

# **CHILD AND VULNERABLE ADULT PROTECTION POLICY**

DECEMBER 2017

## **INTRODUCTION**

We at the Theatre Royal and Royal Concert Hall recognise our duty of care to safeguard from harm all children involved in activities that we run or promote. All children have the right to protection, and the needs of disabled children and others who may be particularly vulnerable will be taken into account. The Theatre Royal and Royal Concert Hall will do our utmost to ensure the safety and protection of all children involved in our activities through adherence to our Child Protection guidelines, which aim to create safe working practices and a stimulating and creative environment. This policy also allows all those working in the Theatre Royal and the Royal Concert Hall to make informed and confident responses to specific child protection issues.

## **WHAT WE MEAN BY ‘CHILD PROTECTION’**

Child protection means recognising, understanding, and carrying out our responsibility as an organisation to protect the children and vulnerable adults with whom we come into contact from physical, sexual and emotional abuse, and from accidents, by ensuring that:

- the welfare of the child is paramount;
- all children, whatever their age, culture, disability, gender, language, racial origin religious beliefs and/or sexual identity are protected from abuse;
- all suspicions and allegations of abuse are taken seriously and responded to swiftly and appropriately;
- all staff (paid or unpaid) and artists working with us or on our behalf understand their responsibility to report concerns to the appropriate manager.

## **WHAT WE MEAN BY ‘CHILDREN AND VULNERABLE ADULTS’**

As defined by law, a child is a person under the age of 18 years. (The Children’s Act, 1989)

There is no legal definition of the term ‘vulnerable adult’. Arts Council England uses the following definition:

Vulnerable adults are people who are or who may be in need of community care services because of mental disability or other disability, age or illness, and who are, or who may be, unable to take care of themselves or unable to protect themselves against significant harm or exploitation.

## **WHAT WE MEAN BY ‘CHILD ABUSE’**

Child-abuse is a situation in which a person under the age of 18 years has either suffered, or is believed to be at risk of, sexual abuse, emotional abuse (including bullying), neglect, or physical injury. The perpetrator may be an adult or another child, and the abuse may have occurred either as the result of direct action by an abuser or through the failure of organisations or individuals responsible for the child’s safety and well-being.

## DISCLOSURE

There are some basic guidelines for dealing with a disclosure of abuse:

**Listen** to what the child is saying

**Accept** what they are saying, and show that you believe them

**Reassure** the child that they have done the right thing in telling someone

**Explain** that you cannot keep it a secret, and must tell a teacher or guardian

**Don't question** the child, except to ensure their immediate safety - interviews should be carried out by a qualified professional, as they may constitute evidence in a subsequent legal action

**Act immediately** in reporting the disclosure to the Head Teacher or leader of the group you are working with

**Record** what was said as soon as possible, using the child's own words

Any member of staff or artist to whom a disclosure is made should allow the child's teacher or guardian to take charge of the situation, and to activate their own child protection procedures, as soon as possible after the disclosure. However, if there is any suspicion that appropriate action might not be taken, staff should call the Centralised Duty Team at Nottingham Social Services (0115 915 5500) to report their concerns and ask for advice.

## PROMOTING GOOD PRACTICE

Child abuse, particularly sexual abuse, can arouse strong emotions in those facing such a situation. It is important to understand these feelings and not allow them to interfere with your judgement about the appropriate action to take. We must also remember that we are not trained to deal with situations of abuse or to determine in most circumstances whether or not abuse has occurred.

Abuse can occur within many situations and environments. Some individuals will actively seek employment or voluntary work with young people in order to harm them. Situations could arise where arts workers find themselves identifying cases where children need protection. All suspicions or cases of poor practice should be reported following these guidelines in this document.

## GOOD PRACTICE GUIDELINES

All staff and artists are encouraged to demonstrate exemplary behaviour in order to safeguard the welfare of children with whom they are working, and to protect themselves from false allegations. The following are common sense examples of how to create a positive culture and climate.

- Always work in an open environment (e.g. avoid private or unobserved situations and encourage open communication with no secrets).
- Never transport children in a car or other vehicle belonging to a member of staff and, where possible, avoid travelling alone with a child when using the company's vehicles.
- When working with groups of children from schools, colleges, youth clubs and other organisations, always ensure that the group leader is present throughout the activity.
- Never agree to or seek to make any contact with a child outside of the work context.
- Avoid entering into direct correspondence with a child by telephone, email, post, or by any other means, except where such correspondence is an essential and pre-planned component of a project or work-placement. Any written correspondence must be copied to the child's teacher, group leader or parents. Telephone contact should only be made where strictly necessary, and staff must make calls from the Theatre Royal and Royal Concert Hall, not from home or a mobile.
- Never allow a child to leave or become separated from a group unsupervised.
- Treat all young people/disabled adults equally, and with respect and dignity.
- Recognise that children with disabilities may be more vulnerable to abuse than other children.
- Always put the welfare of each child first, before achieving goals.
- Maintain a safe and appropriate distance with pupils or participants.
- Avoid wherever possible offering manual or physical support during workshop exercises.
- Build balanced relationships based on mutual trust which empower children to share in the decision-making process.
- Make the arts fun and enjoyable, and promote equality.
- Give enthusiastic and constructive feedback rather than negative criticism.
- If groups have to be supervised in dressing-rooms, always ensure that supervisory staff work in pairs.
- Ensure that adults change only in dressing-rooms or other facilities not used by children, and use only staff toilets.
- Only administer first aid if the child's parent/guardian/teacher asks us to do so or is unable to do so themselves. If emergency first aid is required then the immediate health of the child is absolutely paramount. Where staff are to act in loco parentis, obtain written consent in advance from the child's parents or guardian to administer first aid. We would expect staff to follow all necessary first aid protocol, as well as ensuring that details are recorded in accident/incident books.
- Be an excellent role model - which includes not smoking or drinking alcohol in the company of children.

## PRACTICES NEVER TO BE SANCTIONED

We must never:

- Engage in rough, physical or provocative games.
- Allow or engage in any form of inappropriate touching.
- Allow children to use inappropriate language unchallenged.
- Make sexually suggestive comments to a child, even in fun, or allow children to make sexually suggestive comments to us unchallenged.
- Reduce a child to tears as a form of control.
- Allow allegations made by a child to go unchallenged, unrecorded or not acted upon.
- Do things of a personal nature for children or disabled adults, that they can do for themselves.
- Invite or allow children to stay with us or visit us at our homes unsupervised.

**N.B.** It may sometimes be necessary for staff or volunteers to do things of a personal nature for children or a vulnerable adult, particularly if they are young or are disabled. These tasks should only be carried out with the full understanding and consent of parents and the persons involved. There is a need to be responsive to a person's reactions. If a person is fully dependent on you, talk with him/her about what you are doing and give choices where possible. This is particularly so if you are involved in any dressing or undressing of outer clothing, or where there is physical contact, lifting or assisting a child or vulnerable adult to carry out particular activities. Avoid taking on the responsibility for tasks for which you are not appropriately trained.

## PHOTOGRAPHY AND VIDEO

Many of our projects and productions are photographed, and some are videoed. We may wish to make a photographic record of activities for a number of reasons, including the promotion of our work, the compilation of reports, and archival purposes. However, it is possible for offenders to manipulate images of children to create child pornography; individual children can also be identified with a particular school or setting and then targeted for abuse or kidnapping. In order to mitigate these risks we should:

- Seek the active and informed consent of parent/carer, preferably through a signed form, that photography will be taking place and for what purpose it shall be used. If working with school groups seek consent of the lead teacher of the group and check that the school has completed their relevant consent forms.
- When photographing very large groups, e.g. audiences. Signs need to be displayed informing that photography will be taking place and that those who do not wish to be photographed need to see a member of staff.
- Ensure that images of children are stored securely.
- Ensure that no child can be identified (including by means of their uniform or a school logo on their clothing) from any photographic image or video published by the Theatre Royal or Royal Concert Hall in any format. It is often possible to remove or obscure logos or other identifying marks from photographs by digital means, and this is acceptable provided that it is fully effective.

If children are to be used for promotion and publicity purposes, a chaperone must always be used and full parental consent obtained. A member of staff will be present throughout a press call to ensure that the safety and the welfare of the child is paramount.

Dressing rooms will always be provided for children to change into appropriate costume for a photo/film shoot. Chaperone will only allow shoot to begin when the child is ready and fully dressed. Photographers/film crew must not be escorted to the dressing room area before the chaperone has confirmed that the child/children are ready.

The Theatre Royal and Royal Concert Hall will never send a publicity image featuring a child to any individual/s specifically requesting such image for personal use, i.e. a family member. Such requests will be referred to the chaperone in charge.

## **WORK EXPERIENCE**

It is not possible for us to provide a completely risk-free working environment; however, we must take all possible precautions to reduce the level of risk. These include:

- Work experience co-ordinator to interview student prior to placement and ensure effective liaison with school.
- Work experience co-ordinator needs to make sure that they have all relevant contact telephone numbers, email addresses etc for the student's school, in order for them to be contacted if necessary.
- Wherever possible, work in open areas. If we are working in those parts of the building which are out of the public view, we should try to avoid working alone with a student or ensure that another member of staff is present.
- If a member of staff is working with a student in their office along the admin corridor please ensure that door is left open and that other staff are aware that you are working with student. To aid this a schedule of a student's work experience programme will be circulated to staff and displayed on the central notice-board in the admin area.
- Avoiding travelling alone in a vehicle with a student.
- Recognising that the children taking part in our scheme may all be about the same age, but they will have very different levels of ability, maturity, self-confidence and social skills. This must be taken into account when designing tasks for students to carry out, and in developing working relationships with them.
- Maintaining good communication with students, so that any issues which arise during a placement can be discussed and dealt with promptly.
- Immediately reporting any concerns about a student's attendance, behaviour, health or well-being to the Theatre Royal and Royal Concert Hall's work experience co-ordinator who will then immediately contact their school and/or parent/carer.

## **ACCESS REQUIREMENT REGISTER**

The Access Requirement Register has helped to identify when a customer may require additional access needs. This also helps to safeguard staff when dealing with vulnerable customers.

A free ticket for a personal assistant (PA) is available for any deaf or disabled person who has purchased a ticket to an event or performance and would be unable to attend without the help of their personal assistant.

The PA must be able to assist the deaf or disabled person to access the theatre and its facilities, remaining with them to ensure their wellbeing and comfort. Anyone designated as a Personal Assistant must be able physically to assist the person they are with to leave the building in an emergency.

A free PA ticket is available at the venue's discretion to those who need assistance from another person in order to move around safely within The Theatre Royal and Royal Concert Hall buildings.

## **SAFE PLACES**

The Theatre Royal & Royal Concert Hall is part of the Safe Places Scheme. The scheme enlists local businesses and public places within the local community where vulnerable people can go when they are in distress and in need of assistance. The safe place will supply basic support to the individual to help them contact their friends, family, carers / support workers and the emergency services, if a crime has taken place.

## **DEMENTIA AWARENESS**

The Theatre Royal & Royal Concert hall recognise how music and theatre play an important role in engaging with people who are living with Dementia and can contribute significantly to maintaining people's independence and reduce social isolation.

The Theatre Royal and Royal Concert Hall supports Dementia Friends, an Alzheimer's Society initiative, to help people develop an understanding of dementia and support customers and employees who are affected by the condition.

## **AUTISM & RELAXED PERFORMANCES**

TRCH is committed to treating each person as an individual and will prioritise inclusion when interacting with members of the public. Understanding how a person with autism communicates is vital to supporting them to access the arts. Our employees are briefed on inclusion and acceptance and encouraged to treat all members of the public with respect and dignity. In recognition of the work we have completed so far, we have been accredited with the Autism Access Award from the National Autistic Society.

During a performance, staff are to be made aware that if they are notified of someone making involuntary noises in the auditorium, they can observe the situation and report any customer comments to the duty manager who will action as required, but to be rest assured that their carer accompanying them knows their individuals' needs best. It is anticipated that they will make the right decision on behalf of the child / adult if they think they are in distress or are causing a disturbance and remove them from the auditorium.

If someone does need to exit the auditorium, the show relay is available on the screen in the Stalls foyer and can be offered as an additional resource until they feel ready and comfortable to go back inside the auditorium.

Involuntary noises may be helping the individual to make sense of the world and could be how they communicate their enjoyment.

The Theatre Royal and Royal Concert Hall is committed to a regular programme of relaxed performances. These are specifically designed and adapted for customers with a wide range of disabilities and those on the autistic spectrum, as well those living with dementia and families with young babies. They have a less formal, more supportive atmosphere in order to reduce anxiety levels.

Further training for staff on Autism Awareness and Relaxed Performances is completed on a yearly / show by show basis.

## RECRUITMENT AND DBS CHECKS

Staff who work directly with children and vulnerable adults, such as the Creative Learning Department, will be subject to DBS checks. These checks and any changes in legislation pertaining to child protection are to be made in conjunction with HR department of Nottingham City Council.

All freelance artists who are employed by the Theatre Royal and Royal Concert Hall for time-limited projects must show proof of a DBS check. The date provided on the disclosure must be within three years.

For further guidelines relating to the Disclosure and Barring Service please see Appendix One: Equity Factsheet

## WORKING WITH VISITING COMPANIES

In contracts issued from the Theatre Royal and the Royal Concert Hall it will state that each company must have its own child protection policy, where applicable. This is necessary for both professional and non-professional companies visiting either venue. For shows that have children and vulnerable adults it would be expected that relevant personnel within the company have undertaken the necessary DBS checks. This would need to be part of the company's child protection policy. A request to see a company's child protection policy can be proffered by the Theatre Royal and the Royal Concert Hall at any time.

## CHAPERONE & BACKSTAGE POLICY

**We request that all companies, staff and personnel related to a visiting show make themselves fully aware of all the points related below in regard to our chaperone policy and working with children backstage. Failure to comply with any of the venue's policies could result in the Theatre Royal & Royal Concert Hall not re-booking companies for future shows.**

All chaperones, including those appointed by the visiting company, at the Theatre Royal and Royal Concert Hall need to provide and show the venue with their current chaperone ID.

Please note that the Theatre Royal & Royal Concert Hall does not regard possession of a DBS certificate as sufficient proof of a chaperone licence.

Details about applying for a chaperone licence can be found at

<https://www.gov.uk/apply-for-child-performance-licence>

A Chaperone must be responsible for a maximum of 12 children only of the same gender at all times. This ratio falls to 1 to 8 for children aged 7 years or younger. All chaperones are to have a list of all children performing, with a copy to be held at Stage Door.

Chaperones must also hold a copy of children's licence to perform, which may be requested at any time by the venue.

The venue must also receive from the visiting company a copy of their Child Protection Plan detailing chaperones and management of children backstage for their production. This must be received no later than 14 days prior to first performance.

Each visiting company must provide a company name and contact to whom all incidents regarding children backstage can be reported during their visit. This will

be displayed prominently on company notice-board at Stage Door. Please note that venue staff, unless it is an emergency, have been advised not to approach children directly when backstage. Any incidents will be reported immediately to the designated company contact.

The responsibility of the chaperone is to receive the children from their responsible adult and ensure they have signed in.

At the end of the performance the chaperone must ensure that all children remain with them until collected and signed for by their responsible adult.

The chaperone must ensure that no child is left unattended at any time whilst on the premises of the Theatre Royal and Royal Concert Hall.

It is essential that the correct number of chaperones are employed to manage the children in their care. This is to ensure there is adequate cover both for dressing rooms and when the children are back stage in either or both wings. No child must ever be left alone at the side of the stage.

The visiting company must make sure that dressing rooms are occupied by children only - split ages and male/female.

Due to the needs of a production a 'quick change space' can be created at the side of the stage. This area must be chaperone led and will be designed to ensure the modesty and protection of the child performer(s). Under no circumstances must a child be dressed/undressed in the wings, unless it is within the 'quick-change space'. Venue staff have been instructed not to be at the side of the stage whilst a child is being dressed/undressed. If a company requires a 'quick change' space then the request needs to be submitted no later than 14 days prior to the first performance.

For a production that utilises children and young people it is essential that separate toilet facilities are provided and managed, ensuring that adults and children do not share the same facilities. A chaperone must accompany children to the toilets. A detailed diagram of the Theatre Royal and Royal Concert Hall's backstage facilities can be obtained on request.

If for any reason a chaperone is not satisfied with the conditions for a child or children in their care during a production, they should bring this immediately to the attention of the venue and/or visiting company.

If a chaperone considers that a child is unwell or too tired to continue, the chaperone must inform the venue and/or the visiting company and not allow the child to perform.

All chaperones need to be aware of the venue's safety arrangements, first aid procedures, locations of first aid boxes and to ensure that children in their care do not place themselves and others in danger.

Chaperones should ensure that any accidents are reported to and recorded by the venue and the visiting company (if applicable).

To assist chaperones in their work and to ensure the protection and safety of children, only performers and show-related crew are allowed backstage. At the end of a performance children will be collected from an agreed place, such as Stage Door or Front of House.

Due to the size and scale of the venue, chaperones and children in their care are restricted only to the performance space they are working in.

This policy of only performers and show-related crew being allowed backstage relates to any performance at the Theatre Royal and Royal Concert Hall, regardless of whether or not children are appearing in the show. This policy will be actively enforced by our Stage Door team.

The Theatre Royal & Royal Concert Hall recognise that a chaperone is not legally required if a parent or teacher who would ordinarily provide the child's education looks after a child during a performance (Children - Performances and Activities - Regulations 2014). However, the Theatre Royal and Royal Concert Hall will always

strive to have a licensed chaperone, due to knowledge of venue and show and to prevent other family members of child intervening in parental role.

To this end the Theatre Royal & Royal Concert Hall will also no longer accept exemption certificates from licensing procedures.

For any issues pertaining to child licencing please contact Karen McAndrew at Nottingham City Council on 0115 8764892 [karen.mcandrew@nottinghamcity.gov.uk](mailto:karen.mcandrew@nottinghamcity.gov.uk)

## **TRAINING, REVIEWS AND OTHER INFORMATION**

The Theatre Royal & Royal Concert Hall is committed to reviewing our child protection policy on a regular basis and will make any necessary amendments as appropriate. Also, through working with agencies such as the NSPCC we will endeavour to provide training to staff on issues of child protection wherever possible.

More details relating to information contained in this policy, namely ...

A Guide to Child Performance Licensing by National Network for Children in Employment and Entertainment

The Children (Performances and Activities) (England) Regulations 2014 can be found in the education shared drive for the Theatre Royal & Royal Concert Hall under Child Protection

## **THEATRE ROYAL AND ROYAL CONCERT HALL DESIGNATED PERSON**

The Designated Person at the Theatre Royal & Royal Concert Hall to whom any suspicions or allegations of abuse should be reported is:

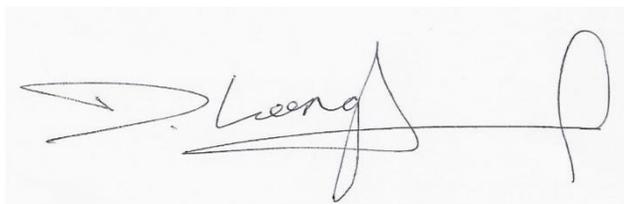
**DAVID LONGFORD**

Tel. 0115 9895531

[David.longford@nottinghamcity.gov.uk](mailto:David.longford@nottinghamcity.gov.uk)

The Designated Person will receive, record, and assess information, inform or consult the statutory authorities where necessary, and deal with any personnel issues. Where an allegation has been made against a member of staff or an artist, this may include the temporary suspension of that person pending further investigation.

**signed on behalf of Theatre Royal and Royal Concert Hall**

A handwritten signature in black ink, appearing to read 'David Longford', written over a light grey rectangular background.

**position** Creative Learning Manager

**dated** 6 December 2017

**date of next review** December 2018

## Appendix One

### Disclosure and Barring Service

#### A guide for Children's Entertainers and freelance entertainers February 2015

##### **What is the Disclosure and Barring Service (DBS)?**

The DBS is a checking service for employers who are legally entitled to ask about an applicant's criminal background. The service was launched on 1<sup>st</sup> December 2012 effectively replacing the system of Criminal Records Bureau (CRB) checks that was previously in place. The new body is a merger between the Criminal Records Bureau and the Independent Safeguarding Authority (ISA).

##### **Why did the system change?**

In its last term of office the previous Labour government was moving forward with introducing a new system called the Vetting and Barring Scheme (VBS). This would have gradually put together a live database of those suitable to work with children or vulnerable adults to replace the previous system of paper certificates. The advantage would have been that checks would be always up to date and portable between employers. The main problem was that it was estimated that around 9 million adults would have needed to have been on this database under the rules at the time. When the coalition government was elected they suspended the introduction of the scheme and held a review and then looked at scaling back the system to 'common sense levels'. The recent changes were then included with the Protection of Freedoms Bill which was enacted during 2012.

##### **Where does it apply?**

These changes in the law apply in England, Wales and Northern Ireland only. Scotland has its own system under Disclosure Scotland which is not covered fully in this information sheet.

##### **How does this affect Children's Entertainers?**

In relation to children, the Protection of Freedoms Act 2012 defines 'Regulated Activity' as activity which a barred person must not do. The definition of this activity is much more tightly defined than it used to be and only those who regularly carry out largely unsupervised activities with children or vulnerable adults would need to be checked. Most freelance work in schools would not meet this criteria as the work is generally supervised so there should be no need for a check. This would also go for a lot of other work connected to local authorities and the public sector in general. Checks

have never been needed for work in private homes or for general children's party work and that remains the same.

**What if an employer says I need a check?**

There are some roles undertaken by Equity members which do constitute 'Regulated activity' and in that case a check would be needed. If that is the case then the employer, you would expect, would organise and pay for that on your behalf. Likewise for some volunteering roles a check would be needed and the charity or organisation should also be able to undertake the check and there would not normally be a charge for this. It may, however, be the case that an employer (or agent) is asking for a check because they misunderstand the rules and a check is in fact not required. The employer could well be breaking the law by requesting such a check and that should be discussed with them if you feel you do not need one for the role. You can contact Equity for advice if you have a problem with this.

A number of employers who were registered with Equity's Job Information Service used to request a CRB then a DBS check but many, on discussion with the member of staff concerned, dropped this requirement.

**Can I get a check myself?**

If an employer says you need a check and will not get it done for you then, as with any previous system, an individual cannot get a check done on themselves. This is because the basic premise of a check is to ask an individual about their criminal background and it would then be an individual asking themselves! A check, however, can be obtained through an Umbrella Body. Such Umbrella Bodies can be found online through the Home Office website and Equity has links with some which its members can use. Please contact Michael Day on the details below. Unless a check is actually a requirement of your work then Equity would not suggest obtaining a check.

**How much do checks cost?**

The check needed for work with children is the 'Enhanced with barred list checks'. This checks various lists of those who are barred from working with children or vulnerable adults. The DBS charges £44 for the check, which normally takes about 4 weeks to process, and the Umbrella Body would add on an admin fee in the region of £15 + VAT.

**What is the Update Service?**

A system called the Update Service was introduced in the summer of 2014 and allows employers to access up to date information about your certificate online. You need to register for the Update Service within 19 days of your certificate being issued and pay an annual fee of £13.

Further information can be found on <http://www.homeoffice.gov.uk/agencies-public-bodies/dbs/>

**What if there is something on my certificate, will it stop me working?**

From 29<sup>th</sup> May 2013 old and minor offences were 'filtered' such that they did not appear on new certificates. This had presented a problem for a small number of members who had perhaps accepted cautions for minor offences when they were much younger and this information was appearing on a check. Where offences do appear on a certificate it is unlawful under the Rehabilitation of Offenders Act 1974 for an employer to refuse employment on the basis of a spent conviction. There are exceptions to this, however, for certain roles which is likely to include those which contain regulated activity.

**Why do some employers suggest getting a check from Disclosure Scotland?**

Through the Disclosure and Barring Service covering England and Wales there is no system whereby an individual can directly obtain a certificate themselves. Through Disclosure Scotland, however, an individual can apply for a basic level disclosure for the fee of £25. This shows only unspent convictions throughout the UK and can easily be applied for online. Some employers are now asking for individuals to provide this for many different types of work across the UK. Other than for certain roles employers are not allowed to ask about spent convictions under the Rehabilitation of Offenders Act 1974 but can ask about unspent convictions and this certificate backs up the applicant's statement. It is expected that these certificates will become available through the DBS in the future.

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