

# **London Transport Museum**

## **Safeguarding Policy & Procedures**

# CONTENTS

<b>1. Safeguarding structure, roles and responsibilities .....</b>	<b>4</b>
1.1 The Senior Manager (Safeguarding) will: .....	4
1.2 The Designated Safeguarding Lead (DSL) will: .....	4
1.3 Line Managers, Supervisors and Duty Managers across LTM will .....	4
1.4 The Safeguarding Policy Board.....	5
1.5 The Trustee (Lead Responsibility for Safeguarding) .....	5
<b>2. Code of conduct - safeguarding behaviours .....</b>	<b>5</b>
2.1 TfL Code of Conduct .....	5
2.2 Staff and volunteers are expected to:.....	6
2.3 Behaviours which staff and volunteers are not permitted to do .....	6
2.4 Online behaviour .....	7
2.5 Abuse of a Position of Trust .....	8
<b>3. Procedures for the identification and reporting of concerns about a child or adult at risk .....</b>	<b>8</b>
3.1 The principles that underpin LTM's reporting procedures are:.....	8
3.2 How concerns may arise .....	9
3.3 At the Museum or Depot.....	9
3.4 Outreach activities delivered the Museum premises.....	10
3.5 Responding to a disclosure of abuse received in any setting. ....	11
3.6 Responding to an emergency about a child or adult. ....	11
3.7 Bullying .....	11
<b>4. Responding to and managing safeguarding allegations against a staff member, volunteer or contractor .....</b>	<b>12</b>
4.1 Procedures .....	12
4.2 Aims of procedures.....	12
4.3 Definition of a safeguarding allegation .....	12
4.4 What to do if a safeguarding allegation is made .....	13
4.5 Initial considerations about managing a safeguarding allegation.....	14
4.6 Action following initial consideration .....	15
4.7 Action following the conclusion of the investigative process.....	16
4.8 Support .....	18
4.9 Referral to DBS/ Charities Commission/Professional Regulatory Body.....	18
4.10 Managing safeguarding allegations against contractors, agency or freelancers .....	19
<b>5. Recording, record retention and destruction.....</b>	<b>19</b>
5.1 Record keeping regarding a safeguarding allegation.....	19
5.2 Record keeping for a concern about a child or adult at risk .....	20
5.3 Destruction of records .....	20

6. Information sharing and confidentiality .....	20
7. Interface between these procedures and those of the party visiting the Museum	21
8. Escalation process – what to do if safeguarding concerns are not being appropriately acted upon.....	21
9. Lost, missing or found children .....	22
10. Safeguarding those undertaking work experience placements.....	22
11. Safeguarding arrangements for those that hire LTM premises .....	23
12. Photography and filming .....	23
<b>Appendix 1</b> .....	<b>25</b>
Key Contacts & Telephone Numbers .....	
<b>Appendix 2</b> .....	<b>26</b>
Definitions of child and adult abuse and neglect.....	
<b>Appendix 3</b> .....	<b>29</b>
Signs and Indicators of abuse to children and adults at risk.....	
<b>Appendix 4</b> .....	<b>32</b>
LTM Safeguarding Concerns – Incident Form .....	
<b>Appendix 5</b> .....	<b>34</b>
LTM - External Events - Responsibility Certificate .....	
<b>Appendix 6</b> .....	<b>35</b>
Concept of significant harm.....	
<b>Appendix 7a</b> .....	<b>36</b>
Flowchart: What to do if you have a safeguarding about a child or adult at risk.....	
<b>Appendix 7b</b> .....	<b>37</b>
Procedural Flowchart: What to do if there is a safeguarding allegation against a member or staff or volunteer .....	
<b>Appendix 8</b> .....	<b>38</b>
Information sharing principles .....	

# **1. Safeguarding structure, roles and responsibilities**

## **1.1 The Senior Manager (Safeguarding) will:**

- promote the importance of safeguarding across the organisation
- manage safeguarding allegations or concerns against LTM staff or volunteers or contractors
- ensure that the LTM meets the requirements of its insurers regarding its safeguarding responsibilities
- chair the Safeguarding Policy Board
- evaluate the effectiveness of safeguarding within the organisation
- ensure the safeguarding policy and procedure are reviewed on an annual basis
- produce an annual report on safeguarding activity and related issues for the trustees

This role is undertaken by the Assistant Director Business and Performance

## **1.2 The Designated Safeguarding Lead (DSL) will:**

- act as the first or second point of contact for staff or volunteers concerned about the safety and welfare of a child or adult
- be responsible for making referrals to the authorities if there are concerns about a child or adult
- be familiar with the pan London Safeguarding Children Board (LSCB) procedures and local authority procedures for safeguarding adults
- advise and provide guidance to staff concerned about a child or adult protection issue
- support staff/volunteers after they have shared their concerns about a child or adult
- keep accurate records of concerns about children or adults and actions taken and outcomes
- liaise with appropriate local agencies for support and advice as necessary
- make decisions about appointing someone who has a criminal record in conjunction with the appropriate recruiting manager including concerns raised through the TfL recruitment process
- review and update of LTM's safeguarding policy and procedures
- ensure parents, carers and children are aware of the LTM's safeguarding policy and procedures
- collect monitoring data on all safeguarding activities across the organisation which will feed into an annual report
- ensure that all staff, volunteers and contractors are aware of the policy and procedures through the various Museum departments and communication channels including staff and volunteer inductions.

This role is undertaken by the Head of Projects, Contracts & Compliance

If the DSL is unavailable or on leave the role is undertaken by the Deputy DSL. This position is undertaken by the Head of Live Programmes.

## **1.3 Line Managers, Supervisors and Duty Managers across LTM will**

- be familiar with the LTM's Safeguarding Policy and Procedures
- act as the first point of contact for staff or volunteers concerned about the safety and welfare of a child or adult
- ensure staff, volunteers and contractors are informed about the procedures and know who to contact if they have a concern about the safety and welfare of a child or adult

- communicate to staff/volunteers/contractors any changes in the safeguarding policy and procedures
- ensure that new staff/volunteers/contractors understand the Safeguarding Policy and Procedures early on in their induction period

#### **1.4 The Safeguarding Policy Board**

The Safeguarding Policy Board will meet quarterly. Its terms of reference are to:

- be responsible for the strategic implementation of the Safeguarding Policy and Procedures;
- provide support and advice to the DSL/Deputy DSL on safeguarding issues as required;
- review safeguarding incidents that have arisen on a quarterly basis and consider any actions needed to improve practice, policy or procedures;
- contribute to the annual safeguarding report prepared for SMT.

See **Appendix 1: Contact Details of Staff with Safeguarding Responsibilities**

#### **1.5 The Trustee (Lead Responsibility for Safeguarding)**

- understand the responsibility for safeguarding for trustees as per the expectations of the Charity Commission<sup>1</sup>
- support the SMT in assessing and managing risk, by reviewing the risk register
- ensure safeguarding policies and procedures, including e-safety, are in place, communicated and understood by all staff and volunteers
- ensure ongoing monitoring and review of child and adult protection arrangements to ensure that safeguards are being implemented and controls in place are effective
- ensure that the organisation is listening to and reposing to feedback and complaints raised by children, adults and their families
- support the role of the DSL, Deputy DSL and Senior Manager (Safeguarding)
- promote an environment whereby all staff and volunteers, are enabled to raise concerns and feel supported in their safeguarding role
- ensure that the recruitment processes are robust and send a clear message that the organisation does all it can to provide a safe place for children, adults at risk and their families
- ensure that staff and volunteers re provided with safeguarding training relevant to their role and responsibilities
- ensure that serious safeguarding incidents are reported to the Charity Commission and that procedures are in place to report incidents to other appropriate safeguarding and regulatory bodies

## **2. Code of conduct - safeguarding behaviours**

### **2.1 TfL Code of Conduct**

All staff and volunteers are expected to adhere to the TfL Code of Conduct. In addition, LTM has a Code of Conduct - Safeguarding Behaviours which applies to everyone working within or on behalf of LTM. Its purpose is to clarify LTM's expectations of behaviour. The Code serves to protect those with whom LTM works as well as all staff, volunteers and contractors.

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<sup>1</sup> The Charity Commission : *Strategy for dealing with safeguarding vulnerable groups including children's issues in charities*

## **2.2 Staff and volunteers are expected to:**

- treat all children and adults at risk with respect including respect for diversity. Their welfare must always be put before achieving the goals of the project or placement.
- work in partnership with other departments and organisations to ensure that everything possible is done to safeguard and promote the welfare of children and adults at risk.
- adhere to all policies and guidance on e-safety and social media activity.
- cooperate with any vetting and recruitment requirements appropriate to role.
- ensure that, whenever possible, there is more than one adult present during activities with children, or that they are at least within sight or hearing of others – unless the reason for this has been firmly established and agreed with their manager.
- ensure that language and conversation is appropriate when talking with or within hearing distance of children, young or vulnerable people.
- be aware of your own behaviours when around young people eg avoid smoking and/or drinking alcohol in their presence.
- avoid being left alone with a single child or adult at risk. Plan your time with them to be in open plan space, or with other colleagues; avoid private or unobserved situations unless this is a part of your work role and it has been agreed by your line manager/supervisor.
- if you suspect that a child or adult is being abused in any way (including if they make a disclosure of abuse to you, or you suspect abuse) you must act on it and follow the Safeguarding Procedures. Statements about or allegations of abuse or neglect made by children must always be taken seriously.
- be clearly visible as representatives of LTM and always wear a badge displaying your name in public facing roles when working with children and adults.

## **2.3 Behaviours which staff and volunteers are not permitted to do**

It is not permissible (and in some instances may be unlawful) for an individual to:

- use their position to intimidate, bully, threaten, injure, discriminate against, coerce or undermine any child or adult at risk;
- make sexually suggestive or derogatory remarks or gestures to, or in the presence of, a child or adult at risk;
- encourage or assist others, including children, to break the law in any way;
- invite a child, adult at risk or other service user met through their employment, work placement or volunteering into their home;
- carry out duties or volunteering while affected by substances such as alcohol, solvents or drugs see TfL Drugs/Alcohol Policy and Procedures 2008
- engage in, or attempt to engage in a sexual or inappropriate relationship with a child or adult at risk, including the use of suggestive conversations or comments by texting or emails or social networking or face to face;
- breach confidentiality or seek information to which they have no right of access;
- allow individuals to gain access to children or adults at risk, without having completed the appropriate checks and processes.
- allow staff to initiate any physical contact with children or young people. If a child or adult initiates any physical contact (e.g. approaches you for a hug) deflect them where possible politely. The main principles of physical contact are: it should be in response to the needs of the individual, appropriate to the age and stage of development of the person and be within a professional context only.
- shout at a child or vulnerable adult unless it is appropriate that they hear your instruction because they are in danger or at risk of danger.
- engage in any physical rough and tumble play with children or adults you are working with.

- take a child, young or adult out of a public place into a closed area on a one to one basis unless this is part of your work/volunteering and has been agreed by your line manager.
- physically restrain a child or adult unless the restraint is to prevent physical injury of the child/vulnerable adult/other children/visitors or staff/yourself.

## **2.4 Online behaviour**

2.4.1 LTM recognises the opportunities and challenges new technology brings to those working with children and young people. We advocate applying the same principles, expectations and standards for interacting and communicating with children and adults online as in other areas of practice, maintaining personal and professional boundaries in their communications and contacts with children, and their families.

2.4.2 The term 'e-safety' is defined here as the process of limiting the risks to children and young people when using any internet, digital and mobile technology. To this end LTM expects the following online behaviour by staff, volunteers and contractors:

- when communicating with children or adults online observe the same rules of behaviour as if speaking with them in person that is by being polite, respectful, not swearing or saying anything (using the written word, images or icons) that could be regarded as sexual innuendo, bullying or discrimination. Maintain professionalism in your communications online and on mobile devices at all times. Remember that in online communications you cannot be sure who you are actually communicating with.
- LTM IT equipment (including computers, laptops, mobile phones, notebooks, cameras, etc) must not be used to view, download, create or share illegal content (such as abusive images of children) or material inappropriate to the workplace, eg adult pornography;
- contact with children online should only be with the knowledge and approval of your line manager and strictly for LTM work purposes only;
- if staff or volunteers identify e-safety concerns – be they be about illegal online content or suspicious behaviour by another adult online - then they must follow the LTM procedures for reporting on those concerns (see Section 3);
- any images that are taken (eg film or photographs) are business-appropriate
- where an image has been taken that requires the completion of an LTM Consent Form it must be stored on an LTM drive and not held on a personal camera, phone or any other mobile device.

Behaviour that is not permitted:

In respect of any child met through work for or on behalf of LTM staff, and volunteers, must not:

- seek to befriend a child or their family online whom you have met through work for any purpose whatsoever including for the purpose of developing a personal and/or sexual relationship
- give their personal contact details (including personal mobile number and e-mail address) to any child or adult at risk. This includes mobile phone numbers, home address, social networking accounts, personal website/blog URLs, online image storage sites, passwords etc
- communicate with any child or adult at risk via any personal social networking sites
- use the internet or web base communication to send personal messages to anyone unless this is part of official LTM business using professional accounts and devices
- ask to become an online friend/contact of a child or adult at risk
- add/allow a child or adult at risk to join your contacts/friends list on personal social networking profiles

- share personal details with any child on a personal social network site
- use your own digital camera/video for work – this includes integral cameras on mobile phones
- play online games with any child unless part of official LTM business using professional accounts and devices
- send any illegal or inappropriate content (written, images or icons) including ‘sexting’<sup>2</sup>
- use your personal mobile phone to communicate with children or adults at risk. This includes phone calls, texts, emails, social networking sites etc

## 2.5 Abuse of a Position of Trust

2.5.1 All staff and volunteers should understand the need to maintain appropriate boundaries in their dealings with children and young people. When you are working with children on behalf of the LTM you are considered to be acting in a position of trust. Broadly speaking, a relationship of trust can be described as one in which one party is in a position of power or influence over the other by virtue of their work or the nature of their activity. It is vital for all those in positions of trust to understand the power this can give them over those they care for and the responsibility they must exercise as a consequence of this relationship.

2.5.2 Young people of 16 or 17 can legally consent to sexual activity but they may still be relatively immature emotionally. It is essential that those who may be in a position of responsibility and trust recognise this vulnerability and ensure that it is not exploited.

2.5.3 Where a person aged 18 or over is in a specified position of trust<sup>3</sup> with a child under 18, it is an offence for that person to engage in sexual activity with or in the presence of that child, or to cause or incite that child to engage in or watch sexual activity even if the young person is ostensibly consenting.

- Any behaviour, which might allow a sexual relationship to develop between the person in a position of trust and the children in their care, must be avoided.
- Any sexual relationship within a position of trust relationship is unacceptable so long as the relationship of trust continues.

## 3. Procedures for the identification and reporting of concerns about a child or adult at risk

3.1 The principles that underpin LTM’s reporting procedures are:

- **Recognise** concerns that a child or adult at risk is being harmed or might be at risk of harm;
- **Respond appropriately** to a child or adult who is telling you what is happening to him or her;
- **Refer** the concerns, if appropriate, to the children’s or adult social care or police
- **Record** the concerns appropriately and any subsequent action taken; **no delay** in passing on concerns. Timescales are in place to ensure that matters are resolved in a timely way but these are the *maximum allowed* and nothing should prevent a more speedy response if this is required.

<sup>2</sup> Sexting is the exchange of self-generated sexually explicit images through mobile picture messages or webcams over the internet. Young people may refer to it as cybersex or sending a nudie/picture or selfie.

<sup>3</sup> Sexual Offences Act 2003. Sect 16-19 re-enacts and amends the offence of abuse of position of trust

- **Resolution** and escalation –LTM has a responsibility to ensure that it follows up any referrals made and take further action if it considers appropriate protective action has not been taken.
- **The child's welfare is paramount** – this means that the child's safety and protection must be the most important consideration and take priority over everything else.
- **Remember** it is not the role of LTM staff and volunteers to decide if a child or adult has been abused rather it is our role to identify and pass on concerns to the relevant authorities to investigate. They use the concept of significant harm to justify compulsory intervention where there is a safeguarding concern about a child (see **Appendix 4**).

### 3.2 How concerns may arise

Staff and volunteers should be familiar with the indicators of child and adult abuse.

**See Appendix 2 Definitions of child abuse and adult abuse**

**See Appendix 3 Signs and indicators of abuse to children and adults at risk**

A concern about the safety of a child or adult at risk might arise as a result of:

- A child or adult says that s/he is being abused or telling you about an experience or event that has happened to them that you think would be harmful (this is sometimes referred to as a 'disclosure' – not to be confused with a disclosure to do with a vetting check for the Disclosure and Barring Service (DBS));
- You identify signs or indicators of child or adult abuse or neglect
- The person's behaviour is inappropriate and gives cause for concern eg a visitor or teacher
- You directly witnessing someone being harmed by an adult or another child;
- Somebody telling you (for example another child, or a member of the public) either face to face or by any other means of communication, that a child or adult is being harmed or is at risk of harm,;
- The behaviour of an adult towards a child or adult at risk gives you cause for concern;
- An adult survivor of abuse telling you about their experience of abuse in childhood – this can be referred to as 'historical abuse'. However, the perpetrator may still be alive and children may therefore be at risk.

### 3.3 At the Museum or Depot

If you have any concern about the safety or welfare of a child or adult at risk you must take the following steps:

- 3.3.1 Report your concerns immediately to the Duty Manager /event manager and the DSL. If the DSL is unavailable then the concern must be reported to the Deputy DSL. Together they will decide about:
- What further information is needed?
  - Who needs to be spoken to e.g. child, adult, parent, group leader, and staff?
  - Who else should be informed e.g. police or children/adult services or Senior Manager (Safeguarding)?
  - Is there a need to consult for advice from external agencies?
  - Is any immediate protective action needed to ensure the child or adult's safety?
- 3.3.2 Depending on the nature of the concern it must be acted upon within the same working day and in some instances straight away.
- 3.3.3 Ensure that any conversations with the child, adult at risk or other adults involved are conducted in a respectful and polite way in an area where others cannot over hear if possible.

- 3.3.4 The person reporting the concern must fill in Part 1 of the safeguarding incident form (see **Appendix 3**) and pass this to the DSL on the same working day. This will include:
- Names and contact details of **ALL** people involved - parents, group leaders, the member of staff initially involved and if necessary the member of staff or public (if this is possible) named in an incident/concern.
  - The nature of the incident/concern
  - A time line of events.

**See Appendix 7a Flow chart of the reporting procedure for concerns about a child or adult at risk**

- 3.3.5 If there is a concern or a safeguarding allegation (this may come in the form of a complaint) about a staff member or volunteer then follow the procedures outlined in Section 5.
- 3.3.6 If the concern is about the behaviour of a member of the public the duty manager or event manager (if off site) should assess the risk and escalate to the DSL immediately. The DSL will determine the best course of action which might include contact with the police. In the event of immediate danger, the duty manager should make contact with the police and then inform the DSL or a senior manager if s/he is unavailable. It's is best to ask to speak to the police officers responsible for dealing with public protection or safeguarding incidents. The Safeguarding Concerns Incident Form (**Appendix 4**) must also be completed and past to the DSL. If the incident occurs at the weekend then contact the on call senior manager.

#### **3.4 Outreach activities delivered the Museum premises**

Outreach activities are delivered by LTM staff and volunteers away from the Museum premises e.g. at the Depot, in schools (e.g. Safety and Citizenship Scheme; Project Guardian) or at other non LTM sites (e.g. restorative justice) and mentoring.

- 3.4.1 In a school setting  
If you are working in a school setting then any safeguarding concern about a pupil/student/ member of school staff must be passed on to the school's Designated Safeguarding Lead (note - this role may be a shared role in a large school). If uncertain whether it is a safeguarding concern or unsure about the action to take you can consult with your line manager/supervisor or the DSL. You should pass on the concern to the school within the same working day and complete Part 1 of the Safeguarding Concerns Incident Form (**Appendix 4**) and send to the DSL within the same working day of the concern coming to light.
- 3.4.2 The DSL is responsible for following up the concern with the school to check what action has been taken within 48 hours of the concern coming to light. The DSL should also complete Part 2 of the safeguarding incident form. The DSL should liaise as appropriate with the person who first raised the concern and their line manager so that they are aware of the outcome of their concern whilst respecting the individual child or adult's right to privacy.
- 3.4.3 **If you are working at an event delivered in partnership with another organisation(s)** then the arrangements for safeguarding should be clearly defined as part of the event planning by the responsible manager. The procedure for reporting on concerns about a child or adult and the procedures for managing a safeguarding allegation must be clarified in writing and all staff/volunteers/freelancers be made aware of it. The Responsibility Certificate form must be completed prior to an event to clarify responsibilities. If this has not been done or you are in any doubts then follow the LTM procedures as outlined in Section 3.
- See Appendix 5 Responsibility Certificate**

### 3.5 **Responding to a disclosure of abuse received in any setting.**

Sometimes, children or adults will share their worries and/or experience of abuse and it is essential that their voice is heard and taken seriously. To achieve and support this, staff or volunteers at LTM should:

- Stay calm and listen carefully to what is being said;
- Find an appropriate early opportunity to explain that it is likely that the information will need to be shared with others – do not make promises, particularly about confidentiality or outcomes;
- Allow the person to continue at his/her own pace and avoid asking the person to repeat their story;
- Ask open ended questions for clarification only, for example: Can you tell what is worrying you? Can you tell me what happened?
- Avoid asking questions that suggest a particular answer or that lead the person into saying something. Also avoid asking questions about why something happened;
- Receive the information without making judgements about it
- Reassure the person that they have done the right thing in telling you;
- Tell the person what you will do next and with whom the information will be shared;
- Record in writing what was said including the date, time, places, allegations, any names mentioned, to whom the information was given and ensure that the record is signed and dated. Use the person's own words wherever possible; complete Part 1 of the Safeguarding Concerns Incident Form (**Appendix 4**)

If a child has concerns but does not wish to discuss them with you then refer them to ChildLine where they can talk in confidence.

### 3.6 **Responding to an emergency about a child or adult.**

In an emergency situation where someone has been seriously hurt or is in imminent danger:

- Contact the relevant authority immediately - police or ambulance;
- Contact children or adult services in the local authority;
- Inform DSL as soon as practicable;
- The DSL will update other managers as required;
- After the immediate emergency has been dealt with, complete Part 1 of the Safeguarding Incident Form and pass to the DSL.

See Appendix 1 Contact details for reporting and referral

See Appendix 7 Flow chart on responding to a concern about a child.

### 3.7 **Bullying**

Bullying may be defined as deliberately hurtful behaviour, usually repeated over a period of time, where it is difficult for those bullied to defend themselves. It can take many forms, but the three main types are physical (e.g. hitting, kicking, theft), verbal (e.g. racist or homophobic remarks, threats, name calling) and emotional (e.g. isolating an individual from the activities and social acceptance of their peer group). The damage inflicted by bullying (including bullying via the internet or mobile devices) can frequently be underestimated. It can cause considerable distress to children, to the extent that it affects their health and development or, at the extreme, causes them significant harm (including self-harm).

Anyone working with a group of children or young people at LTM is expected to identify and manage appropriately any incidence of bullying. If a member of staff or volunteer becomes aware of a bullying incident whilst working in a school setting s/he should report it onto the teacher in charge of the class or the designated lead for child protection in the school. A record of having done so should be made using Part 1 of the Safeguarding Incident Form and passing it on to the DSL at LTM within 24 hours of the incident.

## **4. Responding to and managing safeguarding allegations against a staff member, volunteer or contractor**

### **4.1 Procedures**

These procedures outline what you should do if a safeguarding allegation or concern arises in respect of an LTM employee or volunteer. This also includes the management of allegations against TfL staff who are volunteering for LTM as ambassadors or mentors.

LTM recognises the difficulty of raising such concerns and acknowledges that it can take considerable courage to speak out in such circumstances, but the safety and wellbeing of children is paramount.

See Appendix 5b Flow chart of the reporting procedure for safeguarding allegations

### **4.2 Aims of procedures**

The aims of these procedures are to ensure:

- children are protected and supported following an allegation that they may have been abused by an adult working for or on behalf of the LTM;
- there is a fair, consistent and robust response to any safeguarding allegation made so that the risk posed to other children by an abusive individual is managed effectively;
- an appropriate level of investigation into concerns or allegations, whether they are said to have taken place recently, at any time the person in question has been employed by/volunteered with the LTM, or prior to the person's involvement with the LTM;
- LTM continues to fulfil its responsibilities towards members of staff, or volunteers who may be subject to such investigations.

### **4.3 Definition of a safeguarding allegation**

4.3.1 This is where a person (staff/volunteer/contractor) has:

- a) behaved in a way that has harmed a child/adult at risk, may have harmed a child/adult at risk or might lead to a child/adult at risk being harmed;
- b) possibly committed or is planning to commit a criminal offence against a child/adult at risk or related to a child/adult at risk, or;
- c) behaved towards a child/adult at risk in a way that indicates s/he is or would be unsuitable to work with children/adult at risk.

4.3.2 An allegation may concern one or more children. It can be about any child or adult, for example:

- attending the Museum or an outreach activity;
- not known to LTM;
- that the employee or volunteer has contact with in their community/home life; or
- that is the son or daughter of the employee or volunteer.

4.3.3 The allegation may:

- not directly have a 'known child' victim as such. For example, if a staff member or volunteer is accessing abusive images of children online or using the internet to groom children with the intent to harm in future;
- be about any type of abuse;
- concern a breach of the LTM's safeguarding code of conduct;
- relate to a staff member or volunteer who has left LTM (known as a 'historical allegation')

#### 4.3.4 A safeguarding allegation may arise when:

- a child or parent/carer makes a direct allegation against an individual staff member or volunteer
- an employee/volunteer directly observes behaviour that is cause for concern
- LTM receives a safeguarding allegation from a person, including a member of the public or professional
- a member of the public or professional tells a staff member or volunteer face to face
- in the course of another internal procedure, for example a disciplinary or someone whistleblowing or making a complaint
- LTM is informed by the police or local authority or another organisation that an individual is the subject of a child protection and/or criminal investigation
- information emerging from the renewal of a DBS that a staff member or volunteer may have committed an offence or been involved in an activity that could compromise the safety of a child/ren
- an employee or volunteer informs LTM that they have been the subject of allegations, have actually harmed a child/adult, or committed an offence against or related to a child/adult at risk

4.3.5 The managing safeguarding allegations procedure must be followed consistently in all instances, regardless of how the safeguarding allegation arises or from whom, or whether it is shared with the LTM by email, face-to-face contact, social networking, telephone or letter.

4.3.6 If a member of staff or volunteer is concerned about the behaviour of another staff member or volunteer they should not worry. If you are mistaken it is better to discuss it and enable a proper investigation and assessment to happen than not report it at all. You should not:

- Ignore concerns.
- Confront the person.
- Discuss the matter with other members of staff/volunteers outside of those identified in this procedure.

4.3.7 There may be up to four strands in the consideration of any safeguarding allegation:

- Enquiries and assessment by children's social care about whether a child is in need of protection and/or services
- A police investigation of a possible criminal offence
- Consideration by an employer of disciplinary action in respect of the individual
- Referral for 'consideration to bar' a person from working with children/adults at risk (i.e. referral to the Disclosure and Barring Service) and/or referral to a professional registration body for professional misconduct.

#### 4.4 What to do if a safeguarding allegation is made

4.4.1 The person who has or receives a safeguarding allegation must make a note of the basic details of the allegation, to include:

- name of the individual who the allegation is about and any other identifying information, including location
- name of any child/adult involved
- date and time of the allegation arising
- name and contact details of the person making the allegation
- key information about the nature of the safeguarding allegation

4.4.2 The person should then inform his/her line manager/supervisor in the first instance to agree next steps. If the concern is about the line manager then the person should inform the

second line manager. However, information about any safeguarding allegation must be kept confidential and should not be shared outside of the line management structure.

4.4.3 If the person and/or line manager considers that any child or adult is subject to life threatening concerns or risk of immediate harm, or needs emergency medical attention, then the emergency services must be contacted straightaway and the parents/carers of the child/adult told that immediate steps are being taken to get help. Otherwise, the person or his/her line manager must pass on the information about the allegations within 24 hours to either the DSL or the Senior Manager (Safeguarding).

4.4.4 The Senior Manager (Safeguarding) will determine if any records need to be secured or 'locked down, or any equipment removed from the individual who is the subject of the concern.

#### **4.5 Initial considerations about managing a safeguarding allegation**

4.5.1 The Senior Manager (Safeguarding) will oversee the management of all allegations and hold accountability for them. S/he will normally delegate the investigative task and responsibilities to the DSL unless there are exceptional circumstances, for example where there is a conflict of interest or the allegation concerns the DSL.

4.5.2 The Senior Manager and the DSL are responsible for agreeing an initial plan of how to proceed with managing the allegation. They need to agree that the information before them is a safeguarding allegation. The safeguarding allegation may be in respect of the person's employment, voluntary activity or behaviour towards any other children including their own.

4.5.3 If, after the initial consideration, the Senior Manager (Safeguarding) and DSL do not consider the matter constitutes a safeguarding allegation then they must decide if an internal investigation is required to determine if the behaviour/incident was related to poor practice or misconduct. The disciplinary process must then be followed. All decisions and the reasons for them must be recorded and kept on the individual's file.

4.5.4 If confirmed as a safeguarding allegation, the Senior Manager (Safeguarding) and DSL must agree an initial plan within one working day, which includes:

- the immediate safety of any relevant child/ren involved, for example those that are the subject of the safeguarding allegation or other children that the individual has contact with through work or family;
- what information to share with the individual who is the subject of the safeguarding allegation, and when to do so;
- whether any immediate decision has to be taken about suspension of the individual subject to allegation, pending further enquiries and/or investigation;
- whether the criteria is met for referral to the local authority and/or the police;
- what further information may be required for clarification;
- identifying who else is aware of the safeguarding allegation and who has been spoken to;
- identifying whether any advice should be sought from HR Services at TfL
- arrangements for support for the person who is the subject of the safeguarding allegation and the person who raised the allegation;
- consideration of support arrangements for the child/ren and family members concerned.

4.5.5 The Senior Manager (Safeguarding) must inform the Director of LTM within one working day.

4.5.6 In the event that a safeguarding allegation is made against:

- the DSL - the Senior Manager (Safeguarding) will manage the allegation
- the Senior Manager (Safeguarding) - the Director will manage the allegation
- a Trustee - the Director will manage the allegation
- the Director – Lead Trustee (Safeguarding)

4.5.7 If it is agreed that the safeguarding allegation meets one or more of the criteria (see para 4.3.1), then the Senior Manager (Safeguarding) or DSL must make a referral within one working day to:

- the Designated Officer<sup>4</sup> in the local authority if the allegation is about behaviour towards a child
- local authority adult services if the allegation is about behaviour toward an adult at risk.

Some safeguarding allegations are clearly so serious that they require immediate referral to the local authority/police. Other allegations that appear to meet the criteria may seem less serious; however, it is important that they are followed up and examined objectively by the external authorities who may hold other relevant information about the individual that is unknown to the LTM.

4.5.8 If the allegation is considered to meet the criteria for referral, then the safety and welfare of any child/ren or adult at risk is of the utmost importance, and any child or adult protection investigation and/or police investigation must take priority over any internal LTM procedures.

4.5.9 All decisions and the evidence upon which they are based must be recorded – see Section 5 for further details.

#### **4.6 Action following initial consideration**

4.6.1 Where the allegation meets the criteria, the Senior Manager (Safeguarding) or DSL will make the referral to the appropriate local authority department (see 5.7) to discuss and agree the next steps, including informing parents/carers of the child concerned (if applicable) about the allegation if they are not already aware of it.

4.6.2 The Designated Officer (or equivalent in adult social care) will:

- discuss the allegation and obtain further details of the allegation and the circumstances in which it was made;
- discuss whether there is evidence/information that establishes the allegation is false or unfounded;
- convene a strategy discussion within procedural timelines in order to plan any police investigation and/or protective action in respect of the child or adult if there is cause to suspect a child or adult is suffering or likely to suffer significant harm, and/or a criminal offence may have been committed.

4.6.3 As an employer, LTM should expect to be invited to join this discussion alongside other relevant professionals, including the police and children's or adult social care. The Senior Manager (Safeguarding) or DSL would be the LTM representative in this case.

4.6.4 The member of staff/volunteer subject to the allegation should be informed as soon as possible that an allegation has been made. However, where a strategy discussion is required with the authorities, or it is clear that the police or children's or adult social care may need to be involved, information about the allegation should not be shared until those

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<sup>4</sup> This role was formerly known as the LADO however Working Together to Safeguard Children 2015 removed this term. It says the local authority must appoint a designated officer(s) to carry out this role.

agencies have agreed what information can be disclosed to the person who is the subject of the allegation.

- 4.6.5 When a strategy discussion takes place, the Senior Manager (Safeguarding) or DSL should share all relevant information about the allegation, the child/ren/adult and the person who is the subject of the allegation.
- 4.6.6 If there is reason to suspect that a criminal offence may have been committed, the police will be involved in making enquiries. LTM is expected to cooperate fully with any police or child/adult protection investigation.
- 4.6.7 The possible risk of harm to a child/ren must be effectively evaluated and managed in respect of any child/ren involved in the allegations, and any other children in the individual's home, work or community life. In some cases, this will require the LTM to suspend the employee who is the subject of the allegation or cease to use the services of a volunteer (sole trader, contractor, student etc.) on a temporary basis.
- 4.6.8 The act of suspension does not indicate a person's guilt. An individual must not be suspended automatically when there has been an allegation or without careful thought. Suspension should be considered in any case where:
- there is cause to suspect a child or adult is at risk of significant harm
  - or, the allegation warrants investigation by the police
  - or, is so serious that it might be grounds for dismissal
  - or, there are concerns that the person about whom the allegations are made may put pressure on or interfere with potential witnesses.
- 4.6.9 The power to suspend the accused member of staff or dispense with the services of the volunteer is vested in the employer alone. However, in making these decisions the Senior Manager (Safeguarding) in consultation with the DSL where relevant)) will need to take into consideration the views of the police and the local authority. Advice must also be sought from TfL HR Services as necessary.
- 4.6.10 The Senior Manager (Safeguarding) will be responsible for deciding how and when to feedback to the person who made or received the allegation, and what information to give to others who may know the accused individual concerned.
- 4.6.11 The Senior Manager (Safeguarding) will decide on a case-by-case basis if, and when, it is necessary to advise the Museum Director about the allegation and its management, depending on the seriousness of the allegation, reputational risks, liability and potential media interest.

#### **4.7 Action following the conclusion of the investigative process**

- 4.7.1 At the conclusion of any external investigations, the Senior Manager (Safeguarding) or DSL and the Designated Officer (or equivalent in adult social care) will formally review the outcome and determine any further action required. The line manager of the staff member or volunteer will need to be informed of any decision. The range of options open will depend on the circumstances of the case and will need to take into account the result of any police investigation or trial, any investigations in respect of the child or adult's safety, as well as the different standard of proof required in disciplinary and criminal proceedings. Options include:
- reintegration of the staff member or volunteer
  - performance management or capability processes invoked
  - disciplinary process invoked (see TfL Disciplinary Procedures)

- referral to the Disclosure and Barring Service (DBS) for consideration to be barred from working with children and/or adults
- referral to a professional registration/regulatory body, for example the Health Care Professions Council (HCPC), on the grounds of misconduct.

4.7.2 The following definitions should be used when recording the outcome of allegation:

- **Substantiated:** there is sufficient identifiable evidence to prove the allegation.
- **False:** there is sufficient evidence to disprove the allegation.
- **Malicious:** there is clear evidence to prove that there has been a deliberate act to deceive and the allegation is entirely false.
- **Unfounded:** there is no evidence or proper basis that supports the allegation being made. It might also indicate that the person making the allegation misinterpreted the incident or was mistaken about what they saw. Alternatively they may not have been aware of all the circumstances.
- **Unsubstantiated:** this is not the same as a false allegation. It means that there is insufficient evidence to prove the alleged behaviour occurred.

4.7.3 Every effort should be made to reach a conclusion in all cases even if:

- the individual refuses to cooperate, although s/he should be given a full opportunity to answer the allegation and make representations
- it is difficult to reach a conclusion
- the employee has resigned or the volunteer withdrawn his/her services.

4.7.4 LTM **never** agrees to the use of a 'settlement agreement' with an employee. This is where the employee subject to the allegation agrees to resign, the employer agrees not to pursue disciplinary action, and both parties agree a form of words to be used in future references. Nor can it be used to override the LTM's duty to make a referral to the DBS where they meet the criteria for consideration to bar them from working with children and/or adults.

4.7.5 The Senior Manager (Safeguarding) must determine who needs feedback following the conclusion of any investigations and the nature of that feedback in accordance with the principles of data protection and confidentiality. This might include feedback to the child/adult, his/her parents/carers, and/or the person who raised the concern initially and the line manager of the employee or volunteer.

4.7.6 If an allegation is determined to be unfounded or malicious, the Senior Manager (Safeguarding) with the DSL where relevant must consider if any further action is required:

- if the safeguarding allegation was made by a child then there is a need to consider if a referral to children's social care is required to determine if that child is in need of services, or may have been abused by someone else; and/or
- if the safeguarding allegation was deliberately invented or malicious by an adult then this could be discussed with the police and advice sought;
- whether disciplinary action is required;
- the support needs of the person that was the subject of the safeguarding allegation.

4.7.7 At the end of the process of managing an allegation and its conclusions, the Senior Manager (Safeguarding) in consultation with the DSL where relevant are responsible for the identification of any lessons to be learned about the procedure, the actions taken, and the support offered. This learning should feed into policy and procedural revisions as well as the safeguarding training strategy.

4.7.8 The Senior Manager (Safeguarding) must provide in writing feedback to the person who has been subject to the investigation, clarifying the final outcome and any implications for

their employment/volunteering. This must be provided within five working days of the conclusion of the investigation.

#### **4.8 Support**

4.8.1 In managing any allegation there is a need for the Senior Manager (Safeguarding) to consider the support needs of individuals involved. The support they require depends on the circumstances of the case and will have to be negotiated and agreed on a case-by-case basis. Support may include responding to the impact from shock, anger or being a suicide risk, for example. It may include support for the:

- person who raised the concern at the outset
- person who is the subject of the allegation
- child/parents/carers, if applicable, where harm was alleged against a particular child.

4.8.2 The Senior Manager (Safeguarding) is responsible for ensuring that the employee or volunteer who is subject of the allegation is:

- informed of the allegation against them (once agreed by the local authority/police), notified of the processes that will follow and signposted to independent support should they require it
- kept up to date about any progress in relation to their case
- advised to contact their union or professional association at the outset
- informed of arrangements to keep him/her updated about developments in the workplace in cases where the employee or volunteer is suspended or the LTM cease to use his/her services as a volunteer
- sent correspondence confirming all of the above including the arrangements for support.

#### **4.9 Referral to DBS/ Charities Commission/Professional Regulatory Body**

4.9.1 Once the final outcome of the allegation management process is concluded, there are three key decisions to be made by the Senior Manager (Safeguarding) in conjunction with the DSL, the Designated Officer (or equivalent):

- Where an employee or volunteer is engaged in providing regulated activity (see DBS policy for the definition of this) then the issue of whether they are allowed to continue with this must be considered by the Senior Manager (Safeguarding) in conjunction with the DSL, depending on the outcome of the investigation /disciplinary process. If it is concluded that the person should no longer be engaged in regulated activity then the LTM must refer the employee/volunteer to the DBS/ for consideration to bar the person from working with children and/or adults. The process for this is outlined on the DBS website.
- Where an employee or volunteer is registered with a professional body (eg Health and Care Professions Council), the issue of referral of the employee or volunteer to the professional regulatory body must be considered by the Senior Manager (Safeguarding) in conjunction with the DSL.
- The Charities Commission require notification of suspicions, allegations and incidents of abuse or mistreatment of 'vulnerable beneficiaries'. Therefore the Senior Manager (Safeguarding) adviser in conjunction with the Chair of the Board of Trustees would need to consider the issue of notification to the Charities Commission<sup>5</sup> of such incident.

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<sup>5</sup> See Charities Commission (2013) Reporting Serious Incidents – Guidance for Trustees

4.9.2 These decisions must be made even if the employee has resigned or the volunteering activity has ceased. A record of decisions made must be kept on file.

#### **4.10 Managing safeguarding allegations against contractors, agency or freelancers**

- Contractors, agency and freelancers will be treated exactly the same way as a directly employed member of staff as through section 5 of these procedures. The only changes are that there must be communication and liaison with a manager from their parent company, and that the responsibility for invoking any Disciplinary Procedures rests with the manager from the parent company.
- Communication must continue between the two parties until resolution and documented throughout.
- All outcomes must be documented by the DSL see Section 5.

### **5. Recording, record retention and destruction**

#### **5.1 Record keeping regarding a safeguarding allegation**

It is essential that LTM keep a clear and comprehensive record of any concern or allegation made against an individual, including details of how the allegations were followed up and resolved, and details of the decisions reached and any action taken. The purpose of the record is to:

- enable accurate information to be given in response to any future request for a reference
- provide clarification in cases where a future DBS disclosure reveals information from the police that an allegation was made but did not result in a prosecution or a conviction
- prevent unnecessary re-investigation should an allegation resurface after time
- provide evidence and information if a decision is made to refer the person for consideration to be barred from working with children and/or adults
- enable the LTM to review and improve policies, procedures and practice based on learning and feedback.

5.1.2 The Senior Manager (Safeguarding) or DSL is responsible for creating and maintaining the record during the course of managing the allegation.

5.1.3 Additional records e.g. email, hard copy documents are likely to be created as part of the investigation process. Summaries of the content of these will be recorded in the allegation log completed by the senior manager (safeguarding) or DSL. At the end of the investigation the senior manager will create a file of **all** emails including scanned copies of all hard copy documents. The file must be appended to the safeguarding incident form by the senior manager or DSL. All original hard copy documents should be immediately destroyed (post scanning) using the confidential waste bins.

5.1.4 Records of all allegations and subsequent processes against staff or volunteers must be passed to TfL HR services. Such information should be retained, including for people who leave the organisation, at least until the person reaches 65 years, or for 10 years if that is longer. The records shall also be stored safely in a password protected folder in a shared drive and with restricted access by the DSL and Senior Manager (Safeguarding) and anyone else authorised by him/her.

## 5.2 Record keeping for a concern about a child or adult at risk

All the information relating to a concern and subsequent action taken must be recorded using the safeguarding incident form and additional log of actions and emails. This information should be stored by the DSL for 6 years.

## 5.3 Destruction of records

Once the requisite retention period has been reached all records should be destroyed using shredding and confidential waste or be electronically purged.

# 6. Information sharing and confidentiality

## 6.1 Sharing information where there is a concern

Effective information sharing between professionals and local agencies is essential for effective identification, assessment and service provision. Keeping children or adults safe requires information about them to be shared with relevant agencies in order to piece together information to obtain a full picture of the child/adult and his/her circumstances. Individual pieces of information can reveal a very different picture when combined together.

## 6.2 The principles of the **Data Protection Act 1998** must be adhered to when handling personal information; that is:

- personal information is obtained and processed fairly and lawfully;
- only disclosed in appropriate circumstances;
- accurate, relevant and not held for longer than necessary; and
- kept securely.

## 6.3 The Data Protection Act allows for the disclosure of personal information without consent of the subject in certain situations, including for the purposes of the prevention and detection of a crime, for example where there is a child safety concern. **Fears about sharing information cannot stand in the way of the need to safeguard and promote the welfare and protect the safety of children or adults.**

## 6.4 It is best practice to gain verbal or written consent from a child and/or parent(s)/carer(s) or adult at risk before any personal information relating to them is shared with another authority<sup>6</sup>. However, the LTM does not need to seek consent to share information if it might:

- be unsafe to seek (e.g. seeking consent might increase the risk to the child/adult); or
- cause an unjustified delay; or
- if it would prejudice the prevention, detection or prosecution of a serious crime.

## 6.5 An individual can always seek advice from the DSL or the NSPCC Helpline about whether or not to inform the child/adult at risk and their family where they have concerns that they intend to share.

## 6.6 No individual should assume that someone else will pass on information that they think may be critical to keeping a child safe.

## 6.7 If LTM staff or volunteers identify a child or an adult as being in need of support services, then they can signpost children/adults at risk and their families to support services. However, they cannot make an actual referral to any support service without the consent of the child (dependent on age) and his/her family, or the adult at risk.

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<sup>6</sup> Refer to HM Government (2015) *Information Sharing: Guidance*

## **7. Interface between these procedures and those of the party visiting the Museum**

- 7.1 Many organised groups who visit the Museum will have their own safeguarding policy and procedures in place e.g. a school. If a concern arises about a child or adult who is part of an organised group then the concern should still be addressed such that LTM complete Safeguarding Concerns Incident Form (**Appendix 4**) and liaise with the leader of the party to establish who designated lead for safeguarding is there and to ensure that s/he will act upon the concern raised.
- 7.2 The DSL must follow up with the designated lead from the party to ensure the concern has been logged and appropriate action taken. This should be followed up after 3 days of the concern coming to light and the outcome recorded. If the DSL considers that appropriate action has not been taken then the DSL should report the concern on to children's or adult social care and notify the designated lead from the party of having done so.

## **8. Escalation process – what to do if safeguarding concerns are not being appropriately acted upon**

- 8.1 Escalation is the course of action that should be taken where there are concerns that the safety of a child or adult at risk is compromised and the current action of either LTM or other external agencies does not support effective action to safeguarding.

If you have safeguarding concerns and consider that it has not been acted upon by your line manager or DSL then you can speak to the Senior Manager (Safeguarding). If you remain concerned that a child or adult maybe at risk or a safeguarding allegation has not been acted upon then you can make a referral directly to children's or adult social care yourself or contact the NSPCC Helpline or use the LTM Whistleblowing Policy.

- 8.2 If LTM has concerns that an external agency is not acting upon their safeguarding concerns appropriately then:

- It is up to the DSL in conjunction with the Senior Manager (Safeguarding) to determine if the matter requires escalation. In the first instance the aim should be to resolve the disagreement at the lowest level between the individuals involved.
- If this fails then the matter needs to be raised with a more senior manager in the other agency.
- If this approach fails then the DSL needs to establish the process for escalating a concern in the particular local authority - these procedures can be found on the website for the particular Local Children Safeguarding Board.
- A record of all conversations and actions must be kept.

- 8.3 Remember that:

- problem resolution is an integral part of professional cooperation and joint working to safeguard children and adults at risk;
- professional disagreement requires resolution in a constructive and timely fashion;
- at no time must professional disagreement distract from ensuring the child or adult at risk is safe.
- the aim must be to resolve a professional disagreement at the earliest possible stage, as swiftly as possible

## **9. Lost, missing or found children**

Procedure is within the Operations Manual.

## **10. Safeguarding those undertaking work experience placements**

**10.1** It is recognised that schools and colleges expect young people undertaking work experience placements to develop independence, responsibilities, and the ability to make their own decisions and to apply learning. LTM staff may be asked to supervise a work experience placement for a person aged 16-18 years.

### **10.2 Prior to the start of any placement**

The following information will be collected by the operations team LTM prior to the start of the placement:

- Name of school
- Name of key teacher or sponsor contact at school
- Address and telephone number of school
- Name of parent/carer
- Telephone number for parent/carer
- Name and contact details of young person
- Any additional needs they may have to enable the placement to run smoothly

### **10.3 Pre-placement visit**

The student should visit the Museum prior to the placement starting to:

- meet their nominated supervisor;
- familiarise themselves with the Museum and the proposed activities;
- develop some learning goals for the placement;
- ensure the young person, and his/her school/college is comfortable with the proposed arrangements.

### **10.4 Induction**

The student should have a carefully planned induction at the start of the placement which will include an explanation of any essential health and safety elements (e.g. layout of the building and any hazards, fire evacuation, first aid, accident reporting) as well as safeguarding and whom to speak to if they have concerns or worries during their placement with at LTM.

**10.5** Work experience students should be working on carefully selected activities; these will be timetabled in cooperation with the Operations Team, allowing them to be aware of the student's location at any given time. At each of the activities the student will be assigned to a 'supervisor' who will monitor their work.

**10.6** The line manager of the person that is going to supervise the work experience placement must ensure that the member of staff is suitable to do so and has undergone the required vetting checks.

**10.7** It is not necessary for work experience students to be supervised or accompanied by more than one member of staff. However, the welfare of the young person is paramount. Therefore, to enable the student to have a positive experience it is essential that the supervisor of the placement and any other staff involved in it adhere to the code of conduct (see section 2) and, in addition, they must:

- ensure that the Operations Team or another Museum staff member knows your location and the proposed activity.

- avoid being in an isolated space alone with the student.
- travel with a student should be done on public transport only. If travelling alone with a student you must ensure that the Operations Team or another member of staff knows where you are going, what you are intending to do and the estimated duration of your journey.
- upon leaving the Museum both the student and the member of staff will be required to use the signing in/out procedure. The Operations Team or another member of staff should be notified of your journey, destination and estimated journey time. Upon arrival at your destination signing in/out procedures should be followed and the Operations Team or a colleague should be informed of your arrival.

**10.8** If there is a safeguarding concern about the young person on work experience at LTM this needs to be reported to the DSL who is then responsible for alerting the designated safeguarding lead in the school or college. Together they should agree a plan for responding to the concern. The Safeguarding Concerns – Incident Form (**Appendix 3**) must be completed in all cases even if the school/college is assuming responsibility for managing the concern.

## **11. Safeguarding arrangements for those that hire LTM premises**

11.1 Museum premises may be hired by organised groups or private individuals. As part of the booking process, organisations who are booking the premises to provide activities for children will be expected to have minimum safeguarding arrangements in place and will to confirm that they have such arrangements in place:

- A safeguarding policy and procedure;
- Safer recruitment procedures for those that are providing regulated activity;
- (*First Aid cover supplied by LTM*)

11.2 If evidence cannot be provided or a hirer does not have these documents, then a shortened overview agreement<sup>7</sup> will be supplied to the hirer for acceptance and signature.

This expectation would not apply in the case of children's parties or for a private hire for a corporate event however there are still safeguarding considerations in respect of both types of events. Guidance on Corporate Hire Events can be found in the Operations Manual.

11.3 Children's parties: a risk assessment must be completed prior to a child's party being held in the Museum.

11.4 All hirers should be made aware at the time of booking of LTM's safeguarding policy and procedure and know what to do should they have any concerns about a child or adult at risk whilst on LTM premises.

## **12. Photography and filming**

Procedure is within the Operations Manual.

12.1 Written consent must always be obtained from the parents/carers of any child under 16 years who is being photographed or filmed for the purpose of LTM promotional materials.

12.2 Consent must form part of the initial discussions for the event and all consent forms completed and collated prior to the event commencing.

- 12.3 Copies of the consent forms must be sent to the DSL for filing. The form can be found in the Operations Manual.
- 12.4 All images must be stored securely in a password protected folder, and destroyed once the project is complete. Project completion is defined as “Once images or streaming have been used for their purpose and no longer required to be kept”. Images should not be retained on personal cameras, phones or any other devices.

### Key Contacts & Telephone Numbers

#### LTM Contacts

Terry Eccles - Designated Safeguarding Lead DSO (Designated Safeguarding Officer) Head of Projects, Contracts & Compliance	0207 565 7420
Liz Power - Deputy Designated Safeguarding Officer Head of Live Programmes	0207 565 7290
Chris Gilbert - Senior Manager (Safeguarding) Assistant Director Business	0207 565 7262
Duty Manager (at Museum)	0207 379 6344 ext. 4227

#### External Contacts

City of Westminster Adult and Children's Services	0207 641 7560
Local Authority Designated Officer Jane Foster	0207 641 6108
City of Westminster Children's Services	0207 641 7560
Adult Services	020 7641 1175
Social Services Out of Hours Service:	0207 641 6000
Police: 999 in an Emergency or 101 Non-Emergency West End Central Police	020 7437 1212

For any concerns that occur outside of the City of Westminster contact the local children's social care service/local Designated Officer or local police force. The relevant contact details will be found on the website for the local authority and also on the website for the Local Safeguarding Children Board for the local area.

For advice on child safeguarding concerns or allegations call:

**NSPCC Helpline** 0800 800 5000 (24 hours a day)

For a child/young person to speak confidentially about their concerns and worries call:

**ChildLine** 0800 1111 or [childline.org.uk](http://childline.org.uk)

### Definitions of child and adult abuse and neglect

#### Child Abuse and Neglect<sup>8</sup>

##### Physical abuse

Physical abuse may involve hitting, shaking, throwing, poisoning, burning or scalding, drowning, suffocating, or otherwise causing physical 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.
- not giving the child opportunities to express their views, deliberately silencing them or 'making fun' of what they say or how they communicate.
- age or developmentally inappropriate expectations being imposed on children. 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.
- seeing or hearing the ill-treatment of another.
- 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)
- non-penetrative acts such as masturbation, kissing, rubbing and touching outside of clothing.
- 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).

##### Child Sexual Exploitation (CSE)

CSE is a form of sexual abuse where children are sexually exploited for money, power, and status. It can involve violent, humiliating and degrading sexual assault. In some cases young people are persuaded or forced into exchanging sexual activity for money, drugs, gifts, affection or status. Consent cannot be given, even where a child may believe they're voluntarily engaging in sexual activity with the person who is exploiting them. CSE doesn't always involve physical contact and can happen online. A significant number of children who are victims of sexual exploitation go missing from home, care and education at some point.

Sexual abuse is not solely perpetrated by adult males. Women can also commit acts of sexual abuse, as can other children.

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<sup>8</sup> HM (2015) *Government Working Together To Safeguard 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.

## **Adult Abuse and Neglect**

**Physical abuse** may include hitting, slapping, pushing, punching, kicking, burning, biting, suffocating, and misuse of medication, restraint, physical intervention or inappropriate sanctions.

**Psychological abuse** – includes emotional abuse, threats of harm or abandonment, deprivation of contact, humiliation, verbal or racial abuse, isolation or withdrawal of services or supportive networks.

**Sexual abuse** is a sexual act (contact or non-contact) carried out without the informed consent or knowledge of the other individual. Non-contact abuse may include sexual suggestions, salacious exposure to indecent material and indecent behaviour. Contact abuse may include rape and sexual assault or sexual acts to which the vulnerable adult has not consented, or could not consent or was pressured into consenting.

**Neglect** includes: ignoring medical or physical care needs, failing to provide access to appropriate health, social care, or educational services, or the deliberate withholding of necessities of life such as medication, adequate nutrition and heating.

**Financial abuse** is the willful use or manipulation of the vulnerable person's property, assets, or monies without their informed consent or authorisation. This can include theft or fraud of monies or possessions, exploitation, pressure or undue influence to change wills, financial arrangements, or the misuse of property, possessions or benefits<sup>9</sup>.

**Discriminatory abuse** is maltreatment or harassment that is based on any characteristic of a person's identity, such as their race, sex, or disability. Many of the signs of discriminatory abuse will be the same as for emotional abuse.

**Institutional abuse** is repeated instances of poor care of individuals or groups of individuals through neglect or poor professional practice.

**Spiritual abuse** can be caused by the inappropriate use of religious belief or practices eg the misuse of the authority of leadership, discipline, oppressive teaching, or intrusive healing and deliverance ministries, which may result in vulnerable people experiencing physical, emotional, or sexual harm.

**Domestic abuse** is the use of forms of control and/or maltreatment within an intimate or

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<sup>9</sup> It is worthy of note that the Fraud Act 2006, section 4, created a specific criminal offence of fraud by a person in a position of trust.

domestic relationship. Types of domestic abuse includes physical, verbal (also called emotional, mental, or psychological abuse), sexual and financial. Stalking and cyber-stalking are also forms of control and abuse. Domestic abuse may occur in heterosexual or same sex relationships and between young people under 18 years.

**Honour based violence and forced marriage** Honour based violence is where a family feel that dishonour has been brought to the family. Forced marriage is a term used to describe a marriage in which one or both parties are married without their consent or against their will. If there is suspicion that the adult is the victim of honour based violence, referral must always be made to the police. A forced marriage differs from an arranged marriage, in which both parties consent to the assistance of their parents or a third party in identifying a spouse.

### Signs and Indicators of abuse to children and adults at risk

The following information *should* help you to be more alert to the signs and indicators of possible abuse or neglect. As with children, adults at risk are more vulnerable to abuse. The abuse of children and adults at risk can have devastating effects on their physical, mental and emotional wellbeing. The presence of any one of these indicators does not, in itself, indicate that abuse is occurring. However, they should still be considered in light of the information available to you, and if in any doubt, a safeguarding referral should be made.

#### Physical Abuse

Most children and adults will collect cuts and bruises in their daily life. These are likely to be in places where there are bony parts of their body, like elbows, knees and shins. Some children, however, will have bruising which can almost only have been caused non-accidentally. An important indicator of physical abuse is where bruises or injuries are unexplained or the explanation does not fit the injury or when it appears on parts of the body where accidental injuries are unlikely, e.g. on the cheeks or thighs. A delay in seeking medical treatment when it is obviously necessary is also a cause for concern. Bruising may be more or less noticeable on children and adults with different skin tones or from different racial groups and specialist advice may need to be taken. Bruising patterns also depend on a child's or adult's mobility so, for example, bruising in babies should be a great cause for concern if they are not yet mobile.

#### **Physical signs may include:**

- unexplained bruising, marks or injuries on any part of the body
- bruises which reflect hand marks or fingertips (from slapping or pinching)
- explanation of injuries given are inconsistent with situation/lifestyle
- cigarette burns
- bite marks (child, adult or animal)
- broken bones
- scalds
- female genital mutilation

#### **Changes in behaviour which can also indicate physical abuse:**

- fear of parents/carers, being approached for an explanation
- aggressive behaviour or severe temper outbursts
- flinching when approached or touched
- reluctance to get changed, for example in hot weather
- depression
- withdrawn behaviour
- running away from home, reluctant or refusing to go home.

#### Emotional Abuse

Emotional abuse can be difficult to identify, and often children and adults at risk who appear well cared for may be emotionally abused by being taunted, put down or belittled. They may receive little or no love, affection or attention from their parents or carers or they may be seeing or hearing the ill-treatment of someone else. Emotional abuse can also take the form of children and adults not being allowed to socialise/play with peers and being isolated from others.

#### **Physical signs may include:**

- a failure to thrive or grow, particularly if the child puts on weight in other circumstances e.g. in hospital or away from their parents care
- unexplained weight loss

- sudden speech disorders
- developmental delay, either in terms of physical or emotional progress

***Changes in behaviour which can also indicate emotional abuse include:***

- neurotic behaviour e.g. sulking, hair twisting, rocking
- being unable to play or socialise with others
- fear of making mistakes
- sudden speech disorders
- self-harm behaviours
- fear of parent/carer being approached regarding their behaviour

**Sexual Abuse**

Adults, who use children to meet their own sexual needs, abuse both girls and boys of all ages, including infants and toddlers. Usually, in cases of sexual abuse it is the child's behaviour which may cause you to become concerned, although physical signs can also be present. In all cases, children who tell about sexual abuse do so because they want it to stop. It is important, therefore, that they are listened to and taken seriously. The signs that adults are experiencing sexual abuse may be similar to those listed below.

***Physical signs of sexual abuse may include:***

- pain or itching in the genital area
- bruising or bleeding near genital area
- sexually transmitted disease
- vaginal discharge or infection
- stomach pains
- discomfort when walking or sitting down
- pregnancy

***Changes in behaviour which can also indicate sexual abuse include:***

- sudden or unexplained changes in behaviour e.g. becoming aggressive or withdrawn
- fear of being left with a specific person or group of people
- having nightmares
- running away from home, reluctance or refusing to go home.
- sexual knowledge which is beyond their age, or developmental level
- sexual drawings or language
- bedwetting
- eating problems such as overeating or anorexia
- self-harm or mutilation, sometimes leading to suicide attempts
- saying they have secrets they cannot tell anyone about
- substance or drug abuse
- suddenly having unexplained sources of money
- not allowed to have friends (particularly in adolescence)
- acting in a sexually explicit way towards adults

The following signs may be indicators of child sexual exploitation. Children who:

- appear with unexplained gifts or new possessions
- associate with other young people involved in exploitation
- have older boyfriends or girlfriends
- suffer from sexually transmitted infections or become pregnant
- suffer from changes in emotional well being
- use drugs and alcohol
- go missing for periods of time or regularly come home late
- who regularly miss school or education or don't take part in education.

## **Neglect**

Neglect can be a difficult form of abuse to recognise in both adults and children, yet have some of the most lasting and damaging effects. Neglect is the ongoing failure to meet the child's or adults basic physical or psychological needs, which is likely to damage their health or development.

### ***Physical signs include:***

- constant hunger, sometimes stealing food from others
- constantly dirty or 'smelly'
- loss of weight, or being constantly underweight
- inappropriate dress for the weather conditions

### ***Changes in behaviour which can also indicate neglect may include:***

- complaining of being tired all the time
- not requesting medical assistance and/or failing to attend appointments
- having few friends
- being left alone or unsupervised

These definitions and indicators are not meant to be definitive but only to serve as a guide to assist you. It is important too, to remember that many children and adults at risk will exhibit some of these indicators at some time, and that the presence of one or more should not be taken as proof that abuse is occurring. There may well be other reasons for changes in behaviour such as a death or the birth of a new baby in their family, relationship problems between their parents/carers, moving to new accommodation etc.

### **Additional vulnerabilities**

It is important to be mindful that some children and adults are particularly vulnerable to abuse because of their age or their living circumstances or characteristics:

- Disabled children and adults are a greater risk of abuse than non-disabled children and adults.
- Children living in homes where there are adverse parental circumstances may also be more at risk, in particular children living in homes where there is domestic violence, substance misuse and/or severe parental mental illness.
- Children and adults from particularly isolated or new communities may also be at increased risk of abuse as well as those children and adults who are disruptive and challenging.

The types of abuse and risks to children do change with age:

- In some circumstances, agencies or individuals are able to anticipate the likelihood of significant harm with regard to an expected baby (e.g. domestic violence, parental substance abuse or mental ill health). These concerns should be addressed as early as possible before the birth, so that a full assessment can be undertaken and support offered to enable the parent/s (wherever possible) to provide safe care
- Very young children are vulnerable because of their being so dependent and having limited contact with other adults in their lives.
- In contrast, young people are more at risk of harmful behaviour from their friends (including sexual abuse, bullying and domestic violence) or from gang related behaviour.
- Increasingly it is clear some young people are at risk of child sexual exploitation from other adults – this is where young people are used for sex having being groomed with gifts or threats in order to maintain or 'buy' their silence. Young people living away from home, in care or from disadvantaged communities are particularly prey to this type of abuse.
- Young people are also at risk online in a number of ways eg seeing illegal content, being groomed for a sexual relationship or for the purpose of religious radicalisation or cyberbullying by their peers.
- Some children and young people are also vulnerable to abuse because of particular cultural practices in their community namely: female genital mutilation and forced marriage both of which are illegal in this country.

LTM Safeguarding Concerns – Incident Form

**PART 1:**

Name of child/ren or adults:	Date of Birth of Child/ren:
Date of incident:	Time (of writing this record):
Your name (Must be signed at the end)	Your job title/role
Name of line manager or supervisor	
<b>Nature of the concern</b>	
<b>Details about the concern: record the following factually: Who? What (if recording a verbal disclosure by a child or adult use their words)? Where did it occur? When (date &amp; time of incident)? Any witnesses? Any injuries</b>	
<b>Professional opinion where relevant (how and why might this have happened?)</b>	
<b>Note any actions taken, any conversations, any calls made including names of anyone to whom your information was passed.</b>	
<b>Any other relevant information</b>	
<b>Signature</b>	

**PART 2: (for use by the Line Manager and DSL)**

<p>Time &amp; date information received by the line manager or DSL and from whom</p>	
<p>Any advice sought by duty manager or DSL (date, time, name, role, organisation &amp; advice given)</p>	
<p>Action taken (referral to children's or adult services or police.</p> <p>If decision not to refer then explain the reason.</p> <p>Note: time, date, names, who information shared with and when etc</p>	
<p>Parents or carers informed YES / NO</p> <p>Giver reasons for informing them or not</p>	
<p>Record names of individuals/agencies who have given you information regarding outcome of any referral (if made)</p> <p>Date of follow up of referral</p>	
<p>Where can any additional information regarding the child or adult be found?</p>	
<p>Any other relevant information</p>	
<p><b>Name &amp; Signature</b></p>	

Add continuation sheet as necessary ensuring child's/adult's name is clear and add page number

**LTM - External Events - Responsibility Certificate**

The responsibility within LTM sites for Safeguarding is clearly defined through its policy and procedures, but with external event involvement and working in partnership with other organisations, there could be confusion as to who is “Overall” responsible including reporting procedures.

To this end, arrangements for safeguarding should be clearly defined as part of the event planning by the Museum responsible manager. The procedure for reporting on concerns about a child or adult and the procedures for managing a safeguarding allegation must be clarified in writing and all staff/volunteers/freelancers must be made aware of it

This form clarifies who is involved and who is overall responsible for procedures at external events and in partnership with other organisations and MUST be completed for any and all events that are classed as “External” and with other organisation in “Partnership” under the Museums Safeguarding Policy & Procedures. The form must be completed prior to the event and a copy sent after completion to the DSL to file. Any questions then the Museum manager responsible and involved in the event must speak to the DSL.

Event Name:				
Location/s:				
Date/s:				
Involved:	Company	Contact	Contact Details	Responsibility

**Overall Responsibility for Safeguarding**

Name	Organisation	Signature	Date

**LTM Representative Responsibility for Safeguarding**

Name	Organisation	Signature	Date

### Concept of significant harm

Some children are in need because they are suffering, or likely to suffer, significant harm. The *Children Act 1989* introduced the concept of significant harm as the threshold that justifies compulsory intervention in family life in the best interests of children, and gives local authorities a duty to make enquiries to decide whether they should take action to safeguard or promote the welfare of a child who is suffering, or likely to suffer, significant harm.

There are no absolute criteria on which to rely when judging what constitutes significant harm. Consideration of the severity of ill-treatment may include the degree and the extent of physical harm, the duration and frequency of abuse and neglect, the extent of premeditation, and the presence or degree of threat, coercion, sadism and bizarre or unusual elements.

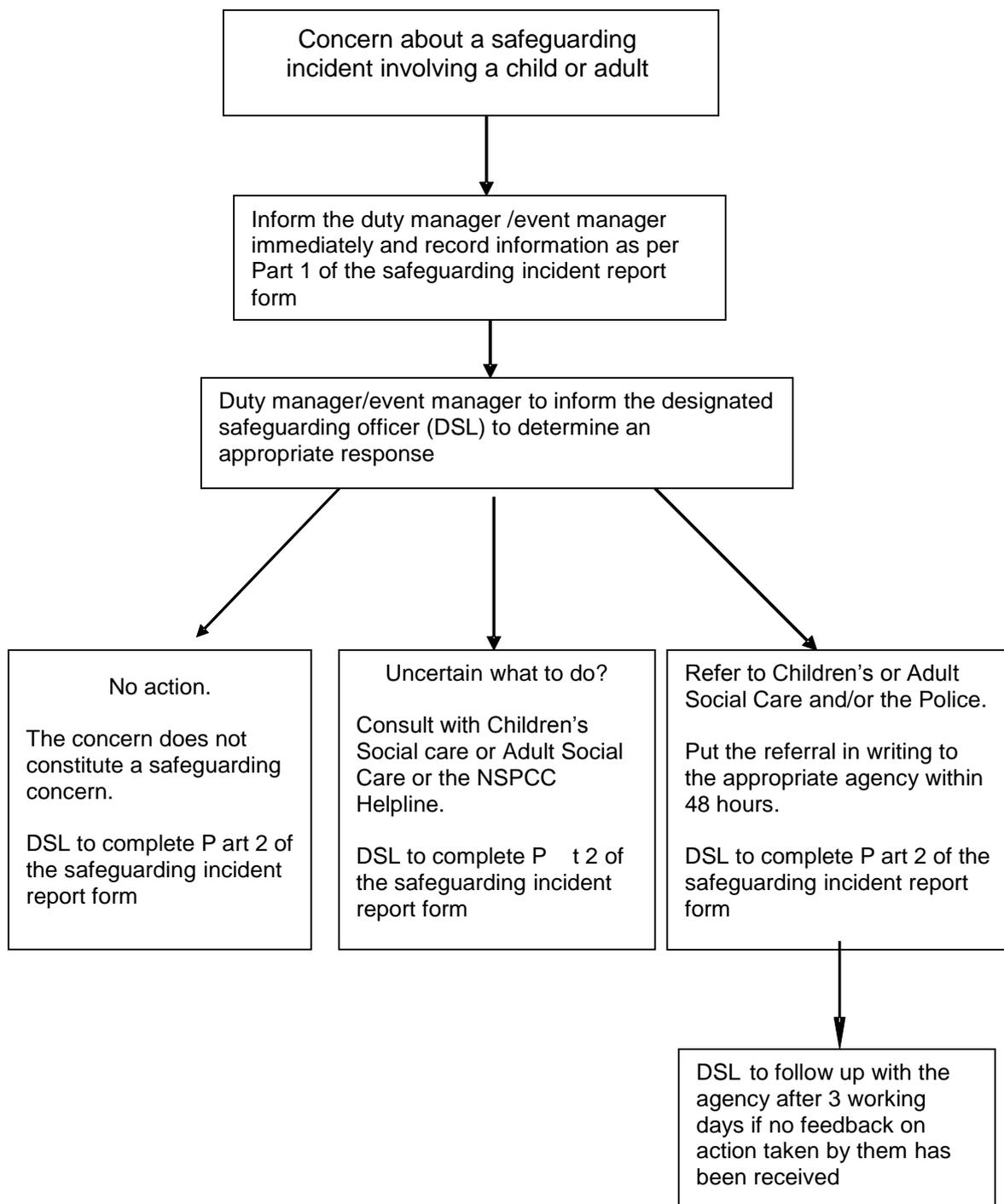
Each of these elements has been associated with more severe effects on the child, and/or relatively greater difficulty in helping the child overcome the adverse impact of the maltreatment.

Sometimes, a single traumatic event may constitute significant harm (e.g. a violent assault, suffocation or poisoning). More often, significant harm is a compilation of significant events, both acute and longstanding, which interrupt, change or damage the child's physical and psychological development.

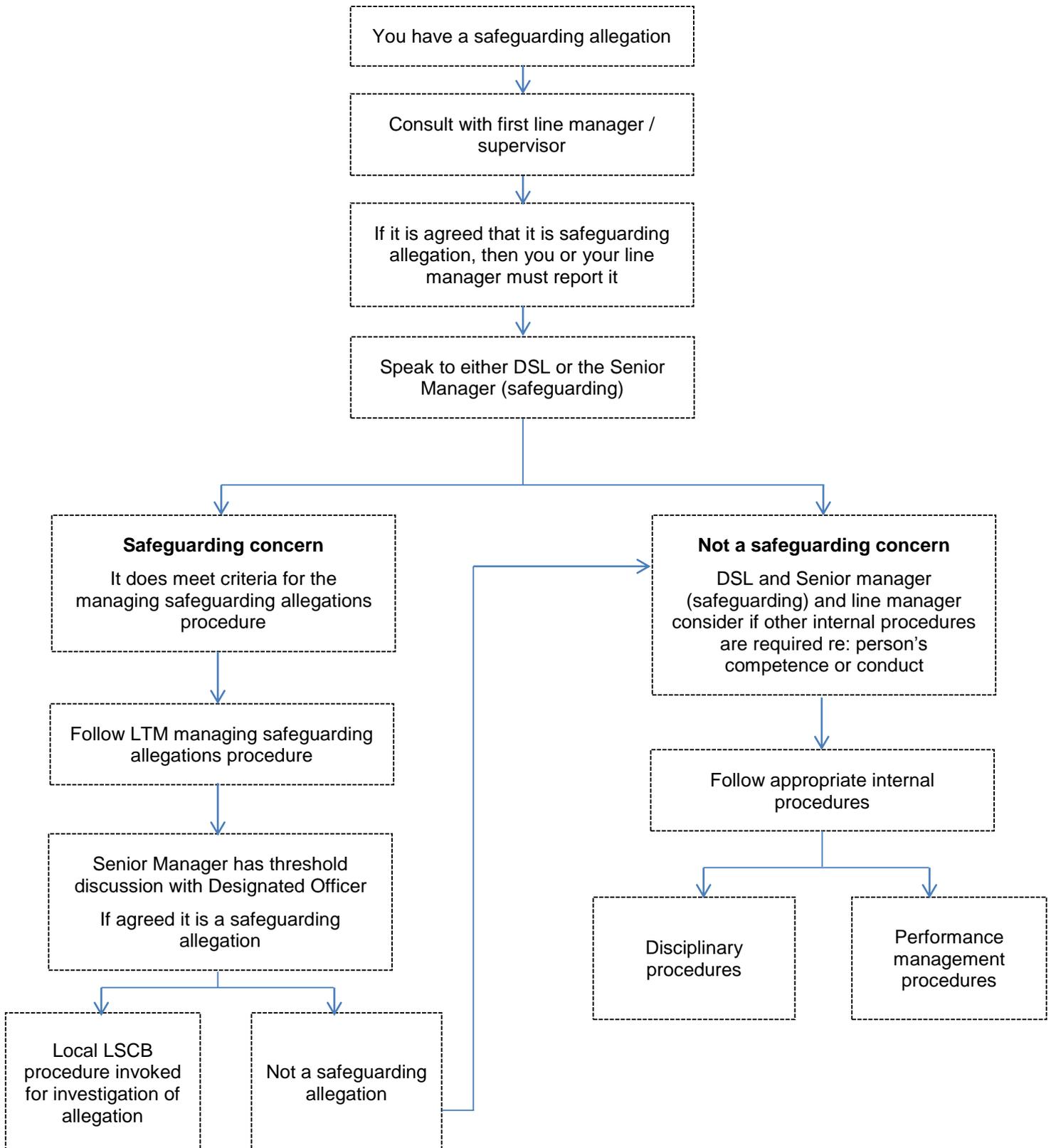
Some children live in family and social circumstances where their health and development are neglected. For them, it is the corrosiveness of long-term neglect, emotional, physical or sexual abuse that causes impairment to the extent of constituting significant harm.

**Flowchart:**

**What to do if you have a safeguarding concern about a child or adult at risk**



**Procedural Flowchart: What to do if there is a safeguarding allegation against a member or staff or volunteer**



### Information sharing principles

The government<sup>10</sup> has produced a list of ‘seven golden rules’ to support organisations and their workers when making decisions about when it is appropriate to share information with others, these are:

- **Remember that the Data Protection Act 1998 is not a barrier to sharing information** but provides a framework to ensure that personal information about living persons is shared appropriately.
- **Be open and honest** with the person (and/or their family where appropriate) from the outset about why, what, how and with whom information, will, or could be shared, and seek their agreement, unless it is unsafe or inappropriate to do so.
- **Seek advice** if you are in any doubt, without disclosing the identity of the person where possible.
- **Share with informed consent where appropriate** and, where possible, respect the wishes of those who do not consent to share confidential information. You may still share information without consent if, in your judgement, the lack of consent can be overridden in the public interest. You will need to base your judgement on the facts of the case.
- **Consider safety and well-being:** Base your information sharing decisions on considerations of the safety and well-being of the person and others who may be affected by their actions.
- **Necessary, proportionate, relevant, accurate, timely and secure:** Ensure that the information you share is necessary for the purpose for which you are sharing it, is shared only with those people who need to have it, is accurate and up-to-date, is shared in a timely fashion, and is shared securely.
- **Keep a record** of your decision and the reasons for it – whether it is to share information or not. If you decide to share, then record what you have shared, with whom and for what purpose.

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<sup>10</sup> HM Government (2015) *Information Sharing: advice for practitioners providing safeguarding services to children, young people, parents and carers.*