



AccessArt's Policy for the Protection of Children and Vulnerable Adults

Policy Statement:

AccessArt works with children, young people and vulnerable adults in a range of contexts. This policy expresses the sincere intention that all those for whom AccessArt has a duty of care, will be respected and protected from abuse. The Policy operates in line with the requirements of The Children Act 1989 and The Child Protection Act 1999.

1 Aims of the Policy:

- a) To protect children and vulnerable adults from abuse.
- b) To ensure that cases of suspected abuse are referred to the appropriate bodies.
- c) To ensure consistent standards and procedures among permanent and freelance personnel across the whole organisation.
- d) To reassure participants, parents, families, schools, funders and other bodies of the level of care.
- e) To protect staff from unjustified accusations regarding their actions.

2 Scope of the Policy:

- a) To cover all workshop, project and similar activities undertaken by AccessArt, whether led by permanent or freelance personnel working for or on behalf of AccessArt as well as volunteers attached to AccessArt.
- b) To cover publicity, marketing and sponsorship related events that involve children and vulnerable adults.
- c) The legal definition of a child is anyone up to the age of 18. Other terms such as 'young people' may be used within the organisation in documentation, publicity, teaching etc. These are all included in this policy as children if under the age of 18.
- d) The term 'vulnerable adult' has no legal definition. For the sake of this policy AccessArt has adopted Arts Council England's definition:
 - i. *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 may be, unable to take care of themselves or unable to protect themselves against significant harm or exploitation.¹*
- e) The term abuse includes, but is not limited to, physical abuse, sexual abuse, emotional abuse and neglect.
- f) The abuse may be committed by an adult or a child.

3 Management of the Policy:

¹ Keeping Arts Safe. ACE, April 2003

- a) Operational responsibility for implementing and monitoring the policy is held by Creative Director Sheila Ceccarelli. In her absence responsibility is passed to Creative Director Paula Briggs.
- b) This policy is endorsed and the ultimate **responsibility** of AccessArt's Board of Trustees
- c) This Policy is **reviewed** annually by AccessArt's Board of Trustees. This annual review:
 - i. Monitors the effectiveness of the policy.
 - ii. Identifies any gaps between policy and practice, and instigates steps to close the gap.
 - iii. Identifies new legislation and models of good practice which may be incorporated.
- d) A **record** is kept of any events or incidents within the scope of this policy. This record is reported at the annual policy review. With due regard for confidentiality it simply reports the nature of an incident, the action taken and the outcome.
- e) A copy of this policy document is issued to all **staff** engaged by AccessArt responsibilities within the scope above (see appendix 1).
- f) All **project partners** (e.g. schools, galleries) and **participants** (including their parents and carers) will be informed that the policy exists and that they may request a **copy** of it from the AccessArt office.

Practice and key procedures

4 Staffing:

- a) All staff who have close and/or unsupervised contact with children or vulnerable adults are subject to Criminal Records Bureau **enhanced disclosure**² via a Registered Body.
- b) All staff who's work brings them into contact with children or vulnerable adults (though not close or unsupervised) are subject to Criminal Records Bureau **standard disclosure** via a Registered Body.
- c) If CRB disclosure reveals that a person is **not suitable** to work with young people they will not be appointed. If appropriate, the Registered Body will inform the police or other agencies of this person's attempt to secure employment with children or vulnerable adults.
- d) When staff's **training** needs are identified through appraisal, project evaluation etc. due consideration is given to the need for training in relation to this policy.

5 Planning :

- a) All events and activities that involve children or vulnerable adults, consider the need to protect them from harm from the beginning of the **planning** stage.
- b) Children and vulnerable adults involved in projects and events are given **specific** information about who to go to if they have a concern regarding their own, or another person's welfare.
- c) For large scale and/or long term projects, a member of staff is identified as the Child/Vulnerable Adult protection officer (usually within the role of the project director).
- d) Wherever possible there is **more than one staff member/responsible adult** with a group of children or vulnerable adults . When this is not possible there is always at least one other adult who can be reached easily in case of emergency. Other than under exceptional circumstances, an adult is never alone with a child or vulnerable adult.

6 Confidentiality:

² Information held by police and government departments about an individual eg List 99 (individuals banned from working with children), spent and unspent convictions, investigations currently underway and, where deemed relevant, non-conviction information from police records

- a) It is necessary for members of staff to have access to **contact and health details of those participating in** AccessArt projects and events, where this is not held by another adult present. (e.g. teacher). All personal information, including disclosures, are held confidentially and discussed only on a 'need to know' basis. All data is held in line with the Data Protection Act 1984 and 1998 and AccessArt's Data Handling Policy (to be written).

7 Photographs and videos:

- a) Where the **host organisation** (school, museum, day centre etc) has a **policy** about taking and publishing photographs or videos, that policy will be adhered to.
- b) Where the host organisation has no policy or has a policy that allows the taking of photographs and videos, or there is no host organisation other than AccessArt, photographs and videos are taken and used within the following parameters:
- i. Consent is given, where possible, by the subject prior to photographs or videos being taken.
 - ii. Consent is given by the carer of the subject prior to photographs or videos being taken – this consent will specify whether the photograph or video may be re-used in the future without the need for further consent, how it may be published e.g. online/printed materials, and whether the subject's first name can be published with the image.
 - iii. The image is only used for the purpose for which consent has been given.

8 Reporting Child/Vulnerable Adult Protection Concerns.

It is not the role of AccessArt personnel to confront individuals about abusive behaviour or to make assessment as to whether abuse has or has not occurred. The following procedures are about reporting and referral.

a) If a child or vulnerable adult discloses, to a member of staff, that they have suffered abuse, the following steps are taken:

- i. The member of staff makes a record of the information given using the words of the child (or vulnerable adult). The report is signed and dated by the staff member.
- ii. The member of staff reports the disclosure to the responsible adult within the host organisation (e.g. Head teacher) who refers the matter to the local Social Services department. The member of staff also informs his/her line manager within AccessArt
- iii. If there is no host organisation then the member of staff informs his/her line manager within AccessArt who refers the matter to the local Social Services department.
- iv. If it is not possible to contact either the responsible adult within the host organisation or the line manager within AccessArt, and the staff member has urgent concern about the safety of a child or vulnerable adult, s/he may make a direct call to the local Social Services Department, or local Police Authority's Child Protection Team or, as a last resort, the NSPCC Child Protection Helpline³ (24 Hour) 0800 800 5000.
- v. Social Services will, with due regard for confidentiality, inform the referrer of any action taken.

b) If a member of staff has concerns that a child or vulnerable adult with whom they have contact is, or has been, subject to abuse, the following steps are taken:

- i. The member of staff discusses his/her concerns with the responsible adult within the host organisation (e.g. Head teacher) who, at their discretion, refers the matter to the local Social Services department. The member of staff also informs his/her line manager within AccessArt.

³ this service provides counselling, information and advice to anyone concerned about a child at risk of abuse

- ii. If there is no host organisation then the member of staff discusses his/her concerns with his/her line manager within AccessArt. If the concerns still exist, the line manager refers the matter to the local Social Services department.
- iii. If it is not possible to contact either the responsible adult within the host organisation or the line manager within AccessArt, and the staff member has urgent concern about the safety of a child or vulnerable adult, s/he may make a direct call to the local Social Services Department, or local Police Authority's Child Protection Team or, as a last resort, the NSPCC Child Protection Helpline (24 Hour) 0800 800 5000.
- iv. Social Services will, with due regard for confidentiality, inform the referrer of any action taken.

c) If a member of staff has concerns that a colleague or other adult is responsible for abusive behaviour, s/he has a responsibility to take the following steps:

- i. The member of staff discusses his/her concerns with the responsible adult within the host organisation (e.g. Head teacher) who, at their discretion, refers the matter to the local Police. The member of staff also informs his/her line manager within AccessArt.
- ii. If there is no host organisation then the member of staff discusses his/her concerns with his/her line manager within AccessArt. If the concerns still exist, the line manager will refer the matter to the local Police.
- iii. If it is not possible to contact either the responsible adult within the host organisation or the line manager within AccessArt, and the staff member has urgent concern about the safety of a child or vulnerable adult, s/he may make a direct call to the local Social Services Department or the local Police authority's Child protection Team or, as a last resort, the NSPCC Child Protection Helpline (24 Hour) 0800 800 5000.
- iv. If the adult under suspicion is employed or contracted by AccessArt, their position will be considered by the Trustees and appropriate immediate and long term steps taken.
- v. The member of staff responsible for this whistle blowing will be protected from recrimination, by anonymity, and given appropriate support by their line manager.

RECOMMENDED FURTHER READING

- **Keeping arts safe – Protection of children, young people and vulnerable adults involved in arts activities.** Arts Council England. April 2003. (This publication draws together current legislation and good practice as it applies to the work of arts organisations and artists. It also has a section on documents and resources). It is available in the AccessArt office.