
- Demonstration of fear of another person by the vulnerable adult
- Sudden changes in behaviour in the presence of certain persons.

### **Financial Abuse**

- Unexplained or sudden inability to pay bills
- Unexplained or sudden withdrawal of money from accounts
- Contrast between known income or capital and unnecessarily poor living conditions, especially where this has developed recently
- Personal possessions of value to missing from the home without satisfactory explanation
- Someone has taken responsibility for paying rent, bills, buying goods etc — but this is not happening
- Unusual interest taken by relative, friend, neighbour or other in financial assets, especially if little real concern is shown in other matters.
- Unusual purchases unrelated to the known interests of the vulnerable adult.

**Misuse of medication**

- Not administered as prescribed
- Overmedicated, resulting in apathy, drowsiness, slurring of speech, unusual sleepiness or docile behaviour
- Under-medication resulting in lack of sleep, continual pain or other symptoms.

**Neglect and acts of omission**

- A prolonged interval between illness/injury and presentation for medical care.
- Non attendance at social care or educational services
- Evidence of withholding of necessities of life, such as medication, adequate nutrition and heating.

**Other indicators**

- Anxious, disturbed or challenging behaviour on the part of the vulnerable adult

**Sharing Information and Confidentiality**

Concern about the abuse of a vulnerable adult provides sufficient grounds to share information on a “need to know” basis and/or it is in the public interest. Unnecessary delays in sharing information should be avoided.

The welfare of an adult who may be at risk of harm will always override a professional or organisational requirement to keep information confidential. Those employed or involved with the organisation have a responsibility to act to make sure that an adult whose safety or welfare may be at risk is protected from harm.

**Action to be taken by the Creative Director**

All cases of suspected or alleged abuse must be treated seriously and the local Social Work Services Office should be contacted immediately. The concerns should be clearly stated including the basis for them. When the local office is closed the Emergency Social Work Service should be alerted.

**What happens next?**

It is the duty of Social Work Services to investigate matters of concern in relation to the protection of the child or young person. Where it is alleged a crime has been committed against an adult the matter is likely to be investigated jointly with the Police.

The investigating Social Worker Services /Police Officer may require to speak to the person with whom the concerns originated. You should co-operate fully with any future enquiries.

**What if your concerns are about someone within the organisation?**

If you have observed someone within the organisation acting in a way that has caused you to be concerned and feel the matter needs to be investigated you should contact Ninian Perry, Creative Director or a Paragon Board Member, outlining your concerns and the basis for them. The Creative Director will take your concerns seriously and decide on an appropriate course of action. This may involve the use of the organisations disciplinary procedures and/or a referral to Social Work Services/Police.

If the concerns involve the Creative Director this should be reported to the Chair of Paragon or to Social Work Services/Police.

# Equality Policy Statement

1. Paragon recognises that discrimination and victimisation is unacceptable.
2. It is our aim to ensure that no one with whom we interact receives less favourable facilities or treatment [either directly or indirectly] when we engage with them in general matters, tuition or performance on grounds of age, ability, gender/gender reassignment, ethnicity, religion or belief, gender, or sexual orientation.
3. Our aim is that we will respect all sections of society and aim to ensure that all individuals with whom we engage feel respected and able to give of their best.
4. We oppose all forms of unlawful and unfair discrimination or victimisation. To that end the purpose of this policy is to provide equality and fairness for all with whom we interact.
5. All employees, whether part-time, full-time or temporary, will be treated fairly and with respect. Selection for employment, promotion, training or any other benefit will be on the basis of aptitude and ability. All employees will be helped and encouraged to develop their full potential and the talents and resources of the workforce will be fully utilised to maximise the efficiency of the organisation.
6. Our staff will not discriminate directly or indirectly, or harass customers or clients because of age, disability, gender reassignment, pregnancy and maternity, race, religion or belief, sex, and sexual orientation in the provision of the Company's goods and services.
7. This policy and the associated arrangements shall operate in accordance with statutory requirements. In addition, full account will be taken of any guidance or Codes of Practice issued by the Equality and Human Rights Commission, any Government Departments, and any other statutory bodies.

## **Our commitment**

- To create an environment in which individual differences and the contributions of all our staff are recognised and valued.
- Everyone is entitled to a working environment that promotes dignity and respect to all. No form of intimidation, bullying or harassment will be tolerated.
- Training, development and progression opportunities are available to all staff.
- To promote equality in the workplace which we believe is good management practice and makes sound business sense.
- We will review all our employment practices and procedures to ensure fairness.
- Breaches of our equality policy will be regarded as misconduct and could lead to disciplinary proceedings.
- The policy will be monitored and reviewed annually

## **Responsibilities of management**

Responsibility for ensuring the effective implementation and operation of the arrangements will rest with the Creative Director.

Directors/Managers will ensure that they and their staff operate within this policy and arrangements, and that all reasonable and practical steps are taken to avoid discrimination. Each manager will ensure that:

- all their staff are aware of the policy and the arrangements, and the reasons for the policy;
- grievances concerning discrimination are dealt with properly, fairly and as quickly as possible;
- proper records are maintained.

The Paragon Board will be responsible for monitoring the operation of the policy in respect of employees and job applicants, including periodic departmental audits.

### **Responsibilities of staff**

Responsibility for ensuring that there is no unlawful discrimination rests with all staff and volunteers. The attitudes of staff/volunteers are crucial to the successful operation of fair employment practices. In particular, all members of staff should:

- comply with the policy and arrangements;
- not discriminate in their day to day activities or induce others to do so;
- not victimise, harass or intimidate other staff or groups who have, or are perceived to have one of the protected characteristics.
- ensure no individual is discriminated against or harassed because of their association with another individual who has a protected characteristic.
- inform the Creative Director if they become aware of any discriminatory practice.

### **Third parties**

Third-party harassment occurs where an employee is harassed, and the harassment is related to a protected characteristic, by third parties such as clients or customers. We will not tolerate such actions against our staff, and the employee concerned should inform their manager/supervisor at once that this has occurred. We will fully investigate and take all reasonable steps to ensure such harassment does not happen again.

### **Related policies and arrangements**

All employment policies and arrangements have a bearing on equality of opportunity. The Company policies will be reviewed regularly and any discriminatory elements removed.

### **Rights of disabled people**

The Company attaches particular importance to the needs of disabled people.

Under the terms of this policy, staff are required to:

- make reasonable adjustment to maintain the services of an employee who becomes disabled, for example, training, provision of special equipment, reduced working hours. (NB: managers are expected to seek advice on the availability of advice and guidance from external agencies to maintain disabled people in employment);
- include disabled people in training/development programmes;
- give full and proper consideration to disabled people who apply for jobs, having regard to making reasonable adjustments for their particular aptitudes and abilities to allow them to be able to do the job.

### **Equality training**

A series of regular briefing sessions will be held for staff on equality issues. These will be repeated as necessary. Equality information is also included in induction programmes.

Training will be provided for managers on this policy and the associated arrangements. All managers who have an involvement in the recruitment and selection process will receive specialist training.

### **Monitoring**

- We deem it appropriate to state our intention not to discriminate and assume that this will be translated into practice consistently across the organisation as a whole. Accordingly, a monitoring system will be introduced to measure the effectiveness of the policy and arrangements.
- The system will involve the routine collection and analysis of information on employees by gender, marital status, ethnic origin, sexual orientation, religion / beliefs, grade and length of service in current grade. Information regarding the number of staff who declare themselves as disabled will also be maintained.
- There will also be regular assessments to measure the extent to which recruitment to first appointment, internal promotion and access to training/ development opportunities affect equal opportunities for all groups.
- We will maintain information on staff who have been involved in certain key policies: Disciplinary, Grievance and Bullying & Harassment.
- Where appropriate equality impact assessments will be carried out on the results of monitoring to ascertain the effect of our policies and our services/ products may have on those who experience them.
- The information collected for monitoring purposes will be treated as confidential and it will not be used for any other purpose.
- If monitoring shows that Paragon, or areas within it, is not representative, or that sections of our workforce are not progressing properly within the company, then an action plan will be developed to address these issues. This will include a review of recruitment and selection procedures, policies and practices as well as consideration of taking legal Positive Action.

### **Grievances/discipline**

Employees have a right to pursue a complaint concerning discrimination or victimisation via the Company Grievance or Harassment Procedures.

Discrimination and victimisation will be treated as disciplinary offences and they will be dealt with under the Company Disciplinary Procedure.

### **Review**

The effectiveness of this policy and associated arrangements will be reviewed annually under the direct supervision of the Chairman and Creative Director.

# Health and Safety Policy

## **Introduction**

It is the intention of Paragon to promote a positive safety culture and with this aim in mind the following organisational duties and responsibilities have been identified and allocated.

The Board, as the senior body, supports the development of this safety culture and will ensure that all levels of staff are trained and made aware of their responsibility under the Health and Safety at Work Act (1974) (HSWA) and the Management of Health and Safety at Work Regulations (1992).

We also recognise that Paragon has the same responsibility for our artists and students as we do for employees.

All staff and service users have a responsibility to adhere to the requirements of the Health and Safety at Work Act (1974) and the Management of Health and Safety at Work Regulations (1992).

## **Responsibility**

While overall responsibility for the implementation of the Health and Safety Policy is vested with the Board, responsibility for the day-to-day application of the policy is delegated to the Creative Director [Ninian Perry].

All problems relating to health and safety should ultimately be referred to him for resolution. Where necessary advice will be sought from the appropriate agencies.

## **Day-to-Day Responsibility**

In any instance, all employees have a responsibility to provide a duty of care for employees/service users in their charge:

- They are responsible for ensuring the achievement of the requirements of legislation and the objectives of the Paragon Health and Safety policy.
- They will ensure that safe working practices are developed and implemented.
- They will monitor compliance with the policy and contribute to reviews and the development of good practice.
- In consultation with the Creative Director, they will ensure that adequate training is provided where appropriate.

All employees, under current legislation, are required to:

- Co-operate with their employer to ensure that safe working practices are employed in the workplace.
- Ensure that guidelines and reporting structures set up in this Health and Safety policy are followed, including reporting immediately to the Line Manager any absence of accident prevention equipment or damage to any such equipment or appliance that has been supplied and to report any faults/non compliance of guidelines immediately.
- Work in a safe manner at all times and do nothing which might endanger themselves or others through their working activities.
- Ensure they do not operate equipment without authorisation (if appropriate) and unless they are competent and trained to do so.
- Record all accidents in the appropriate 'Accident Book'. Any major incidents should be reported to the Creative Director. For major incidents you should follow the criteria laid out in the 'Reporting of Injuries, Diseases and Dangerous

Occurrences Regulations (1995) (RIDDOR). If the incident falls within the criteria of RIDDOR, the Creative Director should report the incident to the Health and Safety Executive.

An analysis of these reports will contribute to monitoring procedures.

It is a requirement of the Board that all breaches of the Health & Safety Policy or incidents/accidents will be reported to them at the Board Meeting following the incident.

# Dignity at Work Policy and Procedures

## **Introduction**

Paragon is committed to a policy of equality of opportunity and aims to provide a working environment, which is free from unfair discrimination and will enable staff and members to fulfil their personal potential. All individuals should be treated with dignity and respect and members and staff have an important part to play in creating an environment where harassment is unacceptable.

## **Purpose**

The purpose of this policy is to assist in developing and encouraging a working environment and culture in which harassment is known to be unacceptable and where individuals have the confidence to deal with harassment without fear of ridicule or reprisals. This policy aims to ensure that if harassment or bullying does occur, adequate procedures are readily available to deal with the problem and prevent it recurring. Harassment can have a detrimental effect upon the health, confidence, morale and performance of those affected by it.

Paragon will undertake to:

- Apply the policy to all members, staff and volunteers and ensure prompt response to formal complaints.
- Treat all incidents of harassment or bullying as being very serious. In some instances, harassment may be dealt with informally. In others, there may be grounds for using the disciplinary procedures or Members Conduct procedures, including dismissal or exclusion from Paragon.
- Publicise the policy to all staff, members, Board members and voluntary staff.
- Provide a Harassment Advisor who will be available to all members, staff and volunteers, trained to deal sensitively with any initial approaches made to them.
- Monitor the number of cases arising and the effectiveness of the policy.

## **Definition of Harassment**

Harassment is unacceptable behaviour, which can range from violence and bullying to more subtle behaviour such as ignoring an individual at work. It subjects an individual or a group to unwelcome attention, intimidation, humiliation, ridicule, offence or loss of privacy. It is unwanted by the recipient and continues after an objection is made, although a single incident may be serious enough to constitute harassment and justify a complaint.

This definition includes sexual and racial harassment, and bullying as well as any other form of personal harassment arising from disability, sexual orientation, socio-economic status, age, religion etc. It can be a single explicit incident causing distress or repeated unacceptable behaviour affecting the dignity of an individual that appears or feels offensive, demeaning, intimidating or hostile.

Differences in attitude, background or culture can mean that what is perceived as harassment by one person may not be seen so by another. Harassment will have occurred if an independent, reasonable individual deems it to have occurred.

## **Sexual Harassment**

Sexual harassment constitutes the inappropriate introduction of sexual comments or activities into the working or social environment. It is conduct that has sexual implications such as:

- unnecessary and unwanted physical contact
- unwelcome advances, attention or propositions

- displaying sexual explicit material
- sexual comment
- persistent demeaning or offensive jokes
- sexual innuendo and expletives
- unwanted comments about appearance
- degrading text/messages on computer screens or elsewhere
- indecent demands or requests for sexual contact or actual sexual assault

There is no justification for sexual harassment even if the offence is not intended. The most common form of harassment is of women by men, but sexual harassment of men by women or within the same sex does occur. All are equally unacceptable.

There are professional as well as ethical reasons for staff to maintain an appropriate formal relationship between themselves and members.

### **Racial Harassment**

Racial harassment is conduct based on race, colour, nationality or ethnicity, which is offensive to the recipient. It can be racial discrimination and may constitute the inappropriate introduction of racial comments or activities into the social or work environments. There is no justification for racial harassment even if the offence is not intended.

It is a hostile or offensive act or expression by a person of one race or ethnic origin against a person of another, or incitement to commit such an act. Such behaviour can include:

- derogatory name calling
- insults or racial jokes
- racial graffiti, verbal abuse or intrusive questioning about racial issues or racial origins
- gestures, or physical threats or attacks
- deliberate exclusion from social activities
- ridicule of an individual for cultural differences such as appearance, dress, diet, religion or ethnic background

### **Personal Harassment**

Personal harassment constitutes the inappropriate introduction of comments or activities into social or working environments concerning an individual's disability, age, socio-economic group, sexual orientation, religion or any other form of personal victimisation.

These forms of harassment can cause misery and may include:

- insulting remarks based on grounds of personal appearance, personal circumstance
- using a person's known disability to demoralise them
- mockery, taunts or pranks about such matters as age, sexual orientation, cultural differences, religion, socio-economic status or disability

Bullying is a particular form of personal harassment. It is threatening, abusive, intimidating or insulting behaviour that may be an abuse of power, position or knowledge. It can happen in public or in private and may arise from the combination of an authoritarian personal style in the bully and a lack of assertiveness and self-confidence in the person or persons being bullied. An assertive management style would in itself not constitute bullying but where assertiveness gives way to aggression it is likely to become destructive rather than

constructive. Some examples of bullying are:

- shouting and sarcasm, derogatory or belittling remarks in front of others regarding appearance, work or personal attributes
- ignoring
- unwarranted exclusions
- punishing a competent person by inappropriately removing some responsibility
- subjecting someone to group pressure

It is not confined to open, derisory remarks or aggression, but can be subtle and devious, resulting in an individual being singled out, demeaned and devalued.

Bullying can be carried out by an individual or group of individuals. It frequently involves someone in a position of authority bullying someone in a lesser position but bullying of people in a more senior position by people in a lesser position and between people in an equal position does occur. All are equally unacceptable.

Bullying can be unpredictable, irrational and sometimes unseen by others. It can cause an individual to feel isolated, with possible implications for physical and mental health.

Vigorous speech and comment and legitimate management of performance of staff can be distinguished from bullying behaviour. However, care should be taken to ensure that neither members nor staff are made to feel intimidated.

### **Responsibilities**

Everyone has a responsibility to behave in a way that is not offensive to others.

Everyone has a responsibility to acknowledge that views, opinions held by others and decisions made by any member or staff may not always coincide with their own; such differences are unlikely to constitute harassment.

At times staff and members have the right and responsibility to make a decision that impact on other members or staff. In so doing they may need to adopt a firm and assertive style, but they should take care not to demean, devalue or intimidate members or staff.

All staff and members have a responsibility to promote a culture free from unacceptable behaviour.

Senior management and project workers have a responsibility to react to any allegations of harassment or bullying as quickly as possible.

In the same way, those responsible for visitors to Paragon must react to such allegations appropriately.

### **Advice and Support:**

Paragon recognises the need for informal advice and support as soon as possible and is made available to any member, staff or visitors who has concerns.

A number of members and staff will be trained and supported to act as informal Advisors, who are there to listen to what has happened and to help and support, and explain the options, whether or not someone wishes to make a formal complaint.

The Advisor will complete a brief, anonymous record of any discussion that will be used only for the purpose of monitoring the effectiveness of the policy. The Advisor will discuss the contents of this record with the member, staff or visitor raising the concern. Such records will be kept by the Chair of the Board of Paragon.

If the Advisor considers that the Creative Director or the Chair should be informed as there is an unacceptable risk to the individual, another member, staff or visitor or to Paragon, the complainant will be advised of this before the disclosure is made. Information will be only disclosed to relevant parties and all investigations will remain confidential.

**Procedures and Action:**

Anyone who believes that they are the subject of harassment or bullying in any form can take the following steps:

**Informal Action:** If at all possible those who feel they are subject to bullying or harassment should tell the person(s) concerned that their behaviour is causing offence and ask them to stop. It may be helpful to have a note of any incidents, including times and dates in order to be able to give examples of the behaviour that may have caused offence.

**Informal Action with assistance from an Advisor:** If the individual has attempted to address the issues or does not feel able to do so without support and assistance they should seek the advice from an Advisor. The role of the Advisor is one of mediation and in that role they may need to discuss the issues with both parties.

**Formal Action:** If, despite the intervention of an Advisor, the harassment or bullying continues, or an incident is sufficiently serious, the individual should put a complaint in writing. This should include details of what has happened and how it is affecting them.

There will be an initial response to a formal complaint within five working days.

All written complaints should be addressed to the Creative Director or to the Chair of Paragon.

A preliminary investigation will be undertaken which will be appropriate to the nature of the complaint. Both parties may be accompanied at all times by an individual of their choice. Such investigations will seek to establish the facts and will be conducted in a sensitive and non-threatening manner. The outcomes from such an investigation may include:

- Further discussion with the parties concerned
- Instigation of the Staff or Members' Grievance Procedures
- Instigation of Staff Disciplinary Procedures or Members' Conduct Procedures

At all stages on-going support should be available to staff and members. Staff may use the Employee Counselling Services and members should be provided with access to appropriate counselling if required.

**Criminal Offences**

Paragon expects members, staff or visitors to exercise their legal rights so as to protect themselves in cases where a criminal offence may have been committed.

If a criminal offence such as harassing phone calls, physical assault, indecent exposure takes place nothing in Paragon policies is intended to prevent or dissuade an individual from contacting the Police.

**Vexatious Complaints**

Paragon treats complaints of harassment or bullying seriously. It should therefore be noted that anyone found to be making mischievous or malicious complaints will be subject to appropriate actions within the disciplinary or member conduct procedures.

***No one should fear that they will be victimised for complaining about bullying or harassment. This policy and procedures will be reviewed after one year.***

# Service User Conduct Policy and Procedure

## **Policy Statement**

Paragon aims to provide an environment that is safe for service users and staff; and promotes an atmosphere where staff, service users and visitors are made to feel welcome. Paragon recognises the need to balance between being open to vulnerable and marginalised people, some of whom may present with challenging behaviours, and the need to ensure safety and security of everyone.

## **Purpose**

This Policy seeks to set out the standards of behaviour expected of staff, service users and visitors to Paragon and to make clear the procedure for managing incidents involving members. Issues or concerns about Staff conduct is managed by a separate policy.

## **House Rules**

The general rules concerning the behaviour of people in Paragon have to be clear and unambiguous and also need to be implemented fairly and consistently.

Although not an exhaustive list, the following statements reflect the positive behaviour that Paragon seeks to engender.

- Language should be positive, respectful and non-threatening. No offensive or aggressive language - spoken or written – is permitted
- We must behave in a way that conveys respect and dignity to our fellow staff and colleagues. Offensive, intimidating, threatening or aggressive behaviour is not permitted.
- Paragon is a place that is safe and accepting of all. To this end any comments or behaviour that could be considered racist, sexist or anti-gay are not permitted
- Paragon will not tolerate violence or threats of violence
- All personnel will not be permitted to participate under the influence of alcohol / drugs
- There should be no dealing or encouraging others to deal in contraband or drugs.
- The unauthorised possession of property belonging to members, staff or Paragon is not permitted and may result in Police involvement.
- The unauthorised and/or inappropriate use of Paragon property or resources is not permitted e.g. telephone and/or internet.

## **Dealing with Unacceptable Behaviour**

If a staff member considers it necessary to challenge behaviour they should notify a second member of staff in advance so that assistance and support can be available if necessary. Where possible a senior member of staff should be consulted. Whenever unacceptable behaviour requires to be challenged this should always be done by the staff member in a manner that is respectful, non-judgmental and non-threatening. The purpose of this intervention will be to:

- emphasise that inappropriate behaviour is not acceptable and the impact this behaviour has on fellow colleagues
- re-establish boundaries and explore consequences to the person behaving unacceptably if behaviour continues

In most cases this type of intervention will be enough to resolve the matter and an incident report should be completed reflecting the incident and kept in the incident file.

### **Asking a Service User to Leave**

If a member of staff considers a service user's behaviour warrants them being asked to leave they should, circumstances permitting, consult with a Senior Project Worker or the manager. If the decision is made to exclude the service user for the rest of the day, the Senior Project Worker or manager should ask the service user to leave.

If a service user refuses to leave they should be informed that the police will be called. If they still refuse to leave the police must be called.

Details of the circumstances leading to the service user being asked to leave should be recorded in an incident form which should be completed and kept in the Incident File. If absent the Creative Director should be informed at the earliest opportunity of the circumstances leading to the exclusion.

### **Deciding What to do Next**

When someone has been asked to leave it is important that a decision is reached as quickly as possible regarding their re-entry into the workshop programme. The staff member who records the incident should meet with the most senior member of staff (Creative Director or senior project worker) available in Paragon within 2 working days of the service user being asked to leave.

The Creative Director or senior project worker will have the authority to decide what action to take following an incident.

Before reaching a decision the following questions should be considered:

- The seriousness of the incident
- The risk to the safety of others in Paragon
- Involvement in previous incidents

The following should also be considered:

- the importance of consistency and clarity when imposing exclusions
- the need to demonstrate fairness and respect for all service users and staff.

The outcome of the meeting is to be recorded on the Incident report form and copied to the Creative Director.

A copy must be kept in the Incident Report file.

Paragon will do all that it can to ensure service users are able to attend the workshop programme whenever they wish to do so. However after an investigation has been carried out, it may be considered appropriate to take further action using the following guide

- exclusion on the day sufficient – no further action
- exclusion for 1-4 weeks. (Processed by a Senior Project Worker after consultation with other members of Staff)
- exclusion for 1-12 months (by the Creative Director only and after consulting with senior staff)
- indefinite exclusion. (to be done by the Creative Director and only after consultation with senior staff. The Board should be informed in this incidence)

Where two or more people are concerned in the exchange of drugs all will be excluded from Paragon and the police will be informed. Paragon personnel will cooperate fully with any Police investigation.

### **Excluding a Service User**

Service users will be informed of the decision ideally both verbally and in writing. When informing the service user verbally there should be two staff present.

Exclusion letters should always come from the Creative Director or Senior Member of Staff.

### **Appeal**

Service users can appeal any decision to exclude them. This should be within 5 working days of the notification of exclusion being given. They can appeal in writing to the Creative Director of Paragon who will inform the Chair of the Paragon Board of Directors. The Chair will arrange for a review of the incident to be carried out and contact the member within 28 days.

The Board will hear the appeal and their decision is final. During any appeal the original exclusion still applies. The decision of the appeal panel will if at all possible be communicated to the member within a further 5 working days.

### **After Exclusion – Meeting With the Service User**

There must be a meeting between staff and service user when a service user returns to the workshop programme after being excluded for more than one day, to ascertain where possible the factors which resulted in exclusion and to try to help the service user deal differently with issues in the future.

An appointment will be given to the service user and until this meeting takes place the member may not resume use of Paragon services. i.e. if a service user arrives after a period of exclusion is finished they may not use paragon's services until they have met with staff – even if this means another few days until a meeting can be arranged.

### **Information Sharing Between Agencies**

In the interests of safety there are times when it may be appropriate to share information with other agencies. This requires the permission of the Creative Director of Paragon.

When information is received about service users from other agencies, which has safety implications, it will be shared between relevant staff and if necessary a meeting will be held to decide whether the service user should be allowed access to Paragon.

### **Review**

This policy is to be reviewed every 3 years.

# Confidentiality and Data Protection Policy

Paragon is committed to providing a confidential service to its service users. We believe that the principles of confidentiality must be integrated across all aspects of our service. All our service users have a right to expect to have their interests protected and safeguarded at all times.

Paragon understands confidentiality to mean that no information regarding a service user shall be given directly or indirectly to any third party, without the member giving their prior expressed consent to disclose information. We recognise that all our service users should be able to access our service in confidence and that no other person should ever know that they have used the service. All information about service users should be confined to the staff (or students on placement) of Paragon.

It should also be noted that death does not end the undertaking of confidentiality.

## **Expressed Consent**

Either written or verbal consent must always be obtained from service users before sharing information with others and must be noted in the service user's file.

The only information to be shared with third parties should be information relevant to the situation being dealt with.

Fax and e-mail should not be used to transmit confidential information about service users.

## **Breaches of Confidentiality**

Paragon recognises that occasions may arise when individual workers feel that they need to breach confidentiality. Paragon recognises, however that any breach of confidentiality may damage the relationship between Paragon and the service user. Therefore, any breach of confidentiality has to be treated with the most serious of approaches.

Such a step should only be considered where a serious risk to the service user or others is perceived by a staff member (or student on placement). The staff member, or student, should not break confidentiality without taking the following steps:

1. The staff member, or student, should raise the matter immediately with the Creative Director, or if he/she is not available a Senior Project Worker.
2. The Creative Director, or Senior Project Worker, should take a written note of the discussion.
3. The Creative Director, or Senior Project Worker, should consider the options available in each set of circumstances. A decision should then be made on whether confidentiality should be breached or not.
4. If a decision is taken to breach confidentiality, the service user should be informed as soon as possible. The reason for making this decision should be explained to the service user. The Creative Director, or Senior Project Worker should be involved in advising the service user of the decision to breach confidentiality.

## **Statistical Recording**

Paragon is committed to effective statistical recording of the use of its service by service user and to this end invokes procedures consistent with the objectives of the Data Protection Act 1998.

It is the Creative Director's responsibility to ensure that all statistical information given to third parties, such as to support funding applications, or evaluation/monitoring reports to funding bodies, should be produced in an anonymous form, so that service users cannot be identified.

### **Service Users' Files**

It is the Creative Director's responsibility to ensure that all service users' records are kept locked in filing cabinets. All service users' case records should be locked away at the end of each working day. Any copies of correspondence etc relating to service users that staff/ students are currently working on should also be locked away at night in desk drawers.

If personal information regarding a service user is stored on a floppy disk or a memory stick, the medium should be stored in a secure disk box or stored in a locked desk or filing cabinet.

If personal information regarding a service user is stored on the hard drive of a PC, it should only be accessed by the use of a password.

Written case records need to be kept for a minimum of 7 years, during which time a civil claim can be made.

Confidential information should not be taken out of the premises, except in limited circumstances (Appeals Tribunals etc).

### **Access To Personal Files**

The Access to Personal Files Act (APFA) does not cover the records of voluntary organizations, even when they are involved with statutory authority in providing services. Many of the major voluntary organizations do, in fact, have access policies, but there is no entitlement in law for individual members to see their records.

It is the policy of Paragon that every service user should have access to their own personal file. What follows are requirements and guidelines as per the Access to Personal Files Act.

Under the Act and related regulations, Paragon is **obliged** to provide access to personal information to service users and any other individual on whom we hold information. Paragon is also required to rectify or erase inaccurate information held on service users' or other individuals.

*Who has the right of access to personal information?*

Anyone (including minor children) has the right of access to personal information held about them by Paragon. This right only applies to *living individuals* who can be identified from the information held by Paragon.

This also applies to personal records held on staff members.

An individual does not have the right to know what is recorded about another individual.

### **Practice Implications Of Access – Guidelines**

Paragon is committed to the right of service users to have access to their personal file.

1. Ensure that people (particularly service users) know about and exercise their rights of access to personal information held on them by Paragon.
2. Safeguard the confidentiality of personal information held about service users.
3. Information provided by third parties cannot be disclosed without their expressed consent.
4. Maintain appropriate standards of confidentiality between agencies involved in the care and welfare of service users.
5. Encourage other people/agencies to share with service users, information that has been passed onto Paragon.
6. Limit the quantity of information recorded to that which is relevant and necessary to the service being provided.
7. Ensure that records are kept accurate and up to date.
8. Staff should endeavour to record factual information only. However, when necessary, staff should ensure that records identify the differences between fact, opinion and professional assessment.

### **Legislative Framework**

Paragon will aim to monitor this policy to ensure that it meets statutory and legal requirements. In particular these will include the following:

- 1998 Data Protection Act
- Children's Scotland Act
- Prevention of Terrorism Act
- Social Security Administration (Fraud Act) act 1997

### **Contact With The Media**

All media contact should be channelled through the Creative Director, or nominated staff member.

### **Ensuring The Effectiveness Of The Policy**

All Board members will receive a copy of the confidentiality policy. Existing staff members should be made aware of the policy and new staff members should be made aware of the policy as part of their induction.

This policy will be reviewed annually and any amendments will be agreed by the Board.

# Complaints Procedure

## **Purpose and scope**

Paragon has determined that it is good practice to have in place a procedure for handling complaints by people who use our services.

This procedure exists to allow the impartial consideration and speedy resolution of problems or concerns raised by those who access the service provided by Paragon. It may be used by those who use the service themselves, their carers, referring agencies or people who are independent of Paragon and whom an individual has asked to raise a complaint on their behalf.

OR

Who has identified a concern about some aspect of the organisation's practice or services.

## **Principles**

Complaints procedures encourage important feedback to the organisation and help to promote good practice, improve the service and inform planning for the future.

Members have the absolute right to have their concerns addressed without prejudice to their right to receive a service.

Complainants also have a right to be treated with respect at all times.

Complaints will be dealt with as near to the point of service delivery as possible.

Complaints will be dealt with as speedily as possible.

Service Users and Carers making complaints have the right to be accompanied by someone who is independent of Paragon at any and all stages of the procedure.

## **Procedure**

### **Solving Problems – The Informal Stage**

When someone informs a member of staff that they have a complaint, the staff member listens carefully to what is said and attempts to solve the problem there and then. If this is not immediately possible the staff member will inform their Line Manager or the Creative Director who will take responsibility for handling the complaint.

The person receiving the complaint will always record the details in writing. A copy will be retained by the Creative Director and one forwarded to the Paragon Board for retention on a Central Complaints Register.

Staff will seek to establish what the person making the complaint wants to achieve. It is important that what the complainant would consider to be a satisfactory outcome is understood.

Staff will use all reasonable means to resolve the complaint at local level. This does not mean that attempts will be made to prevent the use of the Formal Complaints Procedure.

An informal complaint will be resolved if:

- There is a mutual agreement that it is resolved.
- The person making the complaint withdraws the complaint.
- The circumstances which gave rise to the complaint have changed so that the

- original concern no longer exists.
- The complaint is considered to have been justified, either wholly or in part, and the person who made the complaint is satisfied with the outcome.

The senior project staff member will always record the outcome of the Informal Stage and the Creative Director will record the outcome on the Complaints Register.

If the complaint remains unresolved after a period of six weeks, or the outcome of the complaint is not to the complainant's satisfaction the complainant can write to the Creative Director (or ask a staff member or friend to do this for them) and ask for the complaint to be dealt with under the terms of the Formal Complaints Procedure.

### **Formal Complaints – Stage One**

Complaints will be considered under the terms of the two stage Formal Procedure when:

The Informal Stage of the Complaints Procedure has been exhausted and the complaint has not been resolved to the satisfaction of the complainant. The complainant should write to the Creative Director (or ask a staff member or friend to assist them in writing) and ask the Creative Director to investigate the complaint under the Formal Procedure.

OR

The complaint is registered in writing in the first instance.

The complainant may do this by writing directly to the Creative Director, or asking a member of staff or friend to assist them to put their complaint down in writing. This will then be forwarded to the Creative Director.

OR

Give details of their complaint to a staff member who will note these down and forwarded to the Creative Director.

A copy of the complaint will be held on the Complaints Register.

The Creative Director will:

- Acknowledge receipt of the complaint in writing to the complainant.
- Notify any members of staff as appropriate.
- Advise any member of staff who is named in the complaint, so that they can make arrangements for representation if needed.
- Carry out an investigation into the complaint.
- Notify the complainant of any delay in meeting timescales set out in the procedure.

### **Stage Two – Formal Complaints**

The Creative Director will produce a full written report based on the investigation.

A written response to the complaint, which indicates the findings and recommendations contained in the report, will be provided for the complainant (and his or her representative if they have one) within 28 days of the complaint being registered.

The written response will invite the complainant to state whether or not they are satisfied with the response they have received from Paragon. They should do so within 28 days of the date of the written response or the complaint will be assumed to have been resolved.

A complaint will be resolved if:

- There is mutual agreement that it is resolved.
- The person making the complaint withdraws the complaint.
- The circumstances, which gave rise to the complaint, have changed so that the original concern no longer exists.
- The complaint is not considered to have been upheld and the person making the complaint is satisfied with the outcome.

The Creative Director will record the outcome of the First Stage of the Formal Complaints Procedure and a copy will be held on the Complaints Register.

If the complaint remains unresolved on completion of the First Stage, the matter will be dealt with under the terms of the Second Stage of the Formal Complaints Procedure. This is known as the Appeals Stage.

### **Stage Three – The Appeals Stage**

Complaints will be considered under Stage Two of the Formal Complaints Procedure when:

Stage One is completed and the complainant is not satisfied with the outcome of the investigation

AND

The complainant indicates that they wish to have the complaint considered by an Appeal Panel.

The Creative Director will ensure that the Appeal Panel is convened and the panel will meet to consider the complaint within 28 days of the receipt of the request to have the matter referred to an Appeal Panel.

The Appeal Panel will comprise 3 members of the Board. However, the Board will be able to co-opt people from outwith the Board onto the Appeal Panel.

The Appeal Panel will not include any member of the Board who has been involved with the handling or investigation of the complaint.

An Appeal Panel will carry out a review of the complaint.

The Appeal Panel will consider oral or written submissions by those parties concerned.

The Appeal Panel may receive oral submissions from the person making the complaint at the review meeting or from someone speaking on his/her behalf.

25 The Appeal Panel will make recommendations and record these. A copy will be retained on the Complaints Register.

The recommendations of the Appeal Panel will be advised to the Creative Director who will,

in consultation with the Appeal Panel, decide on any action to be taken in the light of the recommendations.

The complainant, her or his representative (if any) and other interested parties will be advised by the Creative Director of any action to be taken within 14 days of the date of the Appeal Panel meeting.

If the complainant is dissatisfied with the decision of the Appeal Panel, or with how their complaint has been dealt with by Paragon, they can write to:

Scottish Public Service Ombudsman Office,  
1st Floor,  
28 Thistle Street,  
Edinburgh,  
EH2 1EN.  
Tel: 0870 011 5378.

The complainant must write to the Ombudsman within one year of any decision made by the Appeals Panel.

#### **Summary of Complaints**

A summary of complaints received about the services provided by Paragon Board and the outcome of the complaints will be provided for Board meetings.

# Volunteering Agreement

## Introduction

This agreement is designed to assure you of Paragon's appreciation of your contribution and indicates our commitment to do the best we can to make your volunteering or placement experience a positive and rewarding one.

- Paragon's responsibilities for and to volunteers or placement trainees:
- To negotiate and agree meaningful tasks with you
- To ensure an appropriate environment is set up before the placement starts, including all necessary equipment to carry out the work.
- To provide effective support, training and supervision appropriate to the volunteering opportunity including a relevant induction.
- To accept that, different opportunities may involve different levels of commitment and that this may change.
- To ensure that, for each volunteering or placement opportunity, there is a Paragon contact to whom trainees/ volunteers are accountable, and to whom they should go to for guidance, support or if there are any problems.
- To ensure that all recruitment/ placement processes are fair.
- To identify any risks to health and safety through appropriate workplace assessments and to ensure that reasonable protective and preventative measures are put in place.
- To provide any necessary/ appropriate insurance cover.
- To endeavour to ensure that anyone on placement is free from discrimination on grounds of race, colour, ethnic origin, nationality, political beliefs, religion, physical or mental disability, age, gender, sexual orientation, marital or parental status.
- To keep confidential personal information relating to placement trainees unless obliged by law to disclose such information.

Responsibilities of Volunteers within Paragon:

- To accept and work within Paragon's policies and procedures as provided by Paragon staff.
- To understand and abide by our equal opportunities policy.
- To respect the dignity of every human being and/or his/her culture. Behaviour such as sexist, racist, sectarian or other offensive comments or actions will not be tolerated and will result in disciplinary action. (Please note that no football colours should be worn on placement).
- To read, understand and abide by the health & safety policy.
- To keep confidential and not disclose to any other person, sensitive information relating to Paragon's business, members of staff, volunteers or visitors.
- You must not report for volunteering whilst under the influence of alcohol, drugs or solvents.
- Smoking is not allowed in any work buildings or vehicles.
- To carry out all agreed assignments to the best of their abilities, or to discuss with an appropriate person promptly if there are any problems arising within the placement.
- To attend relevant support, training and supervision sessions appropriate to the activity.
- To help new people feel welcome and to work as part of a team with volunteers and staff.
- To work only within the authority given to you and the tasks agreed by you. If you receive requests for additional tasks or information these should be passed to the person responsible.

- To attend as agreed or to inform the Paragon contact if unable to attend.
- You must inform Paragon of your contact details and a contact phone number for your next of kin.
- It is your responsibility to get to and from your volunteering place of work.
- Lunch and refreshment breaks are to be taken in line with Paragon's schedules.

Signed on behalf of Paragon -----

Date: -----

Signed (Volunteer): -----

Date: -----

DAY(S)	
TIMES	
START DATE	
END DATE	
MAIN RESPONSIBILITIES	

Paragon Music  
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G2 3JD  
[www.paragon-music.org](http://www.paragon-music.org)

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