

# Drum and Brass C.I.C.

## Policies and Procedures for Activities (including Safeguarding and Data Security)

Applicable to all team members/volunteers at all venues

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## 1. Framework

These policies and procedures have been drawn up with reference to:

- NSPCC Safeguarding Standards and Guidance for the Voluntary and Community Sector  
<https://learning.nspcc.org.uk/media/1079/safeguarding-standards-and-guidance.pdf>
- Social Care Institute for Excellence: Safeguarding Adults  
<https://www.scie.org.uk/care-act-2014/safeguarding-adults/>
- Drum and Brass training materials (available via the Directors):  
Safeguarding Children, Young People and Adults at Risk:  
Training for Drum and Brass C.I.C. Version 1.1, October 2018
  - Standard Safeguarding Training for Team Members/Volunteers
  - Training Notes for Leading on Safeguarding
- Information Commissioner's Office: Guide to the GDPR for Organisations  
<https://ico.org.uk/for-organisations/guide-to-the-general-data-protection-regulation-gdpr>
- Relevant Legislation and UK government guidance, notably:
  - Children Act 2004 (arising from 1989 act)
  - Working Together to Safeguard Children 2015
  - What to do if you're worried a child is being abused 2015
  - United Nations Convention on the Rights of the Child (ratified 1990)
  - Human Rights Act 1998
  - Sexual Offences Act 2003
  - Mental Capacity Act 2005
  - Equality Act 2010
  - Counter-terrorism and Security Act 2015 ('Prevent' strategy)
  - Care Act 2014
  - Care and Support Statutory Guidance 2018
  - Data Protection Act 2018 and General Data Protection Regulation (GDPR)

## 2. Statement of Aims and Values

Drum and Brass C.I.C. (D&B) works with children and adults in music-making activities. Our aim is to provide a respectful, warm, stimulating environment where team members and volunteers feel confident to discharge their safeguarding responsibilities and duty of care towards the individuals we work with and to the wider community, not only in their role with D&B but as citizens who share our values. We promote a culture of listening to and considering the wishes and feelings of every individual we encounter through our activities.

We believe that:

**Every individual has the right to be treated fairly, to have equality of opportunity, and to be protected from all types of harm or abuse regardless of age, disability, gender, racial heritage, religious belief, sexual orientation or identity.**

**Safeguarding is everyone's responsibility.**

We value our team members and volunteers and all they contribute to D&B. We encourage open expression of views and ideas, in the spirit of fostering a collaborative working environment. Our Volunteer Policy sets out our robust approach to recruitment and induction. Our ongoing training and support reflects current legislation and good practice guidelines, backed up by policies and procedures that are up-to-date, readily accessible and easy to understand. We will provide all our team members and volunteers with the knowledge, training, supervision and support appropriate for their role, in a timely manner and with regular reviews, so that they:

- Are clear about the objectives, responsibilities and limitations of their particular role.
- Can uphold the standards of conduct expected by D&B, embrace difference and diversity and treat everyone they come into contact with in the course of working for us with tolerance and respect.
- Are familiar with the overarching principles that guide our approach to safeguarding.
- Can identify the groups we have a safeguarding duty towards and their particular needs.
- Are familiar with the forms of abuse and neglect listed below and can recognise their warning signs:
  - Unmet basic care needs
  - Physical, emotional, sexual, financial and domestic abuse
  - Online abuse and cyberbullying
  - Discriminatory abuse
  - Human trafficking and modern slavery
  - Radicalisation
  - Honour based abuse/socio-cultural crimes (forced marriage, female genital mutilation - FGM)
- Have an awareness of local safeguarding boards/other agencies that provide support for our work.
- Know what to do if they become aware or suspect that an individual is being abused or neglected, or appears to be in imminent danger.
- Understand our duty of care to every individual we work with or alongside, including what to do in the event of an accident or health emergency.
- Comply with the laws and statutory guidelines that govern our work, including issues around data protection, confidentiality and consent.

### **3. Safeguarding Children and Young People**

The legal definition of a child is anyone who is under the age of 18

- This is irrespective of their circumstances (e.g. living independently, in further education)
- Some especially vulnerable young people, such as care leavers, have extended legal protection rights

Drum and Brass firmly endorses the principles:

**The needs and welfare of children are paramount, as enshrined in the Children Act 1989.**

**Working in partnership with children, their parents, carers and other agencies is essential in protecting children and promoting their healthy development.**

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

- prioritising their needs and welfare
- taking into account their individual level of maturity
- valuing, respecting and listening to them
- never making promises we cannot keep
- providing a clear Code of Conduct for all team members/volunteers
- recruiting team members/volunteers safely, ensuring all necessary checks are made
- providing effective oversight and management through training, supervision and support
- sharing information about child safeguarding policies and good practice with children, parents/carers and other adults working with D&B
- sharing concerns with agencies who need to know, and involving parents and children appropriately

*Risk assessments for all activities/workshops?? See also Appendix B*

#### **4. Safeguarding Adults at Risk**

The legal definition of an adult at risk is anyone (other than a child) who:

- has care and support needs (regardless of how/whether they are being met)
- is experiencing, or is at risk of, abuse or neglect
- is unable to protect themselves due to physical/mental illness, disability/impairment or being elderly/frail

Drum and Brass firmly supports the principle:

**Every adult must be assumed to have capacity to make their own decisions and be given all practicable help before anyone treats them as not being able to ... even in situations where their actions may seem unwise, as enshrined in the Care Act 2014.**

We will seek to keep adults deemed to be at risk safe by:

- taking into account their individual needs, disabilities and impairments
- remaining mindful of the assumed mental capacity, autonomy and right to self-determination of each individual and seeking expert guidance if we are unsure
- valuing, respecting and listening to them
- providing a clear Code of Conduct for all team members/volunteers
- recruiting team members/volunteers safely, ensuring all necessary checks are made
- providing effective oversight and management through training, supervision and support
- sharing information about adult safeguarding policies and good practice with adults working with D&B, either as attendees or as team members/volunteers
- sharing concerns with agencies who need to know, and involving individuals at risk and their carers as appropriate

## 5. Particular Considerations for Working with Prisoners

**Drum and Brass considers its work with prisoners to be hugely valuable to both the individuals involved and the wider community.**

**Respecting and validating prisoners' individual experiences and what they bring to our shared activities, promoting their well-being and taking safeguarding seriously brings about many benefits.**

Prisons bear the overarching responsibility for the safety of their detainees, and for the care/support needs of individuals who may be, or have been, at risk of abuse and neglect.

We will work collaboratively with prison staff in seeking to keep adult prisoners deemed to be at risk safe, as well as any other individuals working with or alongside us, by:

- ensuring we have agreed clear working arrangements with management or designated officials, as we would with any partner organisation we work with
- undertaking a risk assessment for each type of activity/workshop we provide
- never taking risks that might compromise the personal safety of prisoners, team members or volunteers
- ensuring our team members/volunteers are fully conversant with their role, responsibilities and any constraints on what they can do or where they are allowed to go etc.
- remaining alert and mindful of our own behaviour and that of prison officers/staff towards individuals in their care
- building and maintaining positive relationships

## **6. Procedures for Raising Safeguarding Concerns**

If any of these events occur, team members/volunteers must follow the procedures described.

- You witness something which is (or appears to be) harmful or neglectful.
- You suspect that abuse/neglect is occurring based on information or signs you become aware of.
- An individual discloses something which signifies that abuse/neglect has occurred (and may be ongoing).
- A disclosure relates to something that happened a long time ago (often called 'historical abuse'). Despite the time lapse, the same procedures apply as action may still need to be taken where it continues to adversely impact the individual. The perpetrator could also be in a position to abuse others in the present.

### **What you must do:**

- Remain calm and don't panic.
- Secure any available evidence, as this is vital to support possible future actions/interventions by D&B or by other agencies such as the Police. Do not take photographs of individuals, or any parts of their body. Evidence of, say, unexplained injuries may be secured by asking another D&B team member to witness it, though always be sensitive and remember to seek consent.
- Demonstrate empathy and concern whilst remaining neutral and non-judgemental.

#### **Never:**

- Ask leading questions or dig for more details
- Express your views about a potential abuser
- Express shock or disbelief about what an individual says
- Listen carefully, respect the opinions of the child or adult at risk (or parent/guardian/carer/someone else if the information originates from them) and sensitively try to understand their feelings and wishes.

#### **Never:**

- Promise children that you can keep information secret – their safety always takes priority
- Assume adults lack mental capacity – in most cases, they are allowed to make decisions about themselves even if they appear unwise/eccentric/potentially harmful
- Explain to the individual that you are required to report the incident to the D&B Designated Safeguarding Lead for them to determine if further action is necessary. For children and young people, consider their level of maturity, use age appropriate language and explain the limits of confidentiality.
- Treat everyone with dignity and respect, as the engagement of any individuals involved can make all the difference to the outcome.
- Make a record of your concerns (Section 7) and report to the D&B Designated Safeguarding Lead and/or the Activity Leader without delay, and always within 24 hours. They may need to ask you some questions to clarify the potential risk you have identified. They will then ensure any necessary action is taken and feed back to you in due course about what happened next, if that is appropriate.
- Except in emergencies (Section 8), your primary responsibility is to report your concerns. Volunteers have no authority to decide what should be done or to investigate further. Unless they have a designated safeguarding role, this also applies to other team members such as Activity Leaders – they must ensure any concerns are escalated within D&B.

## **7. Procedures for Recording Safeguarding Concerns**

Make sure you record the following information clearly and accurately as soon as possible, and always within 24 hours of raising a safeguarding concern:

- Date, time, context (location/activity etc.) when you were alerted to a safeguarding concern.
- What the child or adult at risk (or other people) actually said to make you concerned, using their words (or as close as you can recall).
- If you believe they meant something else, or implied other things, you can also record this but you **must** make clear that it is only your opinion.
- The views and wishes of the individuals involved.
- Any significant visual signs/marks and any behaviour you observed.
- Whether there were witnesses to what was said or what you saw.
- Any action you have taken (if that was necessary to ensure someone's immediate safety or well-being).
- Names and contact details – yours, those of the individual you have concerns about, any others involved, any witnesses.
- Keep your paperwork/any evidence safe so that nobody else has access to it until you can pass it to the Designated Safeguarding Lead or Activity Leader.

Remember, this record could become disclosable evidence if the Police decide to prosecute, or as part of other proceedings.



## **8. Procedures for Emergency Situations**

All team members/volunteers must ensure they are familiar with these procedures so as not to be caught on the hop if an emergency arises. This may be a safeguarding issue, an accident, a health-related emergency, an assault or other serious crime (whether this has been committed or there is an imminent risk).

Whether a situation is an emergency or not is a matter of judgement but here are some notes to guide you:

- The circumstances/vulnerability of a child or adult at risk may tip the balance towards emergency action, e.g. for those who:
  - are being or have been exploited in some way
  - live in challenging family circumstances
  - have/have had a child protection plan
  - are looked after children
  - are suspected to be at risk of FGM or forced marriage
- If there are reasonable grounds for believing an individual is at immediate risk, consider contacting the Police (and emergency medical services if appropriate) by phoning 999, e.g. if someone is:
  - expressing concerns about their immediate safety
  - appears afraid to go home or desperate to seek help
  - has any physical injuries
  - is displaying immediate suicidal intent
- If you deem the situation to be an emergency, remain calm, try not to panic, act quickly but rationally.
- For safeguarding emergencies, always act within the wider D&B safeguarding procedures and remain mindful of the requirements to:
  - comply with the law around data protection/confidentiality.
  - stay focused on the child/adult at risk, show empathy but try to avoid showing shock/disbelief.
  - If you might have grounds to believe that a parent/wider family/carer is involved in the abuse or neglect you must protect, support and stay with the individual until you can arrange for another appropriate adult to take over their care; you will be responsible for them until then.
  - Understand what you can and can't do - being someone's protector and advocate is appropriate, taking them to your home or confronting suspects isn't.
- Try to establish the individual's wishes, show respect for their views and, where possible, explain any action you take to ensure their safety or well-being.

### For Children and Young People:

- Use language appropriate to their level of maturity and understanding.
- The law asks that due consideration is given to the wishes and feelings of a child as far as is reasonable before deciding what action to take.

**D&B believe the safety and welfare of all under 18s is paramount.**

**Therefore, you may still judge it necessary to override their wishes in taking reasonable steps to protect them from immediate harm, or by calling 999 for emergency help.**

For Adults:

- People who lack capacity and need us to make decisions to keep them safe may have conditions such as dementia or a severe learning disability, though having such conditions does not automatically mean they lack capacity.
- Adults are assumed to have mental capacity without evidence to the contrary, even if they are categorised as 'at risk' and/or they express opinions or make decisions about themselves that seem unwise or potentially harmful.
- Adults may temporarily lose capacity if, say, they are unconscious due to a sudden accident or illness such as a heart attack. You must call 999 in these cases.

**If you have to make a decision or take any action for someone who doesn't have capacity, it must be in their best interests.**

**If you have to make a decision or take action for someone who has capacity, always try to respect their wishes whilst judging what is reasonable to prevent serious harm to them or others.**

- If time permits, you can telephone the Designated Safeguarding Lead for urgent advice when an emergency situation arises. If they are not on site, inform/update them as soon as possible after the emergency has been dealt with and always within 24 hours.
- Make a clear written record, including any telephone calls you made, and preserve any available evidence.

## **9. Designated Safeguarding Lead: Role Description**

The named person in charge of Safeguarding (Children and Adults) will be subject to satisfactory Enhanced DBS and Children's Barred List Checks on behalf of D&B. The person who currently holds this role is:

**Julie Maxwell**

**Contact: 07866 378392**

### Purpose of role:

- To promote the safety and welfare of all children and adults participating in D&B activities.
- To take the lead role in ensuring that appropriate arrangements are in place within all activities/workshops organised by D&B for safeguarding children and adults at risk.

### Duties and responsibilities:

- Ensure the safety and welfare of children and adults at risk who participate in D&B activities are properly dealt with through policies, procedures and administrative systems, with accountability to the D&B Management Committee.
- Ensure all volunteers/team members receive safeguarding training at the relevant level and appropriate to their role.
- Make sure that all volunteers/team members, participants, parents/carers and the Management Committee are made aware of the Code of Conduct (Section 10) and what they should do if they have concerns about either a child or an adult at risk.
- Receive information from anyone who has concerns about a child or adult at risk who attends a D&B activity. Record that information separately to participant personal data and in a manner which cannot connect the report with the child in question, e.g. by identifying child as 'Child A'.
- Assess the information and seek clarification where necessary. Decide what action is appropriate to the concern raised, in consultation with the Management Committee, NSPCC and statutory safeguarding agencies as deemed appropriate and with regard to any limits on confidentiality.
- The law can sometimes give teenagers under 16 more rights in decisions about their well-being if they have sufficient understanding, and over 16s are assumed to have mental capacity without evidence to the contrary. Though children and young people may have good understanding of the issues involved,

### **D&B will still act on safeguarding concerns for all under 18s irrespective of their preference.**

- If information relating to children is received from an adult who does not want action to be taken, the child's needs (be they a baby/young child/teenager) remain paramount and should always be put first.
- Always try to help adults at risk make their own decisions. They may not want safeguarding action to be taken, may withhold consent to share confidential information or they may make a decision that you consider unwise/eccentric/not in their interests. Don't just disregard someone's wishes or assume they lack capacity in such cases.
- If information is shared, do so with consent whenever this is possible and appropriate. Base sharing decisions on considerations of the safety/ well-being of the individual, and of others who may be

harmed by them. Information may still be shared without consent if, on the facts of the case, it is judged that doing so is in the public interest.

- **If an adult who has capacity decides to accept a situation you perceive as potentially abusive or neglectful, they are usually free to do so.**

There are some exceptions:

- Other people are being put at risk (e.g. letting abusive/exploitative friends into a shared living environment, possibly putting other residents at risk)
  - A serious crime has been committed
  - Alleged perpetrator has care/support needs and may also be at risk
  - A child is involved
  - D&B volunteers/team members are implicated
  - Coercion is involved
- **If it falls upon D&B to make a decision or take any action for someone who doesn't have capacity, it must be in their best interests.**
  - If it is deemed appropriate to pass responsibility for making further enquiries to the relevant council social services team or another agency such as the Police, follow the formal referral guidelines with due regard for data security. Do this on the same day you conclude that a referral is required.

The specific agency will be that which covers the area where the child/adult at risk lives.

- Agencies will generally give feedback to a referrer on the decisions they take, including if appropriate the reasons why a case may not meet the statutory threshold for them to pursue it. In the latter case, they may suggest other sources of more suitable support that should be followed up.
- Where a concern or allegation is raised about the conduct of a D&B volunteer/team member, consult with the Management Committee to reach a decision on what action to take. Whilst investigations are made, do not share this information with other volunteers/team members except on a need to know basis. If the concern is clearly about bad practice rather than abuse, advise or retrain as necessary if they are deemed fit to carry on working with D&B.
- Whatever a safeguarding decision is, whether to take no action, offer support to the individual(s) involved without making a referral, advise/retrain a D&B volunteer/team member or to refer to other agencies, keep a record of:
  - any action taken to address the safeguarding concern and the rationale for it
  - whether or not to share information
  - what information you decided to share, who you shared it with and for what purpose
  - the outcome of the action taken, including any feedback from a referral

## **10. Code of Conduct for All Team Members and Volunteers**

This code must be read and fully understood prior to engaging in any D&B activities.

- Be positive and give praise where possible. Treat all participants with respect and courtesy.
- Be an excellent role model in terms of language and behaviour.
- Tolerate no form of discrimination or bullying by any individual, whether directed at team members/volunteers or D&B participants. You must always report to the Activity Leader or a D&B Director if you become aware that discrimination or bullying is occurring or you have any suspicions.
- Avoid situations where you and just one child are present, e.g. one-to-one coaching in closed rooms.
- Report safeguarding concerns to the named Designated Safeguarding Lead. In an emergency, you may also contact the NSPCC on 0808 800 5000 (or via text on 88858), or the relevant Local Safeguarding Board (for Children or for Adults as appropriate), or the Police for advice if concerns about an immediate risk of harm cannot otherwise be adequately responded to.
- Be very clear about boundaries for team members/volunteers in their conduct with individuals we work with. The following should be avoided as they pose significant risks:
  - Engaging in social media activities, unless they are confined to strictly professional interactions.
  - Providing personal telephone numbers/other contact details, unless there is a strong operational justification for doing so.
  - Any private or online communication with D&B participants who are under 18.
  - Sexual remarks/unnecessary physical touching. These are highly likely to lead to misunderstandings around the boundaries between team members/volunteers and other individuals.
  - Whilst intimate relationships between team members/volunteers and individuals we work with are not entirely prohibited, team members/volunteers need to be aware that such relationships can lead to significant difficulties.
  - A relationship between a team member/volunteer and an individual under 18 would in most circumstances be a criminal offence, as would under certain circumstances a relationship between a team member/volunteer and an adult vulnerable to abuse/deemed to be at risk.
- 'Whistleblowing' is a term for the reporting of serious concerns by individuals in an organisation who suspect misconduct, illegal acts or failure to follow safe/good practice.

D&B encourages anyone who has serious concerns about any aspect of our work to come forward and voice them to the Management Committee or one of the Directors. A thorough investigation will be carried out, referrals to other agencies will be made and/or other appropriate action taken if the findings warrant that. A written response will be made to the individual who raised the issues, with due regard to confidentiality considerations.

## 11. Data Protection and Security

D&B adheres to the following principles to ensure compliance with the Data Protection Act 2018 and General Data Protection Regulation (GDPR)

- Have a clear understanding of what personal data is, including special categories of data.  
*What data do we collect, in what form (hardcopy/digital) and do we store/hold on to it?*  
*This applies to participants and team members/volunteers.*
- Only collect, store or use personal data if your group needs to do so for a clear, specific purpose. Your group can use personal data if it is in your group's legitimate interests. This means that you can use data in ways that are necessary in order to run your group.  
*What purpose is data collected for?*
- Only collect, store and use the minimum amount of data you need for your purpose. Don't keep extra data if you don't know why you need it, and don't keep data that is no longer needed for a clear purpose.  
*If we do store/hold on to any data, what is our policy for reviewing whether it's still needed and destroying it if not?*
- Tell people what data you have about them  
*Do we let people know what we hold and why?*
- Make sure people know how to contact you if they want you to remove their data from your records and remove it if requested.
- Be clear whether data belongs to your group or to you personally. Just because you have access to contact details held by the group, doesn't mean they are your personal contacts and you can use the data for any other purposes.
- Use a coding system to anonymise sensitive records such as those for safeguarding concerns raised - store names & other key identifying data separately so the two can't be married up.  
*I think we already so this?*
- Store data securely.  
*If we do hold on to personal data (which includes photos), where or how is it stored?*
- Ensure any information you share is accurate and up-to-date, is shared in a timely fashion and is shared securely.  
*We've got the secure email service. We should also check the guidelines from other agencies if we're sharing anything with them.*
- Information which is shared should be necessary for the purposes you are sharing it, and must only be shared with those people you know have a justifiable need to have it.  
*This is relevant to information shared within the group as well as with external agencies.*
- <https://ico.org.uk/media/for-organisations/documents/1567/exemption-from-registration-for-not-for-profit-organisations.pdf>  
*We need to make sure we keep within the exemption rules if we've not registered with the Information Commissioner's Office.*

## 12. Video and Photography Policy

- Use a parental permission form to obtain consent for a child to be photographed or videoed.
- Obtain child's permission to use their image.
- Avoid using children's names (first name or surname) in photograph captions. If the child is named in anything that is published or circulated by D&B, avoid using his or her photograph. Conversely, if a photograph is used, avoid naming the child.
- Exercise particular caution in the use of images of children on D&B's website. Images accompanied by personal information, e.g. 'this is X who likes to collect stamps' could be used by an individual to learn more about a child prior to grooming them for abuse.
- Provide written guidelines to professional photographers or the press who are invited to an event, making clear the organisation's expectations of them in relation to child safeguarding.
- Do not allow photographers unsupervised access to children.
- Do not approve photography sessions outside the event or at a child's home.

### 13. Lone Working Policy

To be completed...



**Appendix A**  
**Safeguarding Contact Numbers**

**Leicester Adults**

0116 454 1004 (Monday to Thursday 8.30am to 5pm, Friday 8.30am to 4.30pm)

0116 255 1606 Emergency number (Evenings, Weekends, Bank Holidays)

**Leicester Children/YP**

0116 454 1004 (this option is open 24/7)

**Leics County Adults**

0116 305 0004 (Monday to Thursday, 8.30am to 5pm, Friday 8.30am to 4.30pm)

0116 255 1606 Emergency number (Evenings, Weekends, Bank Holidays)

**Leics County Children/YP**

0116 305 0005 First Response Children's Duty Team (24 hour phone line)

**NSPCC (children & YP only)**

0808 800 5000 Advice on any matter (this is available 24/7)

## Appendix B – Sample based on VAL template (or include an alternative one we use)

<b>CONFIDENTIAL RISK ASSESSMENT FORM FOR ACTIVITY:</b>						<b>RATING*</b>	
						<b>LOW</b>	<b>1</b>
						<b>MEDIUM</b>	<b>2</b>
						<b>HIGH</b>	<b>3</b>
<b>Activity Leader:</b>							
<b>Name &amp; Address of Venue:</b>							
<b>Contact Name for Venue:</b>				<b>Contact No:</b>			
<b>A. IDENTIFIED RISK</b>	<b>B. ISSUES FOR PARTICULAR VOLUNTEERS/ SERVICE USERS</b>	<b>C. * Likeli- hood of Incident</b>	<b>D. * Severity of Incident</b>	<b>E. Incident Risk Rating (C x D)</b>	<b>F. HOW WILL RISKS BE MANAGED?</b>	<b>G. WHO BY?</b>	
<i>e.g. Accident while crossing road</i>	<i>X has mobility issues so may find it harder to cross the road</i>	1	3	3	<i>Travel training</i>	<i>Activity leader</i>	
<i>e.g. Volunteers may break data protection law by sharing inappropriately</i>	<i>Volunteers with no background/ understanding of data protection</i>	2	3	6	<i>Training &amp; confidentiality agreement</i>	<i>Volunteer manager</i>	

Written by:

Print Name \_\_\_\_\_

Signed \_\_\_\_\_

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

Team members have read and agree to adhere to Risk Assessment:

Print name \_\_\_\_\_

Signed \_\_\_\_\_

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

Reviewed by:

Print name \_\_\_\_\_

Signed \_\_\_\_\_

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