

# **The Rifles Collection**

# **Safeguarding Children and Vulnerable Adults Policy**

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## Introduction

The Rifles Collection is committed to ensuring access to its collections for children and vulnerable adults and that everyone who accesses premises, exhibitions, staff and resources off-site should be safe and protected from harm.

This policy is in place to ensure that the Museum is following the requirements of the 2006 Safeguarding Vulnerable Groups Act and that these are adhered to at all stages of an individual's employment with the Museum, whether paid, contracted or voluntary in capacity.

It is mandatory for everyone working at the Museum to abide by the Museum's safeguarding policy, procedures and guidance. Any employee found not to have followed it may be subject to disciplinary action or alternative appropriate action if they are not an employee.

This policy will be made available on request to group leaders, teachers, and relevant police authorities.

## Definitions

### Child

A child, as defined in the Children's Acts 1989 and 2004, is anyone *who has not yet reached their 18<sup>th</sup> birthday*. 'Children' therefore means 'children and young people' throughout.

### Vulnerable Adult

A vulnerable adult, is defined as a person aged 18 and over who is or who may be in needs of community care services because of age, illness, physical or learning disability, or someone who is or may be unable to take care of or protect themselves against harm or exploitation (including those who have difficulty in communication and may need additional help).

## Scope and Associated Policies

This policy applies to everyone working at The Rifles Collection (including employees, contractors, temporary workers, volunteers and casual workers).

As part of its safeguarding commitment the Museum has allocated responsibilities under the scope of Winchester's Military Museums to a Designated Safeguarding Officer, who has undergone specific training for this role. This is Ian Bailey, Curator of the AGC Museum. His role is to act as a point of contact for everyone working at the Museum with safeguarding concerns and to advise on safeguarding matters.

The Safeguarding Children and Vulnerable Adults policy should be used in conjunction with the following policies: *Data Protection Policy, Winchester Military Museum's Safeguarding Policy, Volunteer Policy and Oral History Policy*.

This policy and the associated guidance will be reviewed annually or sooner, if required by changes in legislation or procedure.

## Aims

The Rifles Collection aims to:

1. Respect the rights of all children and vulnerable adults
2. Provide an environment (including museum-led activities off-site) which is safe and welcoming for children and vulnerable adults and which protects them from all forms of abuse
3. Ensure that everyone working at the Museum is aware of the need to protect children and vulnerable adults and know how to reduce the risks to them
4. Provide procedures and guidance for everyone working at the Museum for their own protection

## **Commitment**

The Rifles Collection and everyone who works within it endeavours to safeguard children and vulnerable adults by:

1. Adopting safeguarding procedures for all which minimise any opportunity for abuse and establish appropriate treatment of children and vulnerable adults.
2. Ensuring individuals working with children/ vulnerable adults are fully aware of and trained to follow the Museum's procedures, guidance and Code of Practice.
3. Sharing information about the principles of safeguarding and good practice with staff, volunteers and visitors.
4. Providing effective management through supervision, support and training.
5. Ensuring any accompanying individuals (parents, carers, teachers etc.) are aware of their own responsibilities in relation to safeguarding.
6. Sharing information about concerns with agencies who need to know, and involving parents/carers as appropriate.
7. Following robust procedures for the recruitment and selection of staff and volunteers and ensuring that individuals who are working with children/ vulnerable adults have the appropriate DBS checks in place.
8. Informing staff that not adhering to the policy and guidelines will lead to formal disciplinary action.
9. Designating a member off staff to lead on safeguarding issues.
10. Reviewing our policy and practice at regular intervals.
11. Ensuring safeguarding policies and procedures are regularly updated in accordance with current Government legislation and best practice.
12. Taking allegations seriously and responding fairly, swiftly and appropriately to allegations of abuse.

## **Code of Practice**

Everyone working at the Museum has a responsibility to ensure that children and vulnerable adults visiting the Museum are protected from abuse. It is each individual's responsibility to ensure that:

1. Their behaviour is appropriate at all times.
2. They observe the rules established for the safety and security of young and/or vulnerable people and understand the consequences of not adhering to these rules.
3. They recognise the position of trust in which they have been placed and seek to protect themselves.

If you are involved in an activity with children or vulnerable adults at the Museum you must understand and follow the Museum code of behaviour:

1. Always keep other members of staff/volunteers aware of where you are and what you are doing.
2. Avoid spending time with children or vulnerable adults unobserved.
3. Colleagues should look out for each other to ensure that they are not behaving in ways which could be misinterpreted.
4. Do not have, or be perceived to have, favourites.
5. Do not develop social relationships with children or vulnerable adults. If you do come into contact with those you have worked with in a social situation, try to maintain a professional distance.
6. Do not arrange meetings with children or vulnerable adults outside of working hours.
7. Be aware of any physical contact.
8. Do not engage in inappropriate behaviour or contact.
9. Never make suggestive remarks or threats or use any other inappropriate language.
10. Do not give out personal gifts or any kind and report any gifts you receive to your line manager.
11. Take any allegations or concerns about abuse seriously and refer concerns immediately following the Museum's procedures.
12. Do not do things of a personal nature which a child or vulnerable adult can do for themselves.
13. Do not take photos or film any child or vulnerable adult for personal use.

If an individual has any concerns about any aspects of the procedures, appropriate checks or the Code of Practice, then they should contact the Designated Safeguarding Officer.

## Disclosure and Barring Service

DBS checks form an important part of the safeguarding policy. Since December 2012 the regulations surrounding DBS checks have changed, particularly with regard to regulated activity. Careful consideration will be given to whether a DBS check is required for each role. You are only legally entitled to carry out an enhanced or enhanced with barred lists DBS check if someone's position is one of these listed in the 'exceptions order' of the Rehabilitation of Offenders Act (ROA) 1974 (Exceptions) Order 1975 and in the Police Act regulations and (for the barred list check) meets the definition of regulated activity.

There are two levels of enhanced checks:

### Enhanced

To be eligible for an enhanced DBS check the position must be included in the Rehabilitation of Offenders Act (ROA) 174 (exceptions) Order 1975 and in Police Act Regulations. If the answer is yes to the two questions below then you are entitled to undertake an enhanced DBS check.

Does the role involved one of the following activities?	Will the work take place regularly?
<ul style="list-style-type: none"><li>• Teaching</li><li>• Training</li><li>• Care</li><li>• Supervision</li><li>• Advice</li><li>• Treatment</li><li>• Transportation</li><li>• Being in sole charge</li></ul>	<p><b>This is defined as:</b> Frequently – once a week or more</p> <p><b>Or</b> Intensively – takes place on four or more days in a 30 day period</p> <p><b>Or</b> Overnight – defined as between 2am and 6am</p>

### Enhanced with adults and/or children's barred list check(s)

To be eligible to request a check of the children's or adults' barred lists the position must meet the DBS definition of 'regulated activity'. It is important to understand this definition. It is expected that extremely few museum roles would fall into this category.

Everyone working at the Museum who is eligible is required to undertake an enhanced DBS check, or, if they are involved in a regulated activity must have an enhanced with barred list check. This is a requirement of the Museum as part of their safeguarding responsibilities. If in any doubt at all, the Designated Safeguarding Office should be contacted immediately.

The Museum will accept a certificate previously issued by another organisation provided that the individual is a member of the update service and the Museum can carry out an instant update check. (For further information please see the Update service section below).

### Update Service

Checks carried out by other organisations can now be accepted by the Museum in certain circumstances, using the update service. The update service enables organisations to carry out an instant online check on an individual's enhanced DBS certificate, providing that the individual is registered with this service. The Museum will seek to use the online update service wherever possible. If the postholder is eligible for an enhanced DBS check, they will be asked if they are a member of the update service and in addition asked for their permission to allow the Museum to check their enhanced DBS certificate. If the answer is yes to both questions, the Museum will check their enhanced DBS certificate using the online update service. The Museum takes the refusal of permission very seriously as this may impact on the ability of the postholder to carry out the role.

## Appendix 1

### What is 'regulated activity'?

Regulated activity is work that a barred person must not do.

Since September 2012 the definition of regulated activity has changed. There are now different definitions of regulated activity depending on whether you are working with a child or a vulnerable adult.

#### **Activities that place a postholder in Regulated Activity with children are**

1. Unsupervised activities: teach, train, instruct, care or supervise children, or provide guidance on well-being, or drive a vehicle only for children.
2. Work for a limited range of establishments ('specified places') with opportunity for contact for example, schools, children's homes, childcare premises.

The museum does not come under the list of 'specified places' and therefore only the first point above is relevant.

If the activities in point 1 are being conducted under the reasonable day to day supervision of another person engaging in regulated activity then it is not regulated activity. It is up to the organisation to define what 'reasonable day to day supervision' means.

**Illustrative example:** A curator is regularly teaching groups of school children at the Museum. This will not be considered regulated activity if it is supervised by someone in regulated activity (e.g. a teacher is always present). However if the curator is usually the only adult present in the room then this is considered regulated activity and they will be eligible for an enhanced with barred list DBS check.

Points to note: The activity must be specifically for children. If it is merely incidental to activity with adults then it is not considered regulated activity. For example, if a child comes to a training event put on for adults then the trainer would not be engaging in regulated activity.

#### **Activities that place a postholder in Regulated Activity with a vulnerable adult (a person aged 18 years or over) are:**

1. Healthcare for adults provided by, or under the direction or supervision of a regulated health care professional (members of peer support groups and first-aiders are excluded).
2. Personal care for adults involving hands-on physical assistance with washing and dressing, eating, drinking and toileting, oral care or care of the skin, hair and nails (excluding only hair-cutting), prompting and supervising an adult with any of these tasks because of their age, illness or disability or teaching someone to do one of these tasks.
3. Social work – provision by a social care worker of social work which is required in connection with any health services or social services.
4. Assistance with and managing an adult's cash, paying an adult's bills or shopping because of their age, illness or disability.
5. Assisting in the conduct of an adult's own affairs under a formal appointment.
6. Conveying adults for reasons of age, illness or disability to, from, or between places, where they receive healthcare, personal care or social work.

Points to note: For vulnerable adults these remain regulated activities even if they are conducted under the supervision of someone in a regulated activity. An adult is considered vulnerable at the point of receiving any of the activities outlined above. The settings in which the activities take place and the characteristics of the adult receiving them are not relevant in deciding whether an adult is vulnerable.

## Appendix 2

### Further Information

The Government guidance for DBS eligibility can be found here:

<https://www.gov.uk/government/publications/dbs-check-eligible-positions-guidance>

A Government overview of the Disclosure and Barring service can be found here:

<https://www.gov.uk/disclosure-barring-service-check/overview>