

SAFEGUARDING CHILDREN AND VULNERABLE ADULTS POLICY

Drafted	10 th November 2017
Reviewed	January 2018
Approved	
Next Review	

Purpose: To inform the Haymarket theatre staff of their responsibilities when working with children and vulnerable adults

Responsibility for Update: Principle and Administrator.

Applies to: Haymarket Theatre staff; including students and volunteers, who work with children and vulnerable adults

Date of approval: 01/10/2017

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The Main Legislation

The Rehabilitation of Offenders Act (1974)

This act made any convictions „spent“ after a certain period and the convicted person would not normally have to reveal or admit the existence of a spent conviction. In most circumstances, an employer cannot refuse to employ someone, or dismiss them, on the basis of a „spent“ conviction. However under this act all applicants for positions which give them “substantial, unsupervised access on a sustained or regular basis” to children, must declare all previous convictions whether spent or unspent, and all pending cases against them.

The Children Act 1989

This act provided legislation to ensure that the welfare and developmental needs of children are met, including their need to be protected from harm.

The Police Act 1997

This act contained the provision to set up the Criminal Records Bureau for England and Wales.

Under this act it is a criminal offence for an employer to not check an employee working with children or vulnerable adults give a job to someone who is inappropriate to work with children or vulnerable adults when they know this to be case.

The Protection of Children Act 1999

Under this act, childcare organisations (defined as those that are „concerned with the provision of accommodation, social services or health care services to children or the supervision of children“) must make use of the Disclosure Service in their recruitment and reporting processes and urges other organisations working with children to also do so.

Criminal Justice and Court Services Act 2000

This act covers Disclosures and child protection issues. It contains the list of convictions that bar offenders from working with children in „regulated positions“. These types of „regulated positions“ are defined in this act and include: any employment in schools, children’s homes, day care premises where children are present caring for, training, supervising, or being in sole charge of children unsupervised contact with children other positions which give the kind of access or influence which could put children at risk if held by a disqualified person (e.g. management committee members).

Care Standards Act 2000

A CRB disclosure is required for most roles in organisations providing care or health services regulated under this act. This act also sets out the Protection of Vulnerable Adults scheme.

The POVA or Protection of Vulnerable Adults scheme was launched in 2004 by the Department of Health and the National Assembly for Wales. This includes the POVA list (see below in definitions of terms).

Legislation with regard to those working with vulnerable adults is less developed and more open to interpretation.

Every Child Matters and the Children Act 2004

In September 2003 the Government set out in the Green Paper „Every Child Matters“ its proposals for a radical reorganisation of children’s services – from hospitals and schools, to police and voluntary groups. Subsequently „Every Child Matters: Change for Children“ was issued and the Children Act 2004 was passed. It sets out the Government’s approach to the well-being of children and young people from birth to age 19. Every local authority will lead on integrated delivery of services for children and young people through multi-agency children’s trusts. Local authorities are also required to set up statutory Local Safeguarding Children Boards which are replacing the non-statutory Area Child Protection Committees. The children’s trusts are a direct response to Lord Laming’s report of the inquiry into the death of Victoria Climbié, which highlighted the extent to which better working together and better communication was crucial. The Every Child Matters agenda has been further developed through publication of the Children’s Plan in December 2007, which aims to improve educational outcomes for children, improve children’s health, reduce offending rates among young people and eradicate child poverty by 2020. Further details from www.everychildmatters.gov.uk

Safeguarding Vulnerable Groups Act 2006

In response to recommendation 19 of the Bichard Inquiry Report into child protection procedures following the Soham murders, new arrangements for people whose jobs and voluntary work bring them into contact with children and vulnerable adults (previously

referred to as the vetting and barring scheme) is due to be phased in from October 2009 under the Safeguarding Vulnerable Groups Act. The aim of the scheme is to provide a more effective and streamlined vetting service for potential employees and volunteers. This means that the current vetting systems using List 99 and POCA (see below in definitions of terms) will be integrated to create a single list of people barred from working with children.

Principles

- The Haymarket Theatre believes that the children/young people have rights as individuals and should be treated with dignity and respect. The education provider will strive to provide a safe environment for any young people (under 18) in its care while they are studying at theatre.
- Students aged under-18 and vulnerable adults could be studying with the theatre. The Haymarket Theatre runs taster programmes during the year for young people. In addition staff will go out into local schools and youth organisations as part of aspiration raising and recruiting activities.

These policies and procedures are based on the following principles;

- The welfare of young people and vulnerable adults is of primary concern
- All young people and vulnerable adults, whatever their age, culture, disability, gender, language, racial origin, socio-economic status, religious belief and or sexual identity have the right to safeguarding from abuse
- It is everyone's responsibility to report any concerns about abuse to the designated safeguarding officer, and the responsibility of the social services department and the police to conduct, where appropriate a joint investigation
- All incidents of alleged poor practice, misconduct and abuse will be taken seriously and responded to swiftly and appropriately
- All personal data will be processed in accordance with the requirements of the Data Protection Act 1998

Definition of Abuse

Abuse is the violation of an individual's human rights. It can be a single act or repeated acts. It can be physical, sexual, or emotional. It also includes acts of neglect or an omission to act. In all forms of abuse there are elements of emotional abuse. Vulnerable adults may also suffer additional types of abuse such as being manipulated financially or being discriminated against. Other examples of abuse include inflicting physical harm such as hitting or misuse of medication, rape and sexual assault or exposure to sexual acts without informed consent, emotional abuse such as threats, humiliation and harassment, exploitation, ignoring medical or physical needs, withholding of necessities of life such as food or heating. This list is not definitive.

Responsibility

All Theatre staff are required to take shared responsibility for the safe guarding and safety of any young people and vulnerable adults on the premises. They must be aware of and abide by the code of good practice.

All Theatre staff are in a position of trust, in particular those staff who teach, support, guide or in any way interact with students, young people and vulnerable adults visiting the premises.

The managerial responsibility for any programme or activity rests with the individual who is directing or organising the activity. This person is expected to:

- Ensure that the activity is planned, organised and delivered in accordance with the safeguarding children and vulnerable adults policy
- Provide a 'safeguarding children' safeguarding statement
- Arrange the checking, training, induction and guidance for all the staff and volunteers
- Inform designated safeguard officer and complete the appropriate documentation.
- Complete a health and safety risk assessment

The Haymarket Theatre expects all parents (either students or from the general public) who bring children onto campus to abide by the organisations Policy on Accompanies children in activities, all safety instructions issued by the education providers code of behaviour.

Responsibilities on the part of the institution

- All staff are in a position of trust, in particular those staff who teach, support, guide or in any way interact with students, young people and vulnerable adult. It is incumbent all staff be aware of this and to act accordingly at all times.
- The Haymarket Theatre already has processes in place to check the suitability of some staff and students working directly with children and young people. All staff across the organisation will be in regular or significant occasional contact with under 18's or vulnerable adults in the course of their teaching or other work. The Haymarket Theatre is committed to ensuring that all staff has satisfactory Disclosure and Barring (DBS) enhanced checks.
- The Theatre will additionally ensure that all student helpers, mentors, etc who are in regular or significant occasional contact with under 18's or vulnerable adults must have had satisfactory enhanced DBS check undertaken by the organisation before allowing them to work with children or vulnerable adults.
- A 'satisfactory' check is defined as having no criminal convictions (including cautions, reprimands and final warnings) relevant to the post. All staff or student helpers still employed to look after children must report any subsequent criminal convictions to the creative director. Failure to do so will result in disciplinary action being taken.

Establishing a caring Environment

All staff are responsible for making the Theatre a safe and caring environment for all including young people and vulnerable adults.

A caring Environment is one:

- In which the health, safety and welfare of young people has been assessed and catered for.

- In which staff are alive to the possibility of abuse and take measures to prevent that possibility
- Where there is a sound and known reporting system for any incident
- Where staff take reasonable and practical precautions to avoid any suspicions of abuse being brought against them

Child Safeguarding procedures

Where under 18's are concerned there are statutory responsibilities for any organisation to follow regarding the safety of young people.

All staff must contact the designated Safeguarding officer (principle or administrator) if they have any cause to believe the student or young person involved in any activity in the theatre, covered by this policy is in any way at risk. Designated Safeguarding officer will follow the relevant procedures.

- Records will be kept of all such incidents and their outcomes and held by the Designated Safeguarding officer in accordance with the Data protection act.
- All staff should be aware that in accordance with statutory requirements where child safeguarding issues are involved, it is not possible to offer confidentiality to a person under 18 as any disclosures must be reported.

Vulnerable Adults

Within the context there are not the same statutory provisions which can be easily adopted with the regard to vulnerable adults.

However, the same principles apply, as above.

- Where possible the Haymarket Theatre will identify vulnerable adults and ensure that there are appropriate support measures in place. This is most likely to be when the student presents to, or is referred to the administration or management staff and clearly has mental health difficulties or a disability that puts them into the legal definition of 'vulnerable'
- Any member of staff across the theatre with concerns regarding an adult student whom they believe or know to be vulnerable must contact the designated Safeguarding officer.

Role of the College's Child and Vulnerable Adult Safeguarding Officer

The role of the Designated Safeguarding Officer is:

- To receive information about events that are planned that may involve young people or vulnerable adults, and plans that indicate how safeguarding will be covered.
- To receive information from any staff, volunteers, children, parents or carers who have child safeguarding concerns and record it.
- Assess the information promptly and carefully, clarifying and obtaining more information about the matter as appropriate

- Consult initially with a statutory child safeguarding agency to test out any doubts or uncertainty
- Make a formal referral to a statutory child safeguarding agency or the police
- Record statements from any member of staff who feels that a young person has indulged in inappropriate behaviour or made sexually suggestive comments or approaches.

Reporting and monitoring procedures

All members of staff working closely with children have to be alert to possibilities of abuse and any concerns about the behaviour of any adult with respect to that child should be reported to the Designated safeguarding officer who will decide what further action to take.

It is the duty of the staff to inform only not to investigate – this is the role of the police and social services.

- If staff, in the course of their work at the Haymarket Theatre, have a child safeguarding issue brought to their notice, this must be treated as a priority over all other work.
- Guidance with regard to a specific incident may be obtained from the designated safeguarding officer.
- An oral, and then written report should be provided to the designated safeguarding officer who will keep a confidential record of any such incidents.
- Allegations of abuse or inappropriate behaviour involving staff
- Allegations involving a member of staff and a person under- 18 or a vulnerable adult should be reported to the director and to the designated safeguarding officer.
- Consideration will be given as to whether the situation falls within the definition of abuse.

Training

In accordance with good practice the Haymarket Theatre will ensure that the Designated Safeguarding officer, officers deputed to act on her behalf and other staff likely to be in regular contact with under -18's and vulnerable adults receive appropriate training. This will also include student staff employed as ambassadors and in similar roles.

The following topics must be covered

- a. Health and safety issue
- b. Handing a disclosure
- c. Reporting an allegation
- d. Confidentiality
- e. Code of practice and code of behaviour

The Haymarket Theatre will also provide information to raise awareness to ensure that all staff understands what to do if a student or visitor covered by this policy discloses abuse or any other safeguarding issue.

Relationships with young people aged 16-18

It should be noted that whilst a young person can consent to a sexual activity once they reach the age of 16, the sexual offences (Amendment) act 2000 makes it a criminal offence for a

person to engage in any kind of sexual activity with a person under 18 where the adult is in a position of trust.

Media Relations

For any university college activity involving young people, parents or guardians must be given the opportunity to refuse permission for photographs, videos or other images to be made of their children and for the children to be interviewed by press, broadcasters or other media.

Health and Safety

All users of the services must be made aware of Health and Safety requirements and be prepared to abide by them.

Code of Practice for staff

All staff must be familiar with the theatres Code of practice for staff (appendix 1)

All staff must be familiar with the code of behaviour (appendix 2)

Parents/carers of children participating in the activities must be made aware of the code of behaviour.

Date Safeguarding

It should be noted that although technically a “child”, consent is still required from young people in the same way as for an adult to matters of data protection.

Review

This policy and procedures will be regularly monitored and reviewed:

- In accordance with changes in legislation and guidance on the safeguarding of children and vulnerable adults or any changes within the Haymarket Theatre.
- Following any issues or concerns rose about safeguarding or children or vulnerable adults within the Haymarket Theatre.
- In all other circumstances, at least annually. Related policies
- Admissions policy
- Risk assessment procedure
- Health and safety policy
- Recruitment and retention policy
- Student and staff policies relation to conduct
- Data protection
- Disclosure of a disability
- Mental health policy

Appendix A

SAFEGUARDING CHILDREN AND VULNERABLE ADULTS POLICY CODE OF GOOD PRACTICE FOR STAFF, STUDENTS and VOLUNTEERS

The following guidelines are intended to be a common sense approach that both reduce opportunities for the abuse of young people and vulnerable adults and help to protect staff, students and volunteers from any false allegation.

You SHOULD

- Treat all young people and vulnerable adults with respect and respect their right to personal privacy
- Ensure that whenever possible, there is more than one adult present during activities or that you are within sight or hearing of others.
- Exercise caution when discussing sensitive issues with children or vulnerable adults
- Exercise caution in initiating any physical contact with a young person or vulnerable adults.
- Operate within the guidance offered by this code
- Challenge all unacceptable behaviour and report all allegations or suspicions of abuse
- Keep parents fully informed of all anticipated activities

You should NOT

- Spend excessive time alone with young people or vulnerable adults away from others
- Take young people or vulnerable adults alone in a car journey, however short
- Take young people or vulnerable adults to your home
- Engage in physically or sexually provocative games including horseplay
- Allow or engage in inappropriate touching of any form
- Make over-familiar or sexually suggestive comments or approaches to a young person or vulnerable adult even as a "joke"
- Enter changing rooms that are assigned to the opposite sex unless there is an emergency
- Let allegations, over familiar or sexually suggestive comments or approaches to a young person or vulnerable adult go unchallenged or unrecorded
- Do things of a personal nature that young people or vulnerable adults can do for themselves
- Take photographs, videos or other images of a young person without the express permission of their parents.

Appendix B

SAFEGUARDING CHILDREN AND VULNERABLE ADULTS POLICY CODE OF BEHAVIOUR FOR YOUNG PEOPLE AND VULNERABLE ADULTS

The Haymarket Theatre is a registered education provider. All people (including those under the age of 18) visiting the theatre, either privately or with an organised group, are expected to respect the premises, its staff, students and its buildings and grounds.

The Haymarket Theatre seeks to offer visitors a safe and caring environment.

In return, you must:

- Respect the rights and dignity of each other and of the staff and other helpers

Respect the rules of which include

- Purchase, sale and consumption of alcohol, recreational/non-therapeutic drugs and substances for abuse is forbidden
- Smoking is banned in all buildings at the Haymarket Theatre and is only allowed across the street.
- All rules and safety/emergency procedures such as fire drills must be followed
- Participants in organised events are expected to attend all timetabled activities unless they have been granted specific leave of absence
- Inappropriate physical intimacy among participants is not permitted
- Serious incidents of misbehaviour such as fighting, racial. Sexual abuse, damage to property, indecent language and failure to obey instructions will normally lead to expulsion from the activity

This is the statement of general policy and arrangements for:

Haymarket Theatre

Overall and final responsibility for health and safety is that of:

Day-to-day responsibility for ensuring this policy is put into practice is delegated to:

STANDARD THEATRE SHOW (Child protection risk assessment)

CHILDREN'S PERFORMANCES

Children's performances will be the same staffing as a standard theatre show. Staff on the front doors will be responsible for implementing the child safeguarding policy, which is to monitor individuals entering and leaving the building.

Risk	Responsibility of	Good practice measures
Children accessing licensed premises	Premises Manager	All Staff including door staff and bar staff should be trained on the policy. Restrict access to children depending on the nature of the business and / or circumstances. The admission of children can be restricted up until a specified time in the evening. The admission for children can only be permitted if they are accompanied by an adult.

Risk	Responsibility of	Good practice measures
Underage sales of alcohol	Premises Manager	<p>Operate a strict 'No ID-No Sale' policy. 'Challenge 21' scheme serves a reminder to staff of the need to be vigilant in preventing underage sales and to customers that it is against the law for anyone under the age of 18 to chase alcohol.</p> <p>A 'Challenge 25' scheme gives staff additional support and encouragement to ask for ID from any person appearing under the age of 25 years of age and to prove that they are 18.</p> <p>Only accept photographic driving licenses, passports or PASS (Proof of Age Standards Scheme) cards approved as means of ID.</p> <p>If you accept other forms of ID such as EU National ID cards, these must bear a photographic, date of birth and holographic mark.</p> <p>Use till prompts to remind staff to ask for proof of age.</p> <p>Prominently advertise the scheme in your premises so that customers are aware, in particular, display proof of signs at the point of sale.</p> <p>Display posters at the premises stating that it is an offence to purchase alcohol on behalf of an underage person (proxy sales)</p> <p>Adverse or promotions for alcohol should not appeal to young persons.</p> <p>Keep a refusal book (or refusal button on EPOS- Electronic Point of Sale) on the premises and ensure it is completed whenever a sale is refused to a person who cannot prove they are over the age of 18.</p> <p>The book should contain the date and time of the incident, a description of the customer, the name of the staff who refused the sale and the reason the sale was refused.</p> <p>The book should be made available to police and authorised council officers on request.</p> <p>The book should be reviewed on a regular basis to see if any patterns emerge.</p> <p>Staff training in the age related sections of the Licensing Act 2003 should be provided to all door, bar and till staff. This includes the ability to competently check customers identification where necessary.</p> <p>A record should be kept of the date and name of the person trained.</p>
Access to age restricted films	Premises Manager	<p>Adequate provisions for restricting children from viewing age restricted films should be in place at the premises.</p> <p>Staff should be trained to check ages at point of sale and prior to entry to a screening room to ensure that admission of children to films is in accordance with the recommendations of British Board of Film Classifications (BBFC)</p>
Access to age restricted gaming machines	Premises Manager	<p>Age restricted gaming or vending machines should have suitable signage setting out the age restrictions and should be in full view of staff for monitoring.</p>

Access to entertainment of adult nature	Premises Manager	Children under the age of 18 should be excluded from the premises or part of the premises when specified activities such as adult entertainment are taking place. Adverts for entertainment of an adult nature should not be displayed externally on the premises or in any part of the premises internally where they can be seen by young persons.
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Signed (Employer)		Date	30/01/2015	
Subject to review, monitoring and revision by	Ellyn Phillips	Every	12	months or sooner if work activity changes

Note 1: <https://www.gov.uk/workplace-fire-safety-your-responsibilities>
 Note 2: www.hse.gov.uk/riddor

Risk assessment

All employers must conduct a risk assessment. Employers with five or more employees have to record the significant findings of their risk assessment.

We have started off the risk assessment for you by including a sample entry for a common hazard to illustrate what is expected (the sample entry is taken from an office-based business). Think about how this might apply to your business, continue by identifying the hazards that are the real priorities in your case and complete the table to suit. You can print and save this template so you can easily review and update the information as and when required. You may find our example risk assessments a useful guide (www.hse.gov.uk/risk/casestudies/). Simply choose the example closest to your business.

Organisation name:

What are the hazards?	Who might be harmed and how?	What are you already doing?	Severity of Hazard (1 = Low 10 = High)	Action by whom?	Action by when?	Done
Fire or Serious Fire Injury, serious injury, Death or Multiple Death	<i>Staff and visitors and any person that may be on the premises</i>	<ul style="list-style-type: none"> Ensure staff are trained in fire evacuation procedures. Ensure staff inform participants of fire evacuation procedure prior to commencing any activity. Ensure staff verbally direct the evacuation procedure in the event of a fire and/or fire alarm. 				
Slips, trips, falls around the venue(s) Injury, serious injury	<i>Staff and visitors and any person that may be on the premises</i>	<ul style="list-style-type: none"> Maintain adequate lighting at all times. Ensure that working areas and access routes are clearly marked and that hazards are visible. Ensure staff inform participants of hazards and restricted areas. Ensure that all workshop activities are appropriate for the participants and the venue. Ensure that any materials used are kept within a controlled area. 				
First Aid Injury, Serious Injury, Death	<i>Staff and visitors and any person that may be on the premises</i>	<ul style="list-style-type: none"> Ensure staff are fully aware of staff members in the building who are fully trained and qualified in First Aid at Work. Ensure staff are able to contact qualified staff directly. Ensure staff log all incidents in Incident Book at Stage Door. 				

What are the hazards?	Who might be harmed and how?	What are you already doing?	Severity of Hazard (1 = Low 10 = High)	Action by whom?	Action by when?	Done
Child Protection Risk	Staff and visitors and any person that may be on the premises	<ul style="list-style-type: none"> • Ensure staff and freelance practitioners are familiar with the policies and procedures of the Royal Exchange Theatre's Child Protection Policy. • Ensure all staff and freelance practitioners who will come into contact with young people and vulnerable adults are CRB checked. • In the event of disclosure of personal information regarding abuse or neglect ensure staff adhere to the Child Protection Policy's guidelines on 'Staff Code of Conduct and Responding to Allegations of Abuse'. • In the event of documenting the activities ensure staff adhere to the Child Protection Policy's guidelines on 'Use of Photography and Video Material and Text'. • Ensure that adequate male and female toilet facilities are available and that staff verbally inform participants of their location. 				○

Employers with five or more employees must have a written health and safety policy and risk assessment.

It is important you discuss your assessment and proposed actions with staff or their representatives.

You should review your risk assessment if you think it might no longer be valid, eg following an accident in the workplace, or if there are any significant changes to the hazards in your workplace, such as new equipment or work activities.

For further information and to view our example risk assessments go to <http://www.hse.gov.uk/risk/casestudies/>

Combined risk assessment and policy template published by the Health and Safety Executive 11/11