

1 Safeguarding Policy

Version Number	3.0
Version Date	2019
Date Approved by Board of Trustees	19/6/19
Review Date (Annual)	19/6/20
Person Responsible	Principal
Linked policies	Equality and Diversity policy Anti - bullying policy
Mapping to Quality Code	B3/6

1.1 Introduction

1.1.1 This policy provides the framework within which Ballet West staff, individually and collectively, can understand their responsibilities in relation to safeguarding/child protection and promoting the welfare of children.

1.1.2 Differing legal definitions of the age of a 'child' can be confusing. The priority is to ensure that a vulnerable young person who is or may be at risk of harm is offered support and protection. References within this policy to children are intended to refer to children and young people up to the age of 18 years.

1.1.3 What do we mean by Child Protection and Safeguarding?

- **Child Protection** - Protecting a child from child abuse or neglect. Abuse or neglect need not have taken place; it is sufficient for a risk assessment to have identified a likelihood or risk of significant harm from abuse or neglect.
- **Safeguarding** - This is a much wider concept than child protection and refers to promoting the welfare of children, young people and protected adults. It encompasses protecting from maltreatment, preventing impairment of their health or development, ensuring that they are growing up in circumstances consistent with the provision of safe and effective care; and taking action to enable all children, young people and protected adults to have the best outcome. Child protection is part of this definition and refers to activities undertaken to prevent children suffering, or likely to suffer, significant harm.

1.1.4 We have a distinctive approach to safeguarding in Scotland linked to Getting It Right for Every Child (GIRFEC) which promotes action to improve the wellbeing of every child and young person. Safeguarding is a golden thread that runs through the curriculum. The aim is to support the development of learner's knowledge, skills and resilience to keep themselves safe and protect themselves and to develop an understanding of the world so that they can respond to a range of issues and potential risky situations arising throughout their lives. As such, it permeates many features of the education experience including leadership, values, vision, the curriculum, learning and teaching, positive relationships and building learner resilience.

1.1.5 In all Ballet West's work, the needs, interests and wellbeing of children and young

people must be put above the needs and interests of all others. Hence, this Policy and the guidance contained within it must have priority over all other policies and advice.

1.1.6 Working in partnership with stakeholders, Ballet West seeks to ensure that:

- We enable children and young people to be safe, nurtured, achieving, healthy, active, included, respected and responsible; and children and young people in Scotland become successful learners, confident individuals, responsible citizens and effective contributors in centres of learning, the workplace and community.
- We do this by:
 - always putting the needs of, and desired outcomes for, children and young people at Ballet West and the community at the forefront;
 - accounting rigorously and clearly on the quality of education and other services;
 - and promoting high quality equitable outcomes for all learners by eliminating inequity that exists amongst learners from different backgrounds and particular vulnerable groups.

1.1.7 In carrying this out, Ballet West staff recognise their professional and legal obligations to protect children, young people and adult learners, particularly those at risk. Ballet West will promote safe practice to protect children, young people and adults from harm, abuse and exploitation.

1.1.8 This policy aims to ensure that: Ballet West operates a robust and safe selection and appointment process which requires all employees who have opportunities to engage regularly with children in the course of their normal duties be members of the Protecting Vulnerable Groups (PVG) Scheme and to participate in relevant professional learning; during all of our inspection/review activity and other forms of engagement, we create a safe environment for children, young people and adults at risk, and the adults who work with them; Ballet West staff are equipped with the information, knowledge, support and guidance to keep children, young people and adults at risk, safe and protected; and we take account of local inter-agency child protection guidelines and each local authority's legal obligation to safeguard and protect any group at risk, including children and protected adults.

1.2 Principles of this Policy

1.2.1 The Principles of the policy are

- The welfare of all children, young people and protected adults is always the primary concern.
- Protecting children, young people and protected adults is everyone's responsibility.
- Every child, young person and protected adult should be treated as an individual and has a right to a positive sense of identity.
- All children, young people and protected adults have the right to be protected from all forms of abuse, neglect and exploitation.
- All children, young people and protected adults have the right to express their views on matters affecting them.

- Everyone has a responsibility to protect children, young people and Every child, young person and has, at all times, a right to feel safe and protected from any situation or practice which may result in physical or emotional harm.
- Everyone has a responsibility to protect young people and protected adults.
- Every child, young person and protected adult, at all times, has a right to feel safe and protected from any situation or practice which may result in harm.
- Above all, the welfare of children, young people and protected adults is the paramount consideration and we must all work together to ensure they are protected.

1.2.2 To promote these principles we will:

- Treat everyone with respect and encourage children, young people and protected adults to respect others;
- Promote the rights, including privacy and dignity, of children, young people and protected adults as defined by the United Nations Convention on the Rights of the Child (UNCRC);
- Respect confidentiality and only share information and concerns about children, young people and protected adults with those who need to know;
- Take action to stop any inappropriate verbal or physical behaviour and emotional abuse, including bullying;
- Treat all concerns and allegations seriously and respond appropriately, operating within our agreed policy, procedures and guidance; and Refer, not investigate.

1.3 Policy and legislative context

- 1.3.1 [The Children \(Scotland\) Act 1995](#) places a duty on schools and local authorities to safeguard and promote the welfare of children. Safeguarding sits within the context of the wider [Getting it right for every child \(GIRFEC\) approach](#) and the [UN Convention on the Rights of the Child](#), .
- 1.3.2 We want children and young people to flourish so that they become successful learners, confident individuals, effective contributors and responsible citizens. All children and young people have the right to be cared for and protected from harm and abuse and to grow up in a safe environment in which their rights are respected and their needs met. Children and young people should get the help they need, when they need it and their safety is always paramount.
- 1.3.3 GIRFEC promotes action to improve the wellbeing of all children and young people in eight areas. These wellbeing indicators state that children and young people must be: healthy, achieving, nurtured, active, respected, responsible, included and, above all in this context, safe. The primary indicator for child protection is to keep a child safe and, in so doing, attention is given to other areas of wellbeing as appropriate.
- 1.3.4 The Children and Young People (Scotland) Act 2014 sets out duties on a range of

public bodies to report on how they are taking forward children's rights as set out in the UNCRC. Moreover, ratified by the UK Government in 2009, the UN Convention on the Rights of Persons with Disabilities stipulates that in order for disabled children to be able to realise the rights mentioned above, they need to be provided with disability and age appropriate assistance.

- 1.3.5 In addition to the Convention, the Children's Charter was drawn up following consultation with children and young people as part of the Scottish Government's child protection reform programme. The Charter sets out a list of demands children should feel entitled to make including the need to be safe. The [Framework for Standards 2004](#) is the detailed means for translating the commitments made in the Children's Charter into practice. In working with children and their families, all practitioners should strive to adhere to the following best practice standards.
- 1.3.6 The [National Guidance for Child Protection in Scotland 2014](#) provides a national framework within which agencies and practitioners at local level - individually and jointly - can understand and agree processes for working together to support, promote and safeguard and the wellbeing of all children. It sets out expectations for strategic planning of services to protect children and young people and highlights key responsibilities for services and organisations, both individual and shared.
- 1.3.7 All agencies, professional and public bodies and services that deliver adult and/or child services and work with children and their families have a responsibility to recognise and actively consider potential risks to a child, irrespective of whether the child is the main focus of their involvement. They are expected to identify and consider the child's needs, share information and concerns with other agencies and work collaboratively with other services (as well as the child and their family) to improve outcomes for the child.
- 1.3.8 Across Scotland, local arrangements are now well established to meet local geographic and demographic demands and service user needs. Chief Officers are responsible for determining the most appropriate child protection arrangements for their respective area(s). Chief Officers' Groups have strategic responsibility for their Child Protection Committees (CPCs). Further information on the role and functions of CPCs can be found in the National Guidance for Child Protection in Scotland 2014.
- 1.3.9 Child protection policy must pay due attention to equality and diversity issues. Access to, and delivery of, child protection services should be fair, consistent, reliable and focused on individual outcomes and enablement. Service users should be listened to, respected and responded to. There should be no discrimination on the grounds of race, disability, gender, age, sexual orientation, religion or belief, gender reassignment or on the basis of pregnancy and maternity. [The Equality Act 2010](#) restates, streamlines and harmonises equality legislation.
- 1.3.10 The '[Common Core of Skills, Knowledge & Understanding and Values for the "Children's Workforce" In Scotland](#)' (2012) describes the essential characteristics that everyone should have if they work with children, young people and their

families. These essential characteristics embody the values of the GIRFEC approach are cross-referenced to the guiding principles of the UNCRC:

- Non-discrimination
- Best interests of the child
- The child's right to life, survival and development
- Respecting the views of the child.

and require all corporate parents to collaborate with each other to promote the wellbeing of looked after children and care leavers in their care and enable them to achieve the best outcomes.

1.3.11 The legislative framework for the registration and regulation of independent schools is contained within sections 98 to 103B of the Education (Scotland) Act 1980 with specific requirements related to safeguarding and promoting the welfare of a pupil attending the school. The Scottish Council for Independent Schools (SCIS) provides the sector support and professional learning on child protection including publication of guidance: Guidance on Wellbeing and Child protection 2015 [http://www.scis.org.uk/looking-forinformation-and-advice-on-applying-and-meeting-the-cost/safeguarding/Post-school education](http://www.scis.org.uk/looking-forinformation-and-advice-on-applying-and-meeting-the-cost/safeguarding/Post-school%20education)

1.3.12 The Adults with Incapacity (Scotland) Act 2000 and the Protection of Vulnerable Groups (Scotland) Act 2007 iterate the rights detailed in the United Nations Convention on the Rights of the Child, 1991, and the Human Rights Act 1998 for vulnerable adults.

1.3.13 The HMIE aspect report on Safeguarding arrangements and practice in Scotland's colleges, 2010, set out the legislative framework for colleges <http://dera.ioe.ac.uk/1006/1/sapsc.pdf>

1.4 Summary of responsibilities of Ballet West staff

1.4.1 Ballet West is committed to promoting the welfare and wellbeing of its employees and all children, young people and adults who staff come in contact with during all our work. Safeguarding is the responsibility of everyone in Ballet West regardless of their individual role.

1.4.2 This policy, together with appropriate professional learning will support our staff in fulfilling their safeguarding responsibilities and duties. We will support all our staff and ensure they:

- are appointed following appropriate and stringent safe recruitment procedures;
- are supported through appropriate professional learning to raise their awareness of the need for safeguarding children, young people and protected adults,
- know their responsibilities and are familiar with the procedures to follow when they have concerns;
- and take actions to respond to allegations, suspicions or incidents of abuse and ensure all safeguarding concerns are shared with the relevant head of establishment/service/education authority/governing body in order that they can

take appropriate action.

- 1.4.3 We will build capacity by supporting professional learning and networks of key educational staff from local authorities and the independent school sector, who are responsible for supporting educational establishments and services with safeguarding matters. Our focus will be on supporting others to undertake their safeguarding responsibilities.
- 1.4.4 We aim is to support the development of children's and young people's knowledge, skills and resilience to keep themselves safe and protect themselves and to develop an understanding of the world so that they can respond to a range of issues and potential risky situations arising throughout their lives.

1.5 How Ballet West will discharge its responsibilities for safeguarding

- 1.5.1 We have put in place the following measures to ensure we deliver on our responsibilities and duties in relation to safeguarding.
- 1.5.2 Responsible officers: In order to ensure that we discharge our responsibilities appropriately, we have:
- a designated Board Member, with responsibility for the strategic oversight of all aspects of safeguarding within Ballet West and who is accountable to the Board
 - a Safeguarding Lead Officer with management reporting and operational responsibilities for safeguarding, including dealing with disclosures and referrals, the provision of advice and guidance to Ballet West staff in dealing with disclosures and referrals, and the oversight of advice and guidance for safeguarding and for the oversight of all recruitment and Human Resources functions relevant to Ballet West's safeguarding responsibilities as an employer, including those in respect of appointing volunteers;
 - designated administrative support.
- 1.5.3 The Safeguarding Lead Officer will:
- Provide leadership and advice across Ballet West in relation to all aspects of safeguarding;
 - Act as the first point of contact for advice on safeguarding disclosures and referrals for members of staff and for external bodies;
 - Provide the Board with advice and regular updates on safeguarding matters and their implications for on-going professional learning of staff;
 - Ensure that Ballet West's policies, procedures and guidance on managing safeguarding are reviewed at least annually and kept up to date in line with relevant legislation;
 - Inform staff of Ballet West's policy and procedures and make them aware of their roles and responsibilities in recognising and acting upon indicators that a child's, young person's or protected adult's welfare or safety may be at risk.
 - Ensure that staff take positive actions to respond to allegations, suspicions or incidents of abuse;
 - Make all necessary causes of concern, record concerns using relevant safeguarding

- reports, and monitor follow-up activity to ensure all appropriate action is taken;
- Monitor the nature and the outcome of causes of concern to recognise patterns;
 - Take action to ensure the line manager is informed where a safeguarding allegation is made against a member of staff or volunteer.
 - Ensure that all staff are aware of the need for safeguarding children, young people and protected adults and that staff are familiar with the procedures to follow when they have concerns;
 - Arrange professional learning for Ballet West staff;
 - Work with local and national partners to respond to initiatives and to develop strategies that are designed to prevent or reduce the risk of abuse;
 - Provide regular reporting on safeguarding practice to the Board to allow updating at least biannually;
 - Maintain an on-going summary and end-of-year evaluation of relevant issues, including the implementation of Ballet West's safeguarding procedures, an analysis of enquiries, queries and referrals made to Ballet West.