



## Safeguarding Procedure

**All employees, freelancers and volunteers working with children or adults at risk are required to familiarise themselves with these procedures.**

These procedures are to support staff in the process of raising a concern about suspected abuse. In all cases, any suspicion, allegation, incidents of abuse or actions taken must be reported to the designated member of staff responsible for safeguarding children and adults at risk (Executive Director) as soon as possible.

### Context

LA deliver a range of participatory workshops and projects in different contexts and with diverse target groups. These include one off sessions, short courses and longer-term projects. Some projects are delivered in partnership with organisations who lead on the safeguarding of participants such as schools, residential homes and mental health settings. Other projects may involve LA leading on the safeguarding of vulnerable participants – in these cases the Lead Artist will be responsible for ensuring safeguarding practices and policies are adhered to, in consultation with LA's Executive Director (designated member of staff).

### 1. What is Abuse?

Different categories of abuse apply to children and adults at risk – as identified by the Working Together to Protect Children 2018, and The Care Act 2014 respectively. Categories which apply to both groups include:

**Physical abuse** can involve hitting, shaking, throwing, poisoning or misuse of medications, burning or scalding, drowning, suffocating or otherwise causing physical harm, including fabricating the symptoms of, or deliberately causing, ill health, and so called 'honour' based violence. It may also be caused through an omission or the failure to act to protect.

**Psychological / Emotional abuse** is the persistent emotional ill-treatment of a child or adult at risk such as to cause severe and persistent adverse effects on that person's emotional development. It may involve making the individual feel that they are worthless or inadequate. It may feature age or developmentally inappropriate expectations being imposed on children, as well as overprotection and limitation of exploration and learning, or preventing the child participating in normal social interaction. It may also involve causing the person to feel frightened or may involve exploitation or corruption.

**Sexual Abuse** involves forcing a child or adult at risk to take part in sexual activities including prostitution, whether or not they are aware of it or consent to what is happening. This refers to both physical acts and non-contact activities such as looking at or being involved in the production of pornographic materials or being encouraged to act in sexually inappropriate ways.

**Neglect** is the persistent failure to meet a child or adult at risk'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, clothing or shelter, or failure to ensure adequate supervision including the use of inadequate care-takers, or the failure to ensure access to appropriate medical care or treatment. It may also include neglect of

their basic emotional needs.

The NSPCC notes that there are other sources of stress for children and families such as, domestic violence, the mental illness of a parent or carer, or drug or alcohol misuse may have a negative impact

on a child's health. If it is felt that a child's wellbeing is being damaged by any of these areas, the same procedures as for abuse should be followed.

### **Additional Considerations for Children:**

**Bullying:** Under the Children's Act 1989, a bullying incident should be addressed as a child protection concern when there is "reasonable cause to suspect that a child is suffering or is likely to suffer significant harm"

**Child Criminal Exploitation:** This is where an individual or group takes advantage of an imbalance of power to coerce, control, manipulate or deceive a child or young person under the age of 18 into any criminal activity; even if the activity appears consensual.

**Child Sexual Exploitation:** 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; even if the sexual activity appears consensual.

**Positions of Trust and Grooming:** A position of trust is when someone has a position that holds authority within an organisation. It is legally applied to those who are in specific settings such as education, hospitals and clinics, care settings, children's homes, residential family centres and justice settings and who are carrying out regulated activity. Grooming is when someone male or female builds an emotional connection with a young person or vulnerable person in order to gain their trust in preparation for sexual abuse.

rooming can be done face to face or through technology.

### **Female Genital Mutilation:**

Female genital mutilation (FGM), sometimes known as 'female circumcision' or 'female genital cutting', is illegal in the UK. It's also illegal to take a British national or permanent resident abroad for FGM, or to help someone trying to do this.

### **Additional categories of abuse identified by The Care Act 2014, applying to adults at risk:**

**Financial abuse** such as theft, fraud, coercion over wills, misusing someone's money, property or other belongings without their agreement.

**Discriminatory abuse** such as ill-treatment or harassment based on a person's age, gender, sexuality or sexual orientation, disability, religious or ethnic group.

**Organisational or Institutional abuse** through rigid regimes, systemic poor care, poor organisational culture, lack of resources, denial of choice, lack of dignity for service users.

**Modern slavery** such as human trafficking, forced labour and domestic servitude.

**Self-neglect:** This covers a wide range of behaviour and can include poor personal hygiene; not taking care of own health; Hoarding. A decision on whether a response is required under safeguarding will depend on the adult's ability to protect themselves by controlling their own behaviour.

**Domestic Violence:** The cross-government definition of domestic violence and abuse is: any incident or pattern of incidents of controlling, coercive, threatening behaviour, violence or abuse between those aged 16 or over who are, or have been, intimate partners or family members regardless of gender or sexuality.

## 2. How might you recognise or become aware of Abuse?

Recognising abuse is not easy, and it is not your responsibility to decide whether abuse has taken place or if an individual is at significant risk. You do have the responsibility however to raise any concerns you

may have and all complaints, allegations, or suspicions must be taken seriously. You may become aware of abuse by:

- A child or adult at risk telling you, directly or inadvertently – in person, over the phone, or via email
- Someone else reporting that a child or adult at risk has told them or that they strongly believe that a child or adult at risk has been abused
- An individual might show some signs of physical injury or neglect for which there appears to be no satisfactory explanation
- An individual's behaviour may indicate that it is likely that she or he is being abused. E.g risk taking behaviour, withdrawn, sudden change in temperament
- Observing one child or adult at risk abuse another

## 3. Responding to Suspicions of Abuse

If you suspect abuse:

You should notify the Designated Safeguarding Officer of the host organisation if working in a theatre, outside organisation, residential setting or school; or with LA-led activity, you should contact LA's (LA's DSO). If you suspect that this individual is actually the source of the problem, you should make your concerns known to another member of staff (in line with the Lead organisation's safeguarding procedures). Should the designated member of staff be under suspicion, please refer to section 5 in this policy: Responding to Allegations of Abuse against a Member of Staff.

- You could raise relevant concerns or test out doubts by contacting the relevant safeguarding board (adults or children):

### **Leicester Safeguarding Children's Partnership Board**

Telephone: 0116 454 1004 (open 24/7).

Post: Duty and Advice Service, Halford House, 91 Charles Street, Leicester. LE1 1HL

Members of the public could visit Customer Services at 91 Granby Street, Leicester LE1 6FB where a telephone will be available to contact the Duty and Advice Service, [Children's Social Care](#). Or the relevant L.A.D.O.

Leicester City Council LADO based within the Safeguarding Unit:

Tel: 0116 454 2440 Email :Lado-allegations-referrals@leicester.gov.uk

Leicestershire County Council LADO:

Line: 0116 305 4141 Email: CFS-LADO@leics.gov.uk

Rutland County Council:

Tel: 01572 758 407

Details of other local authorities can be found here:

<https://www.gov.uk/find-local-council>

- If you think someone is in immediate danger, phone the police on 999 and/or take

**them to hospital for medical advice if you suspect they require medical assistance.**

- Make a note for your own records of what you witnessed as well as your response within one hour.
- Report to Literati Arts Executive Director (designated member of staff) what has happened and any action has been taken.

#### **4. Responding to a Child or Adult at risk disclosing to you**

It is possible that a child or adult at risk who is or has suffered abuse will confide in you. This is something you should be prepared for and must handle carefully. The following action should be:

- Stay calm, and not look shocked or disturbed.
- Make sure someone is aware of where you are and can see you or where possible another responsible adult is present.
- Listen carefully to what is said and allow the person to tell you at their own pace. ▪ Ask questions only for clarification for example if you don't understand a specific word or they are speaking quietly. Don't ask questions that suggest a particular answer.
- Don't promise to 'keep it a secret'. Explain that you will need to share the information with others. Make it clear that you will only tell the people who need to know and who should be able to help.
- Reassure the individual that 'they did the right thing' in telling someone.
- Tell the individual what you are going to do next.
- Speak immediately to the person who has designated responsibility for safeguarding– which might be the DSO at host venue/organisation (e.g. Head teacher or Day Centre Manager) or LA's DSO. It is that person's responsibility to liaise with relevant authorities, usually the local Adult or Children's Safeguarding Board. As soon as possible, make a note of what was said during the disclosing conversation, using the child or adult at risk's own words. Note the date, time, any names that were involved or mentioned, who you gave the information to. Make sure you sign and date your record.
- Report to Literati Arts Executive Director (designated member of staff) what has happened and what action has been taken.

#### **5. Responding to Allegations of Abuse against a Member of Staff**

Any suspicion, allegation or actual abuse of a child or adult at risk by a member of staff must be reported to the designated member of staff with responsibility for Safeguarding (Executive Director) within 24 hours. If the designated member of staff cannot be contacted, or that member of staff is involved in the allegation, the report should be made to the Artistic Director, or if the Artistic Director or Executive Director is involved in the allegation the report should be made to the Chair of the Board.

On being notified of any such matter the designated member of staff shall notify the Artistic Director & Chair and take such steps as she considers necessary to ensure the safety of the individual in question and any other individual who might be at risk

The allegation shall be dealt with under LA disciplinary procedures.

#### **6. Recording and Reporting Information**

A full record should be made as soon as possible of the nature of the allegation and any other relevant information including:

- the date & the time
- the place where the alleged abuse happened
- the name of the complainant and, where different, the name of the individual who has allegedly been abused and any other names mentioned,

- the nature of the alleged abuse
- description of any injuries observed
- the account which has been given of the allegation
- making sure you sign and date it
- Following an allegation, all details of the report and actions taken after shall be made by the designated member of staff including the above plus:
  - Parties who were involved
  - Any action taken by the school or host organisation to investigate the matter further
  - Any further action e.g. suspension of a worker
  - Where relevant, reasons why there is no referral to a statutory agency
  - Names of persons reporting and to whom reported

The record should be clear and factual as it may be needed as evidence in court. Copies of reports, notes etc. will be kept securely at all times and kept for a period of six years.

## **7. Confidentiality & Consent to Sharing of Information**

The legal principle that 'the welfare of the child or adult at risk is paramount' means that the considerations of confidentiality which might apply to other situations in the organisation should not be allowed to override the right of the child or adult at risk to be protected. However, every effort should be made to ensure confidentiality is maintained for all concerned when an allegation has been made and is being investigated. Promises of confidentiality should not be given as the matter may develop in such a way that these cannot be honoured. If a complaint or allegation is made against a member of staff, he or she will be made aware of his or her rights under both employment law and internal disciplinary procedures. Confidentiality will be maintained including safe handling, storage and disposal of any information provided on artists. (Data Protection Act 1998)

### **Consent**

#### **WORKING TOGETHER TO SAFEGUARD CHILDREN 2018 GUIDANCE**

You do not need consent to share personal information or report concerns about a child. Wherever possible, you should seek consent and be open and honest with the individual from the outset as to why, what, how and with whom, their information will be shared. There may be some circumstances where it is not appropriate to seek consent, because the individual cannot give consent, or it is not reasonable to obtain consent, or because to gain consent would put a child's safety at risk.

#### **ADULTS AT RISK:**

**You must always seek consent and respect an individual's right to choice.** However if you feel that any of the following are present then consent may not be needed. You should always give this careful consideration:

- other people are, or may be, at risk, including children
- sharing could prevent a crime
- the alleged abuser has care and support needs of their own and may also be at risk
- a serious crime has been committed
- members of staff are implicated
- the person may be being coerced
- the risk is unreasonably high and meets the criteria for a multi-agency risk assessment conference referral
- a court order or other legal authority has asked for information.

<https://www.scie.org.uk/safeguarding/adults/practice/sharing-information>

## **Review and Contact details**

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Safeguarding and child protection trustee

Name: Yasmin Clarke

Phone/email: Yasmin-A-Clarke@outlook.com

We are committed to reviewing our policy and practice at least once a year.

This policy was last reviewed on: 5th January 2024

Signed:

A handwritten signature in black ink, appearing to read 'Yasmin', written in a cursive style.

Date: 05/01/2024