



Safeguarding

Child & Vulnerable Adult Protection Policy

Purpose & Scope

Forgan Arts Centre's safeguarding policy applies to all team members including employees, freelance arts workers and artists, volunteers, and the Board of Trustees. The purpose of the policy is to protect children and vulnerable adults from harm and to provide all team members information about safeguarding. The policy is particularly important in the activity that the centre does with children and vulnerable adults.

Forgan Arts Centre has a responsibility to promote the welfare of children and vulnerable adults and to keep them safe. We comply with the legal obligations of the **Protection of Vulnerable Groups (Scotland) Act 2007**. This policy is informed by the 'Getting it Right for Every Child' approach (GIRFEC) and **Creating Safety: Child Protection Guidelines for Scotland's Arts, Screen and Creative Industries** published in 2011 by Creative Scotland. At the heart of good practice in protecting children lies an understanding of their rights. There are four key principles that underpin our work with children:

1. The best interest of the child is primary consideration.
2. All children and young people should be treated fairly and with dignity and respect.
3. All children have the right to protection from all forms of harm, abuse, neglect and exploitation.
4. All children and young people have the right to express their views on matters that affect them.

Each of the above key principles are derived from the **United Nations Convention on the Rights of the Child (UNCRC)**.

The policy covers the arrangements for safeguarding during the recruitment and selection process and safeguarding issues that arise during employment/engagement in circumstances where children or vulnerable adults are placed at risk, or where they could have been placed at risk. The policy also sets out the reporting obligations for all team members and the procedure that should be followed to report abuse.

Definition of children and young people

'Children and young people' mean anyone up to the age of 18 years, those over 19 years who are receiving services as care leavers (young people who have been 'looked after' children), and those between 19 and 25 years with learning difficulties.

Definition of a vulnerable adult



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A vulnerable adult is someone who is aged 18 years or over who 'is or may be in need of community care services by reasons of mental health or other disability, age or illness' and 'is or may be unable to take care of him or herself, or unable to protect him or herself against significant harm or exploitation'.

A vulnerable adult may be a person who:

1. Is elderly or frail.
2. Has learning disabilities.
3. Suffers from mental illness.
4. Has a physical disability.
5. Is a substance misuser.
6. Is homeless.
7. Is in an abusive relationship.

It should be noted that disability or age alone does not signify that an adult is vulnerable.



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What is abuse?

Given the risk of abuse to children and vulnerable people, including adults, all team members are required to be alert at all times to the possibility of abuse towards children or vulnerable people. Abuse may be a single incident or something that occurs over a long period of time. It can take many forms including, but not limited to:

- financial or material abuse
- physical abuse
- mental abuse
- neglect and failures to act
- sexual abuse
- threats of abuse or harm
- controlling or intimidating conduct
- self-neglect
- domestic abuse
- poor practices within an organisation providing care
- modern slavery

The abuse may come from employees, personal assistants, other vulnerable people, relatives, neighbours, social workers, providers of support services etc.

Physical abuse includes hitting, shaking, throwing, poisoning or misuse of medications, burning or scalding, drowning, suffocating or otherwise causing physical harm. Physical harm may also be caused when a parent or carer feigns the symptoms or deliberately causes ill health to a child whom they are looking after.

Emotional abuse is the persistent emotional ill-treatment of a person such as to cause severe and persistent adverse effects on that person's emotional development. It may involve making the individual feel or believe that they are worthless, unloved or inadequate. It may also involve causing the person to feel often frightened or in danger. It may involve exploitation or corruption.

Sexual abuse involves forcing or enticing a child or young person to take part in sexual activities, whether or not the child or young person is aware of, or consents to, what is happening. The activities may involve physical contact, including penetrative or non-penetrative acts. Sexual abuse also includes non-contact activities such as involving children or young people in looking at, or in the production of, pornographic material or watching sexual activities, or encouraging them to behave in sexually inappropriate ways.

Sexual abuse may be same sex or opposite sex, may be by other children, young people or adults. People from all walks of life may be sexual abusers.



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Neglect is the persistent failure to meet a child's or young person's basic physical and or/psychological needs, likely to result in the severe impairment of the person's health or development. It may involve a parent or carer failing to provide adequate food, shelter and clothing, failure to protect a child or young person from physical harm or danger, or the failure to ensure access to appropriate medical care or treatment.



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Recruitment & Employment

Recruitment process

Advertisements for job roles at Forgan Arts Centre will specify clearly whether the work involves regulated activity/work together with the basis of that work. Offers of employment will be made conditional on the receipt of a satisfactory disclosure checks. These will be conducted by Disclosure Scotland. The check will confirm that the applicant is suitable to carry out the role and has not been barred from performing this work. If the background check reveals that an applicant is not suitable, the offer of employment/engagement will be withdrawn by Forgan Arts Centre.

Existing employees

Existing employees may be required to provide a satisfactory disclosure check where their work becomes a regulated activity/work or Forgan Arts Centre requires them to start carrying out regulated activity/work. Existing employees cannot conduct any regulated activity/work until they have undertaken a satisfactory disclosure check.

The disclosure check will be conducted by Disclosure Scotland. The check will confirm that the employee is suitable to carry out the work and has not been barred from performing this. If team members are unable to provide a satisfactory disclosure check, or refuse to undertake a disclosure check, we will consider the options for redeployment into any available job roles that do not involve regulated activity/work.

If existing team members become added to the children and adults barred lists by either disclosure body, Forgan Arts Centre will consider the options for redeployment into any available job roles that do not involve regulated activity/work. All team members who are added to the barred lists are required to inform their line manager of their inclusion on the list at the earliest opportunity. A failure to do so may be deemed a disciplinary matter to be dealt with under the disciplinary procedure.

In both cases, if this is not possible, Forgan Arts Centre may need to consider dismissal of the team member on the basis of the statutory ban imposed by the disclosure. We may be unable to continue to engage or employ the team member in any capacity if the continued association with them cannot be maintained, causes reputational damage to the centre or other reasons that harm its position in the marketplace.



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Code of conduct

All team members must:

1. Treat all children and young people with respect.
2. Administer minor first aid in the presence of others and where required and refer more serious incidents to their line manager.
3. Provide an example of good conduct you wish others to follow.
4. Ensure there is more than one adult present during activities with children and young people or at least that you are within sight or hearing of others.
5. Respect a young person's right to personal privacy and encourage young people to feel comfortable and caring enough to point out attitudes or behaviour they do not like.
6. Remember that someone else might misinterpret your actions, no matter how well intentioned.
7. Be aware that physical contact with a child or young person may be misinterpreted.
8. Be positive, approachable and offer encouragement when possible.
9. Recognise that special caution is required when you are discussing sensitive issues with children or young people.
10. Operate within the specific procedures of Forgan Arts Centre.
11. Challenge unacceptable behaviour and report all allegations or suspicions of abuse.
12. Establish and address the additional needs of disabled participants or other vulnerable groups.
13. Encourage all children not to discriminate on the grounds of religious beliefs, race, gender, social classes or ability.
14. Give guidance and support to inexperienced helpers, for example, volunteer assistants who may be working with Forgan Arts Centre temporarily.

Team member must not:

1. Have inappropriate physical or verbal contact with children, young people or vulnerable adults.
2. Administer First Aid involving the removing of children's clothing unless instructed by a medical professional in presence of others.



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3. Be drawn into inappropriate attention-seeking behaviour/make suggestive or derogatory remarks or gestures in front of children or young people.
4. Jump to conclusions about others without checking facts.
5. Either exaggerate or trivialise child abuse issues.
6. Show favouritism to any individual.
7. Rely on your good name or that of the organisation to protect you.
8. Believe “it could never happen to me”.
9. Take a chance when common sense, policy or practice suggests another more prudent approach.

Leave another team member alone with children or young people.



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Reporting and investigating abuse

Forgan Arts Centre will treat all complaints, allegations or suspicions of abuse with the utmost seriousness. Training will be provided, as appropriate, to ensure that staff are aware of the warning signs of abuse and the correct reporting procedure to follow if they suspect abuse is, or has, taken place.

Team members that suspect abuse is occurring should refer the matter to their line manager immediately, with as much detail as possible. The line manager will need to be informed of the names of the people involved (if known), what type of abuse is or may be occurring, and the dates and times this occurred (if known). An official written report of the alleged act will be requested at this stage as part of the evidence gathering procedure. This will need signed by the team member who has witnessed the alleged act.

Team members should refrain from discussing alleged abuse with fellow colleagues, other than those specified by their line manager, to avoid the spread of potentially harmful misinformation and to protect the validity of any investigation.

The allegations will be investigated fully, and all such reports are taken seriously. The investigation will be conducted in a discrete and timely manner and will involve the collation of evidence typically derived from witness statements and surveillance footage where possible. If it is suspected that a criminal act may have been committed, Forgan Arts Centre will report the situation to the police.

Team members suspected of abuse will be suspended pending a full investigation of the complaints. It should be noted that this suspension is not an indication of the team member's guilt, but rather a necessity given the circumstances. If the team member is employed, they will receive full pay. If they are self-employed, they will be paid for work completed. Forgan Arts Centre appreciates the impact prolonged suspension can have on a person's reputation, even when allegations are later found to be incorrect, and does not take the decision to suspend lightly.

Forgan Arts Centre may be under a duty to disclose allegations of abuse to the Disclosure and Barring Service or Disclosure Scotland as appropriate. The organisation may also consider it necessary to inform the police of allegations under investigation. Forgan Arts Centre takes its duty of care to team members seriously and will seek support from an appropriate service, such as SCVO, to ensure we navigate the process in a careful and considered manner.



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Maintaining records

Forgan Arts Centre will ensure that all details associated with allegation of abuse are recorded clearly and accurately. The records will be maintained securely in line with our confidential record keeping procedure.

Disciplinary action

If the investigation reveals that abuse has happened, or is happening, Forgan Arts Centre will set up a disciplinary hearing for the team member concerned. Abuse of vulnerable people and children is regarded by Forgan Arts Centre as an act of gross misconduct and the allegation could result in summary dismissal, in line with our disciplinary procedure. Team members will have the chance to appeal any disciplinary action that is taken against them.

Duty of disclosure

Forgan Arts Centre is legally required to send information to Disclosure Scotland if a decision is taken to dismiss an employee or remove them from working in regulated activity/work.

Forgan Arts Centre may also be required to inform Disclosure Scotland if we suspend a team member, or if they resign in suspicious circumstances, as the referral duty criteria may already be met at that stage.

This policy must be read in conjunction with our Grievance, Dignity at Work, and Mental Health & Wellbeing Policies.

Project planning

Forgan Arts Centre recognises that planning for the proper supervision of children is one of the most effective ways of minimising opportunities for children to suffer harm whilst in our care.

1. Team members should plan and prepare a detailed programme of activities for the children involved in a project.
2. Planning should ensure that all children should be adequately supervised and engaged in suitable activities.
3. Team members should obtain, in writing, parental consent to children joining an organised project. The purchase of a ticket or place on a project shall be deemed to be such consent.



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4. Parents should be given full information about a project, including details of the programme of events, the activities, and the supervision ratios.



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Disclosure Response Procedure

1. Stay calm.
2. Find an appropriately early opportunity to explain, in age appropriate terms, that it is likely that the information will need to be shared with others – do not promise to keep secrets.
3. Listen carefully. Do not condemn the abuser, do not judge, do not make promises you can't keep.
4. Ask open questions for clarification only, and at all times avoid asking questions that suggest a particular answer.
5. Reassure them, let them know they've done the right thing in telling you. Tell them you believe them.
6. Stay with them. If you can 'ground' them ("grounding" means to draw the child back to a more comfortable state of mind through things like normal), do this.
7. Accurately record the child words. Make it clear whether it is a fact, opinion or hearsay.
8. Report it to your relevant manager as soon as possible.
9. If a third party expresses concern that a child is being abused, we will encourage them to contact Social Care directly. If they do not do so, we will explain that Forgan Arts Centre is obliged to, and the incident will be logged accordingly.

REMEMBER: It is important that everyone in the organisation is aware that the person who first encounters a case of alleged or suspected abuse is not responsible for deciding whether or not abuse has occurred. That is a task for the professional child protection agencies following a referral to them of concern about a child. If something is divulged to you remember to seek support for yourself. Agencies such as NSPCC and Childline will be able to help you. However anything that has been divulged must be kept confidential.

Recording a disclosure

In all situations, including those in which the cause of concern arises from a disclosure made in confidence, it is vitally important to record the details of an allegation or reported incident, regardless of whether or not the concerns are shared with a statutory child protection agency. An accurate note should be made of:

1. Date and time of the incident or disclosure



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2. Parties who were involved
3. What was said or done and by whom
4. Any action taken by the organisation to investigate the matter
5. Any further action e.g. suspension of a worker
6. Where relevant, reasons why there is no referral to a statutory agency
7. Names of persons reporting and to whom reported.
8. Be careful not put in personal feelings.

The record should be clear and factual as it may be needed by child protection agencies investigating the incident and may, in the future, be used as evidence in court. Keeping such a record may also help protect the team members and Forgan Arts Centre.

Handling and Safekeeping of Disclosure Information

As an organisation using the Disclosure and Barring Service to help assess the suitability of applicants for positions of trust, we comply fully with the DBS Code of Practice regarding the correct handling, use, storage, retention and disposal of Disclosures and Disclosure Information.

Forgan Arts Centre holds countersignature codes for the processing of the PVG scheme in Scotland. It will therefore only record the date of a Disclosure and its reference number. It no longer holds any Disclosures itself, as a matter of good practice:

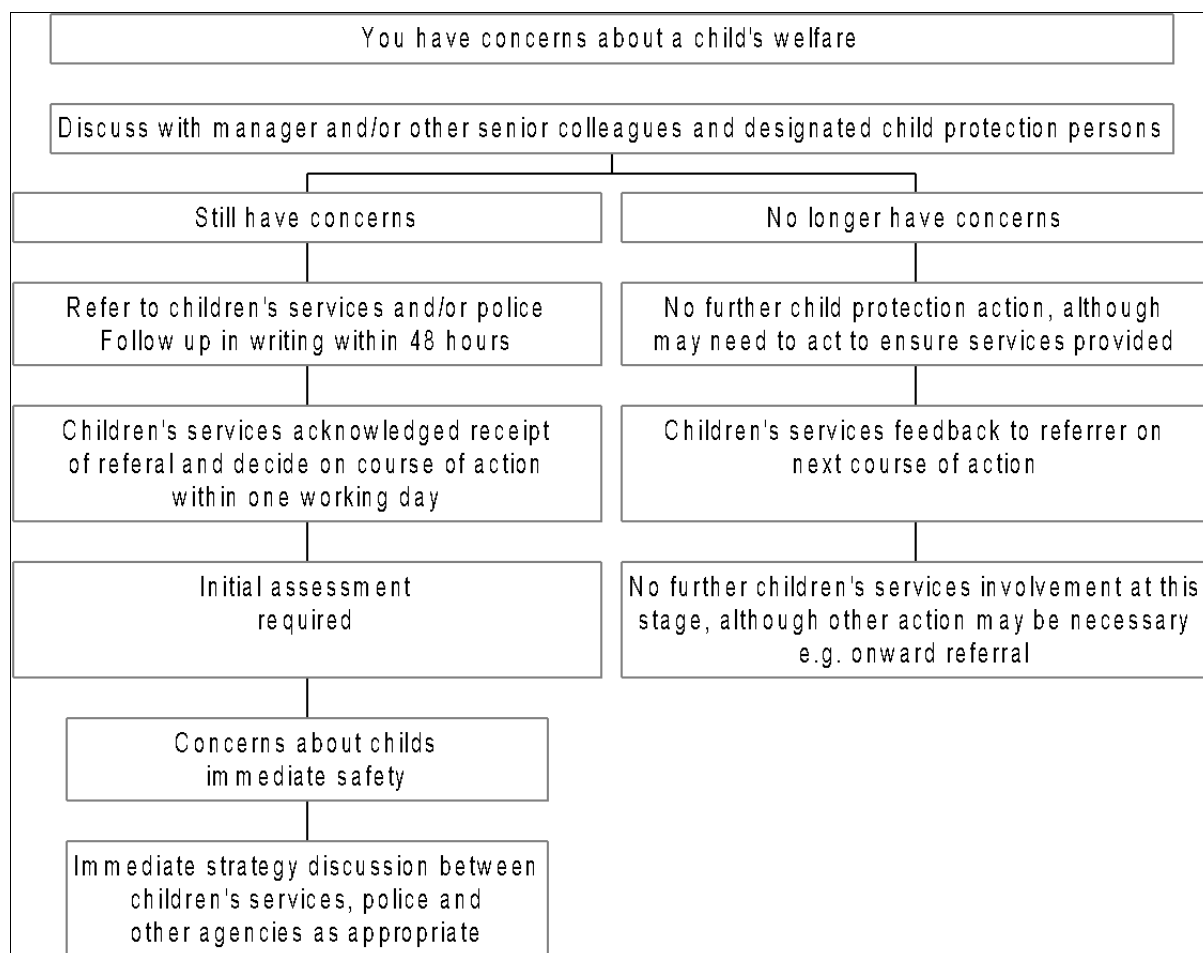
- Disclosure information will never be kept in an applicant's personnel file and is only passed to those who are authorised to receive it.
- We recognise that it is a criminal offence to pass this information to anyone who is not entitled to receive it.
- We do not keep disclosure information for any longer than is necessary. This is generally a period of up to six months to allow for consideration and resolution of any disputes.



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Responding to signs or suspicions of abuse

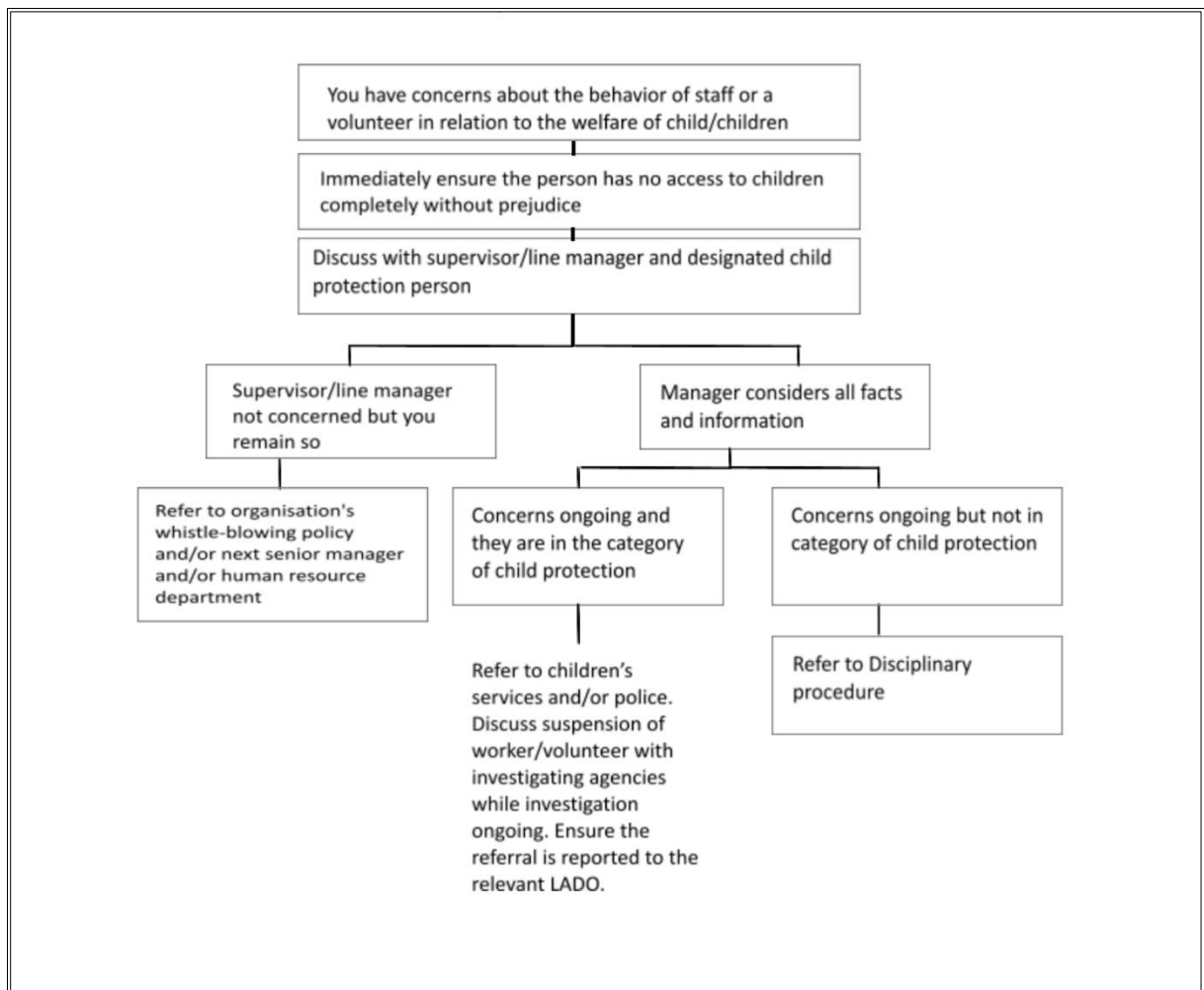




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What to do if you have concerns about a member of staff or a volunteer in relation to child protection





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Other policies

This policy should be read in conjunction with our Equal Opportunities Policy; Complaints and Grievances Procedures; Disciplinary Procedures; and Health and Safety Manual. Additional recommendations for Health and Safety in arts practice include:

- An appropriate number of legally responsible adults are present.
- There must be adequate space.
- There must be access to a telephone in the building, or as an alternative, the practitioners must have a working mobile phone on their person.
- Equipment must meet safety standards.
- There must be a First Aid box which meets current Health and Safety (First Aid) regulations and a member of staff trained in First Aid.
- Regular and appropriate food and drinks are provided.
- No school group, youth group or group from a care setting (i.e. a group which operates *in loco parentis*) should be left without a legally responsible staff member present e.g. a teacher for a school group.
- The artists/arts facilitators should know the evacuation procedures and should tell the group.
- Children and young people should have a 'named person' to whom they may report any worries or concerns.
- Contact names and telephone numbers for 'named people' should be visibly displayed.
- Staff and children should use separate toilets wherever possible, or if this is not possible, they should not use them at the same time as one another.

Photographic procedures

1. Avoid using children's names in photographic captions. If the child is named, avoid using their photograph.
2. Always use a parental permission form to obtain consent for a child to be photographed/videoed.
3. Obtain the child's permission to use their image.
4. Only use images of children in suitable dress to reduce the risk of inappropriate use.
5. Avoid personal information about children which could be used by an individual to learn more about a child.
6. Always issue written expectations of professional photographers or the press who are invited to an event, making clear the organisation's expectations of them in relation to child protection.
7. Do not allow photographers unsupervised access to children.



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8. Do not approve photography sessions outside the event or at a child's home.

Social media

Always consult your line manager before embarking on any social media activity relating to Forgan Arts Centre activity. **Never become 'friends' with or connect personally with participants, particularly young people under the age of 18 before, during or after your period of work with Forgan Arts Centre.**

Never disclose via social media:

- Offensive or inappropriate pictures or comments about Forgan Arts Centre, its customers or its staff, and project participants;
- Confidential information about Forgan Arts Centre, its customers or its staff;
- Information that could embarrass you, your colleagues, your participants, students or Forgan Arts Centre;
- Comments or material which could damage Forgan Arts Centre reputation;
- Company logos without written consent.

Refrain from using inappropriate language or refer to explicit content or behaviour on a site where you can be identified as Forgan Arts Centre team member. It is an act of gross misconduct to associate the Company name with any explicit material.

Never post a photograph without signed photography permission forms from those included in it – always liaise with the Producer or Director about such permissions. Never tag individuals in photographs.

Forgan Arts Centre reserves the right to request that certain subjects are avoided for safeguarding reasons. We may ask you to withdraw certain posts and remove inappropriate comments.

- Any social media activity relating to Forgan Arts Centre projects, events or courses should be conducted through the official channels.
- Always consult Forgan Arts Centre before embarking on any social media activity relating to Forgan Arts Centre activity.

If you are worried about sharing concerns about abuse with a senior colleague, you can contact your local Social care Team or the police direct call 101, or the NSPCC Helpline on 0808 800 5000, or Child line on 0800 1111.



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I have read and understood the Safeguarding Policy and will adhere to the instructions and Forgan Arts Centre's code of conduct:

Print name:

Role:

Signed:

Date:

Version number	Change or update	Author or owner	Date
1.0	First version	JW	27.07.2024
1.1	Annual review	JW	06.11.2024