



BIRMINGHAM ROYAL BALLET

Director David Bintley CBE

Safeguarding at Birmingham Royal Ballet



Recognising and responding to
concerns and allegations

Recognising and responding to concerns or allegations

Often the initial reaction on hearing about abuse is disbelief, often followed by the worry of not knowing what to do, the fear of making things worse and possibly a desire not to be involved, especially if it is someone we know. These are normal reactions. However it is more serious if they prevent us listening to a child and responding appropriately.

The following guidelines contain information on what to do if you have a concern or allegation of abuse. They are split into two distinct areas Reporting a child welfare concern and Reporting an adult behaviour concern or allegation. However it is unlikely that any concerns you may have will split distinctly into a clear category and therefore procedures may overlap.

The concern or allegation procedures include:

- What is abuse and neglect?
- Who to contact?
- Responding to concerns or allegations of abuse
- Flow chart – reporting a Child Welfare concern
- Flow chart – reporting an Adult Behaviour concern
- Form for recording concerns or allegations

These procedures for reporting concerns or allegations of abuse apply to all staff and artists who work for the Company whether on permanent, temporary or freelance contract, volunteers, trustees, and parents and carers. While the principles in the Policy and Good Practice guidelines apply to work with children and vulnerable adults in any location, the reporting procedures were drawn up within the legislative framework of England, Wales and Northern Ireland and may vary outside these jurisdictions. Also included within these procedures is guidance on sharing information and keeping records of the concerns or allegations.

Anyone who has concerns about a child's welfare should make a referral.

What is abuse and neglect?

Abuse and neglect are forms of maltreatment. Somebody may abuse or neglect a child or vulnerable adult by inflicting harm, or failing to act to prevent harm. Children may be abused in a family or in an institutional or community setting, by those known to them or, more rarely, by a stranger. They may be abused by an adult, or another child or children.

It is generally accepted that there are four main forms of abuse:

1. **Physical abuse** may involve hitting, shaking, throwing, poisoning, burning or scalding, drowning, suffocating or otherwise causing physical harm. Physical harm may also be caused when a parent or carer fabricates the symptoms of illness in a child, or deliberately causes illness.
2. **Emotional abuse** is persistent emotional ill-treatment, which can cause severe and persistent adverse effects in emotional development. It may involve conveying to a child or vulnerable adult that she/he is worthless or unloved, inadequate or valued only for meeting the needs of another person. It may feature age or developmentally inappropriate expectations being imposed. These may include interactions that are beyond the child or vulnerable adult's developmental capability, as well as over protection and limitation of exploration and learning, or preventing participation in normal social interaction. It may involve seeing or hearing the ill-treatment of another. It may involve serious bullying, causing children or vulnerable adults frequently to feel frightened or in danger. Some level of emotional abuse is involved in all types of ill-treatment of children and vulnerable adults, but it can also occur alone.
3. **Sexual abuse** involves forcing or enticing a child or vulnerable adult to take part in sexual activities, including prostitution, whether or not they are aware of what is happening. The activities may involve physical contact, including penetrative or non-penetrative acts. They may include non-contact activities such as involving children or vulnerable adults in looking at, or in the production of, sexual on-line images, watching sexual activities, or encouraging inappropriate sexual behaviour.
4. **Neglect** is the persistent failure to meet basic physical and/or psychological needs, likely to result in the serious impairment of health and development. Neglect may also occur during pregnancy as a result of maternal substance misuse. Once the child is born, it can include a parent or carer failing to: provide adequate food, clothing or 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.

Things to look for and think about

- Most children acquire cuts and bruises during their normal daily life, but location of bruises can be indicators of abuse – for example a bruise on a part of the body where accidental injuries are unlikely, e.g. the face, can be a worrying sign. Bruises that reflect hand marks, or injuries where the explanation does not make sense, are other causes for concern, as are unexplained changes in behaviour.
- Emotional abuse can be difficult to measure, but signs can include developmental delay, fear of making mistakes, self-harm, or a fear of their parent being approached regarding their behaviour.
- In cases of sexual abuse it is usually the child's or vulnerable adult's behaviour, which causes people to become concerned. In all cases, children who talk about sexual abuse do so because they want it to stop. It is important, therefore, that any child who talks to you about this is listened to and taken seriously. Behavioural changes, which can indicate sexual abuse, include nightmares, sexual knowledge that is beyond a child's age or development, eating problems, self harm, drugs misuse.
- Neglect can be difficult to recognise, but physical signs can include hunger, loss of weight, inappropriate dress for the conditions. Children may also complain of being tired all the time, and talk about being left alone or unsupervised.

Who to contact

Pearl Chesterman, Director for Learning, designated Safeguarding Officer, and Chair of the Safeguarding Steering Group.

Role: To oversee the development and implementation of the Safeguarding Policy and ensure that all policies and procedures are in place, relevant and practicable for all departments but with particular focus on education and community work. Responsible for ensuring that all procedures are followed in cases of concern or allegation.

Paul Grist, Company Manager and designated Safeguarding Officer.

Role: To ensure that all children engaged to perform with the Company are safeguarded in line with the Policy and Guidelines, including recruitment of registered chaperones and liaison with schools and local authorities to ensure all relevant licensing is completed. Works closely with the Director for Learning to ensure all procedures are followed in cases of concern or allegation.

Claire Owen, HR Director and designated Safeguarding Officer.

Role: To ensure that all recruitment procedures are followed in order to safeguard the children, young people and vulnerable adults the Company works with by completing all relevant recruitment checks on employees and future employees. Responsible for staff training and works closely with the Director for Learning to ensure all procedures are followed in cases of concern or allegation.

Safeguarding Steering Group

Marion Tait Assistant Director

Diana Childs Senior Stage Manager

Claire Lishman Media & PR Manager

Jonathan Payn First Soloist

Sue Harrison Board Member

Anelli Peavot Elmhurst representative

Role: Members of the Steering Group represent a cross-section of the Company and are responsible for reviewing the Policy and Procedures on an annual basis and ensuring that they are maintained throughout the Company

Useful contacts

If you have any concerns about the safety and/or welfare of a child or young person, contact the Multi Agency Safeguarding Hub (MASH): Telephone: 0121 303 1888;

E-mail MASH@birmingham.gov.uk

Secure e-mail: Secure.MASH@birmingham.gcsx.gov.uk

Simon Cross – general advice/training: 0121 464 2612

Local Safeguarding Children's Board

Room B54, Council House Extension

Margaret Street

Birmingham B3 3BU

E-mail: contactus@lscbbirmingham.org.uk

- Children's Social Care, Emergency Duty Team: 0121 675 4806
- Report concerns to the social services area office nearest the child's home
- Local Authority Designated Officer (LADO) – to be contacted if an allegation is against a member of staff: 0121 464 6007
- NSPCC: 0800 800 5000 (24-hour helpline for support or referral)
- help@nspcc.org.uk
- NSPCC Asian Child Protection helpline: 0800 096 7719
- NSPCC Wales Child Protection helpline: 0800 100 2525
- Police: 0845 113 5000

Sunderland

Safeguarding Children's Board

SSCB Business Unit – Room 13

Sandhill Centre

Grindon Lane

Sunderland SR3 4EN

Tel: 0191 520 5560 (8.30am – 5.15pm)

0191 520 5552 (out of hours)

Salford

Safeguarding Children's Board

Sutherland House

303 Chorley Road

Swinton M27 6AY

Referral and Initial Assessment Team

Tel: 0161 603 4500

0161 794 8888 (out of hours)

Plymouth

Safeguarding Children's Board

Sutherland House

303 Chorley Road

Swinton M27 6AY

Social Care and Advice and Assessment Team

Tel: 01752 308 600 (9am – 5pm)

01752 346 784 (out of hours)

London - Westminster

Safeguarding Children's Board

Children's Services Team

Tel: 020 7641 4000

Islington

Safeguarding Children's Board

Children's Services Team

Tel: 020 7527 7400

020 7226 7400

Recognising and responding to concerns and allegations

Responding to concerns of allegations of abuse

The guidelines below are split into two distinct areas: Child Welfare Concerns and Adult Behaviour Concern or Allegation. However it is unlikely that any concerns you may have will split distinctly into a clear category and therefore procedures may overlap. Report any concerns immediately to a Birmingham Royal Ballet designated Safeguarding Officer, who will follow up your concern.

Reporting a concern in respect of a child or vulnerable adult (CVA)

Concerns about a child or vulnerable adult may arise in the following ways:

- If a CVA says he or she is being abused.
- If someone reports that a CVA has told them they are being abused.
- If someone strongly suspects a CVA has been or is being abused.
- If there are concerns about a CVA's welfare, where there are no specific disclosures or allegations of abuse.
- If someone has seen one CVA abusing another or if one child reports that this has happened to him or her.

If a CVA lets you know by whatever means that he/she has been abused, or if you are told by anyone else that a child is being abused or if you see something yourself which leads you to think a CVA may be being abused you should:

- Stay calm
- Listen to what he/she says, without making any suggestions yourself.
- Ask questions for clarification only, and avoid asking questions that suggest a particular answer.
- Allow the CVA to continue at his/her own pace.
- Find an appropriate early opportunity to explain that it is likely that the information will need to be shared with others. Do not keep secrets.
- Tell them what you will do next and who you will tell and reassure them.
- Pass the information on immediately to a designated Safeguarding Officer. If the concern or allegation is against a designated person then one of the other officers must be informed. In the absence of a designated Safeguarding Officer, go straight to the Local Authority Designated Officer (LADO) to report a concern.
- Make a written, dated record of the concern or allegation as soon as practicable (and certainly within 24 hours). Forms are available on the Intranet or from the Director for Learning, Company Manager or HR Director.
- The Director for Learning, as Chair of the Safeguarding Steering Group, will be informed of any allegation or concern being dealt with by other colleagues, and will maintain an overview of any concerns that are raised.
- The Director for Learning will keep Birmingham Royal Ballet's Board members informed of any allegations or concern.
- The Director for Learning will inform the Local Authority Designated Officer (LADO).

Next steps

Immediately a concern is highlighted, the Safeguarding Officers will discuss the concern; all factors are considered and a written record completed.

There will be one of four possible decisions, following that consideration:

1. The concern is without foundation and no further action is taken.
2. The CVA is not at risk of significant harm but it is felt that the CVA has additional needs and should be subject to a common assessment or is a child in need and should be referred for more support from children's social care.
3. There is reason to suppose abuse could have occurred and an immediate referral under the local child protection procedure is necessary. Children's Services acknowledge receipt of the referral and will decide on the course of action within one working day.
4. There is reason to suppose that abuse could have occurred and referral under local child protection procedure is necessary and internal disciplinary procedures need to be considered.

Unless there is an objection by the police or child protection agency concerned, the Director for Learning or Company Manager will inform the CVA what will happen next and ensure they are supported throughout the process.

In cases where it is felt the CVA is not at risk of harm but has additional needs or should be subject to a common assessment this should be discussed with the parents/carers. If Birmingham Royal Ballet feels a referral to children's social care is necessary, parental/carer's consent is needed.

In an emergency situation where the child has been harmed or is at risk of immediate harm, planned emergency action will take place following an immediate strategy discussion between the police, children's social care and other agencies as appropriate.

If the referrer receives no report from children's social care after three days the Director for Learning will follow it up.

Reporting an adult behaviour concern or allegation

If there are concerns about or allegations against a member of staff, freelance artist, volunteer or trustee (including a designated Safeguarding Officer) you should:

- Stay calm.
- Pass the information on immediately to a designated Safeguarding Officer. If the concern or allegation is against a designated person then one of the other officers must be informed. In the absence of a designated Safeguarding Officer, go straight to the Local Authority Designated Officer (LADO).
- Make a written, dated record of the concern or allegation as soon as practicable (and certainly within 24 hours). Forms are available on Birmingham Royal Ballet's intranet or from the Director for Learning, Company Manager or HR Director.
- The Director for Learning, as Chair of the Safeguarding Steering Group, will be informed of any allegation or concern being dealt with by other colleagues, and will maintain an overview of any concerns that are raised (unless the allegation is against them, when another Officer will be responsible).
- The Director for Learning will keep Birmingham Royal Ballet's Board members informed of any allegations or concern (unless the allegation is against them, when another Officer will be responsible).
- The Director for Learning will report any allegations or concerns to the Local Authority Designated Officer (LADO) within one working day (unless the allegation is against them, when another officer will be responsible).

Next steps

Immediately a concern or allegation is highlighted the designated Safeguarding Officers will discuss the concern, all factors are considered and a written record completed, signed and dated by the person reporting the concern or allegation and the designated Safeguarding Officer. This should include any information about times, dates, locations and names of potential witnesses. This information will be made available to the appropriate authorities, and a copy will be kept securely at Birmingham Royal Ballet.

There will be one of three possible decisions, following that consideration:

1. That there is reason to suppose abuse could have occurred and that referral under the local child protection procedure and, for employees, under internal disciplinary procedures may be necessary.
2. That the allegation was prompted by inappropriate behaviour by an employee, which needs to be considered under internal disciplinary procedures.
3. That the allegation is apparently without foundation.

Where an allegation is made against anyone working for Birmingham Royal Ballet

The designated Safeguarding Officer will make an urgent initial consideration, in consultation with the appropriate child protection agencies, of whether or not there is sufficient substance in an allegation to warrant an investigation. The substantive decision on whether to investigate under local child protection procedures rests with the child protection agencies, who will advise if a further investigation is needed and, if so, by whom. Only if the allegation is trivial or demonstrably false, would a further investigation not be warranted. Any subsequent investigation of all the facts will be aimed at establishing whether the allegation can be substantiated.

Unless there is an objection by the police or child protection agency concerned, the Director for Learning or Company Manager will inform the parents/carers of the CVA concerned, and the HR Director will inform the employee against whom the allegation is made, of the outcome of the initial consideration and the procedures which will now be followed. Should an allegation be made on tour when the HR Director is not present, another member of the Senior Management Team or the most senior member of staff in the relevant department will inform the employee against whom the allegation is made.

Where an allegation is made against a person not working for Birmingham Royal Ballet

Including an allegation against another child, the designated person will inform the appropriate authorities. Any further involvement from Birmingham Royal Ballet will be agreed between the designated person and the child protection agency, and will only take place if in the CVA's best interests

On the conclusion of any investigation and any related disciplinary proceedings, the CVA(s) who made the allegations and their parents/carers should be informed of the outcome of the proceedings, and appropriate support for them should be considered.

Confidentiality and information sharing

Birmingham Royal Ballet will treat any concerns or allegations speedily, seriously and confidentially. However it is important to consider the following points.

CVAs, young people and families/carers should know how information will or could be shared and why. The only exception to this are:

- Where it could lead to increased risk of harm or undermine prevention, detection or prosecution of a serious crime.
- Where there is a concern that a CVA may be suffering or at risk, the CVA's safety and welfare must be the overriding consideration.
- Where a vulnerable adult's health renders them incapable of consent.
- Where a disclosure is necessary to prevent serious injury or damage to the health of the vulnerable adult, third part or public health.
- Where disclosure is required by law or under an order of the court.

Where possible, respect the wishes of children, young people and families who do not consent to share confidential information. You may still share information if your judgement on the facts of the case is that there is sufficient need to override the lack of consent.

Ensure that the information you share is accurate, up-to-date and necessary for the purpose for which you are sharing it, shared only with those people who need to see it and that it is shared securely. Always record the reasons for your decision, whether it is to share information or not.

Seek advice where you are in doubt.

Recording concern

It is vitally important to record all relevant details, regardless of whether or not concerns are shared with either the police or children's social care. An accurate record should be kept. A form for recording concerns or allegations of abuse must be completed. Additional sheets are also acceptable.

Investigating concerns or allegations of abuse

These procedures for investigating concerns or allegations of abuse apply to all staff and artists who work for the Company whether on a permanent, temporary or freelance contract, volunteers, trustees, and parents and carers. While the principles in the Safeguarding Policy and Good Practice Guidelines apply to work with CVAs in any location, the investigating procedures were drawn up within the legislative framework of England, Wales and Northern Ireland and may vary outside these jurisdictions.

Investigations

1. Where a referral under the local child protection procedure is necessary

The allegations will need to be investigated under both the local child protection procedures and Birmingham Royal Ballet's disciplinary procedures. Any investigation by the police or child protection agencies will take priority over an internal investigation by Birmingham Royal Ballet. The employee will be informed of the instigation of the disciplinary proceedings, but the internal investigation will be held in abeyance pending the outcome of the external investigation.

The police should be given every assistance with their enquiries but confidentiality about the enquiries maintained in the employee's interests. When the police are involved, it would not normally be expected that police interviews of Birmingham Royal Ballet staff would be undertaken on Birmingham Royal Ballet premises.

2. Where wholly satisfied that the CVA is not at risk of significant harm, and that a reportable criminal offence has not been committed

An internal investigation will be carried out to establish whether action in accordance with Birmingham Royal Ballet's disciplinary procedure is appropriate. The nature of the investigation must take into account the need to minimise the stress to the person who may be wrongly accused of serious offences.

3. Suspension, pending the outcome of an investigation

Suspension from any element of an employee's work may be considered at any stage of an investigation, but will not be undertaken without good reason. Circumstances in which suspension properly occurs include:

- a. Where that person presents a risk to a child or children.
- b. Where the allegations are so serious that dismissal for gross misconduct is possible.
- c. Where a suspension is necessary to allow the conduct of the investigation to proceed unimpeded.

If it is considered that suspension is necessary along with a full investigation of the allegation, the employee should be advised that he or she is suspended from duty on full pay. This should be confirmed in writing, giving reasons for the suspension.

The HR Director will consider carefully, and keep under review, decisions as to whom is informed of the suspension and investigation and to what extent confidentiality can or should be maintained, according to the circumstances of a particular case. In a situation where a matter becomes common

knowledge or the subject of general gossip, it may be desirable to provide an accurate statement for general information.

The employee will be kept informed of the timetable of the investigation, and should feel able to contact those conducting the investigation.

4. Outcome of investigation

- At the end of the investigation, a meeting should be arranged to inform the employee of the next steps. The employee may be accompanied or represented by a union representative or colleague.
- If the outcome is a disciplinary charge, further action will be in accordance with Birmingham Royal Ballet's disciplinary procedures, and will happen after the child protection enquiries are completed.
- If the employee has been suspended and it is not intended to proceed with any form of disciplinary action or to dismiss, the suspension should be lifted immediately.
- Other than in the event of dismissal, the HR Director will offer the opportunity for informal counselling. This could be used to give appropriate guidance, support and reassurance and to help rebuild, where necessary, an employee's confidence.
- On the conclusion of any investigation and any related disciplinary proceedings, the child or children who made the allegations and their parents should be informed of the outcome of the proceedings, and appropriate support for them should be considered.

5. Allegations found to be without substance

Where, following the initial consideration, the allegation is found to be without foundation, the designated person will:

- a. Consider in consultation with the child protection agencies whether the child might have been abused by someone else;
- b. Consider, in consultation with the child protection agencies, appropriate counselling and support for the child or children who made the allegation(s);
- c. Inform the parents of the child or children of the allegation and the outcome;
- d. Prepare a report setting out in conclusion that the allegation is without foundation, with reasons.

The HR Director will:

- a. Inform the employee of the allegation and the fact that no further action is to be taken under disciplinary or child protection procedures. The employee may be accompanied by a union representative or colleague;
- b. Consider whether counselling and/or informal professional advice to the employee is appropriate and the form either might take.

On the conclusion of any investigation and any related disciplinary proceedings, the child or children who made the allegations and their parents should be informed of the outcome of the proceedings and appropriate support for them should be considered.

Recognising and responding to concerns and allegations

6. Confidentiality and information sharing

Every effort will be made to maintain confidentiality and guard against publicity whilst an allegation is being investigated. A planned media response will be in place in case of breach of confidentiality.

7. Resignations and ‘Compromise Agreements’

The fact that a person tenders his/her resignation or ceases to provide their services, must not prevent an allegation being followed up in accordance with these procedures. It is important that every effort is made to reach a conclusion in all cases of allegations bearing on the safety and wellbeing of CVAs, including any in which the person concerned refuses to cooperate with the process.

8. Record Retention and Storage

The data protection act 1998 requires that personal information should be:

- Adequate, relevant and not excessive for the purposes for which they are held.
- Accurate and where necessary kept up-to-date.
- Not kept for longer than is necessary for its purpose.

All personal information will be covered by the data protection act 1998 unless protection of the child is the most important consideration – which is addressed by Article 8 of the European Convention of Human Rights whereby disclosure of information would be for: ‘the protection of health or morals, for the protection of the rights and freedoms of others and for the prevention of disorder or crime. Disclosure should be appropriate and only to the extent necessary to achieve that purpose’.

All paperwork relating to concerns or allegations of abuse will be stored securely in a fireproof cabinet for 30 years and shared only with those who need to know about the concern or allegation.

In all cases of concern or allegation the employee will be offered counselling, support via Bellvue Medical Centre, support via the Employee Assistance Helpline or through relevant unions.

Safeguarding – Records Retention and Storage

Document	Period of Retention	Location	Disposal Action	Other Comments
Child welfare concerns reported to Police or Social Care	30 years	Fireproof cabinet	Destroy	Record should be kept with acknowledgement receipt from Police or Social Care
Child welfare concerns not reported to Police or Social Care	1 year after last contact with service user	Fireproof cabinet	Destroy	
Concerns regarding employee/volunteer working with children e.g. breach of code of conduct, allegations.	6 years after employment ceases.	HR Department for BRB employees; Department for Learning for Freelance artists. Copy also to be kept in fireproof cabinet	Destroy	
Concerns of behaviour that harmed a child or a criminal offence was committed or the adults behaviour indicates they are unsuitable to work with children	30 years	HR Department for BRB employees; Department for Learning for Freelance artists. Copy also to be kept in fireproof cabinet	Destroy	
Criminal records bureau disclosures as part of the vetting process	6 months	HR Department for BRB employees; Department for Learning for Freelance artists	Destroy	(Date and reference number of check should be kept)

A comprehensive summary will be made of: any allegations made, how these allegations were followed up and resolved, any action taken and the decisions reached.

These details will be kept in a person's confidential personnel file and a copy should be given to the individual such information should be retained on file, including for people who leave the organisation, at least until the person retires or for ten years, if that is longer.

The records in the fireproof cabinet will only be accessible by a Safeguarding Officer, in their absence a member of the Senior Management Team would access the information if required to do so.

It is the responsibility of the Director for Learning to ensure that records are kept correctly and securely and that information is clear and accessible to any successor in post.

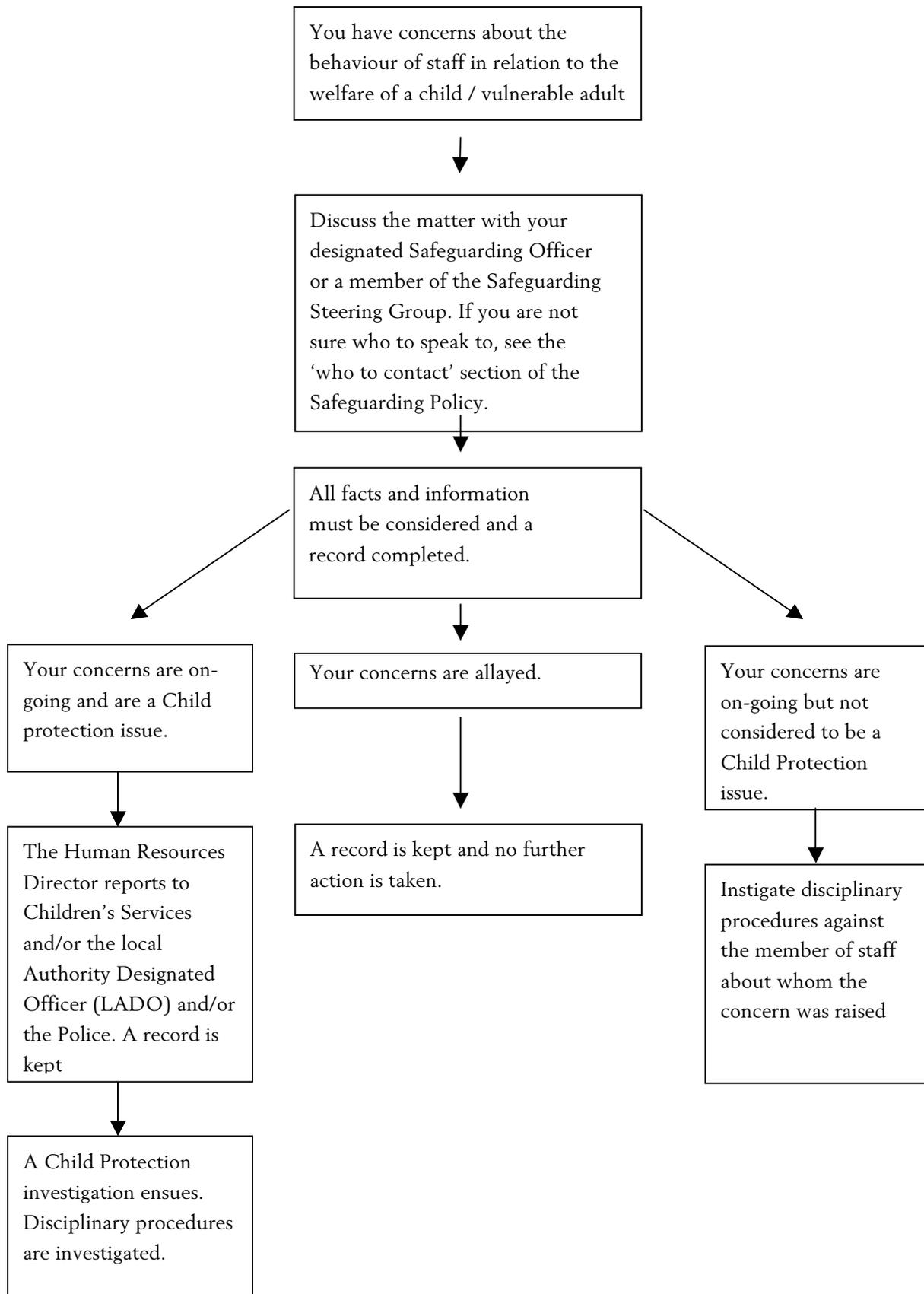
Recognising and responding to concerns and allegations

NB: the word 'employee' is used in this document for convenience. These procedures apply equally to anyone working for Birmingham Royal Ballet in any capacity, whether freelance, or employed.

Reviewed November 2015; the next review will take place in November 2016.

Birmingham Royal Ballet

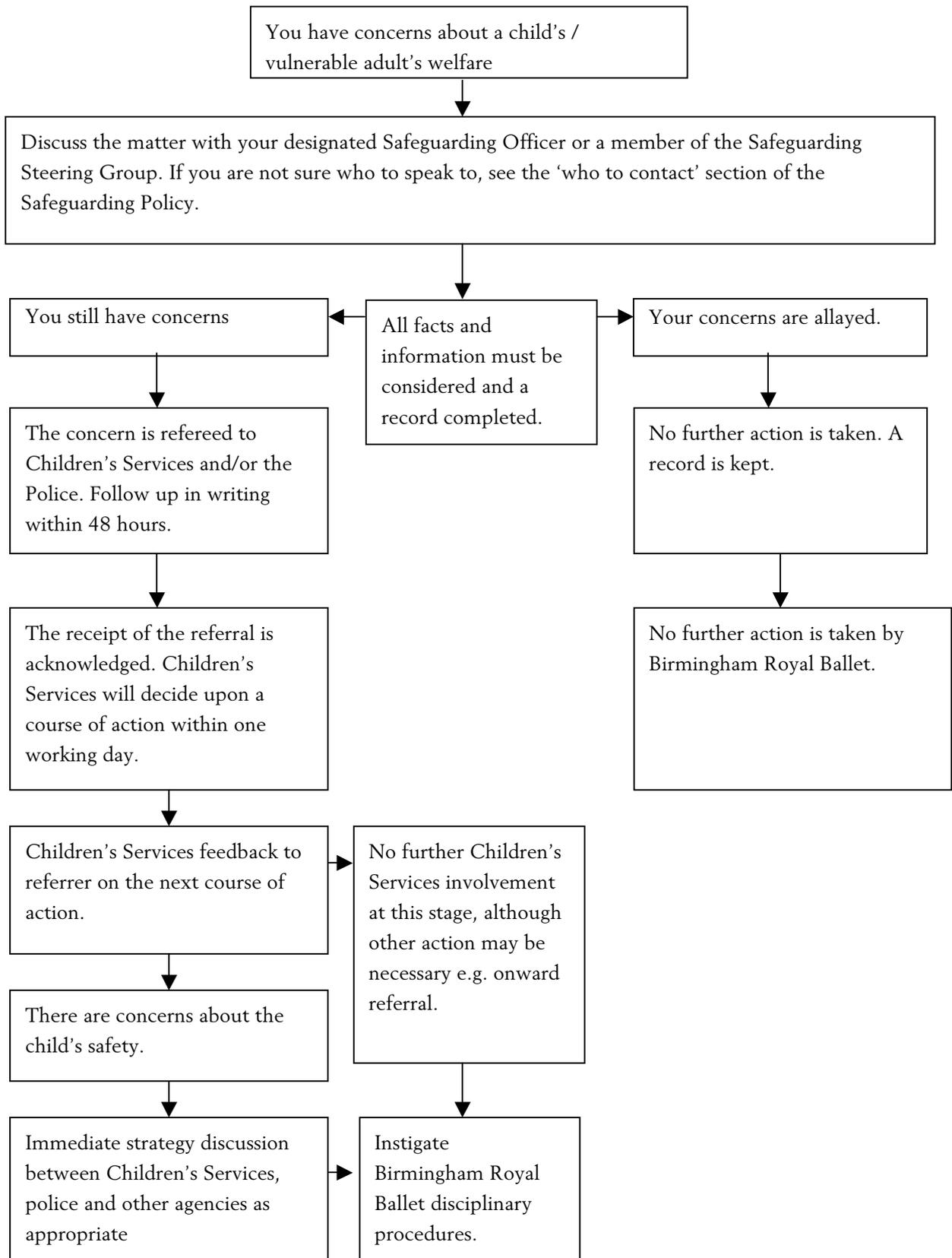
What to do if you have a concern about staff behaviour



ALL CONCERNS SHOULD BE REPORTED PROMPTLY

Birmingham Royal Ballet

What to do if you have a child welfare concern



ALL CONCERNS SHOULD BE REPORTED PROMPTLY

recognising and responding to concerns and allegations

Form for recording disclosures and concerns

Please fill in as much of this form as you can. If you are in discussion with a child or vulnerable adult who is making a disclosure to you, be sensitive about the level of questioning that is appropriate.

Name of child /vulnerable adult /employee

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Age and date of birth (if under 18)

Religion Ethnicity

Disability First Language

Any special factors

Parent's/carer's name

Home address

.....

.....

Phone number

Are you reporting your own concerns or passing on those of somebody else? Give details:

.....

.....

Brief description of what has prompted the concerns – please include dates and times of any specific incidents, names of responsible staff (e.g. chaperones) etc. Continue on a separate sheet if necessary:

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Recognising and responding to concerns and allegations

Are there any physical, behavioural or indirect signs of abuse?

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Have you spoken to the child/staff member? If so, what was said?

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Have you spoken to the parent(s) or carer(s)? If so, what was said?

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Has anybody been alleged to be the abuser? If so, please give details:

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Are there any other witnesses?

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Have you consulted anyone else? If so, please give details:

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Who did you report your concern to?

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When did you report your concern? Include date and time:

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Record the response or follow up:

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Your name and job title/nature of work at Birmingham Royal Ballet

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Signature Date

Further notes

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