



**Bath Artists' Studios
Child & Vulnerable Adults
Protection Policy & Procedures
2014-2017**

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Policy Statement

- Bath Artists Studios (BAS) is committed to creating and maintaining the safest possible environment for children and vulnerable adults taking part in Studio events, outreach projects and other activities run by BAS
- We recognise that all children and vulnerable adults have the right to be free from abuse
- We will ensure that all our education freelancers, education volunteers and those hiring spaces at BAS to deliver activities with children or vulnerable adults are carefully selected and accept responsibility for helping to prevent the abuse of children and vulnerable adults in their care
- We will respond quickly and appropriately to all suspicions and allegations of abuse
- We will appoint a **Child Protection Officer** who will take specific responsibility for child protection. This will be **the Operations Manager at BAS** (See 'important contacts' for details)
- We will review the effectiveness of our Child Protection Policy on an annual basis

Terminology

For the purposes of this policy:

- **children** are defined as young people under the age of 18
- **vulnerable adults** are defined as people over the age of 18 who are or may be in need of community care services because of age, illness, physical or learning disability, or those who are unable to take care of or protect themselves against harm or exploitation (including those for whom English is an additional language)
- **responsible adults** are defined as people over the age of 18 who assume responsibility for children or vulnerable adults during BAS activities (e.g. teachers, parents and group leaders). However, we recognise that some parents may be under the age of 18 and will be responsible for their children while taking part in activities run by BAS.
- The term '**tutor**' is used to refer to BAS education freelancers, education volunteers and those hiring spaces at BAS to deliver activities with children or vulnerable adults.
- **Staff** are defined as paid employees at BAS

Introduction

This document sets out procedures for BAS staff and tutors to ensure that the above requirements are met due to:

- all tutors being aware of their role in ensuring the protection of children and vulnerable adults engaging in activities at the studio and other venues where BAS outreach activities take place.
- safe working-practices are in place
- the risk of abuse to children and vulnerable adults is minimised
- procedures are in place to act on allegations or suspicion of abuse.

All tutors are given access to a copy of this policy and will be informed in writing of any changes to this policy. Any tutor who feels that this policy needs to be added to or changed in any way should contact the Child Protection Officer (See 'important contacts').

It is the responsibility of individual tutors to understand the content of this policy, to ensure that it is followed, and to report any breaches of policy to the **designated Child Protection Officer**.

In addition, access to the Policy is available to the general public via the BAS website. This ensures people have access to this information, and are able to understand how the policy will be implemented, and the process they should follow should an issue arise.

Recruitment Procedures

All tutors and staff who will be in contact with children or vulnerable adults, **will sign a declaration** before taking up their duties, stating whether they have any criminal convictions or pending convictions, and appropriate checks may be carried out on the basis of this information.

All tutors that have **regular contact** with children or vulnerable adults and/or are in **sole charge** during activities will be required to undertake a Disclosure and Barring Service check.

The **Disclosure and Barring Service (DBS)** is a non-departmental public body of the Home Office. The DBS enables organisations in the public, private and voluntary sectors to make safer recruitment decisions by identifying candidates who may be unsuitable for certain work, especially that involves children or vulnerable adults, and provides wider access to criminal record information through its Disclosure service for England and Wales. The entitlement for an employer to ask an individual to apply for a DBS check is set out in legislation. 'Before an organisation considers asking a person to make an application for a DBS check, they are legally responsible for ensuring that they are entitled to submit a check for the job role.'

The eligibility to check is determined by whether a role is classed as '**regulated activity**'. Regulated activity is work that a barred person must not do. This would be unsupervised activities with children and work for specified establishments. However, even this is dependent on the **regularity** of that work; i.e. anyone who carries out an activity once a week or more often or on 4 or more days in a 30 day period. The exception to this is '**supervised activity**' – under reasonable day to day supervision by another person engaging in regulated activity.

(From 'Regulated Activity in Relation to Children: scope – factual note by HM Government. 'This note provides information on the scope of Regulated Activity in relation to children, defined in the Safeguarding Vulnerable Groups Act 2006, as amended (in particular by section 64, Protection of Freedoms Act 2012)').

A person who **manages or supervises** someone who undertakes a regulated activity is also counted as undertaking a regulated activity. A person who manages someone who is not in regulated activity (but would be except for the fact that they are supervised) is also in regulated activity.

The Department for Education has produced statutory guidance on **supervision** to describe the considerations an organisation should make when determining whether or not an individual is supervised to a reasonable level for the role. Where an individual is deemed to be adequately supervised for the role they are not in regulated activity.

Therefore, due to the regularity of their contact with children, BAS Education **freelancers** should be checked whereas, because they are always supervised by a freelancer and do not have regular contact with children, the education **volunteers** would not require a check.

Each departmental activity will be **risk assessed** to ensure that this is always the case.

Any tutors or third party organisations that BAS commissions or allows to hire spaces at BAS to deliver activities with children or vulnerable adults and will be in regular contact with children or vulnerable adults and/or are in sole charge during activities are required to provide evidence that they/their employees have been subject to a Disclosure and Barring Service check.

With regard to anyone working in or visiting educational premises, it is for the school to carry out a risk assessment of the individual to determine if eligibility for a check exists. Ofsted (Office for Standards in Education, Children's Services and Skills) advise that 'Visitors who will only have contact with children on an ad hoc or irregular basis for short periods of time are not eligible for DBS checks and schools and colleges will not be entitled to request them.'

Conduct and Procedures

Tutors hiring space at BAS

Individuals or organisations wishing to hire a space at BAS to run activities with children or vulnerable adults must apply for permission in advance in writing to the Operations Manager on the appropriate application form. BAS will require that all the provisions of the BAS child

protection policy are complied with fully before giving such permission. It is the responsibility of the organisers of the activities concerned to ensure that only fit and proper persons have access to children and young persons. It is also the responsibility of the organisers to ensure that such persons must at all times be in attendance upon children and young persons who are on the premises for the activities concerned.

Workshops with unaccompanied children

When BAS tutors run workshops at the studios for unaccompanied children, parents or carers leaving children at a workshop will be asked to complete a consent form prior to their child enrolling that includes the name of the child and an emergency contact phone number, identifies any special needs i.e. medical or food allergies and seeks permission for any photographs to be taken. It is the lead tutors responsibility to ensure these consent forms are completed. Whenever possible a tutor with a DBS check will accompany a *group* of children to the BAS toilet facilities but will not accompany an individual child into the toilet cubicle itself.

When BAS freelance artists run outreach workshops at other venues such as schools or youth clubs it is the freelancers responsibility to determine whether the venue or the BAS freelancer must acquire parental consent for the children attending the workshops.

Tutor Ratios

All activities/events at BAS must comply with the ratios set by the relevant Governing Body. It is the lead tutors responsibility to understand and adhere to these ratios. It is the BAS freelancers responsibility to consult with the appropriate host agency when working in a school setting, special education needs environment or with physically disabled young people that these ratios are adhered to.

Risk Assessments

Prior to commencing an activity involving children or vulnerable adults a risk assessment should be undertaken by the lead tutor. This risk assessment should be completed on the form supplied by the Operations Manager and returned to the office.

Physical contact

Any physical contact between BAS **tutors** and children or vulnerable adults is strongly discouraged. However, it is acknowledged that some very young or enthusiastic children or vulnerable adults may make contact with tutors spontaneously. This is unavoidable but should not be encouraged and tutors should never initiate physical contact.

It is acknowledged that physical contact may be necessary to prevent children or vulnerable adults hurting themselves, e.g. if someone is about to fall or run into an object etc. These kinds of situations should be noted and the nature of the contact recorded.

If physical contact is impossible to avoid because of the activity, e.g. costume workshops etc, the nature of the contact should be explained and agreed with the participant and/or their responsible adult before it takes place, and the participant given the opportunity not to take part if they wish. Tutors must not search children or vulnerable adults, or their property, without the permission of their responsible adult (who should preferably carry out any necessary search) who should be present at all times.

Vulnerable Children and Adults

BAS welcomes users with physical and learning disabilities, and people for whom English is an additional language. It is important that these users are given assistance appropriate to their needs. However, for the protection of all parties, the following guidelines should be followed:

- lead tutors should do all they can to obtain details of the needs of the users prior to the activity and to plan the activity accordingly.
- lead tutors should discuss with the parent/guardian/carer the needs of the vulnerable adult

and complete a risk assessment form which addresses any particular needs brought to your attention by the guardian. The vulnerable adult should not be left within your care without your specific consent.

- tutors should not provide mobility assistance – this should be provided by their responsible adults. The exception is if the situation is an emergency or if a wheelchair user would be in danger if help was refused. In these cases permission should be obtained from the responsible adult and, if this is not possible, from the child or vulnerable adult
- in the case of a vulnerable adult requiring assistance (e.g. a person with a visual impairment), then the nature of the contact should be explained and agreed before it takes place.
- where users do not have English as their first language, or have a speech or hearing impairment, tutors should ensure that they are able to express themselves fully through responsible adults or translators/signers
- the guidelines on physical contact above should be followed at all times.

Medication and first-aid

If a child or vulnerable adult requires first-aid, this must be provided by a qualified first-aider, preferably a responsible adult where possible. Tutors should not give a child or vulnerable adult medication, unless qualified to do so. Individual tutors with appropriate qualifications may wish to secure written parental consent to give permission for the administration of emergency first aid or other medical treatment. Tutors who are not qualified first-aiders must not give access to first-aid equipment to teachers, group leaders or parents unless they are qualified first-aiders. A written record of any injury that occurs along with details of any treatment given should be kept and a copy sent to the Operations Manager so a log can be made in the Child Incident Book.

Prior to commencement of outreach workshops (e.g. After School Clubs) information regarding the venues allocated 1st aider should be requested by the BAS freelance artist.

Behavioural issues

Teachers, group leaders and parents/carers are responsible for managing the behaviour of the children or vulnerable adults in their care, and for dealing with any violent or inappropriate behaviour. However, if tutors are physically attacked or threatened, they may take reasonable measures to protect themselves or to remove the threat. If necessary, tutors may ask responsible adults to remove children or vulnerable adults.

Sensitive content & Children's Workshops

Tutors should bear in mind that children and vulnerable adults may have complicated or traumatic backgrounds which could make them sensitive to certain issues (e.g. discrimination, disability, health, family relationships, early childhood etc.). Any potentially sensitive content should be discussed in advance of the session with the teacher or group leader. Where this is not possible, e.g. in the case of a family or adult event, the issues should be covered with sensitivity.

Parents/Guardians Responsibility at BAS events and Gallery Exhibitions

- Parents/guardians visiting BAS during events/gallery exhibitions with children are responsible for their children at all times and must not leave children unsupervised. Parents/guardians enter at their own risk and the Studios accept no liability for any accident, loss or omission howsoever caused.
- During gallery exhibitions while every effort will be made to secure both two and three dimensional art works, parents/guardians should not allow their children to touch any art works unless there is specific instruction indicating otherwise.
- During the open studios every effort is made to minimise any hazard but parents/guardians should be made aware that art studios can contain a variety of dangerous materials and substances that artists use in their everyday creative processes and should ensure that their child(ren) do not interfere with any artwork, piece of equipment or substance.
- Where the gallery/studio has on show art works featuring images deemed inappropriate for

children such as nude paintings a notice will be displayed outside the site of the work to give warning to parents/guardians of the contents. Allowing children to view such work will be at the discretion of the parents/guardians.

- Parents/guardians should be made aware that because the studios are not always open to the public not all artists are subject to vetting procedures in this regard.
- The parents/guardians responsibility for their children during such events will be made clear, e.g. through clear signage outlining these policies
- To ensure the successful implementation of this policy in addition access to the Policy is available to all parents, participants and the general public at large via the BAS website. This ensures parents/guardians have access to this information, and are able to understand their responsibilities

Gallery Exhibitors

- Those holding a gallery exhibition at BAS will be given a risk assessment form by the Operations Manager which they must complete and return prior to allowing visitors into a show. Specific reference should be made to any additional risks that may apply to children visiting and ways of minimising these risks.
- Exhibitors will be asked to make sure that all art works are securely fastened in site
- If the exhibition has art work on show featuring images deemed inappropriate for children such as nude paintings they will be asked to display a notice outside the site of the work to give warning to parents of the contents.
- In the event of an accident or incident involving a child during an exhibition, exhibitors should ensure that the Operations Manager is informed in writing.
- An outline of the exhibitors responsibilities as well as details of how to access the BAS child protection policy will be provided to them by the Operations Manager.

Studio Artists & Open Studios

- Studio artists will be asked to carry out an annual risk assessment for their studio and a further risk assessment prior to an open studio event. Specific reference should be made to any risks that may apply to children visiting and ways of minimising these risks.
- During Open Studios if the artists studio contains areas or substances that may be hazardous they will be asked to display appropriate signage or put additional safety measures in place so that parents are aware of these risks
- During Open Studios if the artists studio has art work on show featuring images deemed inappropriate for children such as nude paintings they will be asked to display a notice outside the site of the work to give warning to parents of the contents.
- In the event of an accident or incident involving a child within an artists studio, the artist should ensure that the Operations Manager is informed in writing.
- An outline of the studio artists responsibilities in terms of risk assessment as well as details of how to access the BAS child protection policy will be provided to them.

Summary Code of Conduct

Tutors working with children or vulnerable adults should follow the code of conduct below.

You should always:

- Respect the rights, dignity and worth of every individual and treat everyone with equality.
- Ensure that the welfare and safety of children and vulnerable people is your top priority.
- Be a good role model and display consistently high standards of behaviour and professionalism.
- Ensure that the activities that you are responsible for are appropriate to age, maturity and ability.
- Bear in mind the fact that children and vulnerable adults may have complicated and/or traumatic backgrounds which could make them sensitive to certain issues.
- Recognise individual's contributions and give positive, constructive feedback.

- Remember that someone else might misinterpret your words or actions, no matter how well intentioned.
- Take disclosures seriously and report them in writing as fully as possible.

You should never:

- Be alone with a child or vulnerable adult.
- Have physical contact or get very close to children or vulnerable adults without checking with a responsible adult and explaining what you are doing.
- Accompany children or vulnerable adults into the toilet (see above for advice on taking children to the toilet during unaccompanied workshops).
- Give lifts in your car to children or vulnerable adults.
- Take children or vulnerable adults to your home.
- Use actions or language that may cause a child or vulnerable adult to lose self-esteem or confidence.
- Make sexually suggestive comments to a child or vulnerable adult, even in fun.
- Allow allegations made by a child or vulnerable adult against you to go unrecorded or not acted upon.

Management of Information

BAS complies with the principles of the Data Protection Act (1998) and Human Rights Act (1998) in the way it collects, holds and disposes of personal information.

Requests for information about children or vulnerable adults

Tutors must not give anyone (with the exception of the emergency services or social services) information about children or vulnerable adults taking part in BAS workshops, regardless of who the person claims to be. Any request for information, including whether the child or vulnerable adult is at BAS/taking part in a BAS activity or their location (e.g. if someone wishes to hand something to them), should be dealt with by contacting the child/vulnerable adult's responsible adult who should take the decision whether or not to provide the information.

Photography

Photographs or videos of children or vulnerable adults (individuals or in groups) where people could be recognised must not be taken without obtaining permission. This applies to all photographs that may be used in any form of publication or broadcast including leaflets, brochures, websites, social networking sites, films etc.

In the case of school groups, parental consent will be required and this should be requested from the school in advance of the activity. If this is not possible, written permission should be obtained on the day from the teacher in charge of the group.

The Mental Capacity Act (2005) states that in the case of vulnerable adults, written permission should be obtained from the vulnerable adult themselves in a way that is accessible to them – their responsible adult should be consulted about the best way to do this. If this is not possible because the vulnerable adult does not have the capacity to give this permission, then the consent of the significant people in the adult's life will need to be obtained (never just one person).

In the case of family events, permission in writing from the children's parents/carers should be obtained on the day.

Where photographs of whole galleries etc. are required and it is not feasible to obtain consent because of the number of people involved, or where people are too distant to be recognised, **a notice should be prominently displayed in advance of and during the photography informing visitors that photographs will be taken in that area between specified times.**

If photographs of children or vulnerable adults are to be used in printed materials, provided to the press or included on websites etc., any information which could be used to identify or trace the children or vulnerable adults should be withheld (e.g. names of individuals, names of schools, groups or institutions). Where providing the name of an individual, school, group etc. is important (e.g. when celebrating an achievement, competition winners etc.) written permission should be obtained.

Any information which could be used to identify or trace individuals should not be given to any enquirers.

Disclosure of Abuse

If a child or vulnerable adult discloses any information to tutors suggesting that they have been abused, the guidelines below should be followed and then the matter should be referred to the **Child Protection Officer** who will report it to the relevant authorities.

What is Meant by Abuse?

There are four main types of abuse.

Physical

Children who are hurt or injured and who display signs of unusual bruising may have been physically abused. This kind of abuse also includes giving children alcohol and drugs. Signs to look for include changes in a child's demeanour and behaviour, flinching when adults come near, and being in a state of 'frozen watchfulness' or appearing frightened or withdrawn.

Bullied children often show signs of fear such as mood swings, withdrawn behaviour or sudden changes in performance.

Sexual

Abusers often 'groom' children for sexual purposes by taking a strong interest in a child or their family, gaining trust over a long period of time.

Neglect

Neglect may occur when adults fail to meet a child's basic needs, such as for food, warm clothing, or failing to provide appropriate medical attention. This also includes leaving young or vulnerable children alone inside or outside the home. Neglect might also occur during organised activities if young people are exposed to risk of injury or there is a failure to ensure their safety and well-being.

Emotional

This form of abuse includes persistently subjecting a child to emotional ill-treatment, bullying or deliberate rejection. All abuse involves emotional ill-treatment of some kind. It may involve children who live in households where there is domestic abuse or may involve inappropriate parental expectations. Abusive behaviour by adults on children have been categorised under headings such as belittling, humiliating, shouting, scapegoating, rejecting, isolating, all forms of discrimination, threatening and ignoring. Children can consequently feel stupid, worthless, upset, less confident, humiliated, depressed, fearful and angry.

What To Do if a Child Discloses Abuse (Child-Safe International)

Do

Make sure that the child knows that you believe them, and that they are not to blame in any way for what has happened.

Most importantly, stay calm and listen to the child and let them know that they were right to tell someone about their worries. This has taken courage and it is important now for them to see you take action and take control.

Remember **TED!** Use non leading questions when talking to the child

TELL me what happened?

EXPLAIN to me what happened?

DESCRIBE for me what happened?

Treat any disclosure or allegation seriously and always take positive action.

Then

Explain to the child that in order to deal with the problem the information they give you will need to be shared.

It is important to record a child's disclosure in detail – what did they say?

Children often disclose in ways which adults could miss. Recorded information needs to be as clear as possible.

Be open and honest with the child or young person and explain exactly what you intend to do, who you are going to tell and why (without making promises that you cannot keep).

You must keep confidentiality – not challenge or inform the suspected abuser or anyone else other than named professionals.

Let the child say as much – or as little – as they like. Don't try to get more information than he/she is willing to give.

Don't

Promise to keep the information secret.

React in a way which will upset the child even more.

Make promises that you cannot keep or say things about procedure that you are not clear about.

Investigate or interview the child or young person – leave this to the experts such as Children's Social Care or the Police.

Cast doubt on what you are being told or make the child or young person feel that they are in any way responsible for the abuse.

Panic – you will possibly be distressed but try to remain calm.

Attempt to deal with the problem alone.

Confront the person suspected of abuse – you could be putting the child in greater danger, or hindering any future enquiry by the authorities.

The Child Protection Officer will report any disclosure of abuse to the Children and Families Assessment and Intervention Team (see 'Important Contacts').

Allegations

Should a child or vulnerable adult accuse a tutor or member of staff of physical or sexual abuse, or any kind of inappropriate behaviour, this should be referred immediately to the individual's parent/ carer or teacher. The incident should be recorded in writing in as much detail as possible and referred to the **Child Protection Officer**.

If a tutor is accused after the visit, say when a child is back at school or home, the alleged incident will be referred the **Child Protection Officer** and investigated. Tutors are advised to make a note of all adults attending sessions so that they can be retrospectively identified as a possible witness. If a tutor is suspected of physical or sexual abuse, or any kind of inappropriate behaviour, then s/ he will be suspended and the incident investigated. If necessary, appropriate disciplinary action will be taken and the incident reported to the police.

Any entry in the Child Incident Book will be raised by the Operations Manager at a specially convened closed meeting of the management committee with a view to taking any appropriate action and making any appropriate changes to procedure. The Operations Manager will inform the parent of the views and any decisions of the committee subsequently in writing.

In the event of complaint about any aspect of the studios either with respect to an incident involving a child or any other aspect of the running of the studios a copy of the studios complaints procedure is available from the Operations Manager.

Important Contacts

Operations Manager/ Child Protection Officer

In the event of an accident or incident involving a child, the Operations Manager should be informed in writing and a log will be made in the Child Incident Book.

The Operations Manager can be contacted by:

telephone: 01225 482480

email: admin@bathartistsstudios.co.uk

Post: Operations Manager, Bath Artists' Studios, The Old Malthouse, Comfortable Place, Bath, BA1 3AJ

Children and Families Assessment and intervention Team:

01225 396312 or 01225 396312

If outside office hours please call the emergency duty team 01454 615165

If a child or young person is in immediate danger please call 999 and ask police assistance

Avon and Somerset Constabulary Child Protection Team:

01934 638171 Out of hours: 01225 818181 Fax:01179454781

Childline: 0800 1111

NSPCC Helpline: 0808 1000 900