



POLICY FOR THE PROTECTION OF CHILDREN, YOUNG PEOPLE AND VULNERABLE ADULTS

Blackdown Hills Artists & Makers deliver a number of participatory performing and visual arts projects and workshops which involve tutors/artists/project leaders & volunteers working with a range of groups including children, young people and individuals with a range of disabilities, both mental and physical. Projects and workshops can take place in either a formal or informal, educational or non-educational setting.

We believe that:

- The welfare of the child, young person and vulnerable adult is paramount.
- All children, young people and vulnerable adults, whatever their age, culture, disability, gender, language, racial origin, religious beliefs and/or sexual identity have the right to protection from abuse.
- All suspicions and allegations of abuse should be taken seriously and responded to swiftly and appropriately.
- All persons connected with BHAAM workshops/projects (paid and unpaid) should be clear on how to respond appropriately.
- A protective culture puts children's interests first. Children must feel confident that if they have concerns someone will listen and take them seriously.

It is important that tutors/artists/projects leaders & volunteers contracted by BHAAM for this area of work know the appropriate action they might need to take if necessary. It is also crucial that participating individuals, children, their carers and people acting as points of liaison external to BHAAM, are confident that BHAAM is aware of issues that might potentially come to the fore in relation to working with children and other vulnerable groups. To ensure that this occurs, this Child Protection Policy has been written.

BHAAM operates within the following framework:

- All members and volunteers will be made aware of the importance of BHAAM having adequate provision in relation to child protection.
- BHAAM aims to plan its work so as to minimise situations where the abuse of children may occur including, preventing occasions where a single adult is in the company of a lone child, ensuring children are never left unsupervised, that they always leave BHAAM workshops/projects in the company of their parent/carer or other pre-designated adult, and staff and volunteers do not meet with children away from the BHAAM led event without a parent or other adult being present.
- Risk assessments are carried out before any outreach project or workshop begins, and copies of the risk assessments are kept by the designated BHAAM member in charge of the project/workshop.
- Details of a contact person with legal responsibility for the child, young person or vulnerable adult should always be obtained prior to the commencement of a workshop/project.
- Artists and tutors contracted to deliver, and volunteers assisting in the delivery of workshops and projects for children, young people or vulnerable adults, will need to have a valid Criminal Records Bureau Enhanced Disclosure Certificate. A note will be made of the certificate number for future reference.
- The recruitment and selection process for artists/tutors/project leaders and volunteers who work with children will include:
 - An interview to explore the applicant's experience of working or contact with children (the interviewer should have sound experience of working with children).
 - Gaining at least one reference from a reputable person who has experience of the applicant's work with children, or can comment on their general character and relationships with others.
 - Seeing some form of identification, such as a driving licence or passport, to ensure that the applicant is not assuming a false identity.

All the above should occur even if a person is transferring from tasks not involving contact with children to those which do involve working with children.

The BHAAM member, artist, tutor, project leader or volunteer should sign an application form giving:

- their full name, current address and date of birth
 - details of previous experience of working with children (if any)
 - the name of a referee who has experience of their work with children, or can comment on their general character and relationships with others
 - that the position involves contact with children and is exempt from the provisions of the Rehabilitation of Offenders Act 1974, so details of any convictions for criminal offences against children (including 'spent' convictions) must be given
 - permission for a CRB check to be carried out
 - a signed commitment to prevent the abuse of children
- Where possible, a male and female supervisor (staff or volunteer) should be present when working with groups made up of both boys and girls.
 - Adult: Child ratios are 1:8 for groups of children aged 3 to 7 years old (from National Standards for Under Eights Day Care and Childminding, DfES, 2001), and 1:10 for older children ('Keeping Arts Safe', Arts Council guidelines, April 2003). Children under 8 years old must be supervised at all times.
 - The following code of behaviour outlines good practice when working with children.

Good practice means:

- Bullying, shouting, racism or sexism is NOT acceptable.
- All children/young people/vulnerable adults should be treated equally, with respect and dignity.
- The welfare of each participant should always be put first, before achieving goals.

- Balanced relationships should be built on mutual trust which empowers children/young people/vulnerable adults to share in the decision-making process.
 - Enthusiastic and constructive feedback, rather than negative criticism, should be given.
 - The session/project/workshop should be fun, enjoyable and promote equality.
 - Recognising that children or young people with disabilities may be even more vulnerable to abuse than other children or young people.
- Good practice in physical contact will be explained to all BHAAM members, artists, tutors, project leaders or volunteers (paid or unpaid).

This means:

- Maintaining a safe and appropriate distance from participants.
 - Only touching participants when it is absolutely necessary in relation to the particular arts activity.
 - Seeking agreement of participants prior to any physical contact.
 - Making sure disabled participants are informed of, and comfortable with, any necessary physical contact.
- All accidents involving children/young people/vulnerable adults must be recorded in the **Accident Book**. The **Accident Book** should be kept for 3 years. If a child/young person/vulnerable adult arrives at the BHAAM run workshop/project with an obvious physical injury, a record should be made in the Accident Book and should be counter-signed by the person with responsibility for the individual. This will record that the individual did not sustain the injury whilst at attending the BHAAM workshop/project.
 - Any circumstances that lead a BHAAM member, tutor, artist, project leader or volunteer to have concerns in relation to child protection, should result in that BHAAM member, tutor, artist or volunteer relaying those concerns to the appropriate adult associated with the individual or group. A note should be made of what was witnessed as well as the BHAAM member, artist, tutor, project leader or volunteer's response. The BHAAM member/project leader responsible for the event in question will contact the appropriate agency or local authority department for further guidance. Should the concern involve the adult with the supervisory responsibility for

the individual concerned, the artist/tutor/volunteer should also make their concerns known to the BHAAM member, project leader responsible for the event.

In the event of a complaint, the following information must be recorded:

- Name of child
- Parent's/carer's details
- The child's address
- Relevant phone numbers
- What is said to have happened or was seen
- When it occurred
- Who else was there?
- What was said by those involved?
- Whether there is any actual evidence, e.g., bruises, bleeding, changed behaviour
- Who has been told about it?
- Who was concerned?
- Was the child able to say what happened?
- Whether the parents have been advised

Any complaints of suspected or actual child abuse, or of children being put at risk, must be taken seriously and acted upon immediately.

- The following guidelines explain what action to take if a child discloses details of abuse to a BHAAM member, artist, tutor, project leader or volunteer (paid or un-paid).

If someone discloses to you:

- Remain calm and in control but don't delay acting.
- Listen carefully to what is said. Allow the person to tell you at their own pace and ask questions only for clarification. Don't ask questions that suggest a particular answer.
- Don't promise to 'keep it a secret'. Use the first opportunity you have to say that you will need to share the information with others. Make it clear that you will only tell the people who need to know and who should be able to help.
- Reassure the child, young person or vulnerable adult that 'they did the right thing' in telling someone.

- Tell the child, young person or vulnerable person what you are going to do next.
- Speak immediately to the person (if in a school/educational setting, youth or care setting) who has designated responsibility for protection of children, young people or vulnerable adults, or to the BHAAM member / project leader responsible for the project in question if the incident occurs at a BHAAM run workshop/project. It is that person's responsibility to liaise with relevant authorities, usually social services.
- As soon as possible after the disclosing conversation, make a note of what was said, using the child's/young person's/vulnerable adult's own words. Note the date, time, any names that were involved or mentioned, who you gave the information to. Make sure you sign and date your record.

Social services will liaise with the relevant departments on a 'need-to-know' basis and will, if appropriate, inform the police. It is the responsibility of the authorities to determine whether abuse has occurred.

Remember: If a complaint or allegation is made against a BHAAM member, artist, tutor or volunteer he or she should be made aware of his or her rights under both employment law and internal disciplinary procedures. This is the responsibility of the BHAAM member responsible for leading the project. No matter how you feel about the accusation, both the alleged abuser and the person who is thought to have been abused have the right to confidentiality under the Data Protection Act 1998. Remember also that any possible criminal investigation could be compromised through inappropriate information being released.

- Images and information that are produced as a result of participatory arts projects will be handled sensitively in terms of Public Relations, publicity and archive material, and take into account current legislation such as the Data Protection Act (1998). Signed permission must be obtained from a child's/young person's/vulnerable adult's parent or carer before images of that child/young person can be used in any publicity material or displayed.

- Any person, who has been officially identified (i.e. by the police or local authority) as a potential 'risk' to children / young people / vulnerable adults, will not be allowed to work/volunteer on events where young people are involved.
- When giving information and advice to other organisations embarking on projects involving children/young people/vulnerable adults, BHAAM will be mindful of issues relating to child protection.
- BHAAM aims to acquire relevant information on current and emerging legislation and issues, and relate it to the organisation's activities as appropriate. Relevant information regarding child protection legislation, guidelines and the BHAAM Child Protection Policy will be brought to the attention of all members, artists, tutors, project leaders and volunteers who work with children.
- The Child Protection Policy will be reviewed and revised annually.

DEFINITIONS AND USEFUL INFORMATION

Abuse, Physical

May involve the hitting, shaking, throwing, poisoning, burning or scalding, drowning, suffocating of, or otherwise causing physical harm to, a child.

Abuse, Emotional

The persistent emotional ill treatment of a child can cause severe and persistent adverse effects on the child's emotional development. It may involve conveying to children that they are worthless or unloved, inadequate, or valued only insofar as they meet the needs of another person. It may involve causing children frequently to feel frightened or in danger, or the exploitation or corruption of children.

Abuse, Sexual

The forcing, or enticing a child or young person to take part in sexual activities; whether or not the child is aware of what is happening. The activities may involve physical contact, including penetrative or non-penetrative acts. They may include non-contact activities, such as involving children looking at, or in the production of, pornographic material or watching sexual activities, or encouraging children to behave in sexually inappropriate ways.

Area Child Protection Committees

Area Child Protection Committees (ACPCs) work on a local basis. They bring together representatives of the main agencies which protect children from abuse and neglect. They work out how the different services should co-operate.

Child

In law (The Children Act 1989), a child is defined as a person under the age of 18. Extensions of this exist for children who are disabled and for those in local authority care settings.

Convictions, spent

A person convicted of all but the most serious criminal offences and who receives a sentence of no more than two and a half years in prison, benefits from the Rehabilitation of Offenders Act (ROA) 1974 if they are not convicted again during a specified 'rehabilitation' period. Generally, the more severe a penalty is the longer the rehabilitation period.

Once a rehabilitation period has ended and no further offending has taken place, a conviction is 'spent'. With a 'spent' conviction, the person does not have usually to reveal or admit the conviction, including when applying for a job. However, when recruiting for a position of trust, an employer is entitled to ask a candidate to reveal details of all convictions, whether spent or not, particularly to protect children and other vulnerable groups. (Rehabilitation of Offenders Act 1974).

Convictions, unspent

A conviction is described as unspent if the rehabilitation period associated with it has not yet lapsed. A rehabilitation period is a set length of time from the date of conviction, according to the sentence imposed.

Counter signatory

Person within a registered body whose role includes: countersigning applications and receiving the Disclosures; and the control of the use of, access to and security of Disclosures.

Criminal Records Bureau

An agency of the Home Office which, through its Disclosure service, helps organisations recruit more safely. It provides a regulated 'one stop' service for England and Wales, offering access to records held by the police,

together with those held by the Department of Health (DH) and the Department for Education and Skills (DfES). It enables organisations to make more thorough recruitment checks, particularly for positions that involve regular contact with children and vulnerable adults.

Disclosure, Standard

Standard Disclosure is the minimum level of Disclosure recommended for anyone with direct contact with children. This level of Disclosure is considered appropriate only if it can be guaranteed that the individual will not have unsupervised access to children or vulnerable adults.

A Standard Disclosure check provides information on both criminal records (spent and unspent convictions) and the List 99 and Protection of Children Act lists (which provide names of individuals banned from working with children).

Disclosure, Enhanced

Enhanced Disclosure is for people who are in situations where they have intensive short or long-term access to children, young people or vulnerable adults and, as a result of this access it would be relatively easy for them to commit abuse. It includes the information provided by Standard Disclosure as well as any investigations currently underway and may also contain non-conviction information from local police records which a chief police officer thinks may be relevant.

Disclosure – of alleged abuse

In the context of child protection the term describes an event in which a child, young person or vulnerable adult confides information about abuse or neglect.

In loco parentis

Refers to the person legally responsible for a child in the absence of the child's parent(s) or regular carer.

List 99

Is a confidential, Department for Education and Skills (DfES) list of adults who are either banned from working with children or young people or have had restrictions placed upon their employment.

National Care Standards Commission

Is a new, independent body set up under the Care Standards Act 2000, to regulate social care and private and voluntary health care services throughout England. It registers and inspects facilities including daycare provision.

Ofsted

The Office for Standards in Education (Ofsted) is a non-ministerial government agency department whose main aim is to help improve the quality and standards of education and childcare through independent inspection and regulation.

Ofsted assumed responsibility under the Care Standards Act 2000 for the regulation and registration of all 'early years' childcare and education. This includes inspecting some 100,000 childminders and 40,000 daycare establishments.

Registered bodies

These terms are part of the Disclosure process.

Closed registered bodies

Closed registered bodies only process checks on the people they employ. For instance, a day care centre or a hospital might be a closed registered body.

Umbrella registered bodies – sometimes called 'open' registered bodies – perform similar functions to registered bodies by countersigning applications on behalf of organisations which do not wish to take on the responsibility of registration in their own right. They can ask umbrella registered bodies to carry out the service. For instance, Folk South West and the Theatre Marketing Association have become umbrella registered bodies.

Social services departments

The local authority social services department should be contacted when there is concern about possible abuse of a child, young person or vulnerable adult. It is the responsibility of social services, working if necessary with other services such as the police, to determine if abuse has taken place.

Somerset Social Services
A Block
County Hall

Taunton
Somerset
TA1 4DY
Tel: 01823 355163 / 355221

Sole charge

Means having unsupervised contact with children, young people or vulnerable adults.

Vulnerable adult

There is no standard definition. The Arts Council's working definition is: 'Vulnerable adults are 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

In this document, a 'young person' is in the upper age ranges of the official definition of a child. The term has no legal status – it acknowledges that people aged 16 or 17, may not think of themselves as 'children'.

References:

Protection of Children Act 1999 Published by The Stationery Office Ltd.

Working Together to Safeguard Children *A Guide to Inter-Agency Working to Safeguard and Promote the Welfare of Children* (Department of Health, Home Office and Department for Education and Employment)
Published by The Stationery Office Ltd.

Safe from Harm *A Code of Practice for Safeguarding the Welfare of Children in Voluntary Organisations in England and Wales*
Researched and written by David R. Smith
Published by the Home Office, London 1993

Keeping Arts Safe *Protection of Children, Young People and Vulnerable Adults Involved in Arts Activities*

Published and Written by Arts Council England in collaboration with the NSPCC April 2003 Downloadable from www.artscouncil.org.uk

Signed.....
Secretary, BHAAM

Date.....

Signed.....

Chair, BHAAM

Date.....