



# Child Protection & Vulnerable Adults Policy

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## **The Aim**

Ffilm Cymru Wales's Safeguarding Policy aims to support the work of Ffilm Cymru Wales in the delivery of programmes linked to children, young people and vulnerable adults. This Policy will inform and guide those involved in projects and programmes funded by Ffilm Cymru Wales and can be used by staff and external delivery agents in carrying out their work on behalf of Ffilm Cymru Wales. It will ensure that appropriate procedures are put in place to safeguard the welfare of children, young people and vulnerable adults. Ffilm Cymru Wales funds external organisations, and those organisations who come into contact with children, young people and vulnerable adults will be required to demonstrate to Ffilm Cymru Wales that they have safeguarding policies and procedures in place.

## **Context**

Ffilm Cymru Wales is involved in several outreach programmes and also funds external third party organisations – all of which do/could come into contact with children, young people and vulnerable adults.

## **Legal Context**

In Wales, the Children Act 1989 outlines when to initiate care proceedings and the duty of local authorities to safeguard and promote children's welfare.

Much of the Children Act 1989 applies to both England and Wales. As of April 2016, Part 3 of the Act (which refers to support for children and families provided by local authorities) has been replaced by Part 6 of the Social Services and Well-being (Wales) Act 2014.

The Children Act 2004 strengthens this by encouraging partnerships between agencies and creating more accountability. Several sections have been amended, repealed or replaced by the Social Services and Well-being (Wales) Act 2014 and the Well-being of Future Generations (Wales) Act 2015 contents, including the requirements for the establishment of local safeguarding children boards in Wales.

The Social Services and Well-being (Wales) Act 2014 provides Wales with its own framework for social services by:

- giving individuals a stronger voice and more control over the care and support they receive
- encouraging a renewed focus on prevention and early intervention.
- Provisions in the Act include:
- Establishing a National Adoption Service.
- Strengthening powers for safeguarding children and vulnerable adults.
- Introducing a National Outcomes Framework for setting out what children and families can expect from social services.

The Welsh Government adopted the United Nations Convention on the Rights of the Child (UNCRC) as the basis for all policy relating to children and young people in 2004 (Welsh Government, 2019; Office of the United Nations High Commissioner for Human Rights (OHCHR), 1989).

The Rights of Children and Young Persons (Wales) Measure 2011 requires the Welsh government to: have due regard to the UNCRC in all its functions, including when developing or reviewing legislation and guidance

be responsible for making sure people in Wales know about the rights of children and young people as set out in the UNCRC.

(Welsh Government, 2019).

The Children's Commissioner for Wales has produced a framework to help children's services put children's rights at the centre of decision making (Children's Commissioner for Wales, 2021).

## **Principles**

Policies, Procedures and services to safeguard children and vulnerable adults should be based on the following principles:

- The child's welfare must always be paramount and this overrides all other considerations;
- Children have a right to be heard, to be listened to and to be taken seriously;
- Parents/carers have a right to respect and should be consulted and involved in matters which concern their families;
- Individuals and agencies concerned with the protection of children must share information and work together in the best interests of children and vulnerable adults.

## **Safeguarding the Welfare of Children and Young People**

Through outreach activities, individuals and organisations can engage with children, young people and vulnerable adults of all abilities. To enable children and young people to make the best use of these opportunities both individuals and organisations must have guidelines that promote safe working practices to safeguard the welfare of the child and vulnerable adults.

Child abuse occurs in a range of contexts, in families from all social classes and cultures and also in agencies and organisations. 'Perpetrators' is an encompassing name for young people and adults who abuse. Perpetrators of abuse do come from all walks of life and occupations/professions. Whilst the motivation of most adults/trainers/creative specialists is to provide a safe and positive experience for children, young people and vulnerable adults, this Policy will assist them through raising awareness and providing guidance. However, the underpinning principle behind the safeguarding of children and vulnerable adults is open communication and sharing of information with all relevant parties.

### **Good Practice**

- Ffilm Cymru Wales personnel and external service providers need to work within the principles of Good Practice
- Ffilm Cymru Wales personnel and external service providers need to be aware of the legal context within which they work
- Ffilm Cymru Wales personnel and external service providers need to ensure that they are aware of the specific needs of the group they will be working with and discuss with the contracting group how this will impact on their work and how these needs can be met.
- Before working in any setting Ffilm Cymru Wales personnel and the external service providers should familiarize themselves with both Ffilm Cymru Wales and receiving organisation's Safeguarding and Vulnerable Adult Policies.

### **Shared Responsibility**

The area of safeguarding the welfare of children and vulnerable adults is a shared responsibility and all organisations should continually review their safeguarding policy and procedures. Ffilm Cymru Wales takes this responsibility seriously and although rarely operating as a direct provider of services

to children it ensures that its staff, and funded third party organisations are aware of and implementing policy and procedures so that they understand their individual responsibilities and help promote best practice. Ffilm Cymru Wales and its funded organisations are required to have in place a Safeguarding policy/statement, which is a statement of intent that demonstrates a commitment to safeguarding children, young people and vulnerable adults involved with culture, arts and leisure activities. All organisations should:

1. Have a safeguarding policy/statement agreed by senior management;
2. Have written procedures for recruitment and selection of staff and volunteers;
3. Have safeguarding checks for staff and volunteers (if required);
4. Provide safeguarding training for a designated officer, staff and volunteers;
5. Have written procedures for reporting child protection concerns, disclosures and allegations;
6. Communicate contact details of designated officers to staff/volunteers; and
7. Communicate the safeguarding policy statement to staff/volunteers/children/young people/vulnerable adults and parents (if appropriate).

### Responding to Disclosure

If a child / young person confides information to you which gives cause for concern about possible abuse and requests that the information is kept secret, you must tell the child as sensitively as possible that you will need to pass the information on. No promise of confidentiality can or should ever be made to a child or anyone else giving information about possible abuse.

You may be alerted to the possibility that abuse is occurring by:

- A child telling you that something has happened;
- Someone else (another adult or child) telling you about his or her concerns;
- Observing physical or behavioural indicators of the child which cause you concern;
- Observing the practice of another person causes you some concern. If an immediate risk or danger is identified then it is important to discuss this with the supervising adult and agree to either make direct contact with the school's / group's Designated Officer or direct contact with the local Health and Social Services Office, local police service or the NSPCC.

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In responding to the child / young person create a safe environment by:

- Staying calm and not rushing into actions that may be inappropriate;
- Confirming you know how difficult it must have been to confide in you;
- Show you are taking what is being said seriously.

Be honest and do not make promises you cannot keep. Explain you may have to tell other people to stop what is happening.

Ensure you are quite clear about what the child says so you can pass it on to the supervising adult. Keep questions to a minimum and avoid closed questions (i.e. ones that can be answered by a single word such as yes or no). Use open questions to encourage the child to use his or her own words. The law is very strict and a child abuse case can be dismissed if it appears the child has been led or words or ideas have been suggested.

The following discussion with the supervising adult record exactly what the child has said to you, in a legible and accurate format, as soon as possible after the incident. Separate the facts from your opinion. Include:

- The child's name, address, date of birth;
- The date and time of any incident;
- Your observations (i.e. a description of the child's behaviour and emotional state);
- Exactly what the child said and what you said;
- Any action you took as a result of your concerns

Ensure you:

- Sign and date the Cause for Concern Form and send it to the Designated Officer of the school, group, club etc.
- Send a copy to the Ffilm Cymru Wales
- Maintain confidentiality. Unnecessary breaches of confidentiality can be very damaging to the child, family and any child protection investigations which take place.
- This is not your sole responsibility. Consult with the supervising adult and follow the Policy and Procedures. If working within an organisation you will also need to follow their procedures.

#### *Good Practice*

- It is important that children, young people and vulnerable adults feel they are being listened to and taken seriously;
- Be honest and do not make promises you cannot keep;
- If the child / vulnerable adult is in immediate danger then consult with the supervising adult re: immediate action;
- Pass on the information as quickly as possible to the supervisory adult and in writing to the Designated Officer in the school/organisation and, if appropriate, follow your own organisation's policy;
- Record your concerns including the exact words of the child, young person, vulnerable adult and copy to Ffilm Cymru Wales; and
- Maintain appropriate confidentiality and follow the Ffilm Cymru Wales Safeguarding Policy and Procedures.

#### Recording

Please give due consideration to how you record your concerns. Information should be written on the presumption that parents and relevant professionals can request access to them. Ensure that your own personal feelings and reactions are not noted but rather the information is factual, neutral in language and concise. The form should be forwarded to the Designated Safeguarding Officer of the school, group, organisation or unit and Ffilm Cymru Wales within 72 hours.

#### Confidentiality

Whilst it is important to sensitively inform the child / young person that confidentiality cannot be guaranteed when there is a cause for concern the following principles should be considered:

- Precautions should be taken to ensure that information is only given to the appropriate person.
- Any disclosure from a young person/adult should be led by the young person at their pace without pressure for detail by Ffilm Cymru Wales personnel / external service provider. Good Practice
- Ensure that your recording is factual, in neutral language and concise;
- Ensure you record the name of the Supervising Adult and Designated Officer of the school, group, organisation or club;
- Ensure the Cause For Concern Form is forwarded within 72 hours;
- Ensure confidentiality of sensitive information.

#### *Good Practice*

- Ensure that your recording is factual, in neutral language and concise;
- Ensure you record the name of the Supervising Adult and Designated Officer of the school, group, organisation or club;
- Ensure the Cause For Concern Form is forwarded within 72 hours;
- Ensure confidentiality of sensitive information.

## **Other Relevant Organisational Policies**

Ffilm Cymru Wales recognises that working with children and young people is both worthwhile and fulfilling, but it is also challenging.

Once Ffilm Cymru Wales has recruited staff/freelance trainers / creative specialists following their Recruitment and Selection Policy, they will need to ensure that they are all well informed, trained, supervised and supported, so that they are less likely to become involved in actions that can cause harm or be misunderstood.

This process includes the following:

### Induction

Staff and freelance personnel need clear instructions on the tasks and limits that apply to them as newcomers. They need to be familiar with our Safeguarding Policy and Code of Practice, as well as other policies such as on health and safety.

### Probationary or trial period

Ffilm Cymru Wales reviews the development and suitability of new staff and freelance personnel within six months of their taking up the post. For seasonal posts and short-term contracts, this period is usually reduced.

### Supervision and support

This focuses on the work that new staff need to do, and how they should do it. Leaders and managers can also comment on any good work that the recruits have done. Supervision provides an opportunity for new staff and freelance personnel to share concerns about their working environment; it provides an opportunity for both parties to discuss issues of importance and identify training needs. We recommend that everyone involved keeps a note of any agreed action points

## Training

Ffilm Cymru Wales recognises the importance of continual training and development. It is management's responsibility to identify both the individual and common training needs of our staff and freelance personnel. Training is an ongoing process, and relevant to the roles that people play in our organisation. All staff and freelance personnel who work with children, young people and vulnerable adults will participate in safeguarding training, which should include: awareness of abuse, implications for practice and organisational policy and procedures

## **General Code Of Behaviour**

The primary goal for organisations/agencies working with children, young people and vulnerable adults are to create a safe environment where they can grow, develop and access new experiences. A Code of Behaviour for trainer/creative specialists and arts organisations not only helps protect children, young people and vulnerable adults but also protects the trainer/creative specialist while working within the school, group, club etc.

- Children, young people and vulnerable adults must be treated with respect at all times. • Children, young people and vulnerable adults have a right not to partake in an activity that they feel uncomfortable with.
- The need to seek permission is required from parents / primary carers /children and young people.
- The need to obtain consent/release forms for use of any material produced by participants e.g. film, video, photography etc. These Consent / Release forms must provide as much information as possible for parents/carers to give informed consent.
- The need for the provision of information in advance concerning the content and requirements of the performance/workshop e.g. methods, touch etc.
- The need for content and material that is age-specific and appropriate to the needs of the group.
- The need to be aware of guidance in the Ffilm Cymru Wales Policy and Procedure regarding adult/child ratios.
- Any creative medium can invoke personal reactions and emotions in participants and therefore sensitivity and awareness are important.

### A - Physical Touch.

The use of physical touch will depend largely on the age and stage of development of the children, young people and vulnerable adults you work with, the context of the activities you provide and the physical needs of the children and young people in your care, i.e. you may be offering a service to children and young people with profound physical disabilities.

There are however several fundamental principles on the use of touch which should always be adhered to.

These are:

- Touching should always be with the child's permission. If a child or young person shows any resistance to touch, i.e. if you put your hand on their arm and they pull away, this must be

respected. A staff member or volunteer should never touch a child or young person in the genital area, buttocks or breasts.

- Touch should always be conducted openly. It should never be carried out in 'secret' or in a surreptitious manner.
- Touch should always be in response to the needs of the child and not the needs of the adult.

### B - Relationships and Attitudes

An individual's contact with children and young people may be limited to one session or may involve several sessions. The importance of open, honest and respectful relationships cannot be overemphasized irrespective of how long the contact is. It is essential that trainer / creative specialists NEVER:

- Engage in physical games or horseplay with children which is not part of structured activities.
- Make sexually suggestive comments to children or young people, or about children and young people even in fun.
- Engage in sexually provocative games.
- Use inappropriate language or inappropriate self-disclosures.
- Adopt inappropriate behaviour or conversations of a sensitive nature.
- Allow children to use inappropriate language. If this does occur, this must be discussed with the supervising adult.
- Whilst building relationships with the children, young people and vulnerable adults may necessitate one to one interaction, trainer/creative specialists must not:
  - Spend time alone with children or young people.
  - Take children alone on car journeys.
  - Escort children and young people in and out of the buildings.
  - Take children, young people or vulnerable adults to their homes.

### C - Tasks of a Personal Nature

Children due to their age, disability etc do require assistance with tasks of a personal nature i.e. toileting, changing. However, these tasks must be carried out by the supervising adult/s and never by Ffilm Cymru Wales personnel / external service provider. Supervision of children, young people and vulnerable adults is the responsibility of the external organisation/ group. This needs discussed and agreed upon before work begins. Making arrangements for the effective supervision of the children and young people's care is an essential component of safeguarding.

The following principles should always apply:

- The supervising adult should be someone who knows the group well and can observe behaviour and respond to any changes.
- The level of supervision must always be adequate, i.e. the ratio of staff and volunteers to children should ensure the following points are adhered to:
  - The ratio of staff plus volunteers to children with disabilities is dependent on the individual needs of the child.
  - Children and young people should be supervised at all times with the supervising adult in the room. This does not mean leaving the door open and supervising from another room.

### D. Managing Difficult Behaviour



Some of the children and young people in the workshop may at times exhibit difficult behaviour i.e. aggression, sexualised behaviour etc. This behaviour may be a manifestation of abuse that has occurred or it may be a result of other factors in the child's life.

Having a clear strategy to manage difficult behaviour is important and can be discussed with the external organisation at the planning stage. The management of children and young people during the activity will be the responsibility of the supervising adult – although the trainer/creative specialist should support them in this.

- Be aware of your own emotions. Try to appear calm as this may diffuse the situation.
- Treat children and young people with courtesy and respect. If you do overreact to a certain behaviour (i.e. shout at the child) then be willing to apologise to them.
- Be consistent. It is important to try to respond in a similar way to similar events and to carry through what you have said you are going to do.
- Always make a distinction between children and their behaviour. Make it clear that it is the behaviour you do not like. Emphasise that you will go on liking them regardless of their behaviour.
- Teach by example. Show by your actions and reactions that adults can be honest, accepting, trustworthy, dependable and willing to listen to children and young people at all times.
- Reward rather than punish. Rewards are a much more effective way of changing behaviour than punishments. Take every opportunity to praise children and young people.

#### *Good Practice*

- Having a Code of Behaviour will help protect you and the children and young people you work with.
- The Code of Behaviour should reflect your needs concerning your creative specialism. It makes sense to also refine the Code of Behaviour in some specific areas.

### Code Of Behaviour for Film Related Activities

It is important to realise that the increase in visual forms of communication has greatly enhanced our world today which for the most part is extremely positive. However, the internet has also provided an avenue for the exploitation of children and young people through images. Concerning Safeguarding good practice issues the following are specific areas to be aware of:

- That clear information is given to those persons whether children, young people or vulnerable adults and their parents/guardians/carers as to the exact detail of the visual art being used. Consent for children / vulnerable adults to attend the workshop is received in the first stage of the consent process.
- Good practice would recommend that a Release Form for use of visual work/images is forwarded before the visual facilitator attending the school/youth club/day centre to be completed by the parents/carers/guardians of the children and or young people who will be attending the workshop.
- It is important to understand the motivation of a person who is involved in the sexual exploitation of children, young people and vulnerable adults and that for them even the most innocent of photographs, images or film can provide them with sexual stimulation.
- The inclusion of a child, young person or vulnerable adult's image on a website has been another positive communication medium for visual facilitators to highlight their work and

showcase the work of groups. However, the internet is a medium with no boundaries and therefore an image can be forwarded to any number of other websites/emails/individuals. The security of these images to your particular website cannot be guaranteed.

- In recognising these issues it is, therefore, good practice to ensure that those adults signing a consent form are aware of all the visual mediums that their child or young person's image may be displayed on and permission sought for their consent in this way.
- As a visual arts facilitator, you must abide by safeguarding guidelines that would request that you do not place a child in an at-risk situation. Therefore it is good practice to question your motivation when considering displaying an image or film of a child or young person and if it is necessary.
- The showcasing of visual facilitators' work is very important for the display of work and in encouraging children / young people and vulnerable adults to continue to explore the visual arts. However, if showcasing a piece of work for which you have received consent in the Release Form also includes the image of another child / young person / vulnerable adult then it is good practice that consent for that image is received from the responsible parent/carer/guardian for that child/adult in that image.
- Good practice would highlight that all the material generated in the visual arts workshops remains the property of the individual participants / receiving organisation. Further consent for the showcasing of work needs to be given by the consenting parent/carer/guardian. For further information concerning issues of copyright/ownership of intellectual property please go to Department for Culture, Media and Sports (DCMS) at [www.culture.gov.uk](http://www.culture.gov.uk).
- Visual arts facilitators should never be alone with a child, young person or vulnerable adult in a 'dark' room/ editing studio situation.
- Accessing the internet can provide a breadth and depth of creative opportunities for children and young people and vulnerable adults as indicated earlier, however, this needs to be monitored to ensure its safe use. It is therefore important that at the planning stage protocols are agreed upon that address:
  - Confirmation that a child protection block is in place on the computers e.g. 'Childnet'.
  - Levels and quality of supervision are agreed upon.
  - Levels of taste and decency and appropriateness of the material for the children, young people and vulnerable adults. It is better to err on the side of caution unsure.

## **Safeguarding Vulnerable Adults**

In the course of our work staff may become aware of situations where a vulnerable adult is at risk of abuse or is being abused. Staff must be alert to signs of abuse and take appropriate action to safeguard vulnerable adults.

### Who is a vulnerable adult?

A vulnerable adult is any person aged 18 years or over who is, or maybe, unable to take care of him or herself or who is unable to protect him or herself against significant harm or exploitation. This may be because he or she has a mental health problem, a disability, a sensory impairment, is old and frail, or has some form of illness. Because of his or her vulnerability the individual may receive a care service in his or her own home, in the community or be resident in a residential care home, nursing home or other institutional settings.

### Why do we need to protect vulnerable adults?

Vulnerable adults are entitled to have their civil and human rights upheld and to live a life free from abuse. They need to be treated with respect and dignity and be able to choose how to live their lives independently. They should be allowed to participate in their local community as active citizens, fulfil personal aspirations and realise their potential in all aspects of their daily lives. If abuse does occur, vulnerable adults need to be assured that they will be protected by the law and have their civil and human rights upheld in the course of any investigation that takes place.

#### What makes an adult vulnerable?

The definition of a vulnerable adult is linked to the range of services targeted at people who need to access those services is more likely to render them vulnerable. This includes the services of a residential care home, nursing home, domiciliary and health care services, prison and probation services, welfare services and services offered to adults who have particular needs generated by age, a disability or health impairment.

#### What is meant by working with a vulnerable adult?

Since September 2012, the new definition of regulated activity relating to adults no longer labels adults as 'vulnerable'. Instead, the definition identifies the activities which, if any adult requires them, lead to that adult being considered vulnerable at that particular time. This means that the focus is on the activities required by the adult and not on the setting in which the activity is received, nor on the personal characteristics or circumstances of the adult receiving the activities.

#### Who might the abuser be?

It can be anyone:

- A partner, child, relative or friend.
- A paid or volunteer carer.
- Health, social care or other workers.
- A person claiming to be an employer of one of the above
- A stranger.

#### Where might the abuse occur?

Abuse can happen anywhere:

- In someone's own home.
- At a carer's home.
- Within nursing care, residential care or daycare.
- At work or in educational settings.
- In rented accommodation or commercial settings.
- In public places.

#### How can you be alert to signs of abuse?

- You may see or hear something happen.
- A vulnerable adult may disclose an allegation to you.
- A colleague, family member or somebody else may tell you something that causes you concern.
- You may notice injuries or physical signs that cause you concern.

- You may notice either the victim or perpetrator behaving in a certain way that alerts you something may be wrong

#### What should you do if you suspect abuse?

Remember your role is primarily supportive rather than investigative

#### DO

- Be open and honest about your concerns
- Stay calm.
- Listen very carefully.
- Ensure that no one is in immediate danger.
- Call for emergency services if urgent medical / police help is required.
- Be aware that medical and forensic evidence might be needed.
- Encourage the person not to wash or bathe as this could disturb medical/forensic evidence.
- Tell the person that they did the right thing in telling you.
- Express concern and sympathy about what has happened.
- Reassure that the information will be taken seriously and give information about what will happen next.
- Let the person know that they will be kept involved at every stage; that they will be told the outcome and who will do this.
- Give the personal contact details so that they can report any further issues or ask any questions that may arise.
- Explain that you must tell your line manager or designated officer.
- Inform your line manager or designated officer immediately.
- Explain what you have heard or seen that has given rise to your concerns.
- Give as much information as possible.

#### DO NOT

- Stop someone disclosing to you.
- Be afraid to act on your concerns.
- Press the person for more details.
- Promise to keep secrets or make promises you cannot keep.
- Gossip about the disclosure or pass on the information to anyone who does not have a legitimate need to know.
- Contact the alleged abuser.
- Attempt to investigate yourself.
- Tidy up, as this may disturb forensic evidence.
- Be judgmental.
- Leave details of your concerns on a voicemail or by e-mail.

#### Who do I contact if I suspect abuse?

It is important to remember that if a vulnerable adult is in immediate danger you should contact the emergency services immediately by dialling 101. Alternatively, you can contact social services for the local area (see <https://gov.wales/reporting-suspected-abuse-harm-or-neglect-safeguarding> ).

If you have any concerns discuss them with your line manager who may raise with the CEO, with time being of the essence. A record of the concern should be logged, including any action taken and relevant dates. The log will be held securely and confidentially within the Senior Executive system.