

# Yorkshire Artspace: Safeguarding Policy for Children and Vulnerable Adults



## 1. Purpose and aim

This policy applies to all staff, including senior managers and the board of trustees, paid staff, members and studioholders, volunteers, freelance and sessional workers, agency staff, work placements students or anyone working on behalf of Yorkshire Artspace including independent contractors.

Yorkshire Artspace understands it has a responsibility to ensure the safety and promote the well being of all staff, volunteers, studioholders and visitors to its premises and members of the public participating in its activities.

Special consideration should be given to the safeguarding of Children and Vulnerable Adults.

This policy aims to provide clear direction to staff and others about expected codes of behaviour to support the welfare of children and vulnerable adults.

## 2. Definitions:

2.1 **Child:** Anyone under the age of 18 is considered as a child for the purpose of this policy.

2.2 **Vulnerable adult:** A vulnerable adult is any person aged 18 years or over who is, or may be, unable to take care of him or herself or who is unable to protect him or herself against significant harm or exploitation.

A vulnerable person may fall into any one of the following groups: older and frail people; people with a mental health need, a learning difficulty, a physical impairment, a sensory impairment; people who are substance or alcohol dependent; or family carers providing assistance to another vulnerable adult.

## 3 Values and Principles:

Yorkshire Artspace recognises its responsibilities for protecting and safeguarding the welfare of all children. We will work with families visiting our premises or taking part in our outreach projects and co-operate fully with other agencies to take all reasonable steps to minimise the risks of harm to a child or vulnerable adult.

- 3.1 All children and vulnerable adults have the right to protection from all types of harm or abuse, regardless of age, culture, disability, gender, sexual orientation, racial origin, language and/or religious beliefs
- 3.2 The welfare of the Child or Vulnerable Adult is paramount.
- 3.3 Safeguarding is the responsibility of everyone. We will work together to prevent and minimise abuse. If we have concerns that someone is being abused our loyalty to the vulnerable person comes before anything else – our group, other service users, our colleagues and the person's friends and family.
- 3.4 All allegations and suspicions of abuse will be taken seriously and responded to swiftly and appropriately. They will not be ignored.

### **3.5 Confidentiality:**

3.5.1 Information about Families of children and vulnerable adults should be managed appropriately and should be a clear understanding of confidentiality and its limits among staff, volunteers and sessional artists.

3.5.2 The confidentiality of the vulnerable person will be respected wherever possible and their consent obtained to share information. The vulnerable person should be made aware that staff cannot ignore issues around abuse and that steps will be taken to deal with them in as sensitive a manner as possible.

## **4 We will seek to keep children and vulnerable adults safe by:**

- 4.1 Valuing them, listening to, and respecting them
- 4.2 Adopting and implementing policies and practices and a code of conduct for staff, volunteers and tenants. (see Appendix 4)
- 4.3 Developing and implementing an effective e-safety policy and related procedures.
- 4.4 Providing effective management for staff and volunteers through supervision, support and training
- 4.5 Recruiting staff and volunteers safely, ensuring all checks have been made
- 4.6 Sharing information with children, parents, carers, staff and volunteers
- 4.7 Sharing concerns with agencies who need to know.

## **5 Recruitment of paid and unpaid staff and freelance workers**

Volunteers, sessional artists and staff who will be in regular direct contact with children and vulnerable adults will be appointed subject to checks with the Disclosure and Barring Service and have two references provided before they will have direct contact with children, vulnerable adults or their carers.

## **6. Procedure**

### **6.1 The Board:**

- 6.1.1 There will be a designated Board member who will have responsibility for safeguarding.
- 6.1.2 The Board will delegate responsibility for Safeguarding to a member of staff to implement policy, to respond to allegations and concerns, and collate Child Protection and Vulnerable Adult data.
- 6.1.3 The Board will ensure that the Safeguarding Officer & Board Member has the relevant training and resources to perform their task correctly.

### **6.2 The Safeguarding Officer will:**

- 6.2.1 Ensure that all volunteers, workers and board members are aware of this policy and the role of the designated Safeguarding officer(s)
- 6.2.2 Ensure that all board members and workers, both paid and voluntary, undertake appropriate Safeguarding briefing and/or training as part of their induction and are aware of appropriate codes of conduct and methods for reporting abuse.
- 6.2.3 Ensure that the policy will be made freely available to all Yorkshire Artspace users via our website

- 6.2.4 Ensure that appropriate reporting, recording and monitoring systems are in place.
- 6.2.5 Ensure that all staff (inc Board)/artists/volunteers whose role involves working directly with children and/or vulnerable adults through their work with Yorkshire Artspace will be subject to undertaking an Enhanced DBS check.

Yorkshire Artspace supervises its volunteers at all stages in their involvement; however, we understand that it is best practice not to allow volunteers to attend events and take part in activities where they will be working directly with children and/or vulnerable adults whilst their application for a DBS check is pending.

- 6.2.6 Maintain a confidential record in which Board/staff/volunteers log details of any incidents and circumstances that have caused them concern. All concerns shall be recorded (whether Social Services are to be involved or not.) **(see Appendix 2, reporting an incident)**
- 6.2.7 Monitor the overall trend of safeguarding concerns, keep records of their disposal and feed back to the organisation on the quality of their safeguarding work

## **7 Policy Review and Implementation:**

- 7.1 The Safeguarding Officer is responsible for overseeing the implementation of the policy and for reporting to the board on any issues arising including incidents and the Implications of changes or amendments to relevant legislation.
- 7.2 The Safeguarding Officer is responsible for proposing amendments to this policy.

### **We are committed to reviewing our policy and good practice annually**

This policy was adopted on:   5  /  7  /  2016  

This policy was last reviewed on:   /  /  

Signed:     Surriya Falconer    

(should be signed by most senior person eg safeguarding lead on the board)

### **Appendices:**

**Appendix 1** Action to take if you suspect abuse

**Appendix 2** Incident report form

**Appendix 3** Recognizing abuse

**Appendix 4** Conduct guidance for staff and volunteers

**Appendix 5** Lost child procedure

**Appendix 6** Legislation

**Cont...**

## **Appendix 1: Action To Take If You Suspect Abuse**

### **Contacts:**

**Sheffield Safeguarding Children Advisory Service: 0114 205 3535** The SSCAS offers advice from experienced, specialist advisors for all practitioners working with children, young people and their families in Sheffield. They are contactable Monday to Friday; 9am - 5pm on telephone (0114) 205 3535 or email [Safeguardingchildrenadvice@sheffield.gov.uk](mailto:Safeguardingchildrenadvice@sheffield.gov.uk)

If you need to raise concerns outside of the scheduled hours for Yorkshire Artspace or the SSCAS then call the Social Services Out of Hours Emergency Duty Team on **0114 273 4855** for advice or call the Safeguarding Adults advice service 0114 2736870 [www.safeguardingsheffieldchildren.org.uk](http://www.safeguardingsheffieldchildren.org.uk)

### **You think abuse has or may have occurred. Act immediately.**

**It is the responsibility of the person first becoming aware of a situation where there may be a child or vulnerable adult subject to, or at risk of, abuse to:**

#### **1 Make Safe:**

Deal with the immediate needs of the person. This may mean taking reasonable steps to ensure the child/ adult is in no immediate danger and seeking medical treatment if required as a matter of urgency.

Do NOT discuss the allegation of abuse with the alleged perpetrator.

Do NOT disturb or destroy articles that could be used in evidence. Where an assault of some kind is suspected do not wash or bathe the person unless this is associated with first aid treatment necessary to prevent further harm.

If the allegation is about a staff member or volunteer of any organisation, ensure that the allegation is properly managed. This may include suspending the member(s) of staff or volunteer. The staff member or volunteer is also entitled to support at this stage. Please refer to the Disciplinary Policy and Procedure.

#### **2 Inform:**

Tell your line manager or the Yorkshire Artspace Safeguarding Officer immediately or they are unavailable or implicated in the allegation, another member of the chief Executive. Contact the police if it is thought a crime has just been committed.

#### **3 Record: - ( see Appendix 2, incident report form)**

Record details of the allegation as soon as possible somewhere that can be kept secure.

**Please ensure that you fill in an Incident Form regarding any incident immediately after it has occurred. Keep this in somewhere safe and hand it to the Chief Executive at the earliest available opportunity.**

**4 Take the concern to the attention of Your Manager or the Safeguarding officer** who in turn will contact the Police. Your manager discusses the concerns with a senior manager or trustee or contacts the local authority referral agency or the police straight away.

You might need to give a statement to Social services or the police who will decide what to do next.

**It is the responsibility of the safeguarding officer, line manager or Chief Executive to:**

1. Decide without delay on the most appropriate course of action once the allegation or suspicion of abuse has been raised.

2. Deal with any immediate needs:

- Ensure that the victim of the alleged abuse is safe
- Ensure that any necessary emergency medical treatment is arranged
- Ensure that no forensic evidence is lost
- If the alleged perpetrator is also a vulnerable adult, ensure that a member of staff is allocated to attend to their needs and ensure that other service users are not put at risk.

3. Clarify the facts stated by the member of staff but do NOT in any circumstances discuss the allegation of abuse with the alleged perpetrator or, if possible, the victim.

4. Check that the circumstances fall within the safeguarding children / adults procedures i.e. meeting the definition of abuse as defined in this Policy and Procedures

5. Address issues of consent and confidentiality.

6. A formal referral must be made on the same day as the alert is raised wherever:

- A crime has been, could have been, or yet could be committed.
- There is a suspicion that an abuse has taken place.
- The allegation involves a member of staff or paid carer.
- Other vulnerable adults are at risk.
- The alleged perpetrator is a vulnerable adult.
- They are unsure if abuse has taken place

7. Where a decision is made NOT to refer, the alert must be recorded, with the reasons for the decision not to refer.

## Appendix 2: Incident form: Yorkshire Artspace

### Reporting an incident

#### Actions to be taken by Safeguarding officer within Yorkshire Artspace

- Complete this form, print and save in safeguarding folder in **locked** cabinet
- If the disclosure was passed onto a support worker/referral agency ask them to confirm in writing or by email you what actions have taken place since the report from us.
- Retain printed copies of all emails and other correspondence and store safely.
- Report to Board.

Date: \_\_\_\_\_ Form completed by: (name) \_\_\_\_\_

Organisation: \_\_\_\_\_

Role in the organization: \_\_\_\_\_

Tel: \_\_\_\_\_ Email \_\_\_\_\_

### Listening to Children/Vulnerable Adults - guidance

- Remain calm and listen to the child/vulnerable adult. Reassure them.
- Do not make promises that may not be kept, e.g. do not tell the child/vulnerable adult that no else will be told.
- Discuss with the child/vulnerable adult who needs to be told about the situation.
- Encouraged them to use their own words
- Take what they say seriously.
- Avoided closed questions and ask as few questions as possible Only ask questions to clarify understanding of what they have said.
- Let the child/vulnerable adult know you have heard what they have said and that you will act upon it.
- Keep a record of this conversation
- Recorded information shall be based only on the information given by the Child or Vulnerable Adult. It shall not include any assumptions or opinions.

#### Note that:

Due to the drop-in nature of many of our events we may not be able to obtain all the information referred to in this checklist, but we will endeavour to obtain as much as possible

The person recording information may be required to give this information to a Social Worker, the Police or the Court at some future date.

#### This is documenting? (tick as appropriate)

Injury

Incident

Disclosure

Observation

**Person Involved:**

Name:	
Age and date of birth:	
Parent/carer's details:	
Name:	
Address:	
Telephone number/s:	

**Details of event:**

Date:	
Time:	
Location:	
Witnesses (if appropriate)	
Description of events:	
Details of any physical signs of abuse e.g. bruising	

Have you spoken to the person? YES / NO	
If yes, what exactly did they say?	

Have you spoken to parents/ carers? YES / NO (NB depending on the allegation, it is not always appropriate to speak to parents)	
If yes, provide details of what was said.	

Have you spoken to the person the allegations are being made against? YES/NO	
If yes, provide details of what was said: (NB	

never speak to them if it is a child abuse allegation only if it is "poor practice".)	
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**Next steps:**

- **Who have you reported this information to?**

Have you informed statutory authorities?	YES/NO
If so was it Police Social Services	YES/NO
Name of person you reported it to:	
Form of communication:	
Designation/Position:	
Telephone Number:	
Details of any action taken	
Are you satisfied with this action?	

Details of any action you intend to take	
Are further actions necessary?	
Have you reported the above to your line manager YES/NO	

Signed:	
Date:	

**REMEMBER TO MAINTAIN CONFIDENTIALITY.**

**DO NOT DISCUSS WITH ANYONE OTHER THAN THOSE WHO NEED TO KNOW**

Print and store this information in our confidential locked filing cabinet. **Do not save on the computer system**

## **Appendix 3 What constitutes 'abuse'**

### **Abuse**

Abuse is defined in the Department of Health No Secrets Guidance as the violation of an individual's human and civil rights by any other person or persons. Child abuse refers to any child or young person under the age of 18 years, who is not married, who through the actions or in actions of parents or other carers has suffered or is likely to suffer some form of maltreatment or significant harm.

### **How Might We Notice Abuse?**

Concerns about or evidence of abuse can come to us through:

- 1 A direct disclosure by the child or vulnerable adult.
- 2 A complaint or expression of concern by another member of staff, a volunteer, another service user, a carer, a member of the public or relative.
- 3 An observation of the behaviour of the child or vulnerable adult by the volunteer, member of staff or carer.

### **What is Child Abuse?**

Child abuse is the term used to describe how children are harmed, often by adults but also by other children and young people. Children with special needs are particularly vulnerable and in need of special care. Children are mainly abused by the people they know and trust. Abuse may happen at home within the family or within a public environment such as school or a sports centre.

Child abuse can take a number of forms but can be identified under four general categories:

**Physical abuse:** Actual or attempted physical injury to a child, including the administration of toxic substances, where there is knowledge, or reasonable suspicion, that the injury was inflicted or knowingly not prevented.

**Sexual abuse:** Any child may be deemed to have been sexually abused when any person(s), by design or neglect, exploits the child, directly or indirectly, in any activity intended to lead to the sexual arousal or other forms of gratification of that person or any other person(s), including organised networks. This definition holds whether or not there has been genital contact and whether or not the child is said to have initiated the behaviour.

**Emotional abuse:** Failure to provide for the child's basic emotional needs such as to have a severe effect on the behaviour and development of the child. This includes humiliation, emotional withdrawal or repeated dehumanisation.

**Physical neglect:** This occurs when a child's essential needs are not met and this is likely to cause impairment to physical health and development. Such needs include food, clothing, cleanliness, shelter and warmth. A lack of appropriate care, including deprivation of access to health care, may result in persistent or severe exposure, through negligence, to circumstances that endanger the child.

## **Abuse of Vulnerable adults – what are the signs?**

Vulnerable adults are subject to the same forms of abuse as children. This might be evidenced by

**Physical abuse:** Bruises, cuts, burns, scalds, restraints marks,

**Neglect and acts of omission:** People being left dirty, not having any clean clothes or not being fed appropriately. Their health or medical needs may not be attended to, or they may be denied access to aids and adaptation such as hearing aids, walking frames etc.

**Financial or material abuse:** An inability to pay bills, buy food and clothing, borrow money when the person is in receipt of all their benefits/pensions/wages, visitors only calling on the day that benefits cashed.

**Sexual abuse:** The presence of sexually transmitted diseases, pregnancy, urinary tract infections, bruises on inner thighs and breasts, injuries to the genitals or mouth, reported or observed inappropriate touching. Sexual abuse will often result in changes to the person's behaviour.

**Psychological abuse:** Changes in behaviour. The adult may become withdrawn, tearful, suffer from lack of sleep and nightmares, start with incontinence problems, and become angry or abusive. They may start to drink heavily, use drugs, or develop eating disorders.

**Discriminatory abuse:** May be linked to the person's race, gender, sexuality or disability. Possible indicators may be the presence of hate mail, graffiti, and the delivery of unwanted services or goods, name calling and physical threats.

**Institutional abuse:** Occurs when the culture and/or regime of an organisation results in the service users being mistreated, denied choice, or excluded.

## **Appendix 4: Codes of conduct and good practice for staff, sessional artists and volunteers.**

It is essential that care be taken to minimise the possibility for abuse and misunderstanding and misinterpretation. False allegations are rare but general good practice will help prevent them.

Even if the responsible person has a DBS check, it is good practice to avoid being alone with children/vulnerable adults out of public view. Staff/freelance artists/ volunteers should not be asked to work with children/vulnerable adults in situations where they will be completely unobserved

The following list includes behaviour that staff/freelance artists/volunteers working with children/vulnerable adults should **never** engage in:

- a. Never kiss children/vulnerable adults
- b. Never engage in rough or sexually provocative games
- c. Never make sexual comments
- d. Never invite or allow children/vulnerable adults into their home
- e. Never give a child/vulnerable adults a lift in their car except in extreme emergencies. (If there is a medical emergency call an ambulance; if it is a social emergency call the parents/responsible adult and ask them to collect the child/vulnerable adult).
- f. Never let allegations, made by anyone, go unacknowledged, unresolved or not acted upon

### **Physical contact**

Staff/freelance artists/ volunteers should be aware of the potential for misunderstanding when having physical contact with children/vulnerable adults and endeavour to minimise any possible misunderstanding of their action.

The spirit of this policy is that a common sense approach should be adopted. If it is an accepted part of an activity, physical contact should be appropriate to the situation and follow accepted guidelines where they exist.

Consoling a child or vulnerable adult who is upset, administering first aid or supporting a participant in an activity is normally acceptable and may be necessary behavior, but must be done within the group setting in public view.

### **Communications**

It is acceptable to use email, text and internet based social networks to communicate with children and young people however the following safe working practice should be applied

- Parents or carers must be informed about how Yorkshire Artspace staff communicates children or vulnerable people and give their consent
- Parents or carers must be given the opportunity to be 'copied in' to communications with their child if they so wish
- Paid staff and volunteers must only use a Yorkshire Artspace email or mobile telephone to text message. If social network websites are used there must be a separate Yorkshire Artspace identity or profile established and any such site subject to regular monitoring by a line manager or the Designated Safeguarding Officer. Such sites must be moderated to ensure the continued safe use and security of young people using the site
- Staff must never use personal email, mobile telephones or internet based social networks to communicate with children or vulnerable people
- All electronic communications from Yorkshire Artspace to a child or vulnerable

person must be recorded.

### **Use of photographs or recorded images of children and vulnerable adults.**

- Yorkshire Artspace may want to take photographs or record the activities undertaken by the young people. Yorkshire Artspace commits to ensure that all publications and media represent participants appropriately and with due respect.
- A photograph or image of a child or young person will not be published without consent.
- Personal information about the individual will not accompany the image.
- Individuals and organisations commissioned by us or working in partnership with us cannot use film and photography without the consent of the participating groups
- The Yorkshire Artspace website will be carefully monitored to eliminate the use of inappropriate images or improper text.

### **NOTES:**

In most circumstances Yorkshire Artspace works in partnership with other agencies or organisations (such as schools or youth service) when working with children and vulnerable adults. In those circumstances we will always involve the support staff of those partner organisations/agencies and will observe their policies and procedures. In the event of Yorkshire Artspace being the sole responsible organisation the following guidance will apply where appropriate;

### **Consent of parent or carer.**

- Consent must be obtained from a child's parent or carer for any Yorkshire Artspace activity involving a person under the age of 18 years or a vulnerable person up to the age of 25. The Yorkshire Artspace consent form will be used for this purpose.
- For vulnerable people aged 18 and over they will be asked to complete a consent form providing emergency contact, health and medical information.
- During activities, copies of consent forms will be available to relevant staff present, in case of an emergency and the need to contact a parent or carer. Forms will be kept in a place which is only accessible to staff and the location of the forms must be known to all staff participating in the event. On conclusion of the event, forms will either be destroyed or stored securely.
- Original copies of consent forms will be filed in a locked cabinet, accessible only to those who need to fulfil their duties.

### **Staff to participant ratio and risk assessment**

The Children's Legal Centre recommends staffing levels of the following:

- One adult to 10-15 children aged eight to 11 and one adult for 15 to 20 children aged 11 to 12 for lower risk activities
- One adult to 10 children for residential trips, trips abroad or for water or adventure sports
- One adult to six children where there are children under the age of eight in the group

These ratios will be considered in the risk assessment for each activity or event. Yorkshire Artspace believes it good practice to have at least two members of paid staff or volunteers present throughout the duration of any trip or activity, preferably of both genders. It is recognised that some children and young people with special needs may require one to one or even two to one care. Each situation is risk assessed and judged accordingly.

Risk assessments are completed before any activity or event and risk assessing is ongoing throughout the event/activity.

## **Appendix 5: Legislation**

There is a considerable body of legislation designed to ensure that children/vulnerable adults are protected and it is important to understand that everyone is responsible for the safety of children and vulnerable adults. The main Acts include:

**Children Act 1989** protects children and ensure that their welfare and development is paramount and promoted. The Act gives local authorities a responsibility for ensuring that this happens by working together with all relevant agencies. The act says that only the police, Social Services and the NSPCC have the legal right and responsibility to investigate concerns about child abuse.

**The United Nations Convention on The Rights Of The Child** sets out the rights of all children, including their right to be protected from harm.

**Health and Safety at Work Act 1974** gives all organisations a legal responsibility to prevent injuries and ill health to employees and others, including members of the public. Much of this responsibility is delegated to managers who have control of work activities but the legislation also provides all employees with an obligation to take reasonable care of themselves and others.

**The Human Rights Act 1998** gives legal effect in the UK to the fundamental rights and freedoms contained in the European Convention on Human Rights (ECHR).

**The Public Interest Disclosure Act 1998 (PIDA)** created a framework for whistle blowing across the private, public and voluntary sectors. The Act provides almost every individual in the workplace with protection from victimisation where they raise genuine concerns about malpractice in accordance with the Act's provisions.

Legislation the following acts should also be taken into consideration:

- Protection of Children Act 1999
- Police Act 1997 Part V
- Rehabilitation of Offenders Act 1974
- Disability Discrimination Act 1995
- Data Protection Act 1984 and 1998
- Sexual Offences Act
- Freedom on Information Act 2000,
- Safeguarding Vulnerable Groups Act 2006,
- Deprivation of Liberty Safeguards, Code of Practice 2008
- The Mental Capacity Act 2005