

Policy for the Safeguarding of Children, Young People and Vulnerable Adults

DOCUMENT FOR EXTERNAL USE

Policy Aims

This policy aims to ensure that the welfare of children, young people and vulnerable adults is paramount in all relevant areas of **engage**'s work, to include:

- Recruitment and training of staff
- Programmes of work carried out with galleries and partner agencies
- Grant programmes where **engage** distributes funding to members
- Advice and guidance given to members
- **engage**'s professional development programme and publications
- Use of images in **engage** publications and on the website

The Context

Staying Safe is one of the five outcomes for children that underpin the *Every Child Matters* (ECM) Strategy and safeguarding and promoting the welfare of children is a key theme of the ECM programme and the Children's Act 2004. The latest edition of the government's guidance "Working Together to Safeguard Children" (HM Government, April 2006) states that, "all agencies and individuals should aim to proactively safeguard and promote the welfare of children so that the need for action to protect children from harm is reduced" (p. 35 para 1.21). The guidance also points out that all organisations that work with children share a commitment to safeguard and promote their welfare and that all organisations that provide services or work with children and young people should:

- Have senior managers that are committed to children's and young people's well-being and safety
- Be clear about people's responsibilities to safeguard and promote children's and young people's welfare
- Have effective recruitment and human resources procedures, including checking all staff, freelancers and volunteers to make sure they are safe to work with children and young people
- Have procedures for dealing with allegations of abuse against members of staff, freelancers and volunteers
- Make sure staff get training that helps them do their job well
- Have procedures about how to safeguard and promote the welfare of young people

Schools and a wide range of statutory organisations now have a legal duty to safeguard and promote the welfare of children.

Policy Statement

engage is committed to promoting gallery education practice which safeguards and promotes the welfare of children, young people and vulnerable adults. Through its programmes of work, **engage** recognises it has a duty of care to ensure that the galleries we work in partnership with safeguard all children, young people and vulnerable adults with whom they may work directly, regardless of race, gender or sexuality.

As the lead organisation working in the field of gallery education, **engage** is committed to providing its members with information, and guidance which aims to help them to implement safe and appropriate working practices. It is the responsibility of **EVERY** individual **engage** member to ensure that they are working within the current legal framework and guidelines of their own institution.

Staff and freelancers working for **engage** are responsible for their own actions and behaviour and should avoid any conduct, which would lead any reasonable person to question their motivations and intentions. The recommendation is that no staff/freelancers should be left for long periods with individual children and should not be asked to take responsibility for children (a teacher or teaching assistant, carer, or youth worker etc. should be present). Staff/freelancers should work, and be seen to work in an open and transparent way. Staff/freelancers should discuss and/or take advice promptly from their line manager or another senior member of staff about, any incident, which may give rise to concern. Records should be made of any such incident and of decisions made/further actions agreed, in accordance with **engage**'s policy for keeping and maintaining records. Staff/freelancers should be aware that breaches of the law and other professional guidelines could result in criminal or disciplinary action being taken against them. Staff/freelancers should know the procedures for handling allegations against other staff/freelancers and to whom they should report concerns.

engage will follow the guidelines of the All Wales Child Protection Procedures 2008 when working in Wales.

To summarize engage's good practice guidance to members:

- Put the safety and well-being of children, young people and vulnerable adults above all other considerations
- Be aware of the health & safety and child protection policies of the hosting institutions of any **engage** project and follow appropriate procedures, for

example recording any accidents or injuries in the accident book where the incident took place

- All adults working in education settings should know the name of the school's designated teacher for child protection, or the equivalent individual, and know and follow relevant child protection policy and procedures. All staff have a duty to report any child protection concerns to their designated person for child protection
- Work in an open environment – avoiding private or unobserved situations and encouraging open communication
- Immediately report any incidents which could be misinterpreted to your line manager
- Treat all children, young people and vulnerable adults equally, and with respect and dignity
- Staff/freelancers should always consider whether their actions are warranted, proportionate and safe and applied equitably
- Report any suspicion of abuse or disclosure of abuse to your line manager, even if the suspected abuse involves another member of staff or other freelance employee.

Implementation of Policy

General

Within all areas of **engage**'s work we aim to create a safer and open culture. We will achieve this through:

- Increasing awareness of safeguarding issues for the sector
- Adopting and promoting safer recruitment and selection procedures
- Routine risk assessment of **engage** activities to include protection issues
- Ensuring all staff both within full staff meetings and new staff induction are aware of current legislation and their responsibilities
- Training for staff who will be working directly with children, young people or vulnerable adults
- Ensuring protection procedures are in place (clear process for dealing with issues)
- Ensuring concerns are taken seriously

Recruitment and training of staff

All staff working directly with children, young people or vulnerable adults in the regular course of their employment should hold an Enhanced Disclosure issued by the Criminal Records Bureau. In addition, references should be taken up to confirm the candidate's suitability to work with children, young people or vulnerable adults.

Safer Recruitment online training has been commissioned by the DCSF and developed by NCSL (National College of School Leadership) in response to recommendation 16 of the Bichard Inquiry report (published in June 2004).

The Safer Recruitment online training provides valuable information on a safer school culture, and advice and guidance to strengthen safeguards against employing unsuitable people. The training will help schools demonstrate that they have effective recruitment and selection processes in place that ensure learners are both well taught and protected, which Ofsted will review through a self-evaluation form.

There is also a public version of the training, which contains the core of the training, content and guidance, available without registration to anyone involved in recruitment and selection or in growing a safer school culture. This is a valuable public version of the training, which contains the core of the training, content and guidance, available without registration.

For further information visit:

www.ncsl.org.uk/managing_your_school/saferrecruitment/publictraining.cfm

Under the Education Act 2002, PoCA (Protection of Children's Act) 1999, and CJCSA (Criminal Justices and Court Services Act) 2000 a number of people are banned from working with children and vulnerable adults:

- People on the DfES list 99 (Educational staff barred from working with children) or PoCA/PoCAL list and the equivalent POCSA (Protection of Children's Services Act) list
- People on the PoVA/PoVAL (Protection of Vulnerable Adults List)
- People banned by court on conviction of a specified offence
- A CRB disclosure obtained in regard to work with children will show if the person is banned under any of these provisions

N.B. in Autumn 2008 a New Vetting and Barring Scheme (VBS) will be introduced by the Independent Safeguarding Board to amalgamate these lists and eventually supersede CRB checking. **engage** will supply you with further details on this in due course.

Engage projects & grants

All new and existing projects will be assessed for safeguarding issues. Where necessary, projects will include appropriate guidelines developed with partners. **engage** will require that grant recipients confirm that they have complied with relevant legislation, and have safeguarding and protection policies and procedures and adequate insurance cover in place as a condition of receiving grant monies.

Guidance to members

Requests will be referred initially to the Director, who will refer the enquiry on to the appropriate agency. Guidance notes will be posted on the **engage** website and members encouraged to use the **engage** forum to exchange advice.

Professional development and engage publications

Awareness of safeguarding and protection issues to be included in relevant training courses, seminars and other **engage** events. Awareness of safeguarding and protection issues to be included in **engage** publications; for example good practice case studies must be of work which includes good practice in safeguarding and promoting the welfare of children.

Use of images

engage staff responsible for website and publications must ensure that permissions have been given for use of images. An **engage** photo release form will be created for this purpose. At no time must a child, young person, or vulnerable adult be identifiable through the use of their image in an **engage** website or publication. This means that names of individuals must not be used and, in some cases, names of locations (e.g. school names).

Legal Disclaimer

PLEASE NOTE :

Information given by **engage** must not be considered as legal advice. **engage** will seek legal or Arts Council advice where appropriate.

Definitions

Abuse. Abuse can take many forms. It can be physical, emotional, sexual or neglect. In all forms of abuse there are elements of emotional abuse and it is possible to be subjected to abuse in more than one way at a time. In most cases of abuse the abuser is known to the child – often a relative or someone in the position of relative (i.e. step-parent or step-sibling). In addition, some people who wish to abuse children will seek jobs which bring them into contact with children where they can gain their trust. A child participating in a workshop, for example as part of an **engage** research project, may sufficiently trust a workshop leader or other adult that they confide in them information about abuse or neglect. All suspicions and allegations of abuse should be taken seriously and responded to swiftly and appropriately.

Child. A child is defined as ‘Every human being below the age of 18 years unless, under the law applicable to the child, majority is attained earlier.’ (Convention on the Rights of the Child, United Nations, Article 1, quoted in NSPCC firstcheck).

Vulnerable Adult. Arts Council England’s working definition of ‘vulnerable adult’ is, ‘People who are, or may be, in need of community care services because of mental disability or other disability, age or illness, and who are, or who may be, unable to take care of themselves or unable to protect themselves against significant harm or exploitation’.

Young Person. The term ‘young person’ has no legal status, but acknowledges that people aged 16 or 17 may not think of themselves as ‘children’ (ACE ‘Keeping Arts Safe’ 2005).

For other useful definitions please see the Arts Council England’s publication, *Keeping Arts Safe*, revised 2005.

Further resources:

Working Together to Safeguard Children – A guide to inter-agency working to safeguard and promote the welfare of children (HM Government 2006) available on line: www.tsoshop.co.uk or for a hard copy DCSF order-line on 0845 6022260

Safeguarding Children and Safer Recruitment in Education (DCSF January 2007) available on line: www.teachernet.gov.uk/publications or for a hard copy DCSF order-line on 0845 6022260

London Child Protection Procedures Revised 2007 only available on-line at moment www.lbhf.gov.uk/Images/Full_procedures_FINAL_tcm21-85922.pdf

What to do if you're worried a child is being abused (DCSF 2006) available on line: www.everychildmatters.gov.uk or www.teachernet.gov.uk/publications or for a hard copy DCSF order-line on 0845 6022260