

THE LANDMARK ARTS CENTRE

SAFEGUARDING CHILDREN AND ADULTS AT RISK

POLICY DOCUMENT REFERENCE HR05

AUTHORS HARPER RAY & DEBORAH BARTLETT

Policy Document Information Cover Sheet

Audience	Trustees, directors, employees (permanent and temporary), front of house staff and volunteers, as well as tutors, contractors, freelancers and visiting performers, and any other temporary staff working with the Landmark.
Lead Trustees for Safeguarding	Mrs Joan Child
Director Responsible for Safeguarding	Mr Harper Ray
Designated Safeguarding Lead	Mrs Deborah Bartlett
Deputy Designated Safeguarding Lead	Mr Colin Newton
Policy Document Number	HR05
Renewal	Annually, or in line with updated legislation or best practice
Location of relevant documentation	Directors Office

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1 SAFEGUARDING AT THE LANDMARK

1.1 POLICY STATEMENT

At the Landmark Arts Centre we believe that everyone has the right to live and work in safety, free from abuse and neglect.

This policy applies to all trustees, directors, employees (permanent and temporary), front of house staff and volunteers. The Landmark Arts Centre Safeguarding Code of Conduct will be shared with tutors, contractors, freelancers and visiting performers, and any other temporary staff working with the Landmark, henceforth to be referred to as employees and associates, working with the Landmark Arts Centre, in relation to both in-person and online and digital activities.

We have a responsibility to do the very best we can to keep children and adults safe, including adults at risk¹ and our own teams, and we are committed to protecting children and adults in all our activities. We will do everything in our power to ensure children and adults who come into contact with the Landmark Arts Centre, in any capacity, are safeguarded; this includes all trustees and associates as detailed above as well as members of the public. Safeguarding is central to our values, sitting alongside and within our commitment to place inclusion at the heart of all we do.

The purpose of this policy is to:

1. Protect children and adults who come into contact with the Landmark Arts Centre in the course of its work and,
2. Provide all employees and associates with the overarching principles and procedures that guide our approach to safeguarding and is based on the following principles:
 - Safeguarding and promoting ‘well-being’ and ‘welfare’, means protecting the rights of adults to live in safety, free from abuse and neglect and protecting children from maltreatment; preventing impairment of health or development; ensuring they are growing up in circumstances consistent with the provision of safe and effective care; and taking action to enable them to have the best outcomes.
 - Safeguarding is everyone’s responsibility.
 - The welfare of children and adults is paramount.
 - A child is anyone under the age of 18.
 - All people, regardless of age, ability, gender, racial heritage, religious belief, sexual orientation, culture or identity, have a right to equal protection from all types of harm or abuse and no person or group of people should be treated less favourably than others in being able to access services which meet their particular needs.
 - Some children and adults are more at risk because of the impact of previous experiences, their level of dependency, communication needs, disability, age or other factors.

¹Formerly ‘vulnerable adults’; this is a recent terminology change. These are adults who, whilst not necessarily vulnerable in themselves, may be more at risk of abuse from others.

- Working in partnership with children and adults at risk, and parents, carers and other agencies where relevant, is essential in promoting their welfare.
- Children, parents and carers will be informed of the safeguarding policy and procedures as appropriate or upon request. Safeguarding procedures directly affecting the engagement of children and parents on a day-to-day basis will be verbally explained (eg Signing in and out, chaperoning, duty of care)
- All concerns, and allegations of abuse will be taken seriously by the Landmark Arts Centre and responded to appropriately. If the alleged victim is a child this may require a referral to children's social care services; Children's Single Point of Access SPA for Kingston & Richmond, the Local Authority Designated Officer LADO for allegations against an employee or associate; and in emergencies, the police. If the alleged victim is an adult at risk this may require a referral to adults' social care.
- We have a commitment to safer recruitment, selection and vetting that includes proportionate checks where relevant into the eligibility and the suitability of all employees and associates who have direct or indirect contact with children or adults at risk.
- In the case of trustees, because of their position within the charity, whenever there is a legal entitlement to obtain a Disclosure & Barring Service (DBS) check in respect of such a trustee the Landmark Arts Centre will obtain the appropriate Disclosure & Barring check. This goes beyond circumstances where the trustee comes into contact with children or adults at risk.
- ***We have a complaints procedure which is an open and well-publicised way in which adults and children can voice concerns about unacceptable and/or abusive behaviour.***
- The Landmark Arts Centre values freedom of speech as a fundamental right underpinning our society's values but recognises that free speech is not an unqualified privilege and must be subject to laws and policies governing equality, human rights, community safety and community cohesion.

The Landmark Arts Centre will not work with any group or organisation proscribed by HM Government

https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/901434/20200717_Proscription.pdf

The safeguarding policy should be read in conjunction with all other relevant policies and procedures, as set out in Appendix 3 at the end of this document.

The Landmark Arts Centre adheres to all relevant UK laws, including those relating to users of our digital platforms, third party social media and the use of our ICT equipment, as set out in Appendix 3.

The Landmark Arts Centre will follow Richmond Council's local procedures in relation to all safeguarding/child protection/adult at-risk matters.

Code of Conduct

We will seek to keep children and adults safe by:

- Valuing them, listening to and respecting them;
- Keeping them, their safety and wellbeing at the centre of everything we do;
- Adopting safeguarding practices through our procedures and policies;
- Providing effective management for staff and volunteers through supervision, support and training;
- Sharing good practices and information about child protection and protection of adults at risk as appropriate with employees and associates.

The Landmark Arts Centre Safeguarding Code of Conduct explains how all staff should approach and adhere to safeguarding best practices. It applies to all employees and associates of the Landmark Arts Centre and a link can be found in Appendix 3.

If you are unsure what this policy means or how it relates to you contact the Designated Safeguarding Lead:

Deborah Bartlett
debbie@landmarkartscentre.org

Scope of the policy

This policy has been developed in accordance with the requirements and principles established by the relevant legislation and statutory guidance in England and sets out the responsibilities of employees and associates of the Landmark Arts Centre.

We will treat any breach of this policy very seriously. For those who work for us, failure to follow this policy could lead to disciplinary action, which may ultimately result in dismissal. For those who work with us, we reserve the right to immediately terminate your contract and, for trustees, to require you to immediately cease being a trustee.

All safeguarding concerns and allegations of abuse will be taken seriously.

1.2 Safeguarding roles & responsibilities at the Landmark Arts Centre

All those who work for or with The Landmark Arts Centre share the responsibility for safeguarding but there are individuals within The Landmark Arts Centre with specific safeguarding responsibilities. The details of their specific roles are set out in Appendix 4.

Designated Safeguarding Lead:

Name: Deborah Bartlett
Email: debbie@landmarkartscentre.org
Telephone No: 020 8977 7558

Deputy Designated Safeguarding Lead:

Name: Colin Newton
Email: colin@landmarkartscentre.org
Telephone No: 020 8977 7558

Director with Responsibility for Safeguarding;

Name: Harper Ray
Email: harper@landmarkartscentre.org
Telephone No: 020 8977 7558

Trustee with responsibility for Safeguarding:

Name: Mrs Joan Child
Email: joanchild@btinternet.com
Telephone No:

Front of House Staff, Volunteers & Tutors

It is recognised that front of house staff, volunteers and/or temporary workers (inc tutors) assisting the work of the Landmark Arts Centre will have different levels of responsibility and engagement. In some cases, where the front of house staff/volunteers are under 18 years old and/or have additional needs - for example adults with a learning disability assisting less experienced disabled young people – may simultaneously need to be covered by the policy.

- All front of house staff and volunteers and any temporary workers must work within the parameters of the policy and will be inducted into it at a level that is appropriate.
- All front of house staff and volunteers and any temporary workers will be overseen and managed by appropriate permanent staff.
- Front of House staff and volunteers and temporary workers working in an enhanced role with permanent staff and/or regular freelance staff, in situations such as workshop sessions or participatory projects, will be DBS checked to the appropriate level

Supporting Staff

It needs to be recognised that reporting concerns and dealing with matters concerning potential abuse can be traumatic. The Designated Safeguarding Lead will always take this into account and will ensure individuals are offered support as appropriate.

Performances by Hirers and Visiting Companies

It is a requirement that all hirers and visiting companies adhere to the Landmark Arts Centre's safeguarding policy.

All childcare issues regarding child performers will be covered by the production companies, regarding:

- Licenses
- Chaperones
- programme biographies
- press photos, TV recordings and appearances
- rehearsal and performance times.

It is a requirement that all production companies confirm compliance with the relevant legislation and the guidelines set out in this document. Agreeing to the Safeguarding Children and Vulnerable Adults at Risk policy makes up an integral part of the agreement between any hirer or visiting company with the Landmark Arts Centre.

Training

It is essential that all the Landmark Arts Centre employees and associates understand what "safeguarding" means, who it relates to, how to put protective measures in place and know how to report any concerns.

The Landmark Arts Centre is committed to accessing and providing training in this area for all employees and associates, as appropriate to their roles. This commitment extends to keeping abreast of good practice and renewing/refreshing/updating training as necessary.

- All staff will complete an Online Safeguarding module on commencement of employment and then on an annual basis; and take part in a face-to-face training session in the Landmark Art Centre's specific procedures (to be refreshed each year).
- Staff with Safeguarding responsibilities will attend higher level Local Authority Designated Safeguarding Lead training or similar in line with local authority recommendation.

2.1 What you should do to safeguard children and adults

You must:

- Be aware of situations which may present risks to children and adults, particularly adults who are at risk of harm;
- Assess risk, plan and organise your work so as to minimise these risks;
- Always be visible to others when working with children and adults at risk. There should never be a situation in which anyone employed by, representing, volunteering with, or working with the Landmark Arts Centre in any way is alone with a child or adult at risk.
- Staff should also always be accompanied at all times by an appropriate individual (e.g. a project worker, co-worker, relative, carer or teacher) when interacting with children or adults at risk;
- Feel confident about your understanding of the safeguarding policy and procedures at the Landmark Arts Centre, and know that any questions you ask will be welcomed;
- Sign up to the safeguarding policy, as a requirement of your contract.

2.2 The reporting process

If you have a safeguarding concern about a child or adult, **or** a child or adult makes a disclosure of possible abuse to you, **or** you have a concern a member of staff, trustee, volunteer, contractor or equivalent, may be abusing a child or adult –**follow the flowchart** and fill in a Safeguarding Concern Form

If you have a concern, please share it using this reporting process – you don't have to wait until there is an incident. The information you provide will always be acted on appropriately.

Reporting a concern can and should include any near misses - an incident where something could have gone wrong, but has been prevented, or did go wrong but no serious harm was caused.

2.3 What to do if you have a safeguarding concern

Flowchart

Staff member has a safeguarding concern about a child/adult,

or

a child or adult makes a disclosure of possible abuse (In the case of a disclosure, if it concerns a child or adult at risk, make it clear to that person that you cannot keep the information confidential)

Fill in a Safeguarding Concern Form



Inform the Designated Safeguarding Lead or in their absence the Deputy Designated Safeguarding Lead. If the concern is about either the Designated Safeguarding Lead or Deputy, inform the Director with responsibility for safeguarding.



If necessary, the Designated Safeguarding Lead makes contact with Director/Trustee with responsibility for Safeguarding for advice; or the Local Authority Designated Officer (LADO) for advice and guidance if the concern is in respect of a staff member's behaviour with a child.

If a referral to an external agency is required, unless it is an emergency* and the assistance of the emergency services is required, any referral will be made by either the Designated Safeguarding Lead or the Director/Trustee with responsibility for Safeguarding.

**If you are unsure whether or not something is an emergency, contact the Designated Safeguarding Lead or Deputy Designated Safeguarding Lead immediately by telephone for advice.*

Remember

If you are worried, do something about it. You will always be protected by the law if you are following the reporting process set out in this policy and you are sharing information in good faith that you think someone is being abused.

It is **always** better to share a concern and be wrong, than to have done nothing.

2.4 Escalating Concerns

It is important to note that if you raise a safeguarding concern or pass on an allegation, you have a responsibility to ensure your concern is addressed to your satisfaction.

Therefore, if you feel that your concern has not been addressed to your satisfaction by the Designated Safeguarding Lead or Deputy Designated Safeguarding Lead, you should escalate the matter to the person with responsibility for safeguarding and then, if necessary, to the Trustee with responsibility for safeguarding.

3.1 Safeguarding in the Online and Digital Space

The Landmark Arts Centre recognises the equal importance of safeguarding in the online and digital space, and the need to put additional safeguarding measures in place to keep children and adults safe online, and has developed policies and procedures, as set out in Appendix 3, to reflect this. It is our policy to apply the same rigorous level of safeguarding protection to our online and digital work as our in-person work.

3.2 What do we mean by digital safeguarding?

Digital safeguarding means: ‘the protection from harm in the online environment through the implementation of effective technical solutions, advice and support and procedures for managing incidents’. The Landmark Arts Centre is committed to the safeguarding and protection of all employees and associates and any other users of our digital services and social media channels, and we apply the same safeguarding principles to the Landmark Arts Centre’s activities whether they are offline or online.

This means protecting our employees, associates, participants and audiences from online harm such as:

- Bullying and harassment
- Sexual exploitation and grooming
- Discrimination and abuse on the grounds of any protected characteristic
- Sharing of illegal and inappropriate imagery
- Cyberstalking
- Impersonation and hacking
- Disinformation and misinformation
- The oversharing of personal information

What does this section of the policy cover?

This section of the policy specifically covers all of the Landmark Arts Centre’s online and digital activities, plus all digital activities undertaken on behalf of the Landmark Arts Centre at a national and international level and third-party social media and devices.

This includes but is not limited to email; social media channels (such as Facebook, Twitter, YouTube, Instagram, WhatsApp, TikTok, LinkedIn); all blogging platforms; and other digital platforms such as Google Hangouts and Zoom; all Information and Communication Technology (devices and internet connectivity) that is provided by the Landmark Arts Centre.

This section of the policy explains our approach to protecting trustees and staff. We are constrained by the terms of service of third-party social media providers in our approach. We promote safe use, but we also recognise that some issues will only be able to be handled by the service provider and the user themselves.

3.3 The Landmark Arts Centre's digital safeguarding principles

To uphold these principles our trustees and employees and associates must:

- Ensure that social media accounts are set up appropriately.
- Make it clear on personal social media accounts through disclaimers that their views, thoughts and opinions are personal and not reflective of the Landmark Arts Centre's policies, procedures or guidance.
- Not follow a child or accept an invitation from a child to connect on social media, that they have met in a professional capacity. For clarity, a child is anyone under the age of 16.
- Not make any contact with a child through private messaging.
- Make every effort to ensure that children and adults involved with the Landmark Arts Centre, including adults at risk, understand why and how they must use social media responsibly and safely using the appropriate privacy settings.
- Ensure the correct permissions are in place before taking and using photographs on mobile devices.
- Delete pictures in accordance with the Landmark Arts Centre's privacy policy.
- Manage the use of images involving children or adults at risk in line with the Landmark Arts Centre's Digital Asset Usage and Management Policy

We recognise that digital safeguarding is an important part of all our work, and we are committed to always delivering best practice.

We will:

- Ensure all our activities support all our trustees, employees, associates and beneficiaries to stay safe online.
- Use best practice digital safeguarding for technical solutions, processes and procedures.
- Follow our safeguarding procedures when a digital safeguarding incident occurs.
- Support and train appropriate trustees, employees and associates in digital safeguarding.
- Risk-assess all projects, initiatives, programmes, activities, and services to make sure appropriate digital safeguards are in place.
- Ensure any use of internet and other IT equipment by children or adults at risk as part of a formal visit, project or event will be monitored by the Landmark Arts Centre staff. Children or adults at risk will not be left alone to access the internet and other social media as part of a visit, project or event.
- Appropriate software and controls will ensure that inappropriate material is not accessible on the Landmark Arts Centre systems.

4.1 Transport for Children and Adults at Risk

When children or adults at risk are being transported on behalf of The Landmark Arts Centre they should be accompanied by a parent, guardian, chaperone, teacher or an appropriate member of The Landmark Arts Centre staff. All children employed and licensed to work with The Landmark Arts Centre must be accompanied by their registered chaperone whilst travelling. The registered chaperone is the name that appears on the license.

5.1 Photography of Children and Adults at Risk

By agreement with co-producers, delivery partners, participants and other organisers, the Landmark Arts Centre staff may arrange photography and/or filming for communication and marketing purposes. These media assets can appear in print and online via the Landmark Arts Centre's own channels, or in external third-party coverage of our work.

When the Landmark Arts Centre works with a school, it is the school's responsibility (as part of its overall safeguarding duty) to secure relevant media permissions from parents/guardians for any child who participates in the Landmark Arts Centre events and activities whether at school, onsite at the Landmark Arts Centre, or at other project sites. It is the school's responsibility to inform the Landmark Arts Centre staff (or our representatives) as to which children can or cannot be photographed or filmed.

When the Landmark Arts Centre works with individual children or adults at risk outside of school settings, for example through our participation or young companies activities, the Landmark Arts Centre will ensure it has secured relevant media permissions from parents/guardians for any under-18s who participate in the Landmark Arts Centre events and activities.

The Landmark Arts Centre staff (or our representatives) will not use photographs or film footage of any individual child or adult at risk for whom we do not have the appropriate media permissions.

6.1 Risk Assessment

All projects/work will be risk-assessed on a case-by-case basis. The Landmark Arts Centre risk assessments will include safeguarding as a core component and particular emphasis will be given to safeguarding if the project/production/work involves children and/or adults at risk.

Guidance should always be sought from the Designated Safeguarding Lead and remember that safeguarding does not just apply to activities with children and/or adults at risk.

The risk assessment needs to identify all risks and planned actions and be particularly aware of safeguarding concerns if the event is to include those most vulnerable i.e. children and/or adults at risk and be completed by the lead department at least 7 days prior to each event, in consultation with any of the Landmarks safeguarding team..

The risk assessment needs to be signed off by the Safeguarding Lead or the Director/Trustee responsible for safeguarding.

6.2 Allegations against an employee or associate

If a child or adult at risk makes an allegation or disclosure against an employee or associate, follow the flowchart (page 7) and report to the Designated Safeguarding Lead who will then decide on what action needs to be taken and whether advice needs to be sought from, or a referral made to, statutory services.

Confidentiality needs to be maintained **with no discussion regarding the allegation with anyone else**. It is essential that any investigations are not compromised by employees or associates sharing information or attempting to investigate before reporting – this would include asking leading questions to the person making the allegation. It is also essential to maintain confidentiality and not to speak to anyone other than the Designated Safeguarding Lead because there may be a misunderstanding and that person may be entirely innocent.

If a referral needs to be made to a statutory service, the Designated Safeguarding Lead will inform the Director with responsibility for safeguarding and advice will be taken regarding possible suspension, during any investigation. Where appropriate, the person with responsibility for safeguarding will inform the Director/Trustee.

If statutory services become involved, the outcome of the external investigation will inform the action taken by the Landmark Arts Centre. This may result in an internal investigation being conducted in line with the Landmark Arts Centre's Disciplinary policy.

The staff member being investigated will be given a staff liaison point for the period of investigation by statutory services and the Landmark Arts Centre.

If an allegation is made against a Director within the Landmark Arts Centre, the Designated Safeguarding Lead should discuss with the Trustee responsible.

If an allegation is made against a Trustee the Director with responsibility for safeguarding and the Designated Safeguarding Lead should discuss with the Chair of the Board.

7.1 Information Sharing & Confidentiality

You must never guarantee confidentiality to a child, or adult at risk of harm. Information should always be shared if you think a child or adult at risk is suffering, or likely to suffer, abuse.

Information will be shared sensitively and on a strictly need-to-know basis.

The protection of children and adults at risk must take precedence over other legal rights. Please be assured that as long as information is shared in an appropriate manner, using internal and local authority protocols, and in good faith, the law will protect you. You should ensure that the information you share is necessary for the purpose for which you are sharing it, is shared only with those individuals who need to have it, is accurate and shared promptly.

For further guidance see

https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/419628/Information_sharing_advice_safeguarding_practitioners.pdf

It is a requirement of the Care Act 2014, which is legislation that covers adults at risk, that there are local arrangements in place for information sharing about adults at risk. For further information see <https://www.bsab.org/downloads/download/14/information-sharing-protocol>

7.2 Serious Incidents

It is a requirement of the Charity Commission that all charities inform them of serious incidents that may occur. The Charity Commission defines a serious incident as “an adverse event, whether actual or alleged, which results in or risks significant:

- loss of your charity’s money or assets
- damage to your charity’s property
- harm to your charity’s work, beneficiaries or reputation”²

It is the responsibility of the trustees to report a serious incident. More details can be found on the Charity Commission website <https://www.gov.uk/guidance/how-to-report-a-serious-incident-in-your-charity#what-to-report>

² <https://www.gov.uk/guidance/how-to-report-a-serious-incident-in-your-charity>

7.3 GDPR, information sharing and record keeping

Effective information sharing underpins integrated working and is a vital element of both early intervention and safeguarding. Research and experience have repeatedly shown that keeping children safe from harm requires practitioners to record, analyse and understand the significance of the information they have.

It is vital that information is shared in an appropriate and timely fashion. the Landmark Arts Centre will be proactive in sharing information as early as possible to help identify, assess, and respond to risks or concerns about the safety and welfare of children.

Information sharing should always be necessary, proportionate, relevant, accurate, timely and secure. A record will be kept of what has been shared, with whom and for what purpose and the reasoning behind it.

Schedule 1 of the Data Protection Act 2018 has 'safeguarding of children and individuals at risk' as a processing condition that allows practitioners to share information, including without consent (where, in the circumstances consent cannot be given, it cannot be reasonably expected that a practitioner obtains consent, or if to gain consent would place a child at risk).

Records of concerns, responses, investigations and outcomes will be kept for a maximum of five years, unless they pertain to a specific legal case or process.

Records regarding safeguarding are confidential and reporting will be maintained on a need-to-know basis. These records will be password protected and permissions will be restricted to the Designated and Deputy Safeguarding Leads.

8. Reviews

The safeguarding policy will be reviewed, approved and endorsed by the board of trustees annually or when legislation changes. Further information on the monitoring and reviewing of this policy and safeguarding procedures are attached as **Appendix 5**.

APPENDIX 1

Definitions

“Safeguarding” and “Child Protection”

In terms of adults, The Care Act 2014 defines adult safeguarding as “protecting a person’s right to live safely, free from abuse and neglect”. There are more categories of abuse with adults than there are with children. With adults the categories are:

- physical abuse;
- emotional/ psychological abuse;
- financial abuse;
- sexual abuse;
- organisational abuse;
- neglect;
- discriminatory abuse;
- domestic violence;
- modern slavery; and
- self-neglect.

In terms of children, the definition of safeguarding is broader and is set out in “*Working Together to Safeguard Children 2018 - A guide to inter-agency working to safeguard and promote the welfare of children*”. This is the statutory guidance that sets out the legislative requirements and expectations of individual services to safeguard and promote the welfare of children.

Working Together to Safeguard Children 2018 does not separate safeguarding and promoting the welfare of children. This is the definition:

- Protecting children from maltreatment;
- Preventing impairment of children’s health or development;
- Ensuring that children grow up in circumstances consistent with the provision of safe and effective care; and
- Taking action to enable all children to have the best outcomes.

Separate to safeguarding children is “child protection”. Child protection is defined in the Children Act 1989 as where there is “reasonable cause to suspect a child is suffering, or is likely to suffer, significant harm”. The Children Act 1989 introduced significant harm as the threshold that justifies compulsory intervention in family life in the best interests of children. Physical abuse, sexual abuse, emotional abuse and neglect are all categories of significant harm. Harm is defined as the ill treatment or impairment of health and development.

In simple terms, safeguarding is the overall well-being of the child and every professional and every organisation is responsible for the safeguarding of children. Within that there is child protection, when it is thought a child is either being maltreated or is at risk of maltreatment.

Age of a Child

A child becomes an adult in law at 18 in the UK, this is in line with the United Nations Convention on the Rights of the Child. Many people use the term “young people” but there is no legal definition for the age of a “young person”. 16 and 17-year-olds are children, in legal terms.

Adult at Risk

An adult at risk is defined by the Care Act 2014 as a person 18 and over who;

- has needs for care and support (whether or not the local authority is meeting any of those needs) and;
- is experiencing, or at risk of, abuse or neglect; and
- as a result of those care and support needs is unable to protect themselves from either the risk of, or the experience of abuse or neglect.

Local Authority Designated Officer (LADO)

The role of the LADO is set out in Working Together to Safeguard Children 2018 and is governed by local authorities’ duties under section 11 of the Children Act 2004.

The LADO must be contacted within one working day in respect of all cases in which it is alleged that a person who works with children has:

- behaved in a way that has harmed, or may have harmed a child;
- possibly committed a criminal offence against or related to a child; or
- behaved towards a child or children in a way that indicates they may pose a risk of harm to children.

There may be up to three strands in the consideration of an allegation:

- a police investigation of a possible criminal offence;
- enquiries and assessment by children’s social care about whether a child is in need of protection or in need of services;
- consideration by an employer of disciplinary action in respect of the individual.

Regulated Activity

The new definition of regulated activity in relation to children comprises, in summary:

- i. unsupervised activities: teach, train, instruct, care for or supervise children, or provide advice/ guidance on well-being, or drive a vehicle only for children;
- ii. work for a limited range of establishments (‘specified places’), with opportunity for contact: e.g. schools, children’s homes, childcare premises. Not work by supervised volunteers.

Work under (i) or (ii) is regulated activity only if done regularly³

³https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/550197/Regulated_activity_in_relation_to_children.pdf

The definition of regulated activity for adults defines the activities provided to any adult as those which, if any adult requires them, will mean that the adult will be considered vulnerable at that particular time. These activities are: the provision of healthcare, personal care, and/or social work; assistance with general household matters and/or in the conduct of the adult's own affairs; and/or an adult who is conveyed to, from, or between places, where they receive healthcare, relevant personal care or social work because of their age, illness or disability.

The position of trustee of a vulnerable groups' or children's charity is not a regulated activity in itself. It is only if trustees have close contact with these more vulnerable beneficiaries that they would fall within the scope of regulated activity and be eligible to obtain an enhanced DBS check and barred list check. A trustee of a charity who no longer falls within the definition of regulated activity would be eligible to obtain an enhanced DBS check (but without a barred list check)⁴.

⁴ <https://www.gov.uk/government/publications/safeguarding-children-and-young-people/safeguarding-children-and-young-people#endnote>

APPENDIX 2

Categories of Abuse

Child Abuse

The categories of abuse of children are set out in the statutory guidance *Working Together to Safeguard Children 2018* and are as follows:

Physical Abuse

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.

Emotional Abuse

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 a child 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 a 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

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. 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 the 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.

Neglect

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:

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

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

The Landmark Arts Centre recognises there are other forms of abuse of children, including female genital mutilation, fabricated or induced illness, child criminal exploitation, including sexual exploitation, and county lines, child trafficking and extremism.

As set out in *Working Together to Safeguard Children 2018*, "Extremism goes beyond terrorism and includes people who target the vulnerable – including the young – by seeking to sow division between communities on the basis of race, faith or denomination; justify discrimination towards women and girls; persuade others that minorities are inferior; or argue against the primacy of democracy and the rule of law in our society. Extremism is defined in the Counter Extremism Strategy 2015 as the vocal or active opposition to our fundamental values, including the rule of law, individual liberty and the mutual respect and tolerance of different faiths and beliefs. We also regard calls for the death of members of our armed forces as extremist".

Criminal exploitation is child abuse where children are manipulated and coerced into committing crimes. Adults at risk may also be criminally exploited. County Lines is the police term for urban gangs exploiting young people into moving drugs from a hub, normally a large city, into other markets - suburban areas and market and coastal towns - using dedicated mobile phone lines or "deal lines". Children as young as 12 years old have been exploited into carrying drugs for gangs. This can involve children being trafficked away from their home area, staying in accommodation and selling and manufacturing drugs. This can include:

- Airbnb and short term private rental properties
- budget hotels
- the home of a drug user, or other vulnerable person, that is taken over by a criminal gang - this may be referred to as cuckooing.

Adult Abuse

There are ten categories of abuse for adults:

- Physical abuse
- Domestic violence or abuse
- Sexual abuse
- Psychological or emotional abuse
- Financial or material abuse
- Modern slavery
- Discriminatory abuse
- Organisational or institutional abuse
- Neglect or acts of omission
- Self-neglect

For details of types of each kind of abuse and possible indicators, see the following link:
<https://www.scie.org.uk/safeguarding/adults/introduction/types-and-indicators-of-abuse>

APPENDIX 3

Relevant legislation, statutory guidance, policies and procedures

Relevant laws and statutory guidance include:

- The Care Act 2014
- The Children Act 1989 and 2004
- Working Together to Safeguard Children 2018
- Protection from Harassment Act 1997
- Malicious Communications Act 1988
- Communications Act 2003
- Sexual Offences (Amendment) Act 1992
- Computer Misuse Act 1990
- The Equality Act 2010
- Serious Crime Act 2015
- The UK General Data Protection Regulation (UK GDPR) and the Data Protection Act 2018

This list is not exhaustive. We review any changes in legislation to make sure we are compliant.

APPENDIX 4

Specific Safeguarding Roles and Responsibilities

All Trustees are responsible for ensuring the Landmark Arts Centre is fulfilling the requirements of the Charity Commission in relation to safeguarding.

The Trustee with responsibility for safeguarding is responsible for:

- Ensuring fellow trustees are kept up to date on matters to do with safeguarding
- Ensuring those with designated safeguarding responsibilities at the Landmark Arts Centre are fulfilling their duties, as set out in this policy
- Meeting with the Director with responsibility for safeguarding, the Designated Safeguarding Lead and the Deputy Designated Safeguarding Lead twice a year to review the safeguarding data from the previous 6 months

The Director with responsibility for safeguarding is responsible for:

- Ensuring the Landmark Arts Centre has a safeguarding policy and safeguarding procedures in place which are adhered to
- Advising and assisting the Safeguarding Team (SGT) on issues of safeguarding
- Engaging with the Board on issues of safeguarding, as appropriate
- Ensuring all safeguarding serious incidents are reported to the Charity Commission, or equivalent
- Informing the SGT if a referral has been made to the LADO, or the police have been involved in a safeguarding incident
- Ensuring all trustees and staff receive all appropriate levels of training and are aware of the safeguarding policy, including the system for reporting and support
- Appointing the Safeguarding Team: Designated Safeguarding Lead and Deputy Designated Safeguarding Lead

The Designated Safeguarding Lead is responsible for:

- Receiving and collating all safeguarding concerns
- Liaising with the Director with responsibility for safeguarding if a referral needs to be made to children or adult social care, the LADO, or the police are involved in a safeguarding incident
- Producing a report twice a year for the Board covering all concerns and/or incidents
- Amending this policy and safeguarding procedures in line with the Charity Commission's requirements, best practice, legislation and statutory guidance
- Working across and engaging with a range of external stakeholders influencing safeguarding partnerships, including Richmond Council, Children's Trusts, Richmond CVS, the Charity Commission, the Local Police, and the voluntary sector
- Advising all teams and productions on safeguarding matters
- Monitor and report on all safeguarding incidents

The **Deputy Designated Safeguarding Lead** will support the Designated Safeguarding Lead in their work, and is responsible for acting as the Designated Safeguarding Lead and fulfilling their role in their absence.

Managers are responsible for:

- Understanding the safeguarding policy, how the policy and safeguarding procedures are embedded in practice in their department
- Ensuring all staff they manage understand the safeguarding policy and procedures
- Working with the Designated Safeguarding Lead to ensure all staff are supported to maintain training and awareness of safeguarding

Employees and associates are responsible for:

- Ensuring they achieve and maintain the standards set out in this policy
- Reporting any safeguarding concerns in line with this policy
- Co-operating with their managers in identifying development needs and acting on them
- Attending training

APPENDIX 5

Safeguarding Monitoring and Reviewing

The Designated Safeguarding Lead, working with the Director with Responsibility for Safeguarding is responsible for the monitoring, revision, and updating of this policy. On a bi-annual basis, the Designated Safeguarding Lead will produce a report to the Board which provides assurance for the implementation of this policy across the following areas:

- The number of Safeguarding Concern Forms completed in that period, from which teams/departments the concerns are coming and a broad description of what those concerns are
- The number of referrals to external agencies, which those agencies were and what their response was
- How many of the concerns in that period are now resolved and how many are outstanding
- A summary of how the organisation is working effectively to safeguard all those that work with/for the Landmark Arts Centre
- Robust processes in place to learn lessons from cases where anyone has been seriously harmed, and/or abuse is suspected
- Evidence the Landmark Arts Centre is appropriately engaged with relevant external agencies, in terms of safeguarding
- The number of staff that have been trained on safeguarding

APPENDIX 6

Contacts and Resources

At The Landmark Arts Centre:

Designated Safeguarding Lead: Deborah Bartlett

Deputy Designated Safeguarding Lead: Colin Newton

Director with Responsibility for Safeguarding: Harper Ray

Trustees with Responsibility for Safeguarding: Joan Child

Charities and Organisations:

Kingston and Richmond safeguarding children partnership: <https://kingstonandrichmondsafeguardingchildrenpartnership.org.uk/>

Richmond CVS: <https://richmondcvvs.org.uk/>

Bullying: www.bullying.co.uk
www.anti-bullyingalliance.org.uk

Mental Health: <https://www.mind.org.uk/>
www.samaritans.org.uk

Neurodivergence: www.autism.org.uk

Child welfare: www.barnados.org.uk
www.childline.org.uk/

Young Carers: <https://spurgeonsyc.org/birmingham/>

Family support: Family Lives 0808 800 2222

Author(s)	Harper Ray & Deborah Bartlett	Version REF: 01	Draft Date	20.11.22
Approved by	Joan Child		Next Review Date	20.11.23