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## **Codes of Practice 2014**

### **PART III**

**Relating to Quality Award Centres and the delivery of training in Managing Work-related Violence and allied subjects**

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## THE INSTITUTE OF CONFLICT MANAGEMENT

### CODES OF PRACTICE

#### **Guidelines for the prevention and management of work-related violence**

This document is designed to provide a framework for members of the ICM to adhere to in the prevention and management of work related violence.

The Codes of Practice are organised under twelve main headings and should be read in conjunction with the ICM's Memorandum and Articles of Association, other ICM guidelines, and other documents referred to in the appendix in section 12.

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## **Introduction**

The ICM recognises that Centres design training products, and these Codes of Practice set out principles for that. If Centres are approved to deliver ICM qualifications, additional principles for delivery and certification are set out in:

### **GUIDANCE ON THE DELIVERY OF ICM QUALIFICATIONS**

This document refers solely to the delivery of non-certificated training.

These codes of practice are designed to help ICM members (Affiliates and MICM (Reg) adhere to the ICM Quality Award organisational principles and responsibilities for the prevention and management of work related violence, which are in addition to Code of Practice Parts 1 and 2. Code of Practice Part 1 is relevant to the individual Affiliate and MICM (Reg) Trainer, and Code of Practice Part 2 relates to the teaching of any physical skills that a Centre provides.

Through a commitment to research and development the ICM will undertake to ensure that, where possible, the information contained in the Codes of Practice and the requirements of the Quality Award Centre Recognition Scheme, are in-line with all currently recognised, and documented, processes, theories and principals on good practice in the prevention and management of work-related violence. This information, along with other ICM policies, guidelines, and information, is designed to promote the provision of advice, information, and/or training, through the ICM and its QA Centres and Affiliate or MICM (Reg.) members that will provide the commissioning body with clear guidance on the principles laid out in Codes of Practice parts 1, 2 & 3.

## **ICM Principles of Regulation**

The ICM principles of regulation are developed from its Vision and Mission statement which is given authority through the ICM Memorandum and Articles of association. A copy of the Vision and Mission Statement is included in the Tool Kit and the M&A are freely available from the web site and/or the ICM Secretariat.

The ICM Basic Regulatory Framework consists of the Codes of Practice, Membership Guide, and Disciplinary Procedure, representing the first step in the ICM's attempt to regulate an industry which previously had no national, all encompassing regulatory body which the ICM is fast becoming.

These principles of regulation are designed to a) provide trainers across all sectors, with a credible system to which to subscribe and adhere, and b) to provide service users & training commissioners with some guarantee of training standards (prescribed

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by the Code of Practice and Membership Guide) and a means of calling training providers to account (through the ICM Disciplinary Procedure).

All this is now reinforced by the ICM Quality Award for Training in Managing Work Related Violence, which aims to provide greater assurance to service users and commissioners, and provides trainers with a greater degree of credibility, support and means by which they are, and can be seen to be, aspiring to provide the highest standards of training in managing work related violence.

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## **1. RELEVANT LEGAL OBLIGATIONS**

### **a. The Health and Safety at Work etc Act 1974 (HSW Act)**

Employers have a legal duty under this Act to ensure, so far as it reasonably practicable, the health, safety and welfare at work of their employees.

### **b. The Management of Health and Safety at Work Regulations 1999**

Employers must consider the risks to employees (including the risk of reasonably foreseeable violence); decide how significant these risks are; decide what to do to prevent or control the risks; and develop a clear management plan to achieve this.

### **c. The Reporting of Injuries, Diseases and Dangerous Occurrences Regulations 1995 (RIDDOR)**

Employers must notify their enforcing authority in the event of an accident at work to any employee resulting in death, major injury, or incapacity for normal work for three or more days. This includes any act of non-consensual physical violence done to a person at work.

### **d. Safety Representatives and Safety Committees Regulations 1977 (a) and The Health and Safety (Consultation with Employees) Regulations 1996 (b)**

Employers must inform, and consult with, employees in good time on matters relating to their health and safety. Employee representatives, either appointed by recognised trade unions under (a) or elected under (b) may make representations to their employer on matters affecting the health and safety of those they represent.

### **e. The Criminal Law Act 1967**

Section 3, provides that any person may use such force as is reasonable in the circumstances in the prevention of crime, or in effecting or assisting in the lawful arrest of offenders or suspect offenders or of persons unlawfully at large.

### **f. European Law on Human Rights**

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On the 2nd October 2000 the European Human Rights Act 1998 became Law in the U.K.

The relevant articles are included in ***Schedule 1: Rights and freedoms***

***Article 2: Right to life:***

Everyone's right to life shall be protected by law.

This article goes on to say that if there is a loss of life where a person was defending him/her self with force that was no more than absolutely necessary they will not be in contravention of the act.

***Article 3: Prohibition of torture:***

No one shall be subjected to torture or to inhuman or degrading treatment or punishment.

***Article 5: Right to liberty and security:***

Everyone has the right to liberty and security of person.

Amongst other statements, this article refers to the right to compensation of anyone detained in contravention to the act.

**g. EQUAL OPPORTUNITIES:**

- i. The Disability Discrimination Act 1995*
- ii. Race Relations Act 1976*
- iii. Sex Discrimination Act*

**h. Data Protection Act 1998**

The DPA gives individuals certain rights regarding information held about them. It places obligations on those who process information (data controllers) while giving rights to those who are the subject of that data (data subject). Personal information covers both facts and opinions about the individual.

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## **2. TRAINING DESIGN**

In designing training you must ensure that you do this in accordance with the elements laid out below, and be constantly aware of/that:

### **a) Training Needs Analysis**

An effective training solution has to be based upon an analysis of the gap between the situation as it exists now and the desired situation. A provider should be able to show how it undertakes the process of:

1. Analysing the current situation
2. Clearly establishing the desired future situation and identifies the gap(s) between them.

Your training solution should explain how the information about the current situation is gathered and collated, how the desired future situation is established and how the specific learning needs of the client group(s) are identified.

The National Occupational Standards on Managing Work-related Violence offer recognized guidance on areas that training should be focused on. They are a generic benchmarking tool to which the ICM ascribes great value.

### **b) Training Design Process**

An effective training solution is designed directly from the needs identified through the training needs analysis. The solution must utilise the most effective and appropriate learning methods available within any practical or resource constraints imposed by the client.

There should be a clear linking between each part of the solution designed and a need identified for the client group(s), and select the most appropriate learning method and within appropriate health & safety parameters.

### **c) Learner Support**

Effective learning is a holistic process which extends beyond a single training event and therefore, where possible, training should be supported by supplementary material and ongoing support.

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Providing additional material and support will help the individual learner capitalise on the training they have received, assisting them in the retention and development of the learning they have received.

### **3. TRAINING DELIVERY**

#### **a) Quality and Effectiveness of Trainers**

Appropriate documentation and records for each trainer must be maintained.

Effective training can only be achieved by ensuring that the trainers providing the delivery are suitably experienced and qualified and take part in continuous professional development to maintain their effectiveness

You must agree to make the complete personal portfolios of each of your nominated trainers available to the ICM and its external assessment agency in the event of an on site inspection, and ensure that their membership (whether Affiliate or MICM Reg) is maintained whilst working under your QAC auspices.

You must provide your trainers with continual professional development. Relevant qualifications and experience is a necessity. You must ensure you use trainers who have the necessary competence in the subject matter of the qualifications, assessment procedures and language (s) used for assessment.

Centres must notify the ICM Secretariat immediately of any changes in training personnel, and register any new members at one of the relevant trainer member grades. The Centre, in relation to new MICM (Reg) or Affiliate members must meet the requirements of Element 2 of the Initial Approval Questionnaire. The relevant form can be obtained from the ICM Secretariat.

#### **b) Administration documentation**

You are required to provide documentation relating to your administrative processes. Recordkeeping\* forms an essential, sometimes legislative role. Maintaining a history of students/delegates aids the holistic approach to training ICM advocate i.e. post training support, and refresher training if applicable.

Records must be kept for a minimum of 3 years.

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With regard to all training, the Centre must maintain a single point of contact and accountability (Point of Accountability or P.O.A.) to liaise with the ICM Quality Assurance Manager on any qualification and QAC matters.

### **c) Quality Assurance Plan**

Documents relating to your Quality Assurance Plan for trainers and Complaints Procedure must be maintained, as well as how the trainer's knowledge, skills, and ability is maintained.

Part of that Quality Assurance Plan must include your policy on Equal Opportunities, taking into account relevant legislation.

## **4. MAINTAINING APPROVAL:**

### **1. Maintaining Standards**

Once approval has been granted, Quality Award Centres are expected to adhere to the standards outlined previously, at all times. Although on site audits are not a pre-requisite for approval, the ICM reserves the right to undertake an on site audit to ensure standards are maintained. Such a visit will be undertaken by an independent ICM representative at a pre-arranged time agreed between the Centre and the ICM.

The ICM, in conjunction with this Award Scheme, has undertaken an educative campaign aimed at service users and commissioners to promote those companies who have successfully qualified for the Award. It is imperative therefore that standards are maintained at all times, especially since any service user/ICM member may call an ICM member/Quality Award Centre to account.

Each Quality Award Centre and its trainers will be listed separately on the ICM QAC web site database enabling service users and training commissioners to verify trainer and Centre status.

### **2. Renewal obligations**

The Quality Award carries with it a renewal obligation every three years. However, a Quality Award Centre must renew their affiliate or MICM Reg. trainers on a yearly basis, and provide up to date contact details and trainer information (e.g. Evidence of CPD etc) at this time. Up to date information can then also be maintained on the ICM web site pages relating to the ICM trainers database used by service users to verify a trainers identity and ability.

### **3. Award withdrawal**

The Quality Award puts the responsibility on the Award Centre and trainers to maintain the required standards in terms of the operational processes identified under the Award, but also the individual conduct of the trainer. A service user and/or an

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ICM member is allowed to bring to the attention of the Disciplinary Panel details of what he/she believes to be an example of misconduct. Following an assessment by the Disciplinary Panel, an Award Centre may be given an improvement notice if it is found to be operating below and in breach of the standards set by the Quality Award. The Award Centre Status will be suspended until the recommended improvements have been made. In practical terms, this will result immediately in the withdrawal of your details contained on the ICM's web site's QAC Database in the meantime. Subsequent failure to comply with the findings of the disciplinary panel within a maximum period of 3 months, will result in a complete withdrawal of the Award.

Those companies who have had their Award's withdrawn may re-apply through the normal process. However, the ICM reserves the right to refuse applications from those companies who have had their Award withdrawn more than twice in any ten year period.

#### **4. Registering additional 'Affiliate' Trainer**

Under the scheme you must register your trainers as 'Affiliate' Trainer of the Institute of Conflict Management as a minimum membership commitment. Each Affiliate Trainer Member must complete an application form and sign the declaration to abide by the ICM's *basic regulatory framework*. Affiliates are considered members of the ICM but maintain this status only in conjunction with a *Quality Award Centre*. Each Affiliate Member Trainer's will be issued with a unique identity card containing their individual QAC identity number corresponding to their *Quality Award Training Centre*.

#### **5. Registering additional 'Member' Trainer's (MICM Reg.)**

Each person you register as an (MICM Reg.) must provide the relevant completed application form, personal portfolio's containing the information requested in the relevant section and must sign the declaration contained within it undertaking to undertake continual professional development through the ICM (and/or other external ICM recognised awards, qualifications and schemes) in the future in order to maintain this high grade of membership and standard.

Member Trainer's are considered members of the ICM but maintain this status only in conjunction with a *Quality Award Centre*. Each Member Trainer (MICM Reg.) will be issued with a unique identity card containing their individual QAC identity number corresponding to their *Quality Award Training Centre*.

Each Affiliate/ Member Trainer is also required to abide by the ICM's Basic Regulatory Framework (Codes of Practice 1, 2 & 3, Disciplinary Procedure, Membership Guide).

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