

NYB

National Youth Ballet

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National Youth Ballet Safeguarding Children and Young People Policy Updated April 2018

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Registered Charity No. 1000932
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Safeguarding Children and Young People Policy and Procedure

1. Safeguarding Children and Young People Policy

National Youth Ballet (NYB) is committed to the safety and protection of children in our care, ensuring children are respected, taken seriously, listened to; and preventing anything that contradicts the dignity and rights of a child.

We have a duty of care to children with whom we work; their parents/carers/guardians need to feel confident that, as an organisation, we have the safety of their children as our primary concern.

NYB is equally committed to ensuring that its members of staff are kept informed, supported and protected from unfounded allegations of abuse.

NYB is dedicated to developing an environment of safety and security, operating to Local Authority safety guidelines for children in stage performances.

To these ends NYB has formulated this policy to demonstrate its commitment to the welfare of children and employees, and has implemented effective procedures for recording and responding to incidents, complaints and alleged or suspected incidents of abuse.

The Safeguarding Children and Young People Policy and Procedure is revisited annually to assess whether it requires updating. Members of staff who are regularly supervising children will undergo appropriate child protection awareness training.

2. Safeguarding Children and Young People Procedure

The National Youth Ballet (NYB) Safeguarding Children and Young People Policy and Procedure has been drafted in line with the guidance document produced by Arts Council England entitled 'Keeping Arts Safe; Guidance for Artists and Arts Organisations on Safeguarding Children, Young People, and Vulnerable Adults' and with the DfE document Working Together to Safeguard Children.

The designated person with primary responsibility for child protection for National Youth Ballet is Clare Thurman, Executive Director. The Executive Director is supported by trustee, Jonathan Payn and the Operations Manager, Clare Witton. The Executive Director in conjunction with the appointed trustee and Operations Manager is responsible for the review and updating of the policy and procedure.

The role of the designated person includes:

- Attending child protection and safeguarding training and keeping up-to-date with current legislation and developments in the field of Safeguarding.
- Liaising with internal departments to ensure the implementation of the Safeguarding Policy.
- Receiving and recording information from staff, volunteers, children or parents/carers who have child protection concerns. Assessing the information properly and carefully, clarifying or obtaining more information about the matter as appropriate and consulting with senior colleagues if necessary.
- Consulting initially with a statutory child protection agency regarding any doubts or concerns as soon as possible. If necessary, to make a formal referral to a statutory child protection agency

within 24 hours.

The policy is available to all members of staff as part of the induction process, and is available to parents of children participating in performances or on work experience.

3. Legislative context

The Protection of Children Act 1999 established a coherent framework for identifying those adults considered to be unsuitable to work with children. The Act required childcare organisations to make use of the Disclosure service in their recruitment and reporting processes (and strongly urges other organisations involved with children and young adults to do so). The Protection of Children Act 1999 was superseded by the Criminal Justice and Court Services Act 2000, which is specifically about disclosures and child protection issues. Since 2002 there have been significant developments and incidents that bring protection issues to the forefront. These include:

- The introduction of the Criminal Records Bureau Disclosure service in April 2002.
- Sexual Offences Act 2003 and the Children's Acts 1984 and 2004.
- Working Together to Safeguard Children 2015
- High-profile cases of children and young people harmed by adults known to them.
- The DfE requirements of increased vigilance regarding recruitment of staff and admittance of visitors to schools.
- Growing public awareness of how the internet can be exploited for the purposes of child sexual abuse.
- The Protection of Freedoms Act 2012 is now also a key statutory reference for the safer recruitment of staff working directly with vulnerable groups

4. Definitions

For the purposes of this policy and procedure, the following definitions apply:

'Member of staff'

The term 'Member of staff' shall mean any permanent or fixed-term employee, casual worker freelancer or volunteer.

'Child'

For these purposes, a child is defined as any young person under the age of 18 (Section 105 of the Children Act 1989) who is participating in NYB performances, educational activities or on work experience.

'Responsible Adult'

Any adult, not being a parent of the child, who, for the time being, has legitimate care, custody or control of that child.

'Child Abuse'

Child abuse is the abuse of relationships. It is a misuse of power and a betrayal of trust. The results of abuse have an immediate and harmful effect on the child and the effects may remain with the child throughout later life. The consequences of the pain of child abuse are frequently more harmful than most people realise and unresolved abuse issues may follow the child into adulthood.

The different forms of child abuse are defined by the Government in its Working Together document as:

Physical Abuse:

Physical abuse may involve hitting, shaking, throwing, poisoning, burning or scalding, drowning, suffocating or otherwise causing significant 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:

Emotional abuse is the persistent emotional maltreatment of a child such as to cause severe and persistent adverse effects on the child's emotional development. It may involve conveying to children that they are worthless or unloved, inadequate, or valued only insofar as they meet the needs of another person. It may include not giving the child opportunities to express their views, deliberately silencing them or 'making fun' of what they say or how they communicate. These may include interactions that are beyond the child's developmental capability, as well as overprotection and limitation of exploration and learning, or preventing the child participating in normal social interaction. It may involve seeing or hearing the ill-treatment of another. It may involve serious bullying (including cyber bullying), causing children frequently to feel frightened or in danger, or the exploitation or corruption of children. Some level of emotional abuse is involved in all types of maltreatment of a child, though it may occur alone.

Sexual Abuse:

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 (including via the internet). Sexual abuse is not solely perpetrated by adult males. Women can also commit acts of sexual abuse, as can other children.

Neglect:

Neglect is the persistent failure to meet a child's basic physical and/or psychological needs, likely to result in the serious impairment of the child's health or development.

Neglect may occur during pregnancy as a result of maternal substance abuse. Once a child is born, neglect may involve a parent or carer failing to:

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

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

5. Code of Conduct

- a) No member of staff shall engage in sexual contact or in any relationship with a child other than a properly conducted staff-to-young person relationship. This condition applies regardless of the age of the child and also when the child is over the age of consent (It should be noted that a sexual relationship between an adult teacher and any student is in breach of professional teaching guidelines. In certain circumstances it may also constitute a criminal offence).
- b) No member of staff shall engage in conduct towards a child that is intended to be oppressive, threatening, and manipulative or in any way improper or with a view to causing the child physical or emotional harm or sexual harm.

- c) It is unrealistic and inappropriate for NYB to prohibit physical contact between its staff and children. Touch is an essential part of the creative interpretation of roles as well as a means of directing movement, encouraging performance and providing comfort and re-assurance. Touch is also an essential part of the costuming process prior, during and after a performance. Where physical contact is necessary the responsible adult should be able to explain the reason. However, staff must bear in mind that even innocent actions can be misconstrued. It is important for staff to be sensitive to a child's reaction to physical contact and to act appropriately. No child should ever be touched on a part of his/her body in a way that is indecent. Touch must always be related to the needs of the child rather than to those of the member of staff.
- d) It is the primary duty of every member of staff to ensure the safety and well being of every child in their care. Each member of staff must ensure that all reasonable steps are taken to minimise risk of harm or injury to any child and must abide by the policies, procedures and guidelines set out in this document.
- e) Where there is any reason for believing that a child has been abused, is being abused or is at risk of being abused, in any way arising as a result of that child's association with NYB, it shall be the duty of any member of staff to whom that information is made known to take action at once, according to the procedures laid down in the Reporting Form, which is available from the NYB office.
- f) Any instance of inappropriate behaviour towards a child, by any person employed by NYB shall be the subject of an enquiry, which may involve external statutory authorities. The report of any enquiry will be presented to the Executive team of NYB who will decide what further action is necessary and whether there are sufficient grounds to institute disciplinary proceedings. This will take place whether the Police choose to prosecute or not.
- g) A member of staff who finds him/herself alone with a child must exercise particular care. There should be no apprehensiveness in the mind of either person if such a situation arises, but physical contact should be avoided whenever possible and the presence of an additional person sought as soon as reasonably practicable.
- h) Children must at all times be treated with respect in attitude, language and behaviour. Sexual innuendo whether by word or gesture is prohibited.
- i) No person under the age of 18 years shall have the responsibility for supervising any other child.
- j) Child performers must not be allowed to leave the premises, until a pre-arranged designated time.
- k) Contact between children and the staff of NYB should take place only in the course of the business of NYB. Members of staff are discouraged from giving private tuition to a child whom the member of staff has come to know through NYB. Should this happen, NYB must be aware of this and the member of staff needs to understand that this takes place outside of the NYB Safeguarding Policy.
- l) In working with children staff should be aware of the Good Practice guidelines below. Good practice creates a positive child protection climate and assists in protecting staff from false allegations of abuse.

Good Practice:

- Always working in and encouraging an open environment (e.g. no secrets)
- Treating all young people equally, with respect and dignity
- Always putting the welfare of each young person first
- Maintaining a safe and appropriate distance except where it is an essential part of the process
- Building a balanced relationship based on mutual trust which empowers children
- Ensuring that any form of manual assistance or physical support is provided openly. Children and parents, guardians or carers should be consulted and their agreement gained
- Involve parents, guardians, carers and chaperones wherever possible
- If groups have to be supervised do so in pairs where practicable
- Being an excellent role model, this includes not smoking or drinking alcohol in the company of young people
- Record any injuries sustained accurately in line with the Royal Opera House accident policy

Practice to be avoided:

- Avoid spending time alone with children away from others
- Avoid association (outside the work environment) with children you have met at work

Practice never to be allowed:

- Engage in rough, physical or sexually provocative games, including horseplay
- Share a changing room alone with a child
- Allow or engage in any form of inappropriate touching
- Allow children to use inappropriate language unchallenged
- Allow adults to use inappropriate language in the presence of children unchallenged
- Make sexually suggestive comments to a child, even in fun
- 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 that they can do by themselves
- Invite or allow children to stay with you at your home unsupervised

6. Filming, photography and social media

- a) NYB works with a wide variety of media to promote understanding and engagement with its work. Children should not be photographed or filmed without prior permission from their teacher, parent or guardian. In use of this material the following guidelines should be considered:
- i. Photographs of children in performances and other activities must be retained and stored in an appropriate manner and only used for legitimate NYB purposes
 - ii. The use of both a child's first and last name in photographs, captions and file names should be avoided
 - iii. Group pictures rather than individuals should be used wherever possible
 - iv. Only images of children in suitable dress should be used to reduce the risk of inappropriate use
- b) NYB acknowledges that social networking sites are a key tool for communication and marketing of its performances and participatory projects and can act as effective recruitment tools for projects and events. However, all staff and contractors should limit communication with individuals to official NYB phone or email communications channels.
- c) Staff should not use their personal mobile devices for communication with children or vulnerable adults unless in an emergency.
- d) Staff should not use their personal devices for photographing or filming children taking part in NYB activity.
- e) Staff should not accept children below 18 years of age who they have met through their work with NYB as 'friends' on social networking sites. Neither should they divulge private email addresses or telephone numbers to these children. Staff should not publish pictures on social networking sites of their work at NYB that involves children.

7. Disclosure and response procedures:

NYB recognises the importance in having clear procedures available to enable staff to handle situations where an appropriate response is needed to a Safeguarding concern. The term 'disclosure' is generally used to describe what happens when a child/vulnerable person tells an adult that they are being abused. It is not the responsibility of anyone working at NYB, in a paid or unpaid capacity, to decide whether or not child abuse has taken place. However there is a responsibility to act on any concerns by reporting these to one of the Designated Responsible Persons for NYB. There are other ways that a concern may arise, including

when a disclosure is made by another child or adult. Any disclosure, and whoever makes that disclosure, should be taken seriously. Staff and artists working within NYB have been instructed and should adhere to the procedures outlined below and in Appendix A.

Responding to a child – The Four Rs

Receive

- Listen to the child
- Take them seriously
- Keep an open mind

React

- Stay calm, stay professional
- Ask open questions
- Don't criticise
- Explain the next steps
- Contact one of Sadler's Wells Designated Responsible Persons

Reassure

- "You've done the right thing!"
- Be honest about outcomes
- Never promise confidentiality – find an appropriate early opportunity to explain it is likely that information will need to be shared with others

Record

- Make brief notes immediately and keep them secure, use Appendix A as a checklist of details that should be recorded
- Record specific words used by the child/vulnerable adult
- Record impartially

8. Child Performer guidelines and the role of chaperones

In accordance with the Children and Young Persons Act, 1963 section **Entertainment** NYB understands and enforces that all children i.e. persons under age of 16 taking part in public performances, shall only take part in the performances, where payment is made to the company, if they have a licence granted by the local authority in whose area he/she resides or by the local authority in whose area the performances are taking place.

NYB applies directly to the Local Authority to be approved as a Body of Persons under section 37 of the above act. If approved NYB is exempted from the need to apply for individual licences for children to perform within the applicable council. The power to grant licences under this section shall be exercisable subject to such restrictions and conditions as the Secretary of State may by regulations made by statutory instrument prescribe and a local authority shall not grant a licence for a child to do anything unless they are satisfied that he is fit to do so and that proper provision has been made to secure his health and kind treatment and that, having regard to such provision (if any) as has been or will be made therefor, his education will not suffer; but if they are so satisfied, in the case of an application duly made for a licence under this section which they have power to grant, they shall not refuse to grant the licence.

Regulations under this section may make different provision for different circumstances and may prescribe, among the conditions subject to which a licence is to be granted, conditions requiring the approval of a local authority and may provide for that approval to be given subject to conditions imposed by the authority.

A licence under this section shall specify the times, if any, during which the child in respect of whom it is granted may be absent from school for the purposes authorised by the licence; and for the purposes of the enactments relating to education a child who is so absent during any times so specified shall be deemed to be absent with leave granted by a person authorised in that behalf by the managers, governors or proprietor of the school or, in Scotland, with reasonable excuse.

NYB therefore provides the Local Authority with detail of each performance / rehearsal including the dates, times and location, together with the full name, date of birth and address of all children taking part, at least 21 days in advance of the first performance. Any changes to the performance schedule are advised in advance. The organisation also provides the name and contact details of the lead person responsible for each performance.

NYB comply with Regulation 11 and Regulations 15 to 29 of The Children (Performance and Activities) (England) Regulations 2014.

No payment is taken in respect of taking part in the performances, other than for offsetting expenses, that will be made to any young person or anyone acting on their behalf.

NYB follow the National Network for Child Employment & Entertainment restrictions in relation to all performances. This covers age restrictions, breaks, hours permitted for performance or rehearsal.

Chaperones

- NYB ensures that the appropriate number of Local Authority approved chaperones are engaged to care for the children with specific regard to their sex and age, and ensure all children are supervised at all times
- NYB provides details of the appointed chaperones
- NYB agrees to any authorised officer of the Local Authority having unrestricted access whilst any dress or technical rehearsal or performance is taking place
- NYB provides a written Child Protection Policy to the Local Authority
- NYB submits a Child Details form signed by a parent / guardian
- NYB ensures a list of emergency contact details in respect of each child is held
- NYB ensures signing in and out sheets and daily record sheets for each performance

This policy was written by Clare Thurman
National Youth Ballet Executive Director
April 2018

Adopted by and on behalf of National Youth Ballet.

Mikah Smillie
Artistic Director
Signature and Date

Member of the Board of Trustees
Signature and date

Review Date 31 January 2019

Safeguarding Children and Young People Policy and Procedure

Appendix A

Incident Reporting Form – CONFIDENTIAL

Action to be taken if you have:

- a suspicion that a child attending NYB or its related project is being abused/harmed, but by somebody not connected to NYB.
- a suspicion that a child is being abused/harmed by somebody employed, or working in a voluntary capacity by NYB.
- received an allegation from a child or adult that they are being abused/harmed by somebody not connected to NYB.
- received an allegation that somebody employed or working in a voluntary capacity at NYB has abused/harmed a child.
- for any reason, concerns regarding Child Protection issues, or you are unsure of the action to take, or require advice.

You should contact the Designated Safeguarding Person. Calls will be returned as a matter of urgency.

Following discussion with the Designated Safeguarding Person, they will advise you regarding further action to be taken. In the meantime you should follow the general guidance below:

Do not inform parents if the abuse allegation concerns what is happening in the child's_ home, unless or until Social Services have given permission. (Please remember that Social Services may have information already on file that you are not aware of).

Because it can be very difficult for a child to report that they are being abused, particularly whilst it is happening, it is important that any allegation is taken seriously. The alleged victim is likely to minimise the seriousness of abuse that has occurred, so it is important to record everything.

If the allegation concerns abuse in a setting other than the home it may be appropriate for you to advise the parents. The guidance of Social Services must be sought before doing so.

CONFIDENTIAL

Incident Reporting Form

Nature of Concern: (Circle appropriate concern)

Suspicion that a child attending NYB or its related project is being abused/harmed, but by somebody not connected to the NYB.

Suspicion that a child is being abused/harmed by somebody employed, or working in a voluntary capacity by the NYB.

An allegation from a child or adult that they are being abused/harmed by somebody not connected to the NYB

An allegation that somebody employed or working in a voluntary capacity in the NYB has abused/harmed a child.

Name and address of the child or adult making the allegation or believed to be the victim

Name of the person, to whom the allegation or statement was made (including their role/position)

Name of all persons present when the allegation or statement was made

Date and time the allegation was made or first came to notice

What was alleged? What were the words used (please be as exact as possible) and to whom?

What was the physical and emotional state of the alleged victim?

Who else is aware of the alleged abuse?

Are the media aware?
If Yes, please give information as to who they are and what they know. If the media are not aware are they likely to be made aware? If Yes, please give details.

Any other relevant information

Signed..... Date.....

Action to be taken by Designated Safeguarding Person

Notify Kent County Council Social Services

Tel: **03000 41 11 11**

If the child is in immediate danger dial 999.

Explain in detail your concerns and accept their advice with regard to immediate action. Ask Social Services if they will be contacting the Police.

- Record name and position held of the person the information was passed to
- Record location
- Record any direction or advice given and action taken