

Arts Emergency Children's Safeguarding Policy and Procedures

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1. Safeguarding Policy

1.1 Safeguarding Policy Statement

The purpose of this policy is to protect children and young people who connect with Arts Emergency and take part in any of our programmes, events or workshops. We intend to ensure that all children and young people who participate in the services of Arts Emergency are entitled to do so in an enjoyable and safe environment.

Through Arts Emergency's policy we will create and maintain the conditions to provide children/young people with the best possible experience and opportunities in the programme to enable them to achieve greater confidence and independence in their lives.

We will aim not only to develop but proactively maintain an environment within Arts Emergency which is aimed at preventing or deterring any actions which could place any child or young person at risk, whether this is deliberate or by omission. This means that Arts Emergency has a duty of care to children and young people up to the age of 25 years who engage with our activities and services. This applies to all our work in England and Wales.

The UK legal definition of a child is any person up to the age of 18 years, however there are some young people with special educational needs who may require services up to the age of 25 years.

This policy applies to all staff, freelance workers, the board of trustees, paid staff, volunteers, mentors, agency staff, students, work placements or anyone working on behalf of or in partnership with Arts Emergency.

Everyone has a role to play in safeguarding and Arts Emergency expect everyone to take on this responsibility in supporting good safeguarding practices and behaviours.

1.2 Commitment to this policy

Arts Emergency recognise and believe that:

- They have a responsibility to promote the welfare of all children and young people to ensure they have an equal right to protection from abuse and neglect and to keep them safe regardless of their age, ability, gender, disability, nationality, racial heritage, faith, sexual orientation, identity or any other vulnerability (as defined within the Equalities Act 2010)
- The welfare of the child or young person is paramount, as enshrined in the Children Act 1989 and the UN Convention on the Rights of the Child, with particular reference to Article 23 where young people with disabilities could be participating in a programme run by Arts Emergency. We recognise that some young people are additionally vulnerable because of the impact of previous experiences, their level of dependency, communication needs or other issues.
- Arts Emergency provide programmes to a wide range of children/young people and recognise the importance of children's welfare as defined by various legislation and guidance such as; The Children Acts 1989 and 2004; Social Services and Well-Being (Wales) Act 2014; 'Working Together to Safeguard Children 2018'; Working Together to Safeguard People: Volume 5 – Handling Individual Cases to Protect Children at Risk in Wales. The full extent of legislation is detailed in **Section 2**.
- Arts Emergency will also follow any local guidance or procedures relating to Local Safeguarding Children Boards, now to be called Safeguarding Partners; Disclosure and Barring Service and government guidance including Safeguarding duties for Charities and Trustees.
- The best interests of the child/young person are of upmost consideration regarding their welfare and protection, including when to maintain confidentiality and when information is to be shared.
- Any child or young person at risk of abuse should be able to access public organisations for the necessary and appropriate interventions to enable them to live a life free from abuse.
- Should anyone within Arts Emergency encounter any safeguarding concerns in relation to any of the programmes or their work, as part of safeguarding reporting procedures they will be supported during this process, since Arts Emergency also have a duty of care towards employees,

volunteers, trustees, freelance workers, agency staff and students or anyone working with or in partnership with Arts Emergency.

- Concerns or allegations that Arts Emergency staff (as defined in 1.1) have neglected or abused a child or young person will be managed in a sensitive and fair manner in accordance with this policy and associated policies, including relevant legislation and local safeguarding procedures
- Partnership working with children/young people, parents, carers, schools and other organisations is essential to promote the welfare of children and young people and ensuring the protection of children and young people at risk
- In some specific circumstances, it may not be appropriate to engage with parents or carers in order to protect a child or young person who is at risk or where abuse is suspected
- In working together with other relevant organisations, schools or colleges, Arts Emergency will expect them to act on our concerns regarding a child or young person who is at risk and these will be escalated where necessary to ensure that concerns are taken seriously and appropriate action to safeguard a child/young person is taken

1.3 Implementation of this policy

This policy and procedures apply to all staff, freelance workers, the board of trustees, paid staff, volunteers, mentors, agency staff, students, work placements or anyone working on behalf of or in partnership with Arts Emergency.

Arts Emergency will expect all our partners to share the same commitment to safeguarding all children/young people from risk of abuse or neglect and we expect them to have their own safeguarding policy and procedures in place which meet safeguarding requirements to a safe standard. If they are not 'fit for purpose' or require substantial improvements or amendments then Arts Emergency would expect partners to adhere to Arts Emergency's safeguarding children policy and procedures.

Arts Emergency's commitment to implementation of these policies and procedures are demonstrated by the following expectations by seeking to keep children and young people safe by:

- Ensuring that all children/young people are listened to, valued and respected
- We will have in place robust safer recruitment selection and vetting processes so to ensure that appropriate skilled and suitable employees/volunteers/freelance workers are recruited to work with our children and young people
- Where appropriate all Trustees, staff (as defined in 1.1.) who have access to or work with children and young people through regulated activities for Arts Emergency will have DBS checks in accordance with the regulations
- Ensuring that all our volunteers provide them with the highest possible standard of care
- We will establish a clear safeguarding governance structure as outlined in these policies and procedures which will include all roles and responsibilities across Arts Emergency, both at operational and strategic level, including a lead Trustee for safeguarding
- We will have a code of conduct embedded within this policy with clear expectations of behaviours of all staff, trustees, volunteers (**Section 4**)
- Development and implementation of an effective e-safety/guidance for online abuse policy and related procedures.
- Creating and maintaining an anti-bullying environment and ensuring that our safeguarding policy and procedures help us to deal with any bullying that does arise effectively
- Ensuring that for any events we hold that we provide a safe physical environment for our children/young people, staff and volunteers (see 1.1) by applying health and safety measures in accordance with the law and regulatory guidance.
- Using our safeguarding procedures to share concerns and relevant information with agencies who need to know, following guidance in GDPR and involving children/young people, parents, families, carers and referral partners appropriately
- Using our procedures to manage any allegations against staff and volunteers (see 1.1.) fairly and sensitively as defined in 1.2
- All staff and volunteers (see 1.1.) will be provided with the Arts Emergency Children's Safeguarding policy and procedures and the code of conduct as part of induction and will be required to confirm they have read and understood these documents. In addition our mentors receive a handbook which also

outlines expectations for mentors as regards safeguarding their mentees and themselves

- All staff and volunteers (see 1.1.) with access and or working with children/young people will receive safeguarding training at all levels appropriate to their job roles. Refresher training will be provided at least every two years and updates to safeguarding will be provide on a regular basis at least every six months and can be delivered via briefings, team meetings or development days
- We will provide effective management support and processes for staff and volunteers (see 1.1.) through induction, supervision, support, training and quality assurance measures.
- We will ensure we have an effective complaints and whistleblowing policy in place
- We will monitor and review our safeguarding policy and procedures and practices, ensuring we maintain and improve our standards and responses to any allegations of potential or actual abuse or neglect
- Recording and storage of information will be kept in accordance with the guidance from retention of documents (**Section 9**) so that all information regarding our contacts with children/young people, their families, carers and relevant organisations such as work placements, schools and colleges will be kept securely and available to those on a 'need to know' basis
- We will ensure that children/young people, parents, carers and partners and visitors are made aware of Arts Emergency Children's safeguarding policy and procedures and knowhow and who they can raise concerns
- We will ensure that parental permission is sought on behalf of all young people partaking in Arts Emergency programmes. Parental permission is mandatory for all young people under 16. Where there are special circumstances a 16-18 year old may take part in Arts Emergency programmes without parental consent.
- We will also ensure that any third-party hirers or contractors sign up to adhering to Arts Emergency Children's safeguarding policy and procedure
- Arts Emergency will review the Children's safeguarding policy and procedures on an annual basis to ensure that any changes in legislation or learning from particular safeguarding incidents are included as part of revisions or improvements to the policy and procedures
- We will ensure that all allegations made against staff or external personnel working on or behalf of Arts Emergency in relation to child protection or

safeguarding matters will be referred to the appropriate designated officer in the area/county (previously known as LADO). The contact details will depend on the area in which the allegations are made.

1.4 Purpose and Scope of this policy

Arts Emergency through their programmes provide mentoring, work experiences, support and knowledge to children/young people, so they require a safeguarding policy and procedures which safeguards those who are engaged in the different programmes, events or workshops.

These policies and procedures outline Arts Emergency's approach to safeguarding and provide a clear process in responding to safeguarding concerns whether actual or alleged incidents.

Each staff member, volunteer, trustee and those described in 1.1. has a responsibility to act if there is a cause for concern about a child/young person or the behaviour of an adult towards a child or young person. But it is **NOT** their responsibility to determine if abuse has occurred or investigate this. This information must be passed to the Designated Safeguarding Officer (DSO) or the Deputy Designated Safeguarding Officer (DDSO) within Arts Emergency for them to decide and follow procedures in whether to escalate a safeguarding concern.

These policies and procedures should be read in conjunction with other associated policies as relevant to your role and responsibilities: Whistleblowing Policy, Volunteering policy, Confidentiality Policy, Disciplinary and Capability policy, Recruitment and Vetting, Equal Opportunities Policy, Grievance Policy, Social media, Complaints Policy and the Mentor Handbook.

Child abuse or neglect can have short term and long-term implications, it can cause serious injury, disability or even death. The impact of child abuse or neglect can affect a young person's development, confidence, achievements, self-esteem, mental health or ability to form healthy relationships. So, it is essential that protection of children and young people must be at the forefront of our work and that we do as much as we can to prevent abuse or neglect.

2. Legislation and definitions of child protection in relation to safeguarding

2.1 Legislation

Arts Emergency Children's Safeguarding Policy and Procedures are underpinned by specific legislation in England and Wales, including guidance which seeks to protect children and young people namely:

- The Children Act 1989 and 2004
- UN Convention on the Rights of the Child 1991
- Sexual Offences Act 2003
- Mental Capacity Act 2005
- Practice Guidance: *Safeguarding Disabled Children* 2009
- The Female Genital Mutilation Act 2003 (as amended by sections 70-75 of the Serious Crime Act 2015)
- Protection of Freedoms Act 2012
- Children and Families Act 2014
- SEND code of practice: 0-25 years 2014
- The Social Services and Well-Being (Wales) Act 2014
- Care Act 2014
- Well-Being of Future Generations (Wales) Act 2015
- Counter Terrorism and Security Act 2015
- Serious Crime Act 2015
- A Guide for Safeguarding Children and Adults at Risk in General Practice (NHS Wales) 2016
- Children and Social Work Act 2017
- HM Government (2018) *Working Together to Safeguard Children*
- Charity Commission Guidance: The Essential Trustee 2018
- HM Government (2018) Information sharing: Advice for practitioners providing safeguarding services to children, young people, parents and carers: HM Government 2018
- Multi-agency statutory guidance on female genital mutilation: HM Government 2018
- The Data Protection Act 2018
- The General Data Protection Regulation (EU) 2016/679
- Working Together to Safeguard People: Volume 5 – Handling Individual Cases to Protect Children at Risk .

2.2 Definitions within safeguarding

2.2.1 A child

The United Nations Convention on the Rights of the Child (UNCRC) defines a child as everyone under 18, unless, “under the law applicable to the child, majority is attained earlier”. Within the Children Acts of 1989 and 2004, which applies to **England and Wales**, a ‘child’ is up to the age of 18 years. The fact that a young person has reached the age of 16, is living independently, in further education, is a member of the armed forces, is in hospital or custody does not change their entitlement to protection. Section 3 of the Social Services and Well-Being Act 2014 states that a child is a person under the age of 18 years.

Some young people will also be receiving education or services up to the age of 25 years due their special educational needs requirements, so Arts Emergency will need to consider the legislation with regards to the Care Act 2014.

2.2.2 An adult

Adults at risk is any person who is aged over 18 years and who is at risk of abuse or neglect because of their needs for care and support, (Care Act 2014) [England]. In Wales, an ‘adult at risk’ is an adult who is experiencing risk or is at risk of abuse or neglect and has needs for care and support, (whether or not the authority is meeting any of those needs), and as a result of those needs is unable to protect himself or herself against the abuse or neglect or the risk of it. (Social Services and Well-Being (Wales) Act 2014).

Some organisations are still using the term ‘vulnerable adult’ but in line with the terminology used in the Care Act 2014 and the Social Services and Well-Being (Wales) Act 2014, the term ‘adult at risk’ is more appropriate.

2.2.3 Definitions of child abuse and neglect

There are four main categories of abuse, but, more than one type of abuse may be occurring simultaneously or sequentially. Child abuse is any form of physical, emotional or sexual mistreatment or lack of care that leads to injury or harm. It commonly occurs within a relationship of trust or responsibility and is an abuse of power or breach of trust. Abuse can happen to a child or young person regardless of their age, gender, race or ability.

These are:

- Physical abuse
- Emotional abuse
- Sexual abuse
- Neglect

There is a detailed description of each type of abuse in **Appendix 1**.

The abuser may be a family member, someone the child or young person encounters in residential care, or in the community, including sports and leisure activities. Any individual may abuse or neglect a child or young person directly, or may be responsible for abuse because they fail to prevent another person harming them or may not pass on information which could prevent or stop the abuse.

Abuse in all its forms can affect a child or young person at any age.

Signs and Indicators of abuse are described in detail in **Appendix 4**.

2.2.4 Non-recent historical allegations of abuse

It can take many years for survivors of abuse to come forward for many different reasons; shame, fear of not being believed, difficulty in communicating or expressing the abuse. However, the alleged perpetrator may still remain a risk to others and so all non-recent historic allegations must be examined. Any disclosure or concerns that relate to abuse that happened more than a year ago, (since others would be under investigation), whether involving anyone from Arts Emergency or outside of it such as partnerships/those working on behalf of Arts Emergency should still be taken seriously and acted upon in line with Arts Emergency Children's Safeguarding policies and procedures.

Arts Emergency will work in partnership with the police or local authorities in such cases.

2.2.5 Children and young people with additional vulnerabilities

Some groups of children and young people are particularly vulnerable to abuse such as those with disabilities who may be at an increased risk of abuse through various factors such as, stereotyping, prejudice, discrimination, isolation, restricted mobility, reliance on carers for their personal care needs and a powerlessness to protect themselves or be unable to communicate to others that abuse is occurring or has occurred. They may be an easy target for abuse.

Equally children or young people who are looked after or in the care system may have experienced harm or neglect and may also be vulnerable. There is more information on specific circumstances and safeguarding in **Appendix 3**.

2.2.6 Contextual safeguarding

Some children/young people may be vulnerable to abuse or exploitation outside their families such as at school, peer groups or the wider community or online. These threats can take a range of different forms such as; exploitation by criminal gangs, trafficking, online abuse and radicalisation. Arts Emergency will consider these wider factors through their work with children/young people on their programmes to see if they are present and are a threat to their safety or well-being.

2.2.7 Bullying

Whilst bullying is not defined legally as a form of abuse within Working Together to Safeguard Children (2018), there is evidence that it is abusive and can feature within the defined categories of abuse, so it is included in this policy. The Anti-Bullying Alliance describes bullying as repeated physically and or emotionally hurtful behaviour and it can take many forms:

- Physical bullying involving hitting, kicking and other types of physical harm, including destruction of one's possessions
- Verbal bullying to encompass name calling, teasing, intimidating and spreading hurtful rumours
- Cyber-bullying which involves sending harassing, threatening and humiliating text messages, emails, posts, blogs etc., as well as spreading hurtful rumours via the internet and calling on the phone at inappropriate hours

3. Safeguarding Governance

3.1 Roles and responsibilities (for all)

All staff (agency and freelance), volunteers, trustees, board members, and anyone working on or behalf of Arts Emergency (see 1.1) have a responsibility in terms of identifying, sharing and responding to any safeguarding concerns. Some members of staff have additional responsibilities which are described in this section.

The responsibility of staff is to ensure that concerns are reported and that issues raised are taken seriously and acted upon by the Designated Safeguarding Officer (DSO) or Deputy Designated Safeguarding Officer (DDSO), which may include reporting to external agencies e.g. police, children's social care for further action.

It is **not** the responsibility of anyone working with Arts Emergency in a paid or unpaid capacity to decide whether or not child abuse has taken place or to carry out an investigation. Safeguarding procedures should be followed as detailed in **Section 5** of this policy and information about the concern or allegation and must be recorded and referred without delay to the appropriate authority. This applies to **BOTH** allegations or suspicions of abuse occurring within the services of Arts Emergency and to allegations or suspicions that abuse is taking place elsewhere.

It is also not necessary to have definitive knowledge that a person may be inflicting any specific abuse on a child or young person or that the concerns fit within the definitions. It is often that staff/volunteers or anyone within Arts Emergency will have general concerns or suspicions which will need further discussion and advice.

It may be very hard for staff/volunteers/mentors to report a concern about a colleague to a line manager or DSO, where they have suspicions, but the safety and protection of a vulnerable child or young person must be the priority at all times.

3.2 Trustees

Trustees are responsible for overseeing all safeguarding concerns, allegations (whether alleged or actual abuse or neglect) across the whole of Arts Emergency. They are responsible for supporting the Senior Management Team, Head of Programmes and Designated Safeguarding Officers to be able to carry out their duties.

They are responsible for ensuring that safeguarding policies and procedures are in place, up to date, fit for purpose and include relevant HR safeguarding procedures. They are responsible for implementing them across the whole of Arts Emergency to ensure best practice of preventing safeguarding incidents or any reoccurrences. This will include ongoing monitoring and reviewing to ensure that safeguards are being implemented in practice and that the procedures in place are effective and safe. They will seek to make changes and improvements to these arrangements as appropriate and necessary to safeguard children and young people.

The Trustees will promote a positive culture around safeguarding so that staff, volunteers, those working on behalf or for Arts Emergency, including visitors and partners will understand their safeguarding roles and responsibilities and are enabled to raise concerns.

They will identify and nominate a Safeguarding Trustee whose role will be to scrutinise safeguarding arrangements, keep up to date with the Charity Commission requirements for safeguarding, including reporting any serious incidents and that safeguarding allegations or incidents are reported to other agencies in accordance with legislation and best practice.

This CEO in conjunction with the Board of Trustees will be responsible for assessing and managing safeguarding risks within Arts Emergency and ensure they are recorded in the risk register.

The Trustees with the CEO will also be responsible for ensuring there are clear lines of responsibility and accountability for safeguarding, particularly as Arts Emergency provides a wide range of programmes with several organisations in the arts and creative industries to deliver services to children and young people.

3.3 Designated Safeguarding Officers

Arts Emergency has two Designated Officers to whom any safeguarding concerns must be reported to immediately. These are:

Carys Nelkon, Designated Safeguarding Officer (DSO)

e-mail: carys@arts-emergency.org

Mobile: 0777 6345896

Neil Griffiths, Deputy Designated Safeguarding Officer (DDSO)

e-mail: neil@arts-emergency.org

Mobile: 07525 377862

The DSO (or DDSO in the absence of the DSO) are the first point of contact for staff, volunteers, mentors and those working on behalf of or with Arts Emergency where there are safeguarding concerns and for assisting with advice and information.

Their roles are:

- To act as a source of support, advice and expertise within Arts Emergency in ensuring safeguarding procedures are being followed and also in deciding whether to make a referral to other agencies following any safeguarding incidents in discussion with each other and the Safeguarding Trustee (if required)
- Ensuring that detailed and accurate records of referrals or concerns with action taken and outcomes are stored securely with restricted access to named personnel only in line with secure storage arrangements at Arts Emergency (**Section 9**)
- Keeping abreast of up to date with legislative changes and government guidance in relation to safeguarding and attending refresher training courses every two years
- Ensuring that staff, volunteers, mentors and those working on behalf of Arts Emergency are fully aware of the organisation's safeguarding procedures and know who and how to report a safeguarding concern

The safeguarding trustee can be contacted if the DSO or DDSO is not available.

Safeguarding Trustee:

Shaun Glanville

Mobile: 07875 499955

Programmes Officers and Coordinators

- Support staff, volunteers and young people if they raise any safeguarding concern or allegation
- Provide information to the DSO when a safeguarding concern or allegation has arisen as they may hold further information relevant to the concern or allegation.

3.4 All staff, volunteers, mentors, trustees, agency staff, freelancers and those working on behalf of or with Arts Emergency

- They are expected to familiarise themselves with Arts Emergency Children's Safeguarding Policy and Procedures, so that they know who and how to report a safeguarding concern when it arises
- They should report any concerns immediately (this can be verbally/via phone initially, but then followed up in writing using the safeguarding reporting form **in Appendix 6 -on Arts Emergency website -** and sent to the DDO/DDSO who will check all the information is correct and decide on further actions)

The person who becomes aware of a safeguarding concern should complete the safe

guarding reporting form within **24 hours of receiving or being made aware of such a concern**

- All should ensure they are familiar with the safeguarding reporting form and flow charts in **Appendices 5, 6 and 7** so that all necessary information is recorded as this is important should the matter result in further proceedings e.g. criminal or court

Remember

It is not the responsibility of anyone working with or on behalf of Arts Emergency in a paid or unpaid capacity to determine if abuse has taken place. However, there is a

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responsibility to pass on any concerns to the appropriate DSO/DDSO. This also includes any concerns around poor practice where a child or young person is engaged with Arts Emergency's programmes. They will be responsible for ensuring that appropriate action is taken as soon as possible to protect the child or young person.

This applies to **BOTH** allegations or suspicions of abuse occurring within the services of Arts Emergency and to allegations or suspicions that abuse is taking place elsewhere.

4. Code of Conduct

4.1 Purpose of good practice and behaviours

This code of conduct sets out the expectations for everyone working with or on behalf of Arts Emergency whether in a paid or unpaid capacity in representing the Organisation.

The conduct of all should represent the values of Arts Emergency. It will help everyone to maintain a high standard of behaviour and conduct and reduce the possibility of allegations of abuse being made against them, whilst protecting the children and young people with whom we work, by creating a safe environment and culture.

Everyone is expected to behave in an appropriate manner as you are working in a position of trust with any child/young person that you come into contact with or engage in any activity. A relationship of trust starts where one person (usually an adult) has a responsibility of care or duty for a child/young person in a way that gives them power or influence over them.

You are expected to provide a positive role model and behave in an appropriate manner at all times including in your personal life so as not to undermine the reputation of Arts Emergency.

4.2 Agreement to good practice and safeguarding

Arts Emergency expect everyone who works with or on behalf of the organisation to sign an agreement 'Good practice and safeguarding'. This document underpins the expectation of everyone committed to embracing the values and principles of good behaviour and a positive role model. It also helps Arts Emergency identify any concerns or bad practice which could lead to an accusation of suspected or actual abuse against a member of staff or volunteer or mentor, whether true or false.

4.3 Practice you must do

- Treat all children and young people equally with respect and warmth and listen to their wishes and feelings
- Be supportive, friendly and positive in encouraging the child or young person to be able to participate or enjoy the experience of the project
- Always give enthusiastic and constructive feedback rather than negative criticism

- Value the contributions of the child/young person in the planning of the project and engage positively in mentoring meetings and organised events
- Ensure you promote fairness and confront and deal with any potential or actual bullying incidents
- Always put the welfare of the child or young person first
- Ensure you are familiar with the safeguarding policy and procedures and report on any suspicions, concerns, allegations or disclosures made by a child or young person or adult, which may include an allegation about yourself
- All incidents, allegations or suspicions of abuse must be reported to the DSO/DDSO and complete the safeguarding reporting form, following the guidance in **Sections 5 and 7**
- Always work in an open environment (e.g. avoiding private or unobserved situations, no closed doors) and encourage open communication with no secrets
- Ensure that the focus on your relationship that you have met with a child or young person through Arts Emergency remains professional even if friendships develop through shared interests
- Maintain a safe and appropriate distance (e.g. it is not appropriate for staff, volunteers or mentors to have an intimate relationship with a child/young person or to share a room with them or visit their house without explicit consent from parent/guardian)
- Aim to plan activities that involve more than one person present, if this is not possible make sure that the lone working policy is included in any planning
- If you have to spend time alone with a child or young person as part of your role, or if a young person requests this, ensure that another member of staff knows where you are and how long you are likely to be
- Avoid unnecessary physical contact with young people unless it is an agreed element of the work and that this has been agreed by the young person and their parent/carer
- Respect a child or young person's right to personal privacy but do not keep any information relating to the harm of a child or young person confidential
- Keep a written record of all face to face meetings and contacts that occur, along with any details of issues raised and discussion
- Ensure a new risk assessment is completed for each new mentoring project or other organised activity provided by Arts Emergency
- Ensure that unacceptable behaviour such as bullying or initiation ceremonies by children or young people are challenged and addressed to prevent these happening
- Involve parents and carers in a child/young person's mentoring arrangement, so they are aware as to what this entails
- Obtain written parental or referee consent if transporting a child or young person in your car and also inform your DSO/DDSO when this will be taking

place and for how long. It should also be risk assessed and in line with the lone working policy

- Obtain written parental or referee consent for any significant travel arrangements e.g. overnight stays (**see also practice you should not do**)
- Written consent should always be obtained for the use of any photographs, filming or video footage involving children and young people under the age of 18 years **see Section 8**
- Consider your physical appearance as all staff/volunteers/mentors should dress appropriately for the age of the group (both chronologically and intellectual ability) and for the activity involved
- Be aware that infatuations can develop between an adult and a child/young person and if you become aware of this, ensure you inform your manager as soon as possible so this can be responded to in such a way as to maintain dignity and respect for all
- Physical contact should not be done or take place in a hidden or secretive way that could be misconstrued by the child/young person or anyone who may observe this. So, physical contact should always be limited to a touch of the arm/hand/shoulder. If you have to give a child/young person a hug or touch them e.g. if they are very upset or distressed ensure you check this out with the child/young person to see if they are comfortable with it. Afterwards make a written note of what you did in that situation and why and pass to your Head of Programmes
- If a child/young person requires physical support during an activity e.g. because they have a disability, ensure they are comfortable with this and that it is only provided when necessary in relation to the activity and carried out in front of other people. It does not extend to personal support. There should be a personal assistant who should provide this to the child/young person and the arrangements are discussed when they join the Arts Emergency programme using the 'Getting to know you' form.

4.4 Practice you should not do

- You should not seek to form relationships of a sexual nature which could lead to sexual activities, either by grooming or indulging in sexual contact with a child/young person. This would constitute a breach of a position of trust and is never acceptable even if the young person is over the age of 16 years and can legally consent to a sexual relationship in the UK, either in work or outside of work
- Allow or engage in any form of inappropriate touching e.g. of the genital areas, kissing
- Engage in or allow any sexually provocative games involving or observed by children/young people whether based on talking or touching, including horseplay
- Make sarcastic, insensitive or sexually suggestive comments or gestures to a child/young person even in fun
- Allow or engage in any inappropriate physical, verbal or non-verbal activity with a child/young person or allow any bullying on any of the programmes or events
- Share a room with a child or young person
- You should not invite or allow a child/young person to your home, whom you have met through Arts Emergency where they will be alone with you
- You should not spend unnecessary excessive amounts of time alone with children/young people away from others
- Do not use swearing or derogatory comments to or in front of children/young people, this also includes comments made by other members of staff/volunteers/mentors – this should be challenged and reported to your Head of Programmes
- Reduce a child/young person to tears as a form of control or force them to perform a task or activity by using physical force or threats – this also applies to organisations who work with or on behalf of Arts Emergency
- Do tasks of a personal nature for children/young people which they can do themselves. If they require assistance with personal care such as dressing or going to the toilet, they should have a personal carer or appropriate adult with them
- Show favouritism towards one child/young person
- Do not give a child/young person your home address and do not ask for their home address.
- Never make arrangements to meet or otherwise identify a child/young person you are working with over public social media
- Do not turn up for work or visit a programme under the influence of drugs or alcohol or smoke or vape in front of children/young people

- Do not discuss your own personal or sexual relationships in front of children/young people, this includes those you work with and those who may be attending an activity you are involved in
- Do not give or receive gifts and or substances such as drugs, alcohol, cigarettes, e-cigarettes to or from a child or their family as this may be viewed as bribery. However, if the family or young person wishes to offer a gift to Arts Emergency this should be checked with the Head of Programmes and if accepted recorded in accordance with Arts Emergency 'Gifts' policy
- You should not give out your personal contact details to a child/young person whom you are working with, unless you are part of the mentoring scheme and this has been agreed by the Head of Programmes and is for mentoring purposes.
- If a volunteer without DBS clearance is introduced to a child/young person to offer advice, they must sign the code of conduct and safeguarding declaration and the young person's mentor or a member of staff must oversee all conversation
- Do not photograph or film children/young people for whom no prior consent has been sought
- Do not broadcast or show any audio and or visual materials (CD's videos, You Tube films, photographs, computer games etc.) which has inappropriate content for children/young people
- Do not use personal accounts for social media networking sites to upload images or share personal information or any details of a child/young person you are working with
- Do not allow allegations made by a child or young person to go unchallenged, unrecorded or not acted upon
- You should not use your reputation or your position within Arts Emergency to protect you

When a case arises where it is impractical or impossible to avoid certain situations e.g. transporting a child/young person in your car, the tasks should only be carried out with the full understanding and consent of the parent/carer/referee, the Arts Emergency Designated Safeguarding Officer (DSO) and the child/young person involved. There should also be a record of this on the young person's file.

If during your care you accidentally hurt a child/young person and they seem distressed in any manner, appear sexually aroused by your actions and/or if the child/young person misunderstands or misinterprets something you have done, this must be reported to the DSO/DDSO as soon as possible and a written record should be on the child/young person's file. There should also be a discussion with the member of staff/volunteer/mentor to review this situation with the young person and Head of Programmes to ensure that working relationships can

continue or changes need to be made. The parents/carers will also be informed of the incident and a record kept on file of the discussions and outcome.

4.5 Communicating with children and young people

This section within the code of conduct explains the type of behaviour that is expected when communicating with children/young people who are involved in activities or on a programme with Arts Emergency. It sets out behaviours to be expected using different communication methods.

4.5.1 Telephone contact

- Children/young people should only be contacted with regards to Arts Emergency related activities
- Staff should only be using work mobile phones to communicate with children and young people wherever possible.
- We recognise that volunteers and mentors will use their own phones but still the principles of good practice in communicating with children and young people equally apply.
- Head of Programmes/DSO can request access to staff work mobile phones at any time with no delay

4.5.2 Online Safety

Social media is the world in which children and young people communicate and this is an environment which is rapidly changing as new technologies, applications and the growth of different social media sites constantly develop. These are general principles which are expected of staff/volunteers/mentors and anyone working with or on behalf of Arts Emergency are expected to adhere to as good practice to safeguard children and young people and themselves, using the range of communication available online but also media, mobile devices, apps and social networking sites.

Good practice to follow

- When communicating with children/young people online the same rules of behaviour are expected as if you were conversing with them in person, so this means being respectful, polite, not swearing or saying anything that could be construed as sexual innuendo, discrimination or bullying or harassment. This includes use of the written word, images or icons.

- Be aware that you are representing Arts Emergency so your behaviour should be professional at all times
- Always ensure that the content of any online communication is linked to work e.g. a placement or mentoring
- Children and young people should only be contacted online for the purpose of discussing their project or activity
- Before you post something online, think first and ask yourself if the content of the message could be misconstrued or misinterpreted

Poor practice which you should not be engaging in

- Disclose non-public and confidential information about Arts Emergency or anything related to staff/volunteers/mentors or any of the children or young person that Arts Emergency is working with
- Upload or post any obscene, defamatory, abusive or harmful content – if you observe or hear that another member of staff/volunteer/mentor or anyone working with or on behalf of Arts Emergency you should contact the DSO/DDSO immediately
- Engage in exchanging self-generated sexual images (sexting)
- Use any of the Arts Emergency IT equipment, which includes computers, laptops, mobile phones, iPad or notebooks to view, download, create or share illegal content.
- Do not share any illegal content, which includes abusive images of children with colleagues, friends or children/young people
- Do not share personal contact details with children and young people This means mobile phone numbers, home address, social networking accounts, online image storage sites, passwords etc. The exception to this is for those doing mentoring work in which case they need to exchange mobile phone numbers and emails.
- Do not ask a child/young person to become an online friend or add them to join your friends list on your personal social networking sites
- Do not seek to befriend a child/young person or their family online whom you have met through Arts Emergency with the purpose of developing a personal or sexual relationship
- Staff should not use their own digital camera or video for work, this also includes mobile phones to take images – unless this has been agreed in advance for Arts Emergency work and has approval from the Head of Programmes
- Volunteers may only take photos if given permission by Arts Emergency and if Arts Emergency have the relevant permissions from young people and their parents.
- Any photographs or film taken during Arts emergency work are not for personal use rather they are for Arts Emergency to use.

- Share work images or films on personal social media sites e.g. Facebook, Twitter or Instagram

4.5.3 Transparency and scrutiny

Arts Emergency expects that all communication is conducted openly and that others can see this if necessary. This means there should be a record of such conversations between staff/volunteers/mentors and children/young people which is open to others to check.

Personal messaging facilities such as text or whatsapp should only be used sparingly, to discuss imminent meetings or to prompt email replies. If it needs to be private, do it via e-mail or telephone and keep a note of the conversation for the child/young person's file.

Anonymous apps should not be used – this is where the sender can remain anonymous, the communication should be clear as to whom is contacting the child/young person.

Only use social media and apps where there is a permanent record of what has been sent and said, so it is open to scrutiny if need be. So, the use of Snapchat would be inappropriate.

4.5.4 Text messaging and messaging services

Text messaging as a form of communication in working with children and young people can increase vulnerability both for the child/young person and the staff/volunteer/mentor. Occasionally there may be some instances where it is appropriate to use this, such as to discuss imminent meetings or to prompt email replies. Otherwise text and messaging should only be used in exceptional circumstances and subject to safeguarding consideration. The guidelines that follow constitute best practice, however if in doubt please check with your DSO/DDSO.

Only use text/WhatsApp sparingly i.e. when arranging a meeting or reminding a young person to respond to an email. There should not be a general discussion via text.

Mentoring sessions should never be conducted over text.

All email messages should be stored and backed up regularly on the computer and phone messages should not be edited or deleted.

All phone numbers relating to the child/young person must be kept securely. The mobile numbers must not be shared with anyone else and are only to be used in conjunction with the activity/programme that the child/young person is involved with.

4.5.5. Upholding the Code of Conduct

Any staff member/volunteer/mentor who breaches the code of conduct may be subject to Arts Emergency capability and disciplinary procedures. If the breach involves a volunteer or others, they may be asked to leave. In some instances, a referral will be made to the appropriate statutory authority e.g. police or DBS, if it is a serious breach which constitutes a safeguarding allegation.

It is expected that staff/volunteers/mentors will report a breach to their Programme Officer or DSO/DDSO the same day. If there are concerns about a senior manager or trustee, this should then be reported to the CEO or safeguarding trustee. A record of this will be kept on a safeguarding recording log. (**Appendices 6 and 7**).

Note: mentors should also refer to the Mentor Handbook for any additional information about safeguarding regarding this activity.

5. Safeguarding Procedures

5.1 Knowing the '5R's' for safeguarding

The five principles described in this section support and underpin what should happen in the event of a safeguarding concern:

- To **Recognise** a concern that a child or young person is being harmed or is at risk of abuse or harm
- To **Respond** appropriately to a child or young person who is telling you what is happening to them
- To **Refer** on concerns about safeguarding to the appropriate authorities which could be Children's social care or the Police
- To **Record** the concerns in accurate detail, including any subsequent action that must be taken, all the actions have to be done in a timely manner within the specified timescales to ensure there is no delay. Whilst the safeguarding procedures specify timescales these are the 'maximum' time limits, it is better to respond, refer and record as soon as you can when receiving the information
- The **Resolution** and escalation, Arts Emergency have a responsibility to ensure that any concerns are followed up and will take further action if it considers that sufficient protection has not been offered to a child or young person

5.2 How do concerns about safeguarding arise?

Arts Emergency may become aware of possible abuse in various ways.

- A child or young person may tell you directly that they are being abused or tell you about an experience that is currently happening or has happened which you as a member of staff/volunteer/mentor may think is harmful.
- If it has happened in the past this is sometimes referred to as 'historical abuse'
- Someone else may tell you that a child/young person is being abused or has been and the information may come via an email, letter of concern or a conversation
- We may suspect it is happening because of signs or indicators of abuse or neglect

- Something about the way a member of staff/volunteer/mentor is behaving towards a child/young person makes you feel uncomfortable or gives you cause for concern
- Sometimes the behaviour of a child/young person may give you cause for concern such as changes in mood or expression of anger
- You may observe an incident involving a child/young person during a mentoring session or activity within Arts Emergency which makes you feel uncomfortable

5.3 Barriers to reporting abuse

Your role at Arts Emergency involves working with a range of children or young people who come from under-privileged backgrounds, may have a disability or additional needs or they may be lacking in confidence or self-esteem for a range of reasons. So, it is important for their safety and welfare that any disclosure of abuse, concerns or potential abuse are taken seriously.

Arts Emergency also recognise that there can be emotional and practical barriers to recognising and responding to abuse and for responsible adults to take action. Some of the following are reasons as to why there can be barriers:

- Volunteers or mentors may have never come across safeguarding concerns before and may be anxious about reporting concerns
- Some children/young people may have limited communication skills or may not have the language to express themselves clearly, which may make it more difficult for you to fully understand what they have told you or what has been indicated in their behaviour
- Some children/young people may not know that what is happening to them is wrong or they may be scared or blame themselves or they may believe that the alleged abuser will get into trouble because of telling someone
- The alleged abuser maybe someone you know or respect either within the organisation or working on one of the programmes
- You may feel pressured not to report what you have seen or been told in case you make it worse or upset the family
- You may have mentioned your concerns to a colleague who is playing it down or makes you question if you have understood the concerns correctly

Even with these doubts or barriers, you **must still report** a concern or incident even if you are not sure or you only suspect something. The child/young person's welfare

must come first and you have a responsibility to them and the guidelines in this section will explain what you need to do in the event of a safeguarding incident or concern.

Remember under **no circumstances** should a staff member of Arts Emergency or volunteer/mentor should undertake an investigation into any concerns that a child/young person is at risk of abuse or has been abused. You have a responsibility to pass this over to your DSO/DDS0 who will then liaise with statutory services for further action.

5.4 Procedure to follow within Arts Emergency for reporting safeguarding concerns

All suspicions or allegations **MUST** be reported appropriately. It is recognised that strong emotions can be aroused, particularly in situations where sexual abuse is suspected. Whilst it is important to recognise and understand these feelings, they should not interfere with your judgement about any action you take.

Should any staff member, volunteer/mentor or anyone working with or on behalf of Arts Emergency have reason to suspect abuse or have safeguarding concerns regarding a child/young person they must speak to their DSO/DDS0 as soon as possible who will then decide what action to take.

5.5 Steps to be taken following an allegation or concern of abuse or harm

Any staff member, volunteer, mentor or those working with or on behalf of Arts Emergency need to follow this guidance and to ensure that their behaviour responds in a manner which reflects their understanding of the 5 R's as listed in **5.1** and to familiarise yourself with the information in this section and follow the flow chart of the processes and complete the safeguarding reporting form in **Appendices 5 and 6**. These appendices should enable you to be clear as to how to respond to a safeguarding concern.

If a child/young person indicates or says they are being abused or are harming themselves, which makes you suspect abuse:

DO:

- Stay calm so as not to frighten the child/young person
- Stop whatever activity you are doing and make sure you are somewhere private, but not in a closed room
- Reassure them they are not to blame and that it was right to tell and they will be supported by a person of their choice within Arts Emergency
- Take the matter seriously by listening carefully and allow them time to finish what they are telling you without interrupting
- Ask permission to discuss sensitive issues, but do not investigate
- Keep questions to a minimum so that there is a clear and accurate understanding of what has been said
- Limit any questions to clarifying what has happened or something you are unclear about from the conversation
- Inform the child/young person of what will happen next, who must be told and why, so tell them what you plan to do next. This is that you will have to inform other people (state who) about what information you have received. This is so that it will help to stop the abuse or self-harm because of a safeguarding concern
- Ask the child/young person if there is anything they need immediately to feel safe

DO NOT:

- React strongly and show that you are shocked or upset about being told something
- Panic – the child/young person needs you to listen to them, so remain calm and attentive
- Probe for more information beyond what you have been told and avoid leading questions or introducing your own ideas into the questions
- Jump to conclusions about the alleged abuser
- Do not tell the child/young person that you will keep it a secret
- Make assumptions about what might have happened, it is important to keep to information
- Contact the family or carer of the child/young person to get more information or check out what you have been told
- Examine the child/young person or ask them to remove clothing e.g. to show you a bruise or injury
- Disclose the details of the allegation to anyone else apart from the DSO/DDSO who should be contacted as soon as possible. If the matter involves the DSO then you should contact the lead officer on the board of Arts Emergency

In all incidents of concerns or abuse or harm you should:

- Obtain names and contact details (if you do not have these already), as these will be needed in the event of a referral to statutory services
- Contact the DSO/DDSO as soon as possible the same day
- The DSO/DDSO will make the decision to decide upon the next course of action
- The DSO/DDSO will ensure if in the event of a referral to children's social care, the parents/carers will be informed of this **unless** doing so would place the child/young person at further harm or immediate risk
- The safeguarding reporting form (**Appendix 6, found on the Arts Emergency website**) must be completed within **24 hours of the disclosure being made**. It is also important when recording your conversation on this form that you use the same language that the child/young person used

In all situations, you should let the child/young person know you are reporting a concern and to whom, UNLESS in your personal judgement you feel that to do so may place the young person at risk of further harm e.g. the child/young person may inflict injury upon themselves or abscond. In this situation, you MUST speak to the DSO/DDSO immediately and seek their advice. They will decide on the next steps. Ensure that there is a written record of what has been said and the actions taken.

Responding in an emergency situation:

The safety of the child/young person is paramount and if you believe that the concern falls into an emergency category then your duty is to contact the emergency services but you need to read **5.7** of these procedures regarding **information sharing and confidentiality**. You should also at the same time contact the DSO/DDSO immediately to seek their advice, if you cannot get hold of them, then follow the actions below. An emergency situation would be defined as a child/young person haven been seriously hurt or are in imminent danger. So, you must:

- Ring 999 and ask for the emergency service you require e.g. police and or ambulance. If they need urgent medical attend inform the doctors of the concern and ensure they are made aware that this is a child protection issue and so confidentiality is essential
- Immediately report the situation to the DSO/DDSO who will be able to advise you and support you further
- Complete the safeguarding reporting form on the Arts Emergency website (**Appendix 6**)

Examples of situations which may be life-threatening or emergencies:

- The child/young person is now or will be physically so damaged that medical treatment is necessary to prevent death. This can include situations of extreme neglect, (where their life is in danger)
- There are indicators of a real danger of death, if the child/young person returns to an abusive situation
- There is evidence that the mentoring meeting has been interrupted by an adult or other intending to kill the child/young person or harm them to an extent that their life may be in danger
- The child/young person appears to have already attempted suicide or be at the point of an attempt
- The child/young person or another person is threatening to kill another individual/s or harm a third person to the extent that their life may be in danger. This also includes the threat or act of terrorism

Suspicious of FGM and reporting of a young person's imminent departure from the UK for the purpose of abuse

The same reporting procedures apply for reporting concerns of FGM as with any category of abuse. If you have any reason to believe that there are plans to imminently remove a young person from the UK for the purpose of abuse of any kind, you should immediately contact the DSO/DDSO. If you are unable to contact them, you should contact the Police and make a record of your conversation and obtain a crime number.

Where a child/young person is unwilling to discuss a safeguarding concern

If a child/young person indicates through their behaviour or what they have said that there is a concern or problems, but are unwilling to discuss this with a member of staff/volunteer/mentor, they should be given the details of NSPCC Childline where they can talk in confidence. **Childline 0800 111. The calls are free.**

Ensure that you record the information and action taken on the safeguarding reporting form **Appendix 6, found on the Arts Emergency website** and advise the DSO/DDSO as soon as possible the same day.

Cultural norms and UK laws

It is important that all staff/volunteers/mentors and those working with or on behalf of Arts Emergency recognise that the cultural norms of some people are incompatible with the values and legislation within the UK. So, some examples of behaviours may include attitudes towards; female genital mutilation, spiritual beliefs/possession, private fostering, forced marriage and “honour-based” violence. (**Appendix 3 has more information**).

It is very important, therefore that anyone working with or on behalf of Arts Emergency must ensure that they do not decide not to report such issues in the belief that they are protecting the child/young person’s cultural or religious beliefs or through fear that their action to report may be interpreted as being prejudiced.

In all cases if you are not sure what to do you should call the DSO/DDSO at Arts Emergency who will be able to advise you and take the appropriate action in accordance with these policies and procedures.

Carys Nelkon, Designated Safeguarding Officer (DSO)

e-mail: carys@arts-emergency.org

Mobile: 0777 6345896

Neil Griffiths, Deputy Designated Safeguarding Officer (DDSO)

e-mail: neil@arts-emergency.org

Mobile: 07525 377862

In the event that they are not available and you need urgent advice, then you should call the **NSPCC Helpline: 0808 800 5000**. The NSPCC Helpline provides help and support to professionals, carers, parents and is a place where adults can get in touch to get advice or share their concerns about a child/young person anonymously if they so wish.

5.6 Role of the DSO/DDSO

The DSO/DDSO has a specific responsibility as described in **3.3** of these procedures. They will make decisions on the information they receive relating to any safeguarding allegations or concerns in conjunction with the senior member of the board of Trustees (if necessary). This could be a range of different actions:

- Immediate action if a child/young person is at risk of serious physical harm, or a criminal act has taken place and evidence will need to be kept safe. In the event of an emergency **dial 999 and ask for the appropriate emergency services**
- A formal referral to the local children's social care team or child protection teams, this could also include a referral to the child/young person's DSO within their school, in conjunction with advice from the statutory services
- The DSO/DDSO will provide as much information as possible to assist the statutory services, including the Police and Children's social care. A referral will initially be made by telephone and then confirmed in writing within **48 hours**
- Children's social care should acknowledge the written referral **within one working day** of receiving this information, but if the DSO/DDSO has not heard back within **three working days** then contact them again as the matter may well need to be escalated
- The DSO/DDSO should not investigate the matter/allegation without direction from the statutory services. It may be appropriate for Arts Emergency to assist with information as they know the child/young person
- Where no decision is reached, but there is sufficient concern to share information, even if only as a precautionary measure, the DSO/DDSO should contact the Designated Officer within the relevant local authority in that area (previously known as LADO), for further clarification and guidance. If there is no designated officer in the particular region in Wales i.e. Cardiff, ensure that the matter is discussed with the local children's team
- The DSO/DDSO will provide a summary report on the basis of information provided in the **safeguarding reporting form and the safeguarding log of actions form (Appendices 6 and 7)** and of the subsequent actions by Arts Emergency and pass to the designated officer in the local authority, the CEO and the details of this kept securely on the Arts Emergency database (Salesforce) with access limited to the Safeguarding team

- The summary report will be completed the same day a decision regarding a safeguarding concern is reached. It is not advisable to hold onto any information where there are concerns, however insignificant they may seem, they should always be referred on where there are reasons to believe that a child/young person is being/has been abused or is at risk of harm
- No action required – in this case the summary report will be passed to the CEO at Arts Emergency and kept securely and will form part of reviewing safeguarding matters on an annual basis
- Any staff/volunteer/mentor who are involved in any safeguarding incidents should receive supervision/support from the DSO following the event and be sign-posted to counselling if required
- The safeguarding trustee must be informed of all safeguarding concerns which are referred to external agencies

Responding in immediate danger

On receipt of a concern regarding a child/young person's welfare, the DSO/DDSO will have to undertake a risk assessment and decide whether the situation falls into any of these EMERGENCY categories. This is in addition to taking responsibility of any safeguarding concerns. In these instances, and all safeguarding matters they should always consider the safety of the child or young person. **(See section 5.7 on information sharing and confidentiality)**

Life threatening

In the event that it falls into a life-threatening category the DSO/DDSO should call the Police and Emergency Services, even if consent of the young person to do so is withheld. See the information in **section 5.7 on information sharing and confidentiality**.

Imminent removal from the UK for the purpose of abuse

If the situation is one where there is a real possibility that the child/young person will be imminently removed from the UK for the purpose of abuse, the DSO/DDSO should call the Police (even in the absence of the young person's consent) UNLESS they have concerns that a report to the police is likely to result in an immediate safeguarding risk to the child/young person (or another child in the household). So, it is important in this instance to contact other agencies such as the DSO at the child/young person's school, Children's Social Care, NSPCC to seek advice before contacting the police. **(see 5.7).**

Evidence of abuse which needs to be collected in situations involving FGM or rape

If a child or young person discloses this has happened, the DSO/DDSO should refer the matter onto the local Children's Social Care immediately for their advice and the child/young person needs to be informed of this. It may also involve other agencies such as Police, but Arts Emergency will ensure that this will be passed over to statutory services.

Responding to a safeguarding concern which is non-emergency

The DSO/DDSO must consider if consent is required to share the concern with statutory agencies. (**5.7 information sharing and confidentiality**), from the child/young person and the parent/carers.

If the DSO/DDSO is unsure about how to proceed with the concern of any aspect of information sharing, they should consult with statutory services or the NSPCC Helpline.

Any referral to statutory services must be made by the DSO/DDSO unless it is an emergency where a member of staff/volunteer/mentor has received the information and needs to contact statutory services immediately. There should be a report back to the DSO/DDSO as soon as possible of the actions taken.

The DSO/DDSO should comply with the time scales detailed in **5.6** when referring to statutory services. Each local authority has a process for receiving referrals so Arts Emergency should use the relevant process in their area.

Escalation

If after reporting a concern, the local authority has not taken appropriate next steps regarding the safeguarding concern, the DSO/DDSO should discuss with the senior trustee on the board of Arts Emergency regarding escalating the matter within the local authority.

There is a local children's safeguarding partnership board for each local authority which has specific procedures in such instances where escalation is warranted. For adults, there is also an adult protection board in each local authority. A record of any decisions or outcomes must be kept within Arts Emergency securely and access limited to the DSO/DDSO and the Safeguarding trustee.

Good practice in all situations

- The DSO/DDSO should always seek the child/young person's consent before passing on information or sharing with other statutory agencies, but there are some instances where no consent may place the child/young person at further harm, so comply with the guidance in **section 5.7 on information sharing and confidentiality**
- The DSO/DDSO should comply with the guidance in **section 5.6** in terms of referring to statutory agencies, the child/young person's school and other responsible agencies
- The DSO/DDSO should report the safeguarding concern to the named DSO at the child/young person's school with consent or if no consent to report to children's social care
- The DSO/DDSO should obtain written confirmation of their referral to the school or children's social care within the timeframes specified in **5.4**
- A crime reference number should always be obtained for any concerns reported to the police
- In addition, the safeguarding report from the member of staff/volunteer/mentor the DSO/DDSO will make contemporaneous notes of the concern, actions taken and outcomes on the safeguarding reporting form **Appendix 6** within the time frame stated
- All safeguarding reporting log forms should be signed by the DSO and DDSO and stored securely
- In the event that the DSO has consumed more than 2 units of alcohol when receiving information about a safeguarding concern, they should make this fact known immediately and pass on their responsibilities to the Deputy Designated Safeguarding Officer (DDSO) or the Safeguarding Trustee.

Review of all safeguarding concerns

Arts Emergency board of trustees with the Safeguarding Trustee, the DSO and DDSO will review all safeguarding concerns at least every three months, to check on outcomes, appropriate actions or follow up. The Board also have a responsibility to review Arts Emergency Children's Safeguarding Policy and Procedures annually and to make amendments to the policy. This will be undertaken earlier if there are safeguarding concerns which require an earlier change in policy and procedures.

5.7 Information Sharing and Confidentiality

Information sharing within staff/volunteers/mentors and those working with or on behalf of Arts Emergency is subject to the Confidentiality and Data Protection policies.

Information sharing can be complex when responding to safeguarding concerns and knowing when and what to share. But all those working with or on behalf of Arts Emergency have a duty of care to safeguarding children/young people whom they are working with. This means that the public interest in safeguarding may override confidentiality. The following guidelines should be adhered to in terms of best practice.

- Information should be shared where there is consent for doing so
- Data Protection legislation and regulations **are not** a barrier to sharing information about safeguarding
- Ensure you are open and honest about what you will be doing with the information
- If you are unsure, seek advice from appropriate professionals or through the Information Commissioners Office Helpline via their website: <https://ico.org.uk/global/contact-us/>
- Even in situations where consent has not been granted or this is difficult to obtain because of the child/young person's capacity, this should not prevent sharing, since there will be some safeguarding situations (like emergency situations) where information will need to be shared, either internally within Arts Emergency or externally with statutory agencies
- Put the safety of the child/young person first in considering when and how to share e.g. in informing the child/young person's parents/carers – would this place the child/young person at further risk?
- Ensure what is shared is necessary, proportionate, relevant, accurate, timely and secure
- Do not assume that someone else will pass on information that they think may be essential to keeping a child/young person at risk safe
- The DSO/DDSO will keep a record of what information has been shared and the reasons for this as well as whether consent has been agreed or not – this should be recorded on the safeguarding recording log form on Salesforce
- This information should be maintained by the DSO/DDSO but should only be shared on a 'need to know' basis in relation to a specific safeguarding concern and that decision will be taken by these personnel in conjunction with the Board. It will remain confidential at all times

5.7.1 Working for Arts Emergency

All those working with or on behalf of Arts Emergency will be made aware at the point of joining the organisation that they have a professional duty and responsibility to share information with other agencies to safeguard children and young people. Information can be shared in some instances without consent, but **only** if the staff/volunteer/mentor believes there is a good reason for sharing and that by doing this it will protect and enhance the child/young person safety.

It is advisable to discuss this with the DSO/DDSO rather than make a decision alone in these instances.

Information will only be shared on a 'need to know' basis. All those working with or on behalf of Arts Emergency must be made aware that they cannot promise any child/young person that they will keep information confidential where it concerns safeguarding. The welfare of the child/young person is paramount.

5.7.2 Child Protection

In cases of child protection and safeguarding matters it is best practice to obtain consent to share information if possible, **but so long as this does not increase the risk of harm** to the child/young person. In most situations parents/carers and the child/young person (depending on their age) should be informed that you are referring the matter to children's social care, unless doing so may put a child/young person at further risk, or where there is suspicion that the parent/carers may be harming the child/young person or where you may find that you are putting yourself in danger. If there is uncertainty seek advice from children's social care.

5.7.3 Adult Protection

In a case of adult protection, it is expected that consent will be obtained from the adult to share information. There are some exceptions to this:

- Where there are concerns that the adult (over 18 years) does not have the mental capacity to make decisions
- Where obtaining consent could put the adult and other individuals at risk or even the staff/volunteer/mentor
- Where a crime has been committed

In situations involving adults over the age of 18 years, contact your local Adult Care Services where the person resides for advice and guidance as they will be responsible for carrying out their duties in these circumstances.

5.7.4 Information shared without consent

The Arts Emergency Service is a charity registered in England & Wales (no. 1152377) and a company registered in England (no. 07655709). Registered office: Unit W3, 8 Woodberry Down, London N4 2TG

In all situations where information is to be shared without consent this is a decision to be taken involving the DSO/DDSO and Safeguarding Trustee. The reasons for the decision, who was involved and who the information was referred to e.g. children's social care will need to be recorded and kept securely. It is imperative to take a decision in these instances as the overriding principle is that nothing should stand in the way of sharing information that would protect a child or young person who would otherwise be at risk.

Information sharing should follow the principles of:

- Necessity
- Proportionate
- Relevant
- Adequate
- Accurate
- Timeliness
- And securely

Information Sharing: Advice for Practitioners 2018

https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/721581/Information_sharing_advice_practitioners_safeguarding_services.pdf

In addition, Arts Emergency will comply with any request from a local authority children's safeguarding partnership to share information as required under Section 14B of the Children Act 2004 where it concerns a serious case review. (This covers England and Wales).

6. The online environment and safeguarding

6.1 Sexual exploitation

With the growth and development of online technology and social media, there are increased concerns about the distribution of abusive images of children and young people via the internet. These are 'child sexual abuse images' as they are permanent records of children and young people being sexually exploited. This section will explain what to do in situations where these concerns arise.

6.2 Inadvertently exposed to child sexual images via the internet

Where a member of staff/volunteer/mentor is inadvertently exposed to child sexual abuse images of children/young people whilst using the internet. The following actions should be taken:

The member of staff/volunteer/mentor needs to refer to the DSO/DDSO immediately who will then send a report to the Internet Watch Foundation www.iwf.org.uk with the URL's (webpage addresses) containing the suspect images. Any copies that exist of the image e.g. in emails will need to be permanently deleted.

6.3 Images found on Arts Emergency devices

The DSO/DDSO are the only people authorised within Arts Emergency to deal with this issue and will consult with the Safeguarding Trustee if necessary in this decision making. Should it concern the behaviour of the DSO/DDSO then the responsibility will fall to the Safeguarding Trustee. The following actions must be carried out:

- Staff/volunteers/mentors or anyone working for or on behalf of Arts Emergency must report to the DSO/DDSO what they have found within **24 hours**
- The DSO/DDSO will send the URL's (webpage addresses) which contain the suspect images to the Internet Watch Foundation
- The Police will need to be informed and a safeguarding reporting form (**Appendix 6, found on the Arts Emergency website**) will need to be completed
- Should the police require any copies of the images to be stored, these should be stored securely and password protected where no one else has access
- All other copies must be deleted permanently

6.4 Staff/volunteer/mentor found in possession of images on devices belonging to Arts Emergency

This section describes what to do if a member of staff or anyone working for or on behalf of Arts Emergency who is found in possession of child sexual abuse images on any electronic device provided by Arts Emergency. The DSO/DDSO is the person responsible for dealing with such matters. Action to be taken:

- Contact the Police regarding the images. If there is some doubt about whether the images are criminal, the police will decide the best way for them to receive copies of the images so they can take the matter further
- Discuss with the police regarding what to do about the device that the images are on
- Ensure that the device is taken out of action into quarantine and discuss with the police about checking for any other images on the device or any others that Arts Emergency have procured and distributed
- Ensure that the management of allegations (**Section 7**) procedures are followed, which should also include a discussion with the police regarding temporary suspension of the member of staff/volunteer/mentor pending any investigation

6.5 When a child/young person discloses they are being groomed online

If a situation arises where a child/young person discloses to a member of staff/volunteer/mentor or anyone working for or on behalf of Arts Emergency that they are being groomed or abused by someone online. The following actions should be taken:

- As with all safeguarding concerns the procedures should be followed in **Section 5**
- The DSO/DDSO should contact the police immediately
- Advice can be sought and a report made to CEOP www.ceop.police.uk
- CEOP are a specialist police command dealing with inappropriate online behaviour or abuse
- If the adult involved in the grooming is a person working with or on behalf of Arts Emergency then the procedures for managing allegations against staff **Section 7** should be followed

7. Allegations against anyone working with or on behalf of Arts Emergency

7.1 Purpose of this section

This is to ensure that children/young people are protected and supported in safeguarding concerns following an allegation that they may have been abused by an adult who is working for or on behalf of Arts Emergency. There should be a consistent, fair and robust response to any safeguarding allegation made, including those which are historical.

There should be an appropriate level of investigation into any concerns or allegations of this nature, whether it is said they took place recently or historically at any time during which the person in question was or has been employed by or volunteered for Arts Emergency. This also includes the person's prior employment with Arts Emergency.

Arts Emergency will continue to comply with its responsibilities towards members of staff/volunteers/mentors or anyone working for or on behalf of the organisation who may be subject to such investigations and they will assist children's social care (England) and social services (Wales) in these investigations and disciplinary procedures may be instigated.

7.2 Definition of a safeguarding allegation against anyone working with or on behalf of Arts Emergency

- This is where a person has behaved in a way that has harmed, may have harmed a child/young person or may lead to a child/young person being harmed by an adult who works with or on behalf of Arts Emergency
- They have behaved towards a child/young person which indicates that they would be unsuitable to work with children or young people at risk
- They may have committed or are planning to commit a criminal offence against a child/young person who is vulnerable or related to a child/young person at risk

7.3 What could the allegation involve?

- It could involve children/young people or adults (up to 25 years in this policy)
- It may involve situations where a person working with or on behalf of Arts Emergency is accessing images of children online which are abusive in nature or using the internet to groom children/young people
- It can involve any type of abuse
- It concerns a breach of Arts Emergency's safeguarding code of conduct
- It could relate to an employee/volunteer/mentor who has left Arts Emergency
- It could concern a relative of an employee/volunteer/mentor

7.4 Routes of a safeguarding allegation

- There could be a direct allegation made against an employee or others working on behalf of or with Arts Emergency
- An employee or volunteer/mentor presents behaviour that is causing concern
- An allegation could come from within Arts Emergency e.g. disciplinary or complaint, which could be made by another member of staff/volunteer
- Arts Emergency may receive a safeguarding allegation from a person outside, including a member of the public or professional who is involved in one of the programmes
- Arts Emergency may be informed by the police or local authority that a particular individual may be subject to a child protection investigation or criminal investigation or both
- Some information may emerge from a DBS renewal check which may reveal that a person has committed an offence or been involved in an activity which could pose a risk to a child or young person
- A person working with or on behalf of Arts Emergency may share information with their line manager that they have been subject to such allegations or have actually harmed or committed an offence relating to a child/young person

7.5 Procedures to be followed in respect of such an allegation against a person working for or on behalf of Arts Emergency

Irrespective of how this allegation comes to the attention of Arts Emergency, safeguarding procedures must be followed as detailed in **Section 5** of these policies and procedures. The allegation could come in the form of an e-mail, face-to-face contact, social networking, letter or telephone. In a situation where an employee/volunteer/mentor is concerned about the behaviour of another colleague, they should discuss this with the DSO/DDSO or Head of Programmes. Even in circumstances where such an investigation does not result in any further action, it is still better to have reported it.

There may be some instances when the allegations refer to poor practice or conduct rather than a child abuse risk. This will need to be followed up via the staff/volunteer/mentor's manager and dealt with via Arts Emergency disciplinary procedures.

It is important to behave appropriately in such circumstances:

Do not:

- Confront the person and get into an argument which is likely to make the situation worse
- Ignore concerns, even if it is a well-liked and respected member of staff/volunteer/mentor
- Discuss the matter with others apart from those identified in the procedures (DSO/DDSO)
- Leave someone in a position which could compromise the situation
- Inform the DSO/DDSO as soon as possible, **the same day** the allegation is reported
- The DSO/DDSO will make a decision about the most appropriate action, possibly in consultation with the Safeguarding Trustee and any other action regarding disciplinary matters or media interest

7.6 What to do if a safeguarding allegation is made?

The person receiving or who has received a safeguarding allegation must use the safeguarding reporting form **Appendix 6, found on the Arts Emergency website** to include accurate information as detailed:

- Name of the individual with whom the allegation is about and any other identifying information relevant to the concerns e.g. location
- Name of the child/young person to whom it relates to
- Date and time of the allegation arising
- Name and contact details of the person making the allegation
- Key information about the nature of the safeguarding allegation

The person must inform the DSO/DDSO as soon as possible on the same day as receiving the information.

Should the allegation be in relation to the DSO then the DDSO and/or Safeguarding Trustee will be responsible for dealing with the matter and taking appropriate action.

If it is considered that a child/young person is facing life threatening concerns or at risk of immediate harm or needs urgent medical attention, then the emergency services must be contacted immediately and the parent/carers to be told that immediate steps are being taken to get help.

If the allegation is made about you as a member of staff/volunteer or mentor

- Keep calm and do not get involved in an argument
- Inform your line manager, head of programmes as soon as possible or the DSO/DDSO
- Write up the facts of the incident as you understand them and give this to your DSO/DDSO
- Do not contact the child/young person
- Ensure that no one is placed in a position which could compromise the situation
- Do not contact the family, a colleague or school or anyone linked to the child/young person's programme
- Respect and observe confidentiality and you will in due course be informed of what will happen next with regards to the allegation by the appropriate personnel at Arts Emergency

7.7 Considerations about managing a safeguarding allegation

Potentially there can be four strands when considering any safeguarding allegation:

- Enquiries and an assessment by children's social care or in the case of an adult over 18 years to adult social care about whether a child or young person is in need of protection or services
- A police investigation, since a criminal offence may have been committed
- Consideration by Arts Emergency of disciplinary action in respect of the individual concerned
- Referral for 'consideration to bar' a person from working with children or adults at risk. This would be a referral to the Disclosure and Barring Service. Also, consideration of a referral to a professional registration body for professional misconduct. Consideration of a serious incident report to the Charity Commission.

The Safeguarding Trustee alongside the DSO/DDSO will be responsible for managing such allegations and holding accountability. They will also need to consider the next steps as to how to proceed with managing the allegation and to agree that the information presented is a **safeguarding allegation**. (See 7.2 for the definition).

The safeguarding allegation could be in respect of the person's employment or voluntary activity or behaviour towards any other children including their own.

7.7.1 Actions in respect of the allegation not being a safeguarding matter?

Following consideration by the Safeguarding Trustee, DSO/DDSO (and chair of the Trustees, if necessary), if it is decided that the matter is not a safeguarding allegation, the next steps will be to consider an internal investigation in respect of the individual concerned to determine if the behaviour or alleged incident was due to poor practice or misconduct. In this case the disciplinary or performance procedures must be followed. All decisions, including the reasons for them, (and this will consider there being no need to take safeguarding action) must be recorded and kept on the individual's record and kept securely.

7.7.2 Actions in respect of the allegation being confirmed as a safeguarding matter

Where it is considered to be a safeguarding allegation, a plan of action should be made **within one working day** agreed with the Safeguarding Trustee, DSO/DDSO (and Chair of the Trustees if necessary). This should also include discussions with HR. A number of actions will need to be considered and implemented, depending on the agreed action plan:

- The immediate safety of any child or young person who are the subject of the safeguarding allegation or any other children/young people that the individual has had contact with through work or family life
- What information to share with the individual who is the subject of the safeguarding allegation and any other employer and when to do this
- To consider whether the individual should be suspended, pending further enquiries or investigation
- To consider if any records need to be secured or 'locked down' including any equipment e.g. devices to be removed from the individual's possession
- To consider a referral to statutory services (children's or adult's social care) and/or the police (**if agreed, this should be done within one working day**)
- To consider the seriousness of the allegation and to inform the Charity Commission from the outset (**within one working day**)

- Identify who else within Arts Emergency or their programmes are aware of the safeguarding allegation and who has been spoken to
- Consideration of arrangement to support the individual subject of the safeguarding allegation, the person who reported the allegation and the alleged victim (child or young person)
- Consideration of advice to be sought from the NSPCC or local authority

The plan of action should also consider how to manage information regarding who needs to know and what information can be shared. This could also include handling any media enquiries.

The Trustees will need to be kept informed at all stages on a 'need to know' basis.

At all stages, the welfare and safety of the child or young person is paramount and should the allegation meet the criteria for an immediate referral to the local authority or police then any child or adult protection investigation, include police investigation must take priority over any internal Arts Emergency procedures.

7.7.3 Support

Arts Emergency have a duty of care to all employees, who work in a paid or unpaid capacity and will be a responsible employer in managing and responding to the distress elements of any allegation process. This means that Arts Emergency will consider the support that is required in each case, these will be negotiated and agreed individually.

Support may be provided to the person who raised the concern at the outset, the person who is the subject of the allegation or any child, parent or carers where harm was alleged against a particular child. Support may include responding in different ways to the impact of shock, anger or potentially being a suicide risk.

7.7.4 Referral to the Charity Commission, the Disclosure and Barring Service and/or any other Professional Regulatory Body

The Charity Commission will need to be informed of any suspicions, allegations and incidents of abuse or mistreatment, so this means the Safeguarding Trustee will need to inform the Charity Commission following receiving information regarding an allegation and discussion with the DSO/DDS (and other Trustees) **within one working day**.

In the case of a paid or unpaid member of staff or volunteer where they are providing 'regulated activity'.

<https://www.gov.uk/government/organisations/disclosure-and-barring-service>

Arts Emergency will consider whether they are able or allowed to continue in this role, depending on the outcome or any enquiries. If it is concluded that the individual should no longer be engaged in regulated activity, then Arts Emergency will need to refer to the DBS for consideration to bar the person from working with children or adults at risk, (it is a legal requirement). Information is available on the DBS website.

Should an individual be registered with a professional body (e.g. teaching regulation agency), consideration should be given to making a referral to the professional regulatory body.

These actions should be taken irrespective of whether a person has resigned, the activity has ceased or is deceased.

All decisions, actions and outcomes must be recorded on the safeguarding reporting log **on Salesforce** in addition to any other plan of actions and stored securely.

8. Use of images: consent, anonymity, use of media, online abuse

8.1 Consent

Arts Emergency rely entirely on donations from the public. We need to collect photographs, videos and quotes to help promote our work and continue funding our mentoring services. We require consent as an integral part of being respectful and responsible to the children and young people they provide services to.

In all eventualities, the following best practice should take place:

- Arts Emergency are only able to take photographs, or recording or promote a child or young person's story when they have a written record of informed consent
- If a child is under the age of 18 years, consent needs to come from both the child and parent or carer
- Where a young person is over the age of 16 years who are able to consent and fully understand the implications of the impact of any photographs or recording, their agreement should be sought
- If the young person is 18 years or over they need to give their own informed consent
- The consent form will specify what the image/recording is to be used for, how long the images will be kept for and where
- A new consent form will need to be completed where an image/recording is being used for a different purpose
- Signed consent form need to have a date and it is usual to specify how long the image will be kept for (this should consider the requirements as specified by the Information Commissioners Office in relation to Data Protection)

<https://ico.org.uk/for-organisations/guide-to-data-protection/guide-to-the-general-data-protection-regulation-gdpr/principles/storage-limitation/>

- Copies of the consent forms should be sent to the local project coordinator and stored securely

In the instance where an employee (Press Officer) or volunteer in Arts Emergency has been asked to gather stories or images of children/young people, it is not acceptable for that person to provide consent for the child/young person as this would be a conflict of interest. The person asked to consent on behalf of a child must be someone who has responsibility for them and their decision on whether to give consent or not must be made in the best interests of the child/young person.

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8.2 Informed consent

This means that any consent forms or information relating to any images or recordings must be explained to any child or young person which needs to cover how a case study/promotion within a programme will be used, for what purpose it will be used, when and where and for how long. The discussion and explanation needs to cover the impact of publishing material online and any potential impact the publication of the story or image may have on the child or young person, either now or in the future.

Where a child or young person has a language, literacy restrictions or has a disability where communication may be affected, there should be a face to face conversation with them in addition to written consent, this could include a carer or translator being involved in the consent discussion.

8.3 Anonymity

Arts Emergency believe that it is good practice to protect the identities of all the children/young people they support and have supported. So, the practice will be that only the first name will be used in a case study. Details of anything that could reveal a child/young person's identity e.g. where they live, what school they attend will not be included. This will be undertaken by the Marketing and Communications Manager. It will also be approved by the Head of Programmes before publishing.

There may be some instances where a child/young person's real identity is given (could be a video about their story), but this would need to have full understanding and discussions as to the implications of this explained and agreed by the child/young person and their family. In these instances, it is **still not appropriate** to use a child/young person's surname or reveal where they live or go to school.

A date should be agreed when the child/young person's consent will expire. If for any reason it is not possible to locate the child/young person to renew their consent, then Arts Emergency will stop using the case study by taking it down from the website or channel.

Even when consent has been agreed, Arts Emergency will review this for ongoing consideration on the impact on the child/young person as we do not want to cause any emotional harm, risk or damage any relationships that the child/young person has. When young people reach 18 or 25 years or cease to work with us then we will check out their consent still stands.

8.4 Photography/video recordings

Any photographs/images or videos to be published on the official Arts Emergency social media platforms or website will have a photographic and video permission form signed by the child/young person and/or adult. **(See 8.1).**

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Photographs or videos taken personally by an Arts Emergency staff/volunteer/mentor will not be published on personal social media platforms. All Arts Emergency paid and unpaid staff are not allowed to share any personal details of anyone in attendance or participating in an Arts Emergency programme or activity on the Arts Emergency website or social media platforms or channels. This would be considered to be a serious breach of Arts Emergency code of conduct and result in disciplinary proceedings.

The following practice **must be followed** in relation to all photographs and videos:

- Portrayals of any child/young person should be respectful, accurate and balanced. It should highlight their dignity, strengths and capabilities and what they have achieved
- The photographs or video will not be manipulated in a way which distorts the reality of the situation, so misrepresentation will be avoided
- Materials must be authentic – photos or case studies should be of the actual children/young people in the story
- We will not use images/videos which perpetuate negative stereotypes about children living on the streets, e.g. hoodies, substance misuse
- Children and young people will be appropriately clothed in images/videos and not in poses which could be interpreted as sexually provocative
- Images, film and case studies will respect religious or cultural sensitivities, including disabilities to portray dignified images
- If photographs or films have been taken by professional photographers or agencies (those who are not part of Arts Emergency), appropriate permissions and credit information will have been obtained in advance and agreed by Head of Programmes or the Marketing and Communications Manager
- Should models be used to represent characters in a case study, this should be made clear in the information that accompanies the image
- When Arts Emergency are taking photographs at fundraising activities or events which involve supporters and members of the public, a statement of intended use of images will be discussed with any child/young person in advance, so that they can withdraw consent for the use of their image if they wish to do so. Crowd scenes do not require individual consent but people should be made aware, through the use of signage, that photographs will be taken.

8.5 Mobile phone usage

For all Arts Emergency events or programme activities the use of mobile phones by parents or carers to take photographs or videos of the person they support is permitted so long as **certain behaviour is adhered to**:

- These photographs or videos should not be shared online or any social media platforms without the agreement of all the persons in the video or photographs and the consent of the parent or carers of the other children and young people

8.6 Online abuse

This section should be read in conjunction with the Code of Conduct in **Section 4**, in particular 4.5.2 **Online Safety** since it sets out the behaviour and code of conduct which is expected from all staff, paid and unpaid and those working with or on behalf of Arts Emergency in terms of responsible use of the internet for educational, professional or recreational use. Arts Emergency including all the programmes they manage and deliver will not tolerate any misuse and will delete any of the following:

- Violent, obscene, hateful or racist posts, links, photos or videos
- Comments which threaten or have content which is defamatory against any child/young person or the organisation and the people who are employed within it
- Comments which may suggest or encourage illegal activity

In terms of any complaints relating to e-safety where staff have misused the internet these will be investigated and dealt with through Arts Emergency disciplinary procedures.

All complaints of this nature should be passed to the DSO/DDSO as soon as possible.

9. Recording of information, retention and destruction

9.1 Recording of information

It is essential that Arts Emergency maintain clear and comprehensive records of any concerns or allegations of actual or suspected abuse, which should detail the actions that were taken, discussions, followed up and the outcomes. This information should be recorded on the safeguarding reporting form and the reporting log **Appendices 6 and 7** with any other supplementary recording. Arts Emergency will ensure that all transfer of data and storage complies with the **General Data Protection Regulations May 2018**.

<https://www.gov.uk/government/publications/guide-to-the-general-data-protection-regulation>

The importance of ensuring that accurate, up to date and clear records are:

- To be able to provide accurate information in response for a future request for a reference for a member of staff or volunteer
- Provide clarity in a situation where a future DBS disclosure reveals information from a police investigation that an allegation was made against a person, but did not result in a prosecution or conviction
- To prevent an unnecessary re-investigation if an allegation resurfaces in the future
- To provide information to statutory services in the event of a case conference or court proceedings
- To provide information and evidence should a decision be made to refer a person for consideration to be barred from working with children or young people
- To support Arts Emergency with best standard practices for their policies and procedures
- Recording should always be objective
- The records must reflect the language that is used by the person making the allegation or raising a concern. It should not be altered or amended in anyway
- Recording of a safeguarding concern or allegation should be made within **24 hours of receiving the information**

9.2 Arrangements for storage, maintaining records and delegation of responsibility

The DSO/DDSO is responsible for ensuring that accurate information has been recorded throughout a safeguarding concern or allegation. These records should be stored securely on the Arts Emergency database (Salesforce) with access only to the DSO/DDSO and the Safeguarding Trustee. No personal information should be stored on laptops.

In addition to the information that is recorded in the safeguarding reporting form (**Appendix 6, found on the Arts Emergency website**) there may be additional records, such as emails, or notes from a discussion and action points which form part of the whole investigation. These should be stored on the Arts Emergency database (Salesforce) with restricted access to the two or three named people for the duration of the safeguarding investigation.

Summary content will be logged on the safeguarding reporting form as additional information, but at the end of the investigation, the DSO/DDSO will be responsible for creating a report on the Arts Emergency Database (Salesforce) a secure online application, linking to the safeguarding reporting form of all the information, emails, case notes, discussions, including any hard documents which will be scanned. This means that all information will be stored electronically, password protected and limited to a maximum of three named personnel within Arts Emergency. All the original hard copies should be destroyed after scanning, via confidential waste shredding.

9.3 Retention

Records in relation to a safeguarding concern or allegation concerning any member of staff, volunteer, mentor and anyone working with or on behalf of Arts Emergency should be recorded on the safeguarding reporting form **Appendix 6**. The DSO/DDSO will be responsible for adding decisions on the Salesforce Report.

9.3.1 Retention rules concerning safeguarding concerns or allegations

The general rule where concerns have been raised about an adult's behaviour towards children or young people is that records should be kept in their personnel file for 10 years or until they reach the age of 65 years whichever is the longer (IRMS 2016; Department for Education 2018). This applies to all paid staff and volunteers.

In terms of safeguarding concerns about a child or young adult these records should be kept for 10 years and then they can be destroyed. Any referrals to statutory services will be kept by them for longer anyway should there be a need to retrieve them for the purpose of a serious case review.

Arts Emergency will therefore apply:

- If a person is 60 when the investigation into a safeguarding allegation is concluded, the records will be kept until their 70th birthday
- If someone is 30 when the investigation into a safeguarding allegation is concluded, the records will be kept until their 65th birthday

Records should also be kept for the same amount of time irrespective of whether the allegations were unfounded. However, in instances where the allegations are found to be malicious they should be destroyed immediately.

Information should be kept for this length of time, even if a person has stopped working or volunteering for Arts Emergency. There will be some situations where records must be kept for a longer period.

Arts Emergency will also be expected to keep any records that could be needed in conjunction with an official enquiry e.g. the Independent Inquiry into Child Sexual Abuse (IICSA) (IICSA, 2018). In these instances, inquiries will issue instructions for records to be retained and these must be followed.

All these records will be stored securely on the Arts Emergency database (Salesforce) which is password restricted and access limited to the DSO/DDSO and Safeguarding Trustee only as named personnel authorised to access this information.

9.3.2. Retention regarding all information in respect of safeguarding concerns

All information regarding safeguarding concerns about a child or young person and any subsequent discussions and actions must be recorded on the safeguarding reporting form **Appendix 6, found on the Arts Emergency website**. The records must be stored securely on the Arts Emergency database (Salesforce) which is password restricted and access limited to the DSO/DDSO and the Safeguarding Trustee as the only authorised personnel.

Whilst the General Data Protection Regulations (GDPR) do not specify how long data should be kept in respect of this area, their guiding principles are that personal data should not be kept for longer than needed and the reasons why data is being kept. Arts Emergency will develop a policy setting standard retention which details the length of time, the reasons for why the data is being retained, with a review process. Arts Emergency will also consider any challenges from an individual to data being kept as part of this process.

9.3.3 End of retention period

Arts Emergency will ensure once the requisite retention period has been reached that all records should be destroyed by shredding, confidential waste or electronically purged. The DSO/DDSO will be responsible for ensuring the timetable is adhered to for when records are due for destruction and make arrangements to this to take place.

10. Working with Partners

Arts Emergency expects a reasonable level of understanding and knowledge to be in place with our partners, third party commissions, donors and contractors. However, they recognise that they may be at different stages or may not have the same safeguarding arrangements in place, so Arts Emergency would check to ensure that they are robust enough for safeguarding children and young people.

In circumstances where a third party does not have a safeguarding policy that is sufficiently robust, then they will be expected to adhere to Arts Emergency Children's Safeguarding Policy and Procedures. Any contractual arrangements must reflect this as a basic requirement for all contracts.

11. Safeguarding Training

Arts Emergency is committed to ensuring that all staff, in particular DSO/DDSO's responsible for safeguarding will be trained at the appropriate level to be confident in fulfilling their day to day role and safeguarding responsibilities e.g. Designated Safeguarding Officer training.

All staff/volunteers/mentors and anyone working with or on behalf of Arts Emergency will be provided with on-going training by way of briefings, child protection updates, training including; recognition and responding to safeguarding concerns, dealing with disclosures and suspicions of abuse. Staff/volunteers/mentors are expected to take responsibility in familiarising themselves with Arts Emergency Children's Safeguarding Policy and Procedures during induction periods and beyond take up all opportunities for refresher training and briefings.

12. Reviewing the policy and procedures

Arts Emergency are committed to reviewing this Children's Safeguarding Policy and Procedures on an annual basis.

Signed Position

Date: **July 2020**

Review Date: **July 2021**

Appendix 1: Categories of child abuse and neglect

There are four categories of abuse as defined within 'Working Together to Safeguard Children' HM Government 2018.

https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/779401/Working_Together_to_Safeguard-Children.pdf

Often children may suffer more than one type of harm. For children and young people in Wales, the Social Services and Well-being (Wales) Act 2014 provides the legal framework for social service provision in Wales. Child protection concerns that end up in the courts continue to be treated in the same way as England.

<http://www.legislation.gov.uk/anaw/2014/4/contents>

Physical abuse

Is a form of abuse which may involve hitting, shaking, throwing, poisoning, burning or scalding, drowning, suffocating, or otherwise causing physical harm to a child. Physical harm may also be caused when a parent or carer fabricates the symptoms of, or deliberately induces, illness in a child. Giving young people alcohol or inappropriate drugs would also constitute child abuse. In a sports situation, physical abuse may occur when the nature and intensity of the training disregard the capacity of a young child's immature and growing body which could cause injuries.

Emotional Abuse

Is the persistent emotional maltreatment of a child such as to cause severe and persistent adverse effects on the child's emotional development. It may involve conveying to children that they are worthless or unloved, inadequate, or valued only insofar as they meet the needs of another person. It may include not giving the child opportunities to express their views, deliberately silencing them or 'making fun' of what they say or how they communicate. It may feature age or developmentally inappropriate expectations being imposed on children. These may include interactions that are beyond the child's developmental capability, as well as overprotection and limitation of exploration and learning, or preventing the child participating in normal social interaction.

It may involve seeing or hearing the ill-treatment of another. It may involve serious bullying (including cyber bullying), causing children frequently to feel frightened or in danger, or the exploitation or corruption of children. Some level of emotional abuse is involved in all types of maltreatment of a child, though it may occur alone.

Sexual Abuse and Child Sexual exploitation

Involves forcing or enticing a child or young person to take part in sexual activities, not necessarily involving a high level of violence, whether or not the child is aware of what is happening. The activities may involve physical contact, including assault by penetration (for example, rape or oral sex) or non-penetrative acts such as masturbation, kissing, rubbing and touching outside of clothing. They may also include non-contact activities, such as involving children in looking at, or in the production of, sexual images, watching sexual activities, encouraging children to behave in sexually inappropriate ways, or grooming a child in preparation for abuse (including via the internet). Sexual abuse can take place online, and technology can be used to facilitate offline abuse. Sexual abuse is not solely perpetrated by adult males. Women can also commit acts of sexual abuse, as can other children.

Child sexual exploitation is a form of child sexual abuse. It occurs where an individual or group takes advantage of an imbalance of power to coerce, manipulate or deceive a child or young person under the age of 18 into sexual activity (a) in exchange for something the victim needs or wants, and/or (b) for financial advantage or increased status of the perpetrator or facilitator. The victim may have been sexually exploited even if the sexual activity appears consensual. Child sexual exploitation does not always involve physical contact; it can also occur through the use of technology.

In some activities such as physical sports these can create opportunities where the contact leads to sexual abuse and could go unnoticed.

Neglect

Is the persistent failure to meet a child's basic physical and/or psychological needs, likely to result in the serious impairment of the child's health or development. Neglect may occur during pregnancy as a result of maternal substance abuse.

Once a child is born, neglect may involve a parent or carer failing to:

- provide adequate food, clothing and shelter (including exclusion from home or abandonment)
- protect a child from physical and emotional harm or danger;
- ensure adequate supervision (including the use of inadequate care-givers); or
- ensure access to appropriate medical care or treatment.

It may also include neglect of, or unresponsiveness to, a child's basic emotional needs.

Bullying

Whilst bullying does not feature within the defined categories within the government document 'Working Together' it is an aspect of harm where children and young people may be subjected to.

What some consider teasing, others can see as bullying. There is no legal definition for bullying but it is usually understood as repeated physically or/and emotionally hurtful behaviour. It can take many forms, including:

- **Physical bullying;** it involves hitting, kicking and other types of physical harm including destruction of one's possessions
- **Verbal bullying;** it encompasses name-calling, teasing, intimidating and spreading hurtful rumours
- **Cyber-bullying;** it involves sending harassing, threatening and humiliating text messages, emails, posts, blogs, etc. as well as spreading hurtful rumours via the Internet and calling on the phone at inappropriate hours

The consequences of bullying can cause serious emotional distress which often leads to anxiety, fear, low self-esteem, feelings of worthlessness and depression. Children who are bullied are often also afraid to go to school and make up health problems to stay at home. Many, however, develop actual health problems due to the stress such as frequent headaches and stomach aches, and decline in school performance.

Cyber-bullying

Cyber-bullying refers to the use of mobile phones, computers, social networks and other forms of digital technology to repeatedly intimidate, humiliate, tease or upset a young person. Cyber-bullying can happen 24 hours a day which means that the victim is under constant stress, the anonymous bully or bullies hide their identity by blocking their mobile number or create a fake profile account.

The Anti Bullying Alliance provide more information on bullying on their website.

<http://www.antibullyingalliance.org.uk/cyber-bullying.html>

Appendix 2: Grooming behaviour

Grooming behaviour

Grooming is when a person builds an emotional connection with a child/young person with the intention of sexual abuse, sexual exploitation or trafficking. It involves making a child/young person feel comfortable through a variety of different methods thus developing trust, before initiating physical contact and abusing that trust.

An offender is likely to look to groom the adults as well as the child/young person to gain that trust. This process can happen within a family, an organisation or online. They could be groomed by someone they know or a stranger and groomers can be any age or gender.

A person who sexually abuses children/young people are very skilled at gaining the confidence of a child/young person or parent and look for opportunities where they can have unsupervised access to that child/young person.

Some of the signs that an individual may be grooming a child or young person are listed:

- Inappropriately dressed about the child/young person
- Gives special attention to a particular child/young person
- Isolating a child/young person from other people
- Touching, hugging, tickling, wrestling with a child/young person
- Giving gifts e.g. cigarettes, alcohol or drugs or money with no explanation or reason
- Creating opportunities to be alone with a child/young person where no other adults are around e.g. offering to give a child a lift or special trip
- Discussing their own sexual experiences and encouraging a child/young person to share their feelings or sexual experiences
- Sharing and viewing abusive images of children/young people
- Not adhering or respecting the code of conduct or behaviours of good practice in Arts Emergency, especially where there are different programmes being offered to children/young people

Appendix 3: Guidance on specific circumstances and safeguarding

Online abuse

Read **Section 8.6** on online abuse which describes any type of abuse that can happen on the web, through social networks, playing online games or through mobile phones. Children and young people may experience cyberbullying (**see Appendix 1**), grooming (**Appendix 2**), sexual abuse, sexual exploitation or emotional abuse (**Appendix 1**).

Children and young people can be at risk of online abuse from people they know as well as from strangers and online abuse may be part of abuse that is taking place in the real world e.g. bullying. The distress that a child/young person may feel through this type of abuse can be long lasting as they can feel there is no escape from online abuse, as it invades their safe space e.g. bedrooms and abusers can contact them at any time of day or night.

Social media is used as a means of contacting young people with a view to grooming them for inappropriate or abusive relationships.

Further information and guidance can be found through NSPCC, CEOP, Internet Watch Foundation and the UK Safer Internet Centre.

Female genital mutilation (FGM)

It is also known as ‘female genital cutting’ or ‘female circumcision’. Some communities will use a local name such as ‘sunna’, ‘halalays’ or ‘tahir’. It is the practice of partial or total removal of external female genitalia for non-medical reasons. Some FGM families who practice this process do not see it as an act of abuse, however, FGM has significant physical and mental health consequences as a result of this. It is a practice which should not be excused, condoned or accepted. FGM is an extremely harmful practice that violates basic human rights and girls are at particular risk of FGM during the school holidays. This is the time when families may be taking their child/young person abroad for the procedure and the girl may not be aware that this is the reason they are going. FGM is illegal in the UK and where there are suspicions that this may be happening, it should be referred to children’s social care without delay. The NSPCC also have a dedicated helpline for reporting FGM. 0800 028 3550.

<https://www.nspcc.org.uk/what-is-child-abuse/types-of-abuse/female-genital-mutilation-fgm/>

Child abuse linked to belief in ‘spirit possession’ or ‘witchcraft’

The known numbers of cases of child abuse linked to accusations of ‘possession’ or ‘witchcraft’ is very small and it is not confined to particular countries, cultures or religions. However, the child/young person who are involved often suffer significant damage to their physical and mental health, self-esteem and ability to form or sustain relationships due to the extreme physical and emotional abuse that maybe wrongly justified on the basis of spirit possession or witchcraft.

Domestic violence

Children and young people who live in families where they are exposed to domestic violence or abuse have been shown to be at risk of emotional, physical, behavioural and long term developmental problems. Any pattern of incidents such as controlling behaviour which is a range of acts designed to make a young person subordinate or dependent by isolating them from sources of support, exploiting their resources and capacities for personal gain. This behaviour can deprive them of independence, resistance, escape and regulates their everyday behaviour. Coercive behaviour is an act or pattern of acts of assault, threats, humiliation and intimidation or other abuse which is used to frighten, harm or punish their victim.

There is no specific offence of ‘honour based crime’ or violence. It is an umbrella term to encompass various offences covered by existing legislation. It is a range of practices which are used to control behaviour within families or other social groups to protect perceived cultural and religious beliefs and or honour. It is a violation of human rights and may be a form of domestic and/or sexual violence.

Forced marriage

This is where a marriage is conducted without the full consent of both parties and where duress is a factor. In the case of some adults with learning disabilities or mental incapacity they may not be able to consent to the marriage. It can happen in secret and may be planned by parents, family or religious leaders, it can also involve a range of abuse including coercion. This is completely different from an arranged or assisted marriage where the families take a role in choosing and introducing the marriage partners, but the marriage is entered into freely by both people without pressure. If this form of harm is suspected contact the Forced Marriage Unit for advice, prior to discussing this with the family or young person. fm@fco.gov.uk Tel: 020 7008 0151

Out of hours: 020 7008 1500 (ask for the Global Response Centre)

Child trafficking

Child trafficking is a form of abuse where children are recruited, moved or transported and then exploited e.g. for the purpose of sexual exploitation or domestic servitude. They are often subject to multiple forms of abuse. Children may be trafficked into the UK from abroad, but they can also be trafficked from one part of the UK to another.

Child criminal exploitation

This is where an individual or group takes advantage of an imbalance of power to coerce, manipulate or deceive a child or young person under the age of 18 years into any criminal activity. The victim may have been criminally exploited, even if the activity appears consensual. Child Criminal Exploitation does not always involve physical contact, it can also occur through the use of technology. (Home Office definition).

County lines

County Lines is where illegal drugs are transported from one area to another, often across police and local authority boundaries (although not exclusively), usually by children or vulnerable people who are coerced into it by gangs. The 'County Line' is the mobile phone line used to take the orders of drugs. Importing areas (areas where the drugs are taken to) are reporting increased levels of violence and weapons-related crimes as a result of this trend. (National Crime Agency definition).

Disabled children and young people

This group of children and young people could be a particularly vulnerable group, since signs of abuse and neglect may be masked or explained as being due to their disability or restricted mobility. The risk of abuse or harm to this group are due to a number of factors which include; having fewer outside contacts due to mobility restrictions linked to their disability; they may receive personal care, possibly from a number of carers, which could both increase the risk of exposure to abusive behaviour or make it difficult to set and maintain physical boundaries; they may have communication issues which make it more difficult to report abuse or tell others what is happening or be believed; they may be reluctant to tell due to reliance on carers for their day to day support.

Radicalisation and extremism

Radicalisation is the process through which a person comes to support or be involved in extremist ideologies. It can result in a person becoming drawn into terrorism and is itself a form of harm.

<https://learning.nspcc.org.uk/safeguarding-child-protection/radicalisation>

Extremism is defined in the 2011 Prevent strategy as vocal or active opposition to fundamental British values, including democracy, the rule of law, individual liberty and mutual respect and tolerance of different faiths and beliefs. We also include in our definition of extremism calls for the death of members of our armed forces, whether in this country or overseas.

<https://www.gov.uk/government/publications/prevent-duty-guidance/revised-prevent-duty-guidance-for-england-and-wales>

There is no such thing as a ‘typical extremist’ as a person comes from a range of backgrounds and experiences. Children and young people may become susceptible to radicalisation through a range of social, personal and environmental factors.

Self-harm

Whilst this is not a form of child abuse, self-harm should be taken seriously and reported to Arts Emergency like any other form of abuse. Treat a child/young person with sensitivity and non-judgemental. Self-harm is when a young person intentionally damages or injures their body and is usually a way of coping with or expressing overwhelming emotional distress. Often, the physical pain of self-harm may feel easier to deal with than the emotional pain that is behind this. It can also enable a young person to feel that they are in control of at least one part of their lives. Young people often try to keep self-harm a secret because of shame or fear of discovery.

Appendix 4: Signs and indicators of abuse and neglect

Some of these characteristics listed in this may be indicators of abuse or neglect and there may be more than one sign or indicator. It is not always easy to recognise a situation where abuse may occur or has already taken place. Most people are not experts in such recognition, but be alert to possibilities of abuse when you read this section.

Some of the following signs might be indicators of abuse or neglect:

- Children/young people whose behaviour changes – they may become aggressive, challenging, disruptive, withdrawn or clingy, or they might have difficulty sleeping or start wetting the bed;
- Children/young people with clothes which are ill-fitting and/or dirty or with consistently poor hygiene;
- Children/young people who make strong efforts to avoid specific family members or friends, without an obvious reason;
- Children/young people who talk about being left home alone, with inappropriate carers or with strangers;
- Children who reach developmental milestones, such as learning to speak or walk, late, with no medical reason, or disability;
- Children/young people who are regularly missing from school or education or who are reluctant to go home after school or an activity at Arts Emergency;
- Parents who are dismissive and non-responsive to professionals' concerns;
- Parents who collect their children/young person from activities when inebriated, or under the influence of drugs;
- Children/young people who drink alcohol regularly from an early age;
- Children/young people who are concerned for younger siblings without explaining why;
- Children/young people who talk about running away or have run away before;
- Children/young people who shy away from being touched or flinch at sudden movements

Refer to **Appendix 1** which lists and describes the four main categories of abuse

Physical abuse

Possible indicators:

- Children/young people with frequent injuries and/or an injury for which an explanation seems inconsistent
- Children/young people with unexplained or unusual fractures or broken bones
- Children/young people with unexplained bruises, cuts, burns, scalds or bite marks
- Distrust of adults, particularly those with whom a close relationship would be expected

Emotional abuse

Possible indicators:

- Children/young people who are excessively withdrawn, fearful or anxious about doing something wrong
- Parents or carers who withdraw their attention from their child/young person, such as giving the child 'the cold shoulder' or not being responsive to their needs
- Parents or carers blaming their problems on their child/young person
- Parents or carers who humiliate their child/young person by name calling or making negative comparisons
- Unexplained changes in a child/young person's behaviour e.g. quiet, upset or displaying sudden outburst of anger
- Being prevented from socialising with others

Sexual abuse and exploitation

Possible indicators of sexual abuse are:

- Children/young person who displays knowledge or interest in sexual acts inappropriate to their age
- Children/young people who use sexual language or have sexual knowledge beyond their years
- Children/young people who ask others to engage in sexually explicit behaviour
- Children/young people with physical sexual health problems, including soreness in the genital and anal areas, sexually transmitted infections or underage pregnancy

Possible indicators of sexual exploitation are:

- Children/young people who appear with unexplained gifts or new possessions
- Children/young people who associate with other young people involved in exploitation
- Children/young people who have older boyfriends or girlfriends
- Children/young people who suffer from sexually transmitted infections or become pregnant
- Children/young people who suffer from changes in emotional well-being
- Children/young people who misuse drugs and alcohol
- Children/young people who go missing for periods of time or regularly come home late
- Children/young people who regularly miss school or education or do not take part in education
- The child/young person describes what appears to be an abusive act involving them

Neglect

Possible indicators:

- Children/young people who are living in a home that is persistently dirty or unsafe
- Children/young people who are left hungry or dirty or losing weight
- Children/young people who are left without adequate clothing for the weather conditions
- Children/young people who are living in dangerous conditions, i.e. around drugs, alcohol or violence
- Children/young people who are often angry, aggressive or self-harm
- Children/young people who fail to receive basic health care
- Parents who fail to seek medical treatment when their child or young person is ill or are injured
- Children/young people left in the care of unsuitable adults, including those with a disability or chronic health care needs
- Another young person or adult expresses concern about the welfare of a child/young person

Possible indicators linked to:

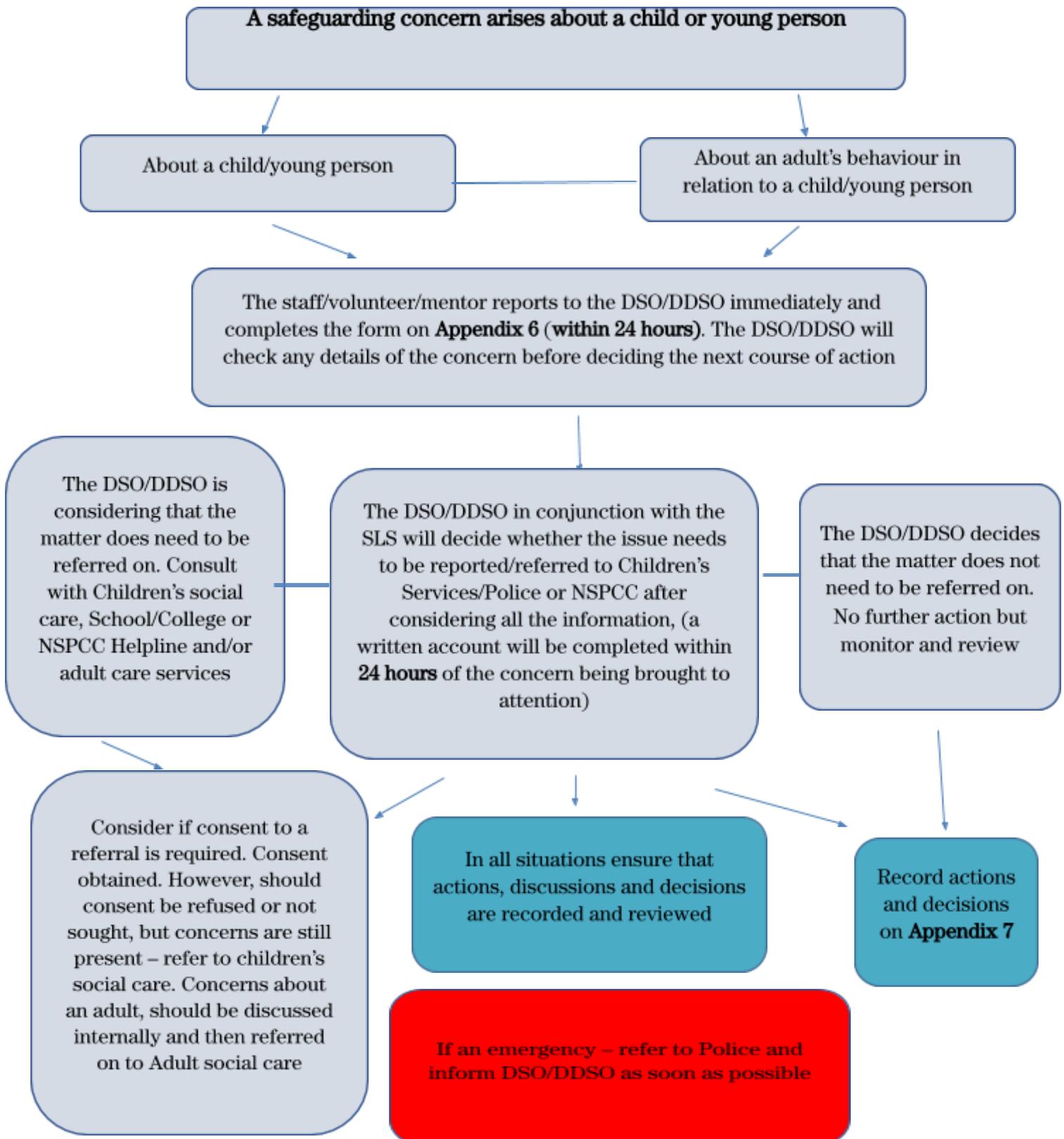
Bullying

- Behavioural changes such as reduced concentration and or becoming withdrawn, cling, depressed
- Tearful with a range of emotions and being reluctant to attend a programme
- Physical signs such as stomach ache, headaches, difficulty in sleeping, bed wetting, scratching and bruising and bingeing on food, alcohol or cigarettes
- Shortage of money or loss of personal possessions on a frequent basis

Self-harm

- Unexplained cuts, bruises or cigarette burns, usually on their wrists, arms, thighs and chest
- Keeping themselves covered all the time, even in hot weather
- Signs of self-loathing and expressing a wish to punish themselves
- Low mood, tearful, lack of motivation or interest
- Becoming withdrawn and not speaking to others
- Changes in eating habits, or being secretive about eating
- Low self-esteem, blaming themselves for any problems or expressing that they think they are not good enough
- Possible signs of alcohol or drug misuse

Appendix 5: Responding to a safeguarding concern



Appendix 6: Safeguarding Reporting form, found on Arts Emergency website

- Form URL: <https://arts-emergency.org/safeguarding-concern-report/>