

## Safeguarding Policy

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## **Protection statement**

Artlink aims to adopt the highest possible standards and take all reasonable steps in relation to the safety and welfare of children, young people and vulnerable adults who take part and engage with Artlink events, and to ensure that all Artlink representatives (paid and unpaid) are supported sufficiently to do their jobs in a safe and respectful environment.

For the purposes of this document all references to “child”, “children” or “young people” means persons aged 18 and under and includes vulnerable adults.

### **This policy establishes the following principles:**

- The welfare of the child is paramount;
- All children without exception have the right to protection from abuse;
- All suspicions and allegations of abuse will be taken seriously and responded to swiftly and appropriately; and
- All Artlink’s management committee, staff, freelance workers, volunteers and students have a responsibility to report concerns<sup>1</sup>
- All Artlink staff, volunteers, Board, freelance workers have the right to be treated with respect whilst representing the organisation.

### **Artlink will meet its commitment to safeguard children through the following means:**

#### **Awareness**

Ensuring that all Artlink representatives including staff, Management committee, freelance workers, volunteers and placements are aware of the problem of child abuse and the risks to children. Also to ensure that clear guidance is provided in the form of policies, procedures and codes of conduct are established both for Artlink staff and visitors to the Centre.

#### **Prevention**

Ensuring through awareness and good practice, that staff and others minimise risk to children.

#### **Reporting**

Ensuring that staff and others are clear what steps to take where concerns arise regarding the safety of children and/or colleagues, and that reporting mechanisms are in place.

#### **Responding**

Ensuring that action is taken to support and protect children where concerns arise regarding possible abuse. Establish a policy that clearly states zero tolerance of abuse and other harmful behaviour.

Artlink has a responsibility to ensure the protection and safety of children while they are in contact with staff and volunteers. Recruitment to jobs involving regular contact with children will include specific checks and procedure.<sup>2</sup>

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<sup>1</sup> Taken from The Charity Commission guidelines

<sup>2</sup> Taken from Save the Children’s website

## **Policy overview**

This policy aims to:

- Raise awareness of the problem of abuse and other harmful behaviour
- Provide guidance on safeguarding
- Ensure reporting of suspected abuse

This policy applies to:

- All staff
- All management committee members
- All freelance workers
- All volunteers
- All students
- All partnership organisations
- All visitors to the Artlink Centre for Community Arts

The policy:

- Clarifies the roles and responsibilities of the above under the policy, and also the implications of not complying with the provisions of the policy, which include disciplinary action.
- Applies to contact with children as part of an Artlink role, although conduct outside the professional or volunteer role may also be an issue if it contravenes the provisions of the policy.
- Contains a code of conduct that describes the positive approach which Artlink wishes to encourage, but also contains details of conduct that is deemed inappropriate and unacceptable (see appendix 1 – Conduct & Behaviour)
- Ensures that, at the point of recruitment, and generally in the management of Artlink's work with children, the risk of harm to children is minimised.
- Is supported by stringent recruitment and selection measures that have been designed to minimise the possibility of recruiting persons who may pose a risk to others.

## Awareness

The overview guide to types of abuse and how to report begins on page 15

## Training and induction

### Staff

Staff will be encouraged to attend safeguarding training at an appropriate level for their post. All staff have a budget to pay for such training. In house training can be arranged by the Training Coordinator as required.

Part of the induction pack for new staff will be the Safeguarding Policy.

### Management Committee

The management committee will be given the opportunity to attend safeguarding awareness training suitable to their role i.e. in policy making/ procedure management.

Part of the induction pack for new members will be the Safeguarding Policy and Conduct & Behaviour Statement.

### Freelance workers

Artlink will run a session on safeguarding once a year and freelance workers.

The induction information pack will contain information about recognising and reporting abuse. Freelance workers will be given a copy of the policy on request.

### Volunteers

Volunteers will be encouraged to attend forums and given a copy of information about recognising and reporting abuse, and conduct & behaviour whilst representing Artlink.

### Students

The health and safety session of the Artworker course will cover safeguarding and student's responsibilities. A handout will be issued and information discussed as part of the risk assessment planning process.

## Sources of further information

- The **Independent Safeguarding Authority (ISA)** information line 0300 123 1111 or [www.isa.gov.org.uk](http://www.isa.gov.org.uk)
- **Safeguarding vulnerable groups Act 2006** full document can be found at – [http://www.opsi.gov.uk/acts/acts2006/ukpga\\_20060047\\_en\\_1](http://www.opsi.gov.uk/acts/acts2006/ukpga_20060047_en_1)
- **Voluntary Arts Network** web-site <http://www.voluntaryarts.org> contains Briefing 132 March 2010 on safeguarding and specifically reports on current changes to the law and the imminent implementation of ISA.

- The **Department of Health** Web-site <http://www.doh.gov.uk/> contains a practical guide to the law relating to safeguarding, specifically The Protection of Children Act 1999.
- The booklet "Safe from Harm: Code of practice for safeguarding the welfare of children in Voluntary organisations in England and Wales" is also available on **Home Office** web-site <http://www.homeoffice.gov.uk/> and will assist in developing appropriate safeguarding policies.
- For England and Wales, the **Criminal Records Bureau** are providing a regulated "one stop" service of records checks from information provided by Police, Department of Health and Department for Education and Skills. Further details can be found on their web-site <http://www.disclosure.gov.uk/>

All local authorities have a Local Safeguarding Children Board. This is the key inter-agency forum for child protection, comprising representatives from all the relevant statutory organisations and representing the voluntary sector. **Hull Safeguarding Children Board** is based at 1 Bridge View, Henry Boot Way, Priors Park East, Hull, HU4 7DY, Tel: (01482) 300 300, Fax: (01482) 846 063.

- **NSPCC**. A registered charity established to prevent cruelty to children. They have produced a guide to the development of a Safeguarding policy called Firstcheck. The charity also offers a consultancy service which exists to help organisations improve the quality of their safeguarding services and to advise on the introduction of safeguards to prevent abuse. Further information on these services: 0116 234 7223. Helpline for concerns about a child's welfare: 0808 800 5000 Website: <http://www.nspcc.org.uk/>
- **Save The Children UK**. A registered charity established to promote the welfare of children worldwide by the relief of their hardship and distress. Telephone: 020 7703 5400. Website: <http://www.scfuk.org.uk/>

## **Prevention**

### **Appointing workers**

Artlink has a duty to comply with the Safeguarding Vulnerable Groups Act 2006 and will ensure that any member of staff or student who will participate in regulated activity<sup>3</sup> will be checked under the Independent Safeguarding Authority (“ISA”)’s Vetting and Barring Scheme (“VBS”). Artlink will also comply with its ongoing duty to refer relevant information about VBS members to the ISA. From 25 October 2010, the ISA scheme will apply to all new relevant Artlink representatives. The Scheme will be rolled out to all relevant current members of staff and volunteers.

#### Application forms – staff

Application forms for positions where Disclosures are required will include a statement that it will be requested for the successful application, so that all applicants are aware of the situation. In order to reassure applicants that disclosure information will not be used unfairly it will be stated either in the application form or accompanying material that a criminal record will not necessarily be a bar to obtaining a position.

Forms will include a box to indicate if applicants have had a disclosure processed in the last 18 months.

#### Disclosures

All appointed staff, Board and volunteers will be assessed according to their job / task description and when appropriate put through the CRB process before starting in post. The Disclosure checks will be paid for by Artlink. Any new posts to the organisation will have their job description reviewed as to whether the post requires a Disclosure.

Artlink will discuss any matters revealed in Disclosure information with the person seeking the position before withdrawing an offer of employment:

All subjects of a Disclosure will be made aware of the existence of the CRB Disclosure code of practice and will be given a copy on request.

All Disclosures must be renewed every 18 months.

#### References

Artlink recognises that Disclosures are only one tool in assessing the suitability of an applicant; therefore, all applicants will be asked to provide two referees. One referee should be the previous employer or tutor. References will be taken up after interview and the prospective candidate informed that they have been offered the post subject to

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<sup>3</sup> Regulated activity includes: (1) Any activity which involves contact with under 18s or vulnerable adults (as defined by section 59 of the Safeguarding Vulnerable Groups Act 2006) and is of a specified nature (e.g. teaching, training, care, supervision, advice, treatment, or transport), frequently (i.e. once a month or more often), intensively (i.e. taking place on more than two days in any 30-day period) and/or overnight (i.e. activity that occurs at any time between 2am and 6am AND the activity gives the person the opportunity to have face-to-face contact with under 18s or vulnerable adults); and/or (2) Any activity allowing contact with under 18s or vulnerable adults (as defined by section 59 of the Safeguarding Vulnerable Groups Act 2006) and is in a specified place (e.g. schools, care homes, etc), frequently, intensively or overnight. Regulated activity also includes any activity that involves, on a regular basis, the day-to-day management or supervision of a person carrying out regulated activity.

references. Should references prove unsatisfactory the prospective candidate will be informed in writing.

### References and Data Protection

Under the Data Protection Act copies of references may be given on written request providing information about third parties has been removed. In exceptional circumstances references/ information may be withheld for a compelling reason i.e. threat of violence. Notes of any discussion/ action taken with justifications should be taken and made available to any investigation carried out by the Data Protection Authority

### **Appointing freelance workers**

All freelance workers working on projects with children/ vulnerable adults will be in receipt of a satisfactory disclosure at enhanced level prior to working on the project. Although freelance Artworkers will not be in sole charge of any group of children/ vulnerable adults there may in practice be occasions when through inattention/ unforeseen circumstances at the host organisation they are left alone with the group. With this in mind Artlink will assess all freelance staff on an individual basis to see if they meet the frequency or intensity test and therefore if a CRB check is required.

Under advice from NACRO (National Association for the Care and Resettlement of Offenders - August 2003), it can be concluded that all freelance Artworkers that have contact with children and are meeting the intensity and frequency test must have an enhanced disclosure.

Freelance worker's checks are to be paid by the Artworker and supporting evidence of the disclosure should be provided prior to working on the project. Checks can be processed via Artlink and will incur a small administration fee.

For further information on how Artlink is working in partnership to ensure good practice please see section "Issues relating to partnership working and roles/responsibilities".

### **Cartwheels' students**

Students over 18 years old will be able to get Disclosure checks via Artlink as volunteers for a small administration fee as they are working on a voluntary basis. In the risk assessment and project planning process students will in conjunction with the host organisation and the Training Coordinator determine whether a Disclosure check or references are appropriate. The decision will be based on the host organisation's policy, client group and level of supervision/ staffing and recorded in the risk assessment. Students are informed that they should not work alone with a group or in one to one situations in any circumstances and identify at the risk assessment stage who is also present on the project. This is for their safety as well as the participants.

Student projects also will follow the policy of the host organisation for media/ parental consent and record this in the risk assessment.

## **Security policy - Handling of Disclosure information**

*To be given to:* recruitment and interview panels, applicants for positions requiring a disclosure.

Artlink will ensure that Disclosure information is not passed to persons not authorised to receive it under section 124 of the Act. Staff will be informed that under section 124, unauthorised disclosure is an offence. We maintain a record of all those to whom Disclosures or Disclosure information has been revealed.

Disclosure information is never kept on an applicant's personnel file and is always kept separately and securely. Disclosures and the information they contain will be available only to those who need to have access in the course of their duties. Disclosures and the information they contain will be securely stored in a locked, non-portable storage container. Keys or combinations for such storage units should not be freely available within Artlink and access must be restricted to named individuals (currently Victoria Bissett – Director and Claire Mansfield –Finance Officer.)

Disclosures or any record of Disclosure information contained within them will not be kept for longer than six months after the date on which recruitment or other relevant decisions have been taken, or after the date on which any dispute about the accuracy of the Disclosure information has been resolved. The period will be exceeded only in very exceptional circumstances, which justify retention for a longer period. The CRB will be consulted in this instance. Information will be destroyed securely i.e. shredding, pulping or burning. They will not be kept in any insecure receptacle (e.g. a waste bin or confidential waste sack) whilst awaiting destruction.

No photocopy or other image of the Disclosure will be retained, nor any copy or representation of the contents be made or kept. However, Artlink will keep a record of the of date any Disclosure, the name of the subject, the type of Disclosure, the position in question, the unique number issued by the Bureau and the recruitment decision taken.

This security policy will be given to the individual applying for a Disclosure.

Artlink will cooperate with requests from the CRB to undertake assurance checks as to the proper use and safekeeping of Disclosure information. We will also report to the CRB any suspected malpractice in relation to this Code of Practice or any suspected offences in relation to the misuse of Disclosures.

Where information has been released by the police to an employer in a separate letter, that information must not be discussed with the applicant. Such documents are subject to the same security as Disclosures.

## **Consideration of checks**

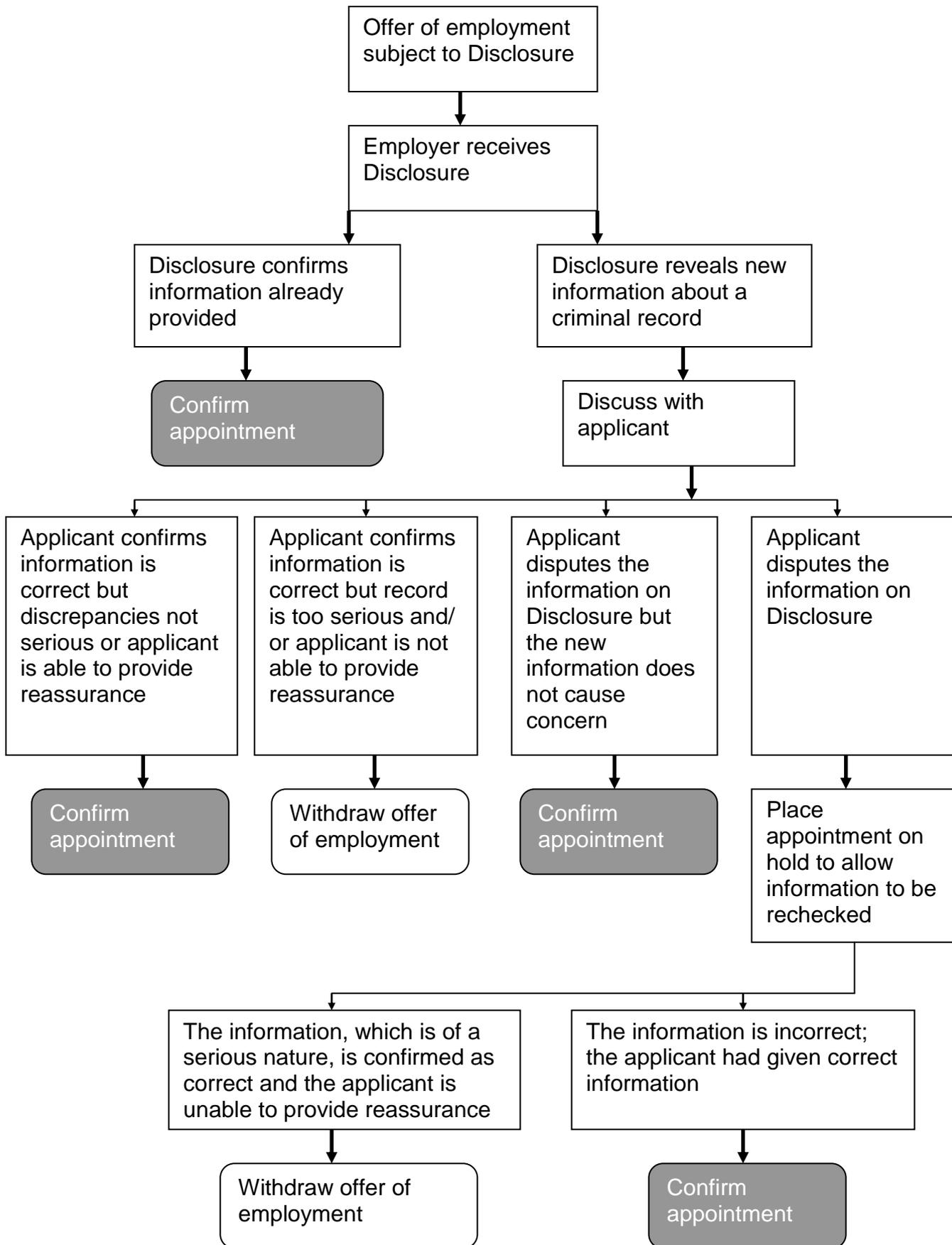
Artlink will consider the following:

- Whether the conviction or other matter revealed is relevant to the position in question,
- The seriousness of any offence or other matter revealed
- The length of time since the offence or other matter occurred
- Whether the applicant has a pattern of offending behaviour or other relevant matters
- Whether the applicant's circumstances have changed since the offending behaviour or the other relevant matters
- The circumstances surrounding the offence and the explanation(s) offered by the convicted person

In order to assist staff to make appropriate use of Disclosure information in reaching decisions, counter signatories will be given the "Policy statement on the recruitment of ex-offenders".

Recruiters will be made aware of their duties under the provisions of the Criminal Justice and Court Services Act 2000 e.g. that it is an offence to apply for, offer to do, accept or do any work with children (paid or unpaid) if disqualified from working with children. If anyone who applies is found to be disqualified from working with children, the police will be informed.

Flowchart for dealing with Disclosures (from recruiting safely)



## **Recruitment of candidates with a criminal record**

*To be given to:* recruitment and interview panels, applicants for positions requiring a disclosure.

“Many applicants and existing staff and volunteers are likely to have a criminal record, given that a large proportion of the population will be found guilty by the courts at some point in their lives. For instance, a third of all males have been convicted of a criminal offence by the age of 30, along with 8% of all females. However, many people with records can be – and are – safely employed within the health and social care field.”

Artlink is committed to the fair treatment of its staff, potential staff or users of its service, regardless of race, gender, religion, sexual orientation, responsibilities for dependants, age, physical/ mental disability or offending background

As an organisation using the Criminal Records Bureau (CRB) Disclosure service to assess applicants' suitability for positions of trust, Artlink complies fully with the CRB Code of Practice and undertakes to treat all applicants for positions fairly. It undertakes not to discriminate unfairly against any subject of a Disclosure on the basis of conviction or other information revealed. People with criminal records applying for jobs should be treated according to their merits and to any special criteria of the post (e.g. caring for children and vulnerable adults, which debars some in this category). We select all candidates for interview based on their skills, qualifications and experience.

A disclosure is only requested after a thorough risk assessment has indicated that one is both proportionate and relevant to the position concerned. For those positions where a Disclosure is required, all application forms, job adverts and recruitment briefs will contain a statement that a Disclosure will be requested in the event of the individual being offered the position.

Where a Disclosure is to form part of the recruitment process, we encourage all applicants called for interview to provide details of their criminal record at an early stage in the application process. We request that this information is sent under separate, confidential cover to a designated person within Artlink and we guarantee that this information is only to be seen by those who need to see it as part of the recruitment process.

Unless the nature of the position allows Artlink to ask questions about an entire criminal record we only ask about “unspent” convictions as defined in the Rehabilitation of Offenders Act 1974.

We ensure that all those in Artlink who are involved in the recruitment process have been suitably trained to identify and assess the relevance and circumstances of offences. We also ensure that they have received appropriate guidance and training in the relevant legislation relating to the employment of ex-offenders, e.g. the Rehabilitation of Offenders Act 1974.

At interview, or in a separate discussion, we ensure that an open and measured discussion takes place on the subject of any offences or other matter that might be relevant to the position. Failure to reveal information that is directly relevant to the position sought could lead to withdrawal of an offer of employment.

If a person is already employed and information later becomes available, Artlink will do an internal investigation that may lead to a disciplinary.

We make every subject of a CRB Disclosure aware of the existence of the CRB Code of Practice and make a copy available on request.

We undertake to discuss any matter revealed in a Disclosure with the person seeking the position before withdrawing a conditional offer of employment.

Questions are asked at the short-listing stage about criminal records in order to ensure that people with such records are not inadvertently placed in vulnerable positions within the organisation. Having a criminal record, in itself, should not necessarily prevent a person from being appointed to any post, unless the offence debars the person. Where it is felt, however, that a recent or serious offence might mean that a person presents a risk to children or vulnerable adults then that person should not be appointed. Discrimination either in favour of or against those persons currently in employment who have disclosed their criminal record is not permissible (unless the offence debars them), and such information is strictly confidential. This policy will be made available to all Disclosure applicants at the outset of the recruitment process.

**Having a criminal record will not necessarily bar an individual from working with Artlink.** This will depend on the nature of the position and the circumstances and background of the offences.

### **Media Consent forms**

The policy and forms of the host organisation will be determined at the project planning stage and applied to the project. Where Artlink is the host organisation, the following forms will be used. These will be stored with the photographs/ film for use on publicity for up to 5 years. Images and forms will then be archived.

**Media Consent forms**

Artlink welcomes publicity for the organisation, which sometimes involves filming or taking photographs of participants/ audiences of projects. Artlink will store the photographs for up to five years in which time they may be used for other purposes in representing Artlink for such things as our annual report, brochures or website etc.

I do/ do not give permission for the photographs/ film to be used for other media purposes representing Artlink within 5 years of the date below.

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

My name is \_\_\_\_\_ Telephone \_\_\_\_\_

Address \_\_\_\_\_

Postcode \_\_\_\_\_

**If you require further information please contact: Artlink 01482 345104**

**Media consent form – under 18 years**

Artlink welcomes publicity for its projects which sometimes involves the media filming or taking photographs of pupils, children and young people under 18 years of age.

It is our intention that any event involving children being photographed or filmed will be supervised. We are therefore seeking your permission to allow your child or children to be photographed or filmed.

I do/ do not give permission for my children to be photographed/ filmed representing the school/ play group/ youth club/ other (delete as appropriate)

I have Parental Responsibility for the child mentioned below.

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

Artlink will store the photographs/ film for up to 5 years in which time Artlink may use them for publicity purposes, such as in our annual report, brochures, or website.

I do/ do not give permission for the photographs/ film to be used for other media purposes within 5 years from the date below.

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

My name is: \_\_\_\_\_ My child's name is: \_\_\_\_\_

Telephone \_\_\_\_\_

Address \_\_\_\_\_

Postcode \_\_\_\_\_

**If you require further information please contact: Artlink 01482 345104**

### **Arrangements for supervision of children's activities**

#### Projects on Artlink premises

- 1 member of staff will be present at all times
- For projects with children under the age of 8 a responsible adult will be present i.e. parent/ guardian.

### **Other users of Artlink premises**

Any organisation using Artlink premises will be informed of the Safeguarding procedures/ requirements in writing when booking the space.

They will be asked to provide details of attendees and workers for the project/ workshop/ meeting for our records and informed of the use of the accident book.

### **Issues relating to partnership working and roles/responsibilities**

#### Projects with partnership organisations – Arts Development Worker's responsibilities

- Planning projects – identify legally responsible adult – this would be the person the freelance worker would report any suspicion/ disclosure of abuse to (member of staff)
- Identify minimum levels of staffing for the project
- Identify support/ access needs for the group and ways of meeting these and who is responsible
- Find out their requirements for level of disclosure for artist
- Make them aware of their responsibilities i.e. Artworker should have a support worker there and not be by themselves. The Artworker isn't responsible for discipline/ behaviour management
- Conduct a risk assessment (Development worker, Artworker, host) and apply to the project
- Reporting accidents/ injuries – with them and us
- Agree letters of consent for photographs, who sends them out or what is the organisation's policy on taking photographs – what would these be used for?

## **Issues relating to freelance workers**

Artworkers will be given a copy of the code of conduct, contract and risk assessment information prior to the project. (See following pages)

The Protection of Children, Young People and Vulnerable Adults – Freelance Workers and Volunteers Code of Conduct

This code of conduct aims to inform freelance Artworkers and volunteers of their roles and responsibilities when working on projects for Artlink.

### **Before undertaking any work for Artlink, the facilitator will:**

- Provide two appointment referees and evidence of a recent CRB check if intending to work with children (minimum requirement is Enhanced Disclosure)
- Be aware of procedures concerning Safeguarding such as health and safety and reporting suspicions or allegations of abuse. (See later sections)
- Ensure that planned activities are safe and appropriate to the client group

### **Project Planning**

- Artworkers and volunteers will be provided with a written brief and risk assessment plan
- The Development Worker will ensure that additional support is in place if needed, for example volunteers or support workers.
- Planned activities should be appropriate to the age and abilities of the client group
- All materials and techniques should be safe and appropriate, avoiding unnecessary risks to participants (themselves or volunteers).
- Consult with Development Worker if the project will involve the filming or photography of children or vulnerable adults - consent should be obtained.
- If the Artworker has any concerns or is unsure of any element of the project, they should consult the Development Worker for guidance and support.

### **On arrival at a project venue the Artworker will:**

- Identify the responsible adult for the group and ensure they will be present at the workshop.
- Complete the relevant parts of the risk assessment form and address any queries.
- If the project, venue or staffing situation is deemed unsafe and the session is stopped, the Development Workers should be contacted immediately.

### **During a workshop or project the Artworker will:**

- Treat participants with respect and use appropriate language
- Work safely and minimise risk to participants.
- Not assume sole responsibility for the group. The Artworker's role is to deliver the activity; the host organisation should be responsible for discipline and support/care issues.
- Ensure that activities are accessible and inclusive

## Definitions of Abuse

The following is intended as a guide only and should not be considered an exhaustive list.<sup>4</sup>

<p><b>Physical abuse or harm</b></p> <p>Children are physically hurt, injured or in extreme cases killed. This can involve hitting, shaking, squeezing, burning and biting. It also includes giving children poisonous substances, inappropriate drugs and alcohol, and attempted suffocation or drowning</p>	<p><b>Emotional abuse or harm</b></p> <p>Children are made to feel unwanted, ugly, worthless, guilty or unloved. This can occur when a constant lack of love and affection, taunting, shouting and inappropriate language lead to a child's loss of confidence and self-esteem.</p>
<p><b>Physical neglect or harm</b></p> <p>Children are not provided with the basic things needed to survive. This can include not providing appropriate food, clothes, warmth and medical care or leaving them alone unsupervised</p>	<p><b>Sexual Abuse or harm</b></p> <p>Children are abused by adults, adolescents or even other children who use them to meet their own sexual needs. This may extend to sexual intercourse but more often involves fondling, masturbation and oral sex. Children are sometimes exposed to or used in the production of pornographic material including videos.</p>

## Recognising Abuse

The recognition of abuse can be very difficult. Sometimes suspicions are no more than vague feelings of unease. If you have these talk to your Safeguarding Coordinator. The Safeguarding Coordinator is the Director at Artlink. If they are absent report your suspicions to the most senior member of staff available.

Noticeable injuries or changes in behaviour patterns may be the result of a number of things, among them abuse. However it can be very difficult to decide if, for example, a bruise is caused by accident or as a result of abuse. Very often recognition of abuse emerges from the building of an accurate picture of the child and family over a period of time.

The following very general guidelines might be useful if trying to rationalise suspicions about physical abuse.

1. Ask the child about the injury and if you are at all unhappy with the explanation given, report it to your Safeguarding Coordinator. Ask appropriate open questions,

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<sup>4</sup> Taken from Kingston upon Hull Education services guide to Child protection (Feb 1997)

not leading questions. Record the questions and the answers given. See Appendix 2 for guidance.

2. Note the position of the injury to see if it has occurred at one of the common sites of non-accidental injury (see below).
3. Bruises caused by shaking or squeezing will often take the form of finger and thumb marks and those caused by biting may appear as oval and open-ended. The size of a bite-type bruise may indicate whether it has been caused by an adult or another child. The reasons for facial bruising should always be looked into.
4. When looking at burn marks, bear in mind the possibility of cigarette burns, which are rarely accidentally caused. Regular looking scald marks particularly on hands, feet or buttocks are unlikely to have been caused by accidental splashing.
5. Associated behavioural problems should also be noted and recorded.

### **Common sites of accidental injury**

Crown, forehead, nose, bony spinal protuberances, elbows, hips, hands, knees, shins.

### **Common sites of non-accidental injury**

Eyes, ears, cheeks, mouth (inside and out), neck, shoulders, chest, upper arms, back, inner arms, stomach, buttocks, genitals, thighs.

The signs and symptoms of **physical neglect** are sometimes self-evident; for example children who are obviously smelly or inappropriately dressed, or appear to be constantly cold or hungry. However, often there are only behavioural indicators. A child who appears to be persistently failing to thrive (such as withdrawn or underweight) could also be suffering from **physical neglect**.

Recognition of sexual abuse can be more difficult than that of physical abuse as there may not be any physical signs at all, or, if there are, they may only be observed when the child undresses. Pay particular attention to children who appear reluctant to change clothes for any games activity – this may indicate either physical or sexual abuse. **Indications of sexual abuse are more likely to be emotional/ behavioural.**

Here is a, by no means exhaustive, list of some indications of **sexual abuse**: -

1. Torn, stained or bloody underclothes
2. Pain or itching of genital area
3. Difficulty walking and sitting
4. Any unexplained change in behaviour taking into account the age and your previous knowledge of the child. For example, a normally quiet child may become loud and aggressive or a boisterous child may suddenly become quiet and passive.
5. Sexually explicit talk and behaviour, inappropriate to the child's age.
6. Uncharacteristic eating disorders
7. Depression and suicide attempts

However, it is more likely to be discovered by means of a disclosure either deliberate, accidental or through a third party.

Emotional abuse is probably the most difficult type of abuse to recognise. The signs are behavioural rather than physical, though the manifestations of emotional abuse might also indicate the presence of other kinds of abuse. An emotionally abused child may show some or all of the following characteristics: -

1. Low self-esteem and lack of confidence (always thinks their work is “rubbish” and needs constant reassurance)
2. The child may be a “loner”
3. The child may be used as a “scapegoat” by other children
4. Withdrawn, introverted and depressed

## **Suspicion, disclosure or allegations of abuse or harm**

### **Suspicious**

- If an Artworker suspects that a child is being harmed or abused they should notify the most senior person at the venue as well as their Artlink development worker. (If the person suspected is the senior person at the venue, the Artlink Development Worker should be notified and they will respond accordingly.)
- The Artworker should make their own records of what they witnessed or suspected and their response and make the Development Worker aware that they have done so. (The information may be needed if there is any follow up)

### **Accidents and Injuries**

- If a child attends a workshop with an obvious physical injury, it should be recorded in the accident book at the venue and in the Artlink accident book.
- If a child is injured whilst attending a workshop, the injury should be recorded in the accident book at the venue and at Artlink.

### **Disclosures**

As Artlink projects often work with vulnerable or disadvantaged people, it is possible that a workshop participant may choose to confide in the Artworker. In this situation the Artworker should:

- Remain calm and in control but don't delay acting
- Listen carefully to what is said. Allow the person to speak at their own pace and ask questions only for clarification. Don't ask questions that suggest a particular answer.
- Not 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 in the school/educational setting, youth or care setting who has designated responsibility for protection of children, young people or vulnerable adults. (This is likely to be the head teacher for a school or the director of the youth or care setting.) 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 people/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.
- In confidence, make your project manager aware of the situation

#### **If allegations are made against the Artworker**

If an allegation is made or you are asked to leave a venue/project, make a written record of your version of events and inform your project manager immediately. Artlink will act according to its complaint procedure. Under the Data Protection Act 1998, both the alleged abuser and the abused have the right to confidentiality. An investigation could be compromised through inappropriate information being released.

#### **Guidance on use of the Internet**

The policy of the venue will be applied. This will be identified at the project planning stage if use of the Internet is relevant to the project. The Artworker will be informed as to the policy and made aware of their responsibilities.

**Contract (must be signed and returned before project starts)**

**Project Title:** .....

**Aims:** .....

**Objectives:** .....

<b>Development Worker:</b>	
<b>Responsible person identified:</b>	
<b>Date/s agreed for project:</b>	
<b>Session Time/s:</b>	
<b>Venue/Location:</b>	
<b>Age range of participants:</b>	
<b>Maximum number of participants agreed with host:</b>	
<b>Contingency – agreement with host on what to do if there are too many participants:</b>	
<b>Host staff identified for session (names and roles):</b>	
<b>Permission for photographs:</b>	
<b>Access/support needs of participants:</b>	
<b>Risks from venue:</b>	
<b>Risks from materials:</b>	
<b>Risks to Artworker:</b>	
<b>Risks to participants:</b>	
<b>Safeguarding responsibilities discussed with Artworker:</b>	
<b>Accident reporting discussed with Artworker:</b>	

**Budget:**

Artist fees           £  
Materials            £  
Documentation       £

**Total**                    £ \_\_\_\_\_

\*please note – it may be possible to negotiate a travel fee with the Development Worker but this must be done prior to invoicing.

I (print name): \_\_\_\_\_ agree to the terms of this project

Signed: \_\_\_\_\_ Dated: \_\_\_\_\_

Payment will be made upon receipt of a completed claim form, evaluation form and documentary evidence of the project. Please keep receipts for any purchases made as otherwise we cannot pay you for them.

**Risk Assessment**

**Name of Artworker:** \_\_\_\_\_

**Contact Tel Number:** \_\_\_\_\_

**Project Title:** \_\_\_\_\_

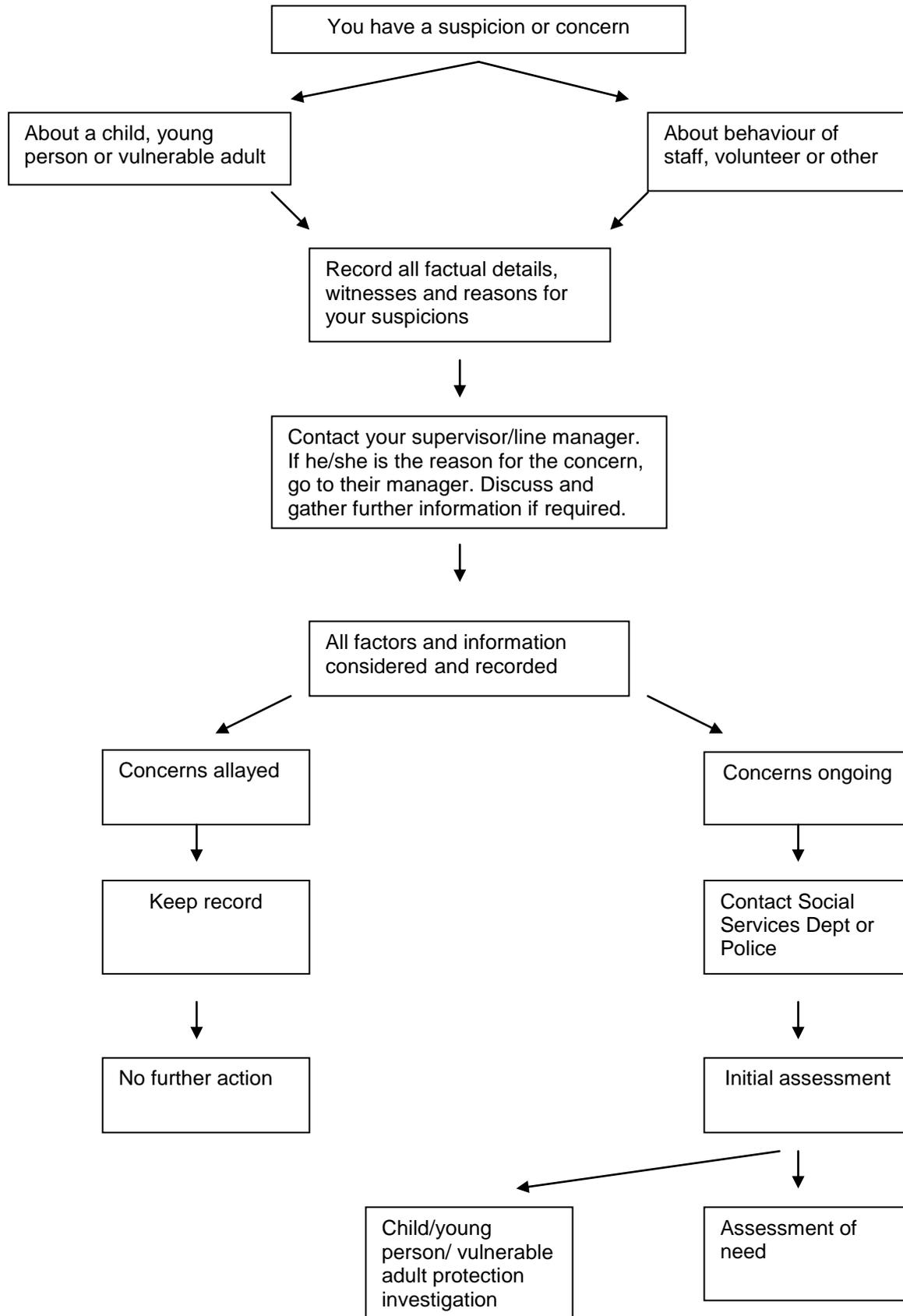
**Venue:** \_\_\_\_\_

**Date of Assessment:** \_\_\_\_\_

<b>Action</b>	<b>Yes/No</b>	<b>Notes/Actions</b>
Identify fire safety procedure & inform group/volunteers		
Risks from venue e.g. room layout		
Risks from material e.g. toxicity, scissors, tools		
Risks to own safety e.g. tools you might be using, or transporting materials		
Risks to participants' safety e.g. risks from general public, access needs		
Accidents reported		

**REPORTING - Protection of children /young people/vulnerable adults**

This is for guidance contact the Safeguarding Co-ordinator for further clarification.



## Responding

### What to do if you suspect that abuse has occurred

Report any suspected abuse to the Safeguarding Coordinator at Artlink and at the host organisation. The Safeguarding Coordinator is the Director at Artlink Headquarters. If he/she is absent the report to the most senior member of staff available. It is essential to have a record of all the information available. Staff should note carefully what they have observed and when they observed it. Signs of physical injury should be described in detail, or sketched. Any comment by the child concerned, or by an adult, about how an injury occurred should be recorded, quoting words actually used, as soon as possible after the comment has been made. Make notes straight away while the facts are fresh in your mind.

**Your only responsibility is to report your suspicions.** The Safeguarding coordinator will then decide what, if any, action will be taken. The Safeguarding Coordinator is the Director based at Artlink Headquarters.

If a case is formally investigated there will inevitably be at least one case conference to pull together all the agencies and disciplines that have information and direct knowledge of the child and/ or the family. If you originally reported the suspected abuse then you may be requested to attend. It is important that you keep accurate records at the time of reporting the abuse so that you can be sure of your facts and make a positive and confident contribution to the conference.

### Disclosure of abuse

There may be instances when, although there is no suspicion of abuse a child may disclose what has happened to them. This is often the case with sexual abuse although disclosures of other forms of abuse may also occur. Sexual abuse is a secret known only to the child and the abuser(s) but children will sometimes choose an adult to confide in. If this happens to you it is likely to be a very stressful experience particularly if the abuse has occurred within a family and you find the allegations difficult to believe.

#### The following guidelines should be followed:

1. Always accept the child no matter how difficult you find it. (Research indicates that of all reported cases of sexual abuse only approximately 1% are fantasies or fabrications).
2. Never stop a child who is freely recalling significant events.
3. Stay calm and be reassuring.
4. Listen carefully and patiently to the child. Do not press for information as well-intentioned questions at this stage could result in the failure of a criminal prosecution.
5. Never promise to keep a secret no matter how insistent the child is.

6. Do not discuss your suspicions with the parents or anyone else involved in the care of the child.
7. Report the disclosure as soon as possible to your Safeguarding coordinator or senior member of staff.
8. Record the details of the disclosure and pass the records on to the person you have reported it to.
9. Record all subsequent events up to the time of the substantive interview with the Social Services and Police.

There may be instances where a child does not actually confide in you but you come to suspect sexual abuse because of overhearing a conversation with other children or sexually explicit drawings or stories are produced. Disclosures may also occur through a third party. Report any such incidences to your coordinator as soon as possible.

## **Reporting**

### **How to report suspected/ allegations of abuse**

Staff/ Artworkers/ volunteers should inform the Safeguarding coordinator at Artlink and the host organisation of their suspicions/ concerns or of what the child has said.

On receipt of this information the Manager should on the same day report the matter by contacting the appropriate agency as follows:

Hull: Contact the Social Services call centre and ask for the Social Services Family Resource Centre covering the area in which the child lives; or

East Riding: the Social Services call centre or Customer Service Centre covering the area in which the child lives; or

If the child is known to have a Social Worker or is already on the Child Protection Register, report the matter to the named Social Worker or to the named key worker. If he/ she is not available, ask to speak to the Duty Social Worker at the same office.

#### Out of office hours or at weekends

Report your concerns to the Social Services Emergency Duty Team covering the area in which the child lives.

#### In the event of a child requiring urgent medical attention

The child should be taken to the nearest Accident and Emergency Department. If appropriate, inform the hospital staff of your suspicion that the child may have been injured as the result of abuse and request that Social Services is informed.

#### [In the event of an emergency - Call the police on 999](#)

Information to be given

When making a referral it is important that, where possible, you have the correct information available and have thought through your concerns. However, even if you do not have all the information below, you should not delay your referral. The information you will be asked to supply will include:

a) Factual information about the child and his/ her family. The following information if appropriate should be sourced from the host organisation and other appropriate bodies

- \* Family structure
- \* Date of Birth
- \* Home address
- \* Details of relevant family members
- \* Who has parental responsibility

b) Be clear about what your involvement is with the child and/ or his/ her family

c) The source of your concern:

- \* Is it something you have seen?
- \* Is it based on the concern of another person? If so, whom?

d) Why are you concerned?

- \* Is it based on the child's behaviour, an injury, what the child has said?
- \* Has this concern developed over time, or just today?

e) What evidence (if any) have you to support the concern? This may include what the child has said to you directly. If so, are you aware of anyone else the child has spoken to?

f) Whom do you believe to be the source of harm/ potential harm to the child?

g) Are there other children in the family or other children about whom you have concerns?

h) In your opinion, does this child need immediate protection?

- i) Whether or not you have discussed your concerns with the parent/ carer and have they agreed for the referral to be made? If they have not been made aware of the concerns or have refused to give agreement for the referral to be made, reasons must be recorded.

Follow up

Any referral made on the telephone, or in person, should be followed up in writing within 24 hours.

### **Records/ monitoring (i.e. accident book)**

Projects conducted under Artlink's insurance should be recorded through Artlink's procedures. This means that any existing injury or sustained injury should be recorded in Artlink's main office accident book on the day of occurrence. This can be done by phone (01482 345104) and speaking to a member of staff who will fill in the book over the phone with you. The accident should also be recorded at the host venue in their accident book.

Accident books will be kept for a minimum of 21 years and made available if required by any police/ social services/ legal investigation.

Records of disclosures of abuse will be kept in a locked filing cabinet and will only be available to the Director and Finance Officer. If other members of staff need the information it will be made available on case-by-case basis. A log will be kept of all access to the records (date, time and name).

### **Discipline policy**

#### **“Whistle blowing”**

*Artlink* will assure all staff/volunteers that it will fully support and protect anyone, who in good faith reports his or her concern that a colleague is, or may be, abusing a child or person.

#### **Investigations**

Where there is a complaint against a member of staff there may be three types of investigation:

- A criminal investigation,
- A child protection investigation,
- A disciplinary or misconduct investigation.

The results of the police and Safeguarding investigation may well influence the disciplinary investigation, but not necessarily.

#### **Person alleged to be responsible for abuse or poor practice**

When a complaint or allegation has been made against a member of staff, he or she should be made aware of his or her rights under employment legislation and internal disciplinary procedures. They will also be issued with the organisation's disciplinary procedure.

In criminal law the Crown or other prosecuting authority has to prove guilt, and the defendant is presumed innocent until proven guilty

#### **Worker statutory rights**

The right to be accompanied at a disciplinary hearing is a statutory right introduced by Section 10 of the Employment Relations Act 1999 on 4 September 2000. The worker will be able to bring a “companion” who is either a work colleague or a union representative. The companion has a statutory right to be able to address the hearing and confer with the worker during the course of the hearing. The code itself suggests that the companion's

role could be extended to include asking questions and “with the agreement of the employer, should be allowed to participate as fully as possible in the hearing”

The statutory right to be accompanied applies specifically to hearings, which could result in:

i) The administration of a formal warning to a worker by his employer (i.e. a warning, whether about conduct or capability, that will be placed on the worker’s record);

ii) The taking of some other action in respect of a worker by his employer (e.g. suspension without pay, demotion or dismissal): or

iii) The confirmation of a warning issued or some other action taken

### **Freelance workers/ volunteers**

The discipline procedure will not be applied to the above. Freelance workers are self-employed and their services contracted on a project-by-project basis. Any complaint made against a freelance worker/ volunteer will be acted upon through Artlink’s complaint procedure. Allegations of abuse will be assessed by the Safeguarding Coordinator and reported as per a disclosure of abuse. Records of reported allegations will be kept confidential.

### **Staff discipline and criminal procedures**

As a matter of course allegations of criminal behaviour should be reported to the police, and Artlink will agree procedures to cover the following situations:

#### *Procedures*

- Action pending the outcome of the police and the employer’s investigations;
- Action following a decision to prosecute an individual;
- Action following a decision **not** to prosecute;
- Action pending trial; and
- Responses to both acquittal and conviction

The standard of proof for prosecution is “beyond reasonable doubt” The standard of proof for internal discipline is usually the civil standard of “on the balance of probabilities”

### **Suspension from duty**

The employee may be suspended pending the outcome of Artlink’s investigation. Decisions not to suspend an employee and/ or not to inform the police must be fully documented and endorsed separately by an independent senior officer from within the investigating agency.

**Reviewed by Director / V.Bissett 8/6/10**

**Next review Date: June 2012**

Director (Safeguarding Co-ordinator)..... Date.....

Board Member (Chair)..... Date.....

## **APPENDIX 1**

### **Conduct and Behaviour Statement**

The **Artlink Centre for Community Arts** is a public building which welcomes all sections of the community into our Centre to enable and encourage everyone to get involved in the Arts. If you are a visitor or representing Artlink whilst in this building we hope that you have a positive and enjoyable experience and whilst you are with us.

**We expect you to:**

- **Conduct yourself in a respectful and courteous manner at all times.**
- **Ensure that you respect everyone's opinion even if it is not the same as yours.**
- **Be conscious of body language and non-verbal responses – they can be as disrespectful as words.**
- **Challenge the idea not the individual.**
- **Respect everyone's opinion even if it is not the same as yours.**

**Unacceptable behaviour Includes (but isn't limited to) the following:**

- Aggressive or abusive behaviour such as threatening gestures or actual violence or assault.
- Verbal abuse (for example, yelling, screaming, abusive or offensive language).
- Being under the influence of illicit drugs or impaired by alcohol.
- Smoking in or on Artlink premises.
- Unsafe work practices or behaviour which may harm the staff member or others.
- Bullying, harassment or intimidation.
- Stalking.
- Unwelcome physical contact including that of a sexual, intimate or threatening nature.
- Teasing, name calling, ridicule or making someone the brunt of pranks or practical jokes.
- Withholding approval for or denial of requests maliciously, discriminatorily, unfairly or without basis.
- Excluding or isolating individuals.
- Undermining performance, reputation or professionalism of others by deliberately withholding information, resources or authorisation or supplying incorrect information.
- Malicious or mischievous gossip or complaint.
- Abusive or harassing notes, emails, telephone calls, text messages, etc during or after working hours.
- Belittling opinions or unreasonable and unconstructive criticism.
- Offensive gestures and behaviour.
- Stealing or misuse of Artlink resources.
- Viewing of inappropriate images in hard copy or electronically.

**APPENDIX 2**

Useful Guidance on how to respond to a protection case.

	Appropriate	Inappropriate
Behaviour	Open Friendly Encouraging Physical contact only if relevant to the activity or for safety	Being alone with a child (or a group of <5) Swearing Aggression Put downs
Questions	Listen to what the child has to say with an open mind. Do not ask probing or leading questions designed to get the child to reveal more. Never stop a child who is freely recalling significant events; Make a note of the discussion, taking care to record the timing, setting and people present as well as what was said; Never promise the child that what they have told you can be kept secret. Explain that you have a responsibility to report what the child has said to someone else.  Examples of non-leading questions: How did it happen? How many times has this happened? Who did this? When did it happen?	Basically anything to which the answer could be yes or no Did XX do this? Has it happened before?