



Safeguarding Children & Vulnerable Adults Policy & Procedures

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Chair's Signature:

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Policy Statement

darts is committed to the principle that children and vulnerable adults who access our services should be safe and protected from harm. darts believes that:

- The welfare of children and vulnerable adults is paramount.
- All children and vulnerable adults have the right to protection from harm irrespective of their age, culture, disability, gender, language, racial origin, religious beliefs and/or sexual identity.
- Our physical and virtual spaces should be safe and secure and promote enjoyable and positive experiences.
- All suspicions and allegations of harm should be taken seriously and responded to speedily and appropriately.
- All staff (whether permanent, temporary, freelance, volunteers or contractors) working at The Point or engaged in outreach activities should be aware of their responsibility to ensure the safeguarding of children and vulnerable adults.
- Our recruitment processes should ensure that our staff do not pose a risk of harm to children or vulnerable adults.

1. Roles and responsibilities

1.1. All Staff

All darts staff (whether permanent, temporary, freelance, volunteers or contractors) who come in to contact with children and vulnerable adults in their work have a duty of care to safeguard them and promote their welfare by following the procedures set out in this document.

1.2. Named persons

A senior member of staff will take a lead for Safeguarding. This Safeguarding Lead will stay abreast of legislative and best practice developments in safeguarding policy and practice and advise on necessary developments to darts' policy and practice. The Safeguarding Lead is the first point of contact in the line of dissemination regarding any concerns regarding safeguarding.

A Co-Director will be identified as taking the overall lead for safeguarding in the company, overseeing and supporting the work of the Safeguarding Lead and acting as a secondary point of contact in the line of dissemination.

Safeguarding Lead	Helen Jones	From Feb 2014
Co-Director	Duncan Robertshaw	From Jan 2010

2. Definitions and core knowledge

In order to safeguard the welfare of children and vulnerable adults all members of staff need an understanding of common safeguarding terms.

2.1. Definition of a child and a vulnerable adult

The term 'child' is used to denote anyone under the age of 18 including those commonly referred to as 'young person'. This is because 'child' is the term used in legislation.

A vulnerable adult is a person aged 18 years or over: 'who is or may be in need of community care services by reason of mental or other disability, age or illness and is or maybe unable to take care of him or herself, or able to protect him or herself against significant harm or exploitation¹ '

2.2. What constitutes abuse

Abuse and neglect are "forms of maltreatment. Somebody may abuse or neglect by inflicting harm, or by failing to prevent harm. Someone may be abused in a family or in an institutional or community setting, by those known to them or, more rarely, by a stranger. They may be abused by an adult or adults or by a child or children²".

2.3. Self harm

Self-harm and suicide threats and gestures put the individual at risk of significant harm, and should always be taken seriously. They may also be indicative of psychological or emotional disturbance triggered by physical, sexual or emotional abuse or chronic neglect which may also constitute significant harm.

2.4. Types of abuse

Types of abuse include the following:

- Physical abuse: This includes hitting, pushing, scalding, hair pulling, shaking, pinching, kicking, misuse of medicines, restraint, or inappropriate sanctions.
- Sexual abuse: This includes rape and sexual assault, sexual acts to which the individual has not consented, or could not consent to, or was pressured into consenting.

¹ "No Secrets", Dept of Health (2000)

² Every Child Matters: Working Together to Safeguard Children, Dept of Children, Schools & Families. 2006.

- Emotional abuse: This includes threats of harm or abandonment, deprivation of contact, humiliation, bullying, blaming, controlling, intimidation, coercion, harassment, verbal abuse, isolation or being prevented/ withdrawn from receiving services or supportive networks.
- Neglect: This includes not meeting appropriate medical or physical care needs, or withholding the necessities of life such as food, heating and medicines which causes the person to suffer.
- Discriminatory Abuse: This includes any abuse or harassment because of a person's race, gender, sexuality, disability or age.
- Institutional Abuse: This includes abuse as result of persistently poor care or a rigid and oppressive regime in a care setting.
- Financial or Material Abuse : including theft, fraud, exploitation, pressure in connection with wills, property or inheritance or financial transactions, or the misuse or misappropriation of property (usually in respect of vulnerable adults).

3. Reporting concerns

3.1. What to do if a child or vulnerable adult discloses

If a child or a vulnerable adult tells you about abuse or harm she or he is suffering or has suffered you should:

- Listen carefully and let them tell you what happened at their own pace, only asking questions for clarification.
- Remain calm and caring and avoid interpreting information.
- Do not conduct an inquiry into what has happened.
- Avoid cross questioning or leading questions.
- Do not promise to keep it a 'secret'. Tell them you need to share this information with others but make it clear that you will only tell people who need to know and who can help.
- Reassure them that they did the right thing in telling you.
- Make a note of what was said, using the child or vulnerable adult's own words as soon as possible after the disclosing conversation and sign and date your record.

3.2. When to report & who to report to

We all have a duty to report any concerns regarding safeguarding the welfare of a child or vulnerable adult at the earliest opportunity and certainly within the same working day.

The named Safeguarding Lead for darts (see Section 1 above) is your first point of contact if you have a concern regarding a child or vulnerable adult. If the Safeguarding Lead is unavailable then the next person in line is the named Co Director (see Section 1 above).

If neither named person is available, in matters regarding children contact the NSPCC helpline for advice on how to proceed: 0808 800 5000.

3.3. Whistleblowing

If concerns relate to a person of trust within darts, it is vital that staff, artists or volunteers are confident in being able to raise them. darts' policy around what is commonly known as 'whistleblowing' is incorporated in the section 'Making a Protected Disclosure' in darts' Handbook.

3.4. Celebrities & Visitors

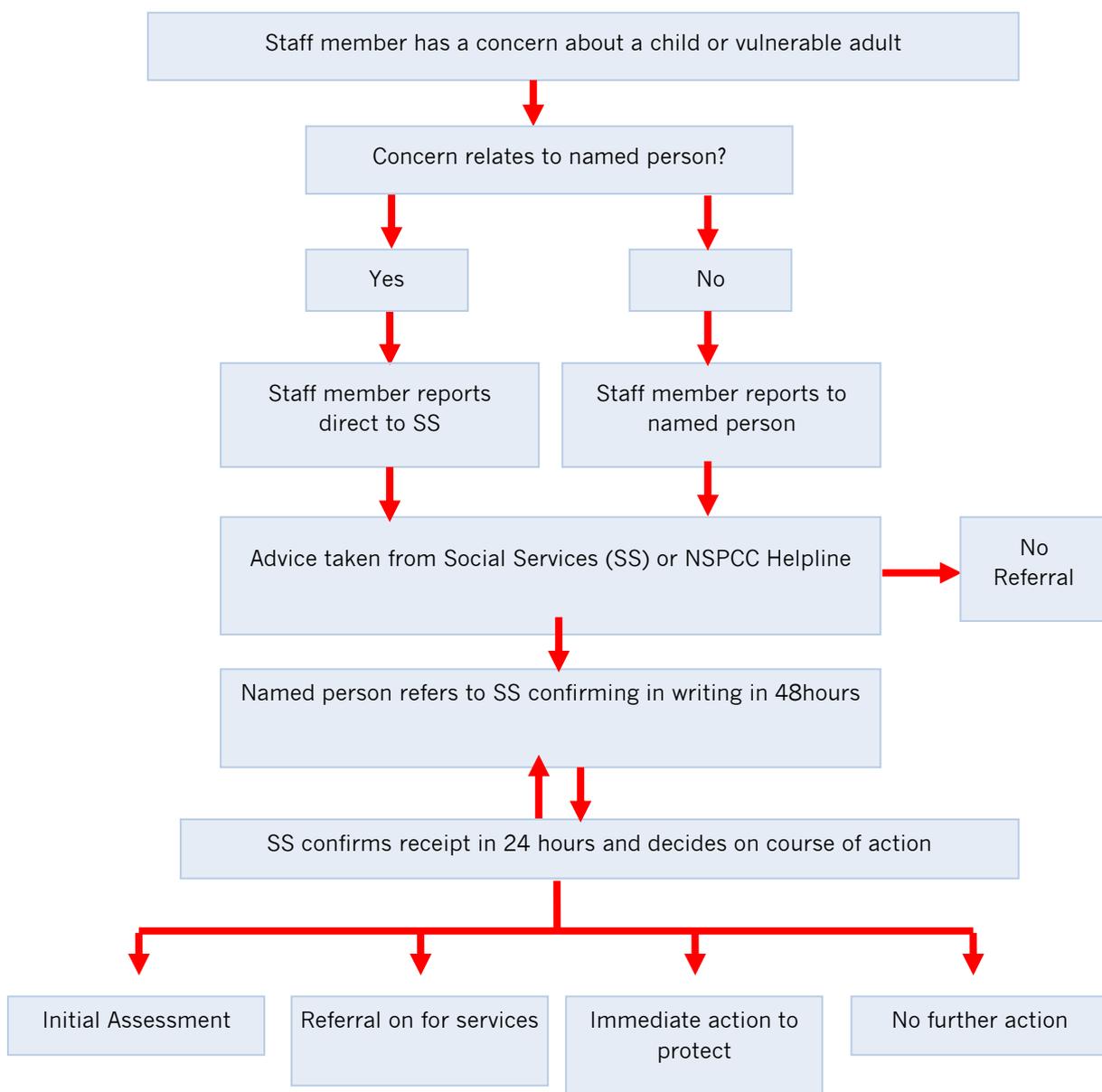
In the event that safeguarding concerns arise as complaints or observations with respect to the behaviours of volunteers or visitors, darts' safeguarding procedures apply. Should company staff observe such behaviours, immediate action should be taken in order to ensure that children and vulnerable adults

are protected. In such cases, staff should ensure they report their concerns to the named safeguarding leads.

3.5. What happens next

The Safeguarding Lead (or Co Director as applicable) will make a decision as to how to proceed and whether a formal referral to the authorities is required. It is crucial that the child or vulnerable adult's identity, the fact that a disclosure was made and the nature of what was disclosed remain confidential and that information is not shared beyond the Safeguarding Lead. The concern and any action taken will be written down by both members of staff, logged and stored securely.

3.6. The referral process flow chart



3.7. Working with partner organisations

darts staff will frequently be delivering in close partnership with other organisations who may already be addressing safeguarding issues involving individual participants. In these cases it is important to clarify reporting processes with partners at the start of the project.

Our duty of care requires us to ensure that any disclosures or concerns are formally reported in order that appropriate action is taken to safeguard the welfare of the participant. Simply leaving the issue with staff from partner organisations is not an adequate response to a disclosure. However an arrangement for formal reporting between the named person at darts and a named person at the partner organisation may be appropriate. Guidance should always be sought regarding such arrangements (e.g. from the NSPCC helpline).

3.8. Support for staff

darts recognises that hearing about abuse or neglect can be a disturbing and traumatic experience for the staff member concerned. It is important that you seek support after the event from the Safeguarding Lead. Professional independent counselling is available to staff in these circumstances.

4. Safe Recruitment

4.1. Recruitment procedures

darts general recruitment procedures³ contain a number of steps to support safe recruitment:

- Transparency: recruitment information should make clear that the post involves contact with children and vulnerable adults.
- History: application forms are used throughout to identify the applicant's employment and volunteering history. Further detail should be sought at interview and via references.
- Identification: identity documents are reviewed as part of the final recruitment process in order to verify the identity of the applicant.

4.2. Disclosure & Barring Service (DBS)

darts follows the guidance from the Department for Education's 'Regulated activity with children', the Department of Health's 'Regulated activity with

³ See darts Recruitment Procedures (2011)

adults' and the Disclosure & Barring Service 'Guide to Eligibility' in order to determine roles where a DBS check is appropriate.⁴

Given the current programme of work, our policy is for all staff, contracted workers and volunteers involved in regular or intensive sessional delivery with children, or working in prisons or Approved Premises, to undertake a DBS Enhanced and Barred List check as a condition of recruitment.

Similarly those managing the staff or volunteers described above, our named Safeguarding leads and our Trustees, also undertake a DBS Enhanced check at the time of appointment in line with the guidance named above.

DBS Certificates are reviewed by the named persons for Safeguarding and details recorded.

Acknowledging that DBS checks may take up to three months to complete, new employees and volunteers may work with children under supervision provided that at least two references have been obtained, identity documents have been verified and the risk has been individually assessed.

For new employees or freelance workers a recent DBS Certificate from a previous employer may be acceptable if it has been issued within the past 12 months. If the individual will be working alone with young people (ie without other artists, carers, teachers, support staff or other professionals in the room) the Certificate must be no more than three months old.

Employers must refer someone to the DBS if they: sacked them because they harmed someone; sacked them or removed them from working in regulated activity because they might have harmed someone; were planning to sack them for either of these reasons, but they resigned first.

5. Safe Practice

The following points advise how staff members should act when in contact with a child or a vulnerable adult. They complement the full Code of Practice as defined in the darts Employee Handbook.

- Don't engage with participants on a personal level. If it's clear that someone has specific needs outside your role, refer them to other appropriate support or seek advice from the project leader or your Line Manager.
- Don't form personal or social relationships with clients or see clients about work related issues out of work time.
- Don't provide clients, partners or participants with personal information (phone numbers, e-mail addresses, postal addresses, online social networking addresses etc).

⁴ See Appendix E: DBS guidance

- In general, avoid physical contact with a child or vulnerable adult. Safe touch is acceptable when verbal consent has been gained from the client and is appropriate in terms of the exercise or activity (e.g. dance or drama).
- Don't transport clients or participants in your own car.
- Avoid being in an unsupervised, one to one situation with a participant. If work must be one to one, always work in an open overlooked space and carry a walkie talkie. Never work alone with a participant in a space out of view of others.
- If you encounter an unaccompanied or lost child or vulnerable adult, always follow darts procedures⁵.
- Celebrities and visitors who attend projects must be chaperoned at all times. It is the responsibility of the lead member of staff arranging the initial visit to ensure that the visitor is chaperoned at all times. Celebrities that apply to become volunteers with darts will be subject to the same level of check and recruitment process as all volunteers in accordance with this policy.

6. Safe Projects

Each darts project should develop a checklist for safeguarding the welfare of children and vulnerable adults involved which is tailored to the particular client group and approach. The questions below are intended to highlight some of the more common areas of concern.

- Will the participants have any particular emotional or behavioural needs? What level of support will be forthcoming from the clients? Are the roles of the artist and support staff clear and mutually understood?
- Is the client or partner organisation likely to be managing existing safeguarding issues with participants? Do formal reporting procedures need to be agreed between darts staff and the client/partner organisation? (see section 0)
- Will the participants be arriving unattended? Do I have contact numbers for parents/carers? Are safe collection/drop off procedures in place for under 14s
- Are Chaperones required?
- Are my artists skilled and experienced with the client group? Are there any additional training needs, access to information required?
- Have all my artists been CRB checked?

⁵ See Appendix D: Unaccompanied & Lost Children Guidance

- Have I carried out a Health & Safety Risk Assessment with regard to the activity, the venue and the ability of the participants?
- Do I have photo/video consent for the participants? ⁶
- Will I be gathering personal information about participants? ⁷
- Are we arranging transport for participants?
- Will the participants be performing to an audience? (Education Welfare Service guidelines may apply)⁸
- Will the participants have access to the internet? (Safe use of ICT guidance should be sought) ⁹

7. Dissemination, Training & Review

7.1. Staff training

Safeguarding policy and procedures form a part of the induction for all new members of staff, freelance workers and volunteers. Safeguarding should remain a high priority with refresher sessions and regular review of procedures at team meetings.

In most cases the focus will remain simple: stressing our legal responsibility to be alert to concerns about the welfare of children and vulnerable adults, and the steps to take when staff have concerns.

Staff who are involved in sessional activity or are managing programs of work with children or vulnerable adults will need more detailed support for e.g.: around behaviour management, contact issues and safe procedures for projects.

Named persons will receive regular training in order to stay abreast of current policy and good practice.

Training will be logged and reviewed regularly.

7.2. Review safeguarding policy & procedures

The Safeguarding Policy & Procedures will be reviewed regularly with a formal review on an annual basis. This will be the responsibility of the named Safeguarding Lead.

⁶ See darts Code of Practice: Photo/Video Consent (2009)

⁷ See darts Code of Practice: Handling Information

⁸ See DMBC EWS Guidance on Performances

⁹ Currently this is not delivered by darts and no formal procedures have been developed.

Appendix A: Definitions

Many key terms are defined in the main body of the document. Here we provide a few additional or fuller definitions.

Abuse and neglect

Working Together to Safeguard Children provides the following definitions of the four categories of abuse.

Emotional abuse is the persistent emotional ill-treatment 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. It may feature 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. It may involve seeing or hearing the ill-treatment of another. It may involve serious 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 ill treatment of a child, though it may occur alone.

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, shelter including exclusion from home or abandonment, failing to protect a child from physical and emotional harm or danger, failure to ensure adequate supervision including the use of adequate care-takers, or the failure to ensure access to appropriate medical care or treatment. It may also include neglect of, or unresponsiveness to, a child's basic emotional needs.

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.

Sexual abuse involves forcing or enticing a child or young person to take part in sexual activities, including prostitution, whether or not the child is aware of what is happening. The activities may involve physical contact, including penetrative (rape, buggery or oral sex) or non-penetrative acts. They may include non-contact activities such as involving children in looking at or producing pornographic material, or watching sexual activities or encouraging children to behave in sexually inappropriate ways.

Common Assessment Framework

The CAF is a standardised approach to conducting assessments of children's additional needs and deciding how these should be met. It can be used by practitioners across children's services in England. The CAF promotes more effective, earlier identification of additional needs, particularly in universal services. It aims to provide a simple process for a holistic assessment of children's needs and strengths; taking account of the roles of parents, carers and environmental factors on their development.

Contact Point

Contact Point is a national system where children and young people's details will be inputted from a range of services to enable better communication between services for children. Darts will not be registering their project work on Contact Point. This decision has been made in direct response to Darts attending a Contact Point training event where it was felt that it was not needed for participants involved in Darts projects to be registered. This is due to Darts working with partner organisations who would register their participants activity and would therefore be a duplication of information. Although Darts employees will not register details on Contact Point they will need to have an awareness of it in order to maintain links and a level of understanding about current regional and national strategies.

Convictions, spent

A person convicted of all but the most serious criminal offences and who receives a sentence of more than two and a half years in prison benefits from the Rehabilitation of Offenders Act (ROA) 1974 if they are not convicted again during a specified rehabilitation period. Once a rehabilitation period has ended and no further offending has taken place, a conviction is spent. There are some exceptions though. When recruiting for a position of trust, an employer is entitled to ask a candidate to reveal details of all convictions, whether spent or not, particularly to protect children and other vulnerable groups (Rehabilitation of Offenders Act 1974).

Convictions, unspent

A conviction is described as unspent if the rehabilitation period associated with it has not yet lapsed. A rehabilitation period is a set length of time from the date of the conviction, according to the sentence imposed.

Disclosure & Barring Service (DBS)

An agency of the home office which helps organisations recruit safely through its Disclosure service. Previously known as the Criminal Records Bureau (CRB).

Disclosure (official)

A Disclosure is a document containing information held by the police and government departments. It can be used by employers and voluntary organisations to make safer recruitment decisions about people working with children.

Disclosure service

The Disclosure service offers a regulated 'one-stop' service that provides access to records held by the police, together with those held by the Department for Health (DH) and Department for Children, Schools and Families (DCSF). It enables organisations to make thorough recruitment checks, particularly for posts involving regular contact with children.

In loco parentis

In loco parentis ('in place of parent') refers to a person who has been given explicit permission to assume parental responsibility for a child (or children) by his or her parents or legal guardian. Acting in loco parentis should not be confused with having a duty of care. You have a duty of care towards the children and young people that you work with, which means you should ensure they are safe in your care.

List 99

A confidential list of adults, held by the Department of Children, Schools and Families (DCSF), who are either banned from working with children or have had restrictions placed upon their employment, schools must make sure that no one on List 99 has regular contact with children.

LADO (Local Authority Designated Officer)

'The role of the Local Authority Designated Officer (LADO) is set out in the HM Government guidance Working Together to Safeguard Children (2013). The LADO works within Children's Services and should be alerted to all cases in which it is alleged that a person who works with children has:

- behaved in a way that has harmed, or may have harmed, a child
- possibly committed a criminal offence against children, or related to a child
- behaved towards a child or children in a way that indicates s/he is unsuitable to work with children

The LADO role applies to paid, unpaid, volunteer, casual, agency and self-employed workers. They capture concerns, allegations or offences emanating from outside of work. The LADO is involved from the initial phase of the allegation through to the conclusion of the case. They will provide advice, guidance and help to determine whether the allegation sits within the scope of the procedures. The LADO helps co-ordinate information-sharing with the right people and will also monitor and track any investigation, with the aim to resolve it as quickly as possible.'

Local Safeguarding Children Boards (LSCBs)

Local Safeguarding Children Boards are inter-agency bodies that are made up of the main organisations responsible for safeguarding children from abuse and neglect. *Working Together to Safeguard Children* sets out the guidance for LSCBs including their membership which should include Local Authorities, health bodies, the police and others. Museums, libraries and archives should contact their Local Safeguarding Children Board to ensure the policies and procedures they have developed reflect an authority-wide approach.

Ofsted

The new Office for Standards in Education, Children's Services, and Skills came into being on 1 April 2007. It brings together the wide experiences of four formerly separate inspectorates. It is a non-ministerial government agency whose main aim is to help improve the quality and standards of education and childcare through independent inspection and regulation. Visit: www.ofsted.gov.uk/

POCA list

This list is held by the Department of Health and identifies people who are unsuitable to work in childcare roles. The Protection of Children Act 1999 advises that certain professions (such as teachers) must be checked against this list prior to employment.

POVA list

This is confidential list of care workers who have harmed vulnerable adults in their care.

Position of trust

Positions of trust are roles that involve working with children. An adult member of staff or volunteer can have an enormous amount of power or influence over a child or younger person, particularly when they are in some way responsible for their success or failure. It is critical that staff and volunteers recognise any such influence and ensure that this position of trust is not abused (Sexual Offenders (Amendment) Act 2000).

Registered bodies

Organisations who have registered with the CRB to process applications to the Disclosure service for their own employees.

Sole Charge

Sole charge means having unsupervised contact with children. This might be for only a few minutes or for a more extended period.

Umbrella body

An umbrella body is a registered body that acts on behalf of other organisations, enabling them to access the Disclosure service. For more information visit: www.crb.gov.uk

Safeguarding

Safeguarding and promoting the welfare of children is defined in *Working Together to Safeguard Children* (1.18) as: Protecting children from maltreatment. Preventing impairment of children's health and development. Ensuring children grow up in circumstances consistent with the provision of safe and effective care. Undertaking that role so as to enable those children to have optimum life chances and to enter childhood successfully.

Serious Case Review

A Serious Case Review is conducted when a child has died or suffered potentially life threatening injuries or permanent impairment of health from abuse or neglect. It looks at how local professionals and organisations worked together in relation to the child or young person at the centre of the Review. It makes recommendations to try and prevent further similar incidences. It may also look at how agencies are working with other children in the immediate family.

Appendix B: Sources & Further Information

Doncaster Safeguarding Children Board (DSCB)

The DSCB is the key statutory mechanism for agreeing how organisations working with children and young people cooperate to safeguard and promote the welfare of children and young people in Doncaster.

PO Box 251, The Council House, College Road, Doncaster, DN1 3DA, 01302 737621
dscb@doncaster.gov.uk

Working Together to Safeguard Children

Core guidance from the Dept for Education for individuals and organisations for safeguarding and protecting the welfare of children (2013).

<http://media.education.gov.uk/assets/files/pdf/w/working%20together.pdf>

Disclosure & Barring Service

Executive Agency of the Home Office set-up to help organisations make safer recruitment decisions.

<https://www.gov.uk/government/organisations/disclosure-and-barring-service>

Safeguarding Adults: South Yorkshire Adult Protection Procedures

Policy and procedures developed by the four South Yorkshire local authorities (Barnsley, Doncaster, Rotherham & Sheffield) (2009).

www.doncaster.gov.uk/Health_and_Social_Care/caring_for_our_adults/Safeguarding_Adults/Safeguarding_Adults.asp

DBS barring referral guidance

Guidance for organisations about referrals, barred lists and barring decision making.

<https://www.gov.uk/government/collections/dbs-referrals-guidance--2>

Charity Commission

Guidance for Charities and Trustees in the area of Safeguarding Children

www.charity-commission.gov.uk/supportingcharities/protection.asp

Appendix C: Safeguarding & Self Harm ¹⁰

1. Self-harm and suicide threats and gestures by a child put the child at risk of significant harm, and should always be taken seriously. They may also be indicative of psychological or emotional disturbance triggered by physical, sexual and / or emotional abuse or chronic neglect which may also constitute significant harm.
2. Professionals should also consider the circumstances of a serious eating disorder or extreme risk-taking as a threat or attempt at self-harm or suicide by a child.
3. Whenever a child is known to have deliberately harmed themselves, a parent should be contacted urgently. Either they or, if unavailable, a responsible adult should go with the child to the accident and emergency department (A&E) to obtain a physical and psychological assessment of his / her needs and the risk of further harm.
4. Children under 16 should be admitted to a children's ward under the care of a paediatrician. Irrespective of whether the child requires physical monitoring or treatment, s/he should receive the necessary assessment of mental health need and risk, together with support, from child and adolescent mental health services (CAMHS).
5. If the assessment indicates that there are child protection concerns, the hospital staff should consult with their nominated safeguarding children adviser and / or, as appropriate, make a referral to LA children's Social Care.

¹⁰ Taken from Home Office: Positive Futures guidance (2010)

Appendix D: Unaccompanied & Lost Children Guidance ¹¹

Unaccompanied children

Children are the legal responsibility of their parents and they should always accompany young children under the age of eight to The Point or a darts event in the community.

If a member of staff discovers an unaccompanied young child:

- Approach the child with a colleague.
- Try to find out if their parents know where they are and if they know how to get home.
- Use your judgement in deciding if it is reasonable to expect the child to find his/her own way home. Ask yourself:
 - Does the child seem capable of finding its own way home?
 - Does the child appear to know clearly where he or she lives?
 - Are there any busy roads on route?
 - What is the child's age and understanding.
- If you are not sure, encourage the child to remain with you until the parent / carer can be contacted.
- Contact the Duty Manager (when working at The Point) or project lead for advice.
- If attempts to contact a parent / carer fail, you should contact the local Children's Social Services Duty Team or police station.

What to do at closing time (The Point)

- Inform the Duty Manager
- Two members of staff should approach the child to find out if they are waiting for a parent / carer to collect them.
- Ring the child's home to clarify the situation.
- Two members of staff should wait for the parent / carer to arrive.
- If you cannot contact the parent / carer ring the local children's social services duty team or the local police and both members of staff should wait with the child until they arrive.

Lost children (The Point)

If a child is reported lost or missing inform the Duty Manager immediately with the following information, giving as full details as possible:

- Name of child
- Age of child
- Address / name of school
- Physical description of child (height, colour of hair, clothing etc)

¹¹ Adapted from the Museum, Libraries & Archives Council

- Where child was last seen
- The time the child was last seen

Once a sufficient check is made, if the child is not found, the Duty Manager will inform the police. The member of staff who took the initial report should reassure the parent that action is being taken to locate the child and explain that contact will be maintained with them until the child is found.

If a member of staff is approached by a child who is lost they should:

- Reassure the child.
- Seek to establish identifying details – name, age, school etc.
- Contact the Duty Manager with identifying details and other information that might help reunite the child with its carer (physical description, where child was found).
- In the unlikely event that the child is not claimed the Duty Manager should contact the police.
- Check the identity of the person to whom the child is handed over to.

Appendix D: DBS Guidance

DBS guide to eligibility v8.1 – April 2016

Levels of criminal record check available:

Standard checks – To be eligible for a standard level DBS certificate, the position must be included in the Rehabilitation of Offenders Act (ROA) 1974 (Exceptions) Order 1975.

Enhanced checks – To be eligible for an enhanced level DBS certificate, the position must be included in both the ROA Exceptions Order and in the Police Act 1997 (Criminal Records) regulations.

Enhanced checks with children’s and/or adults’ barred list check(s) – To be eligible to request a check of the children’s or adults’ barred lists, the position must be eligible for an enhanced level DBS certificate as above and be specifically included in the Police Act 1997 (Criminal Records) regulations as able to check the appropriate barred list(s).

Annex (excerpt)

Positions, Professions, Employment, Offices and Works included in the Rehabilitation of Offenders Act 1974 (Exceptions) Order 1975	DBS REF
Any work defined as regulated activity relating to children within the meaning of Schedule 4 Part 1 of the Safeguarding Vulnerable Groups Act 2006	01
Any employment within the precincts of: a prison; a remand centre; a removal centre; a short term holding facility; a detention centre; a Borstal institution	18

Schedule 4 of the Safeguarding Vulnerable Groups Act 2006

PART 1

REGULATED ACTIVITY RELATING TO CHILDREN

1 (1) An activity is a regulated activity relating to children if

- a) it is mentioned in paragraph 2, and
- b) it is carried out frequently by the same person or the period condition is satisfied

2 (1) The activities referred to in paragraph 1(1) are—

- a) any form of teaching, training or instruction of children, unless the teaching, training or instruction is merely incidental to teaching, training or instruction of persons who are not children;
- b) any form of care for or supervision of children, unless the care or supervision is merely incidental to care for or supervision of persons who are not children;

PART 3

THE PERIOD CONDITION

10 (1) The period condition is satisfied if the person carrying out the activity does so at any time on more than two days in any period of 30 days.