

CHILD PROTECTION AND WELFARE

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1. ESW Child Protection and Welfare Policy

This policy applies to all staff including: ESW Director, Assistant Director, Curator for Learning, Curator for Research, Technicians, Office Staff, Schools Assistants, freelance project artists or anyone working on behalf of Edinburgh Sculpture Workshop.

The Purpose of this Policy

- To protect young people taking part in our activities or receiving our services
- To provide our staff with the principles that guide our approach to child protection

Edinburgh Sculpture Workshop believes that children and young people should not experience abuse of any kind. We have a responsibility to promote and safeguard the welfare of all children and we are committed to practicing in a way that protects them from harm.

We are committed to a child-centred approach to our work with children. We undertake to provide a safe environment and experience where the welfare of the child or young person is paramount.

Our Recruitment and Selection Policy is designed to ensure that our staff and volunteers are carefully selected, trained and supervised to provide a safe artistic environment for all children, while adhering to Equal Opportunities Legislation.

ESW will ensure that the Child Protection Policy of any external person/organisation it works with is consistent with its own policy. Outside organisations will provide documentary evidence that they have Public Liability Insurance.

We recognise that:

- The best interest of the child must always be a primary consideration.
- All children and young people should be treated fairly and with dignity and respect.
- All children and young people have the right to protection from all forms of harm, abuse, neglect and exploitation.
- All children and young people have the right to express their views on matters that affect them.

We will keep children and young people safe by:

- Having a Designated Officer for child protection in post.
- Taking a safer recruitment approach.
- Ensuring our staff have received appropriate child protection training.

Contact Details

- Debi Banerjee, learning@edinburghsculpture.org Designated Officer for Child Protection
- Laura Simpson, laura@edinburghsculpture.org, Director

This policy was updated on 29 October 2020

Signed

Laura Simpson

This policy will be updated on the 29 October 2021

2. ESW Child Protection And Welfare Guidelines and Procedures

Staff working directly with children will undertake appropriate training to deal with issues related to child protection and welfare.

The Director is responsible for advising staff about policy procedures in relation to child protection and to ensure that procedures are followed. The Designated Officer is the main point of contact where there is an issue or concern about any aspect of a child's safety and welfare.

The Director will support and advise staff in the event of a concern regarding child protection and welfare. It is also the responsibility of the Director to liaise with the Social Work department or the police where appropriate.

When children are on the premises with their parents or persons in loco parentis, children are the sole responsibility of these aforementioned adults who must ensure an adequate level of supervision and control.

A child-centred approach to working with children, creating a safe and secure environment for them at ESW:

What we will do:

- Respect all children equally; respecting differences of sex, gender, gender identity, ability, culture, religion, race and sexual orientation.
- When ESW has initiated a course or event where the children attend without teachers, parents or others in loco parentis, we will contact register each child (name, phone, special requirements, attendance, and emergency contact) through email. These details will be kept for the duration of the course and then erased.
- Make parents/carers, children, visitors and facilitators aware of ESW's Child Protection and Welfare Policy and procedures and keep them informed of any changes in policy. This will be done through discussions with groups we work with and presenting this policy on our website and sharing by email with parents booking, freelancers working with us and partners who we are organising events with.
- Make children aware that it is ok to report concerns and encourage them to do so.
- Ensure correct supervision ratios for children visiting or working at ESW. Our current ratios are 2 adults for groups of up to 16 children (up to 12 years old) and at least 2 adults for groups of up to 25 children (12-18 years old). These are minimum ratios and may be increased as necessary to ensure children's' specific needs are met.
- Avoid being alone with a child unless working one-on-one with the child is pre-planned and is with the full knowledge and consent of the parent/guardian. We recognise, however, that there may be unforeseen instances where staff find themselves alone with a child/children. In this case staff should minimise the time alone with the child/children, inform another adult, try to stay within view of another adult, or, if restricted to being in a separate room, leave the door open.
- Be obliged to report to the Director any breach by a colleague of this Child Protection and Welfare Policy.
- If a child is lost/left unattended a member of staff should approach the child, speak calmly to him/her and explain who you are, then lead (but do not touch) the child to Reception.
- If the behaviour of a child/children is posing a security problem, the Police should be called. In such circumstances do not physically restrain a child or isolate them from their peers.

- Work emanating from the artistic process and work of artistic content will not be censored, however, discretion must be practised when choosing works to show younger children.
- If a tour/workshop is becoming untenable because of behavioural problems, the tour/workshop can be terminated.

We will not:

- Spend time or socialise with children met through the workplace outside of structured organisational activities and never give a lift in a vehicle to a child.
- Communicate with children met through the workplace using personal text message, personal facebook or any other form of personal social media. Teenage children may wish to receive communication via ESW emails, in which case their parent/carer will be informed and be given the option to be cc'd in on this communication.
- Send a child home from ESW without calling a parent/guardian to collect them. Transport for children to and from ESW is the sole responsibility of their teachers, parents or persons in loco parentis.

Communication with Children and Young People

Verbal	
	
<p>Encourage, listen to and respect the opinions of children and young people</p> <p>Provide encouragement, support and equal praise</p> <p>Offer constructive criticism when needed</p>	<p>Do not use or allow language that could be deemed offensive</p> <p>Do not verbally chastise a child in an aggressive manner, avoid shouting or using a harsh tone of voice</p> <p>Do not single out a particular child for unfair criticism, favouritism or ridicule</p>
Physical	
	
<p>Respect a child's physical space</p> <p>ESW staff should not attend to any intimate care of children, such as toileting. This is the responsibility of the accompanying parent or person in loco parentis.</p> <p>Observe appropriate dress.</p>	<p>No unnecessary physical contact between a staff member and a child although there are times when for example, placing a hand on a distressed child's shoulder to comfort him/her would be appropriate.</p> <p>Physical contact should only be in response to the needs of the child and should be appropriate to the age and the level of development of the child. Generally the consent of the child should be sought in relation to physical contact (except in an emergency or a dangerous situation).</p>

Taking and using images (photography/film) of children

Images must be used in ways that protect the identity of and exploitation of children, ensure that images of children are not misappropriated or manipulated inappropriately, and ensure that children's rights to privacy and dignity are respected. ESW also applies these guidelines in relation to images of vulnerable adults.

Recorded images should only be made, kept and used where there is a valid reason associated with the activity involved.

Film/photography may only be undertaken only by official persons, either staff specifically tasked with the role or a professional photographer employed by ESW. Prior to taking images, official photographers should identify themselves and state their role as official photographer to children and their parents/guardians. Professional ID should be carried.

Seek consent from children and their parents/guardians to take images and for the retention and the specific use of those images. This is known as informed consent.

Type of Situation	Informed Consent Method
Younger children accompanied by parent/guardian	Verbal consent is required from the child and written consent is required from parent/guardian/group leader.
Children of any age attending in a group with a group leader	Verbal consent is required from the child and written consent is required from parent/guardian/group leader.
Teenage children attending without a parent/guardian/group leader	Written consent is required from the child.

Permission to take and use images of children can be requested as part of their registration process for an activity, programme or event. Refusal of consent should not in any way limit children's participation. Images should only be used for the purpose(s) agreed and in the context agreed. Images should only be passed to third parties for their use where this has been part of the consent process. For images to be used for purposes other than those agreed to, additional consent is required.

	
Group photographs are preferable to individual ones.	Don't use images if children are inappropriately dressed.
Use images that represent the diversity of children participating.	Ensure that images do not contribute to or expose children to embarrassment, distress or upset.
Store images ASAP (saved to a specified pc folder), along with relevant names, dates, other contextual information and consent forms (scanned and saved to the specified folder).	Do not use images of children who are considered vulnerable or whose identity may require protection.
Delete original images from the camera.	No images should be taken which could give rise to embarrassment or distress.
If images taken by children of other children for their own use, agree similar ground rules.	Don't identify individual children, unless they are being publicly acknowledged (e.g., an award, performance, achievement) for which consent has been given.
Challenge any inappropriate behaviour.	

Health and Safety in Respect to Child Protection and Welfare

Staff should be familiar with ESW's Health & Safety Policy and with ESW's First Aid procedures, and should also be aware of the designated First Aid Officers.

Staff should:

- Never leave a child unattended or unsupervised
- Always ensure effective management of hazardous materials
- Always provide a safe environment
- Be aware of accident, emergency and fire procedures

In the event of an accident:

ESW has an accident investigation procedure which complies with the Health and Safety Authority requirements.

Accident Forms can be accessed at the Technical Office.

The circumstances which might render a child or young person vulnerable should be discussed with parents or carers.

Confidentiality Statement

We are committed to ensuring rights to confidentiality and all staff members have a responsibility in this regard.

In relation to child protection and welfare:

Information will only be shared on a 'need to know' basis in order to safeguard the rights of the child and others involved.

We cannot guarantee total confidentiality where the best interests or the safety of the child are at risk.

Giving such information to others for the protection of a child is not a breach of confidentiality. Parents/carers and children have a right to know if personal information is being shared and/or a report is being made to the relevant Social Work department, unless doing so could put the child at further risk. ESW staff would explain immediately on any request that that had been in touch with Social Work department for additional support and give the Social Work contact name and details to the parents / carers.

Procedure - Recruitment

The following procedures apply to all ESW staff working with children and young people.

Recruitment, training and safe management of staff and volunteers:

ESW will ensure that our staff and volunteers are carefully selected, trained and supervised to provide a safe artistic environment for all children and young people. Our recruitment and selection policy and procedures ensure, as much as possible, the safety and protection of children and young people. In formulating the policy, ESW takes cognizance of equal opportunities legislation.

At ESW the safe management of staff and volunteers necessitates having policies and procedures in place to ensure training, induction, supervision and review of work practices.

Prior to confirmation of salaried appointments, at least two references which are recent, relevant independent and verbally confirmed will be necessary

There will be a three-month probationary period.

All staff working with children, young people and vulnerable adults will be required to have an up to date Disclosure.

ESW will discuss the Child Protection and Welfare Policy and Procedures with new staff members and when the policy is updated.

Staff are required to sign a Child Protection Policy Agreement Form stating their willingness to comply with Child Protection and Welfare Policy and procedures.

Work practices are evaluated on a regular basis and the guidelines and training are updated as appropriate.

Staff are provided with regular supervision and support from their managers around the implementation of the policy and guidelines.

Exclusions would include: any child-related convictions, refusal to sign application/declaration form, insufficient documentary evidence of identification, concealing information on one's suitability for working with children

Procedure - Recognising, recording and reporting child protection issues

Some reasonable grounds for concern may include:

- Explicit indication from a child that s/he has been abused.
- An account by a person who saw a child being abused.
- Injury or injuries with no plausible explanation.
- If a child seems distressed without obvious reason, exhibits dysfunctional behaviour or is unusually fearful in response to parents/carers or older children.

A suspicion, which is not supported by any objective signs of abuse, would not constitute reasonable grounds for concern. If in doubt, discuss with the Designated Person, who in turn may liaise with the relevant Social Work department or the police.

How to deal with a disclosure of abuse by a child/young person:

- Put the child at ease by staying calm and listening to the child.
- Allow the child time to say what s/he needs to say without interruption.
- Never use leading questions.
- Never prompt details or finish the child's sentences.
- Do not promise to 'keep secrets', explain that you might have to inform someone if there is cause for concern.
- Never make the child repeat details unnecessarily; this is why initial listening is vital.
- Explain to the child exactly what will happen next if you know.
- Begin the recording procedure as quickly as possible following your discussion with the child.

Recording a concern:

A staff member who has a child protection concern, based on observation, a disclosure or a third party allegation, records that concern on a Child Protection Policy Incident Form and reports the concern to the Director without delay. All Child Protection Policy Incident Forms should be submitted to the Director and will be countersigned by them. To maintain a policy of confidentiality, access to submitted Child Protection Policy Incident Forms and any other documentation relating to an allegation will be strictly controlled by the Director. Information in relation to a concern will be shared in accordance with ESW's Confidentiality Statement and Data Protection responsibilities.

How to fill out a Child Protection Policy Incident Form:

A Child Protection Policy Incident Form can be obtained from the Director, and is downloadable from the server.

- Log date and time concern was raised.
- Log date and time of alleged incident.
- Note person/people involved in concern/disclosure.
- If the concern relates to disclosure note the exact words used in the disclosure.
- Any information and opinions recorded should be based in fact.

Reporting a concern:

On receipt of a concern and the Child Protection and Welfare Policy Incident Form, the Director may then contact the Social Work Department for consultation purposes before making a formal report. If there are reasonable grounds for concern the Director or Designated Person will make a verbal report to the police without delay. Concerns that are deemed without reasonable grounds and not formally reported to the police will be kept on record.

The Director will also inform the parents of a child/children involved in concern on the basis that it doesn't put the child/children further at risk. Where contact is with a school rather than parents the Director will inform the Designated Officer of the school and discuss with them the reporting of the concern to a duty social worker. The Director and Assistant Director of ESW will be informed as soon as possible of a concern by the Designated Person.

As above mentioned, formal reporting is typically the remit of the Director or upon receiving a record of a concern from a staff member. However, if the Director is unavailable (and the concern cannot wait for them to become available), then the staff member should contact the police directly.

Procedure if an allegation is made against a staff member:

If an allegation is made against a staff member, there are two procedures to be followed; one in order to protect the rights of the child and one to protect the rights of the worker. The rights of the child are the first and paramount consideration and ESW will take any necessary protective measures to ensure that no child is exposed to unnecessary risk.

As aforementioned, upon receipt of a concern and a submitted Child Protection Policy Incident Form, the Director is responsible for the reporting procedure in respect of the child. The Director is responsible for the employment/disciplinary procedure in respect of the staff member against whom an allegation is made.

As soon as an allegation against a staff member has been made, the following steps will be followed:

The procedures outlined in the Recording a Concern and Reporting a Concern sections of these guidelines will be followed. In summary: the allegation will be recorded and submitted to the Director; if there are reasonable grounds for concern the Director will report the allegation to Social Work department; the Director will inform parents of the allegation and of all subsequent actions taken with regard to it.

The Director will privately inform the employee of the following;

- The fact that an allegation has been made against him or her.
- The nature of the allegation.
- The employee will be afforded the opportunity to respond. The Director will note the response and pass on this information if a formal report is being made to Social Work department.
- The Director will, in taking action regarding the staff member against whom an allegation has been made, be guided by the agreed procedures, the applicable employment contract and the rules of natural justice. She will, as a matter of urgency, take any necessary protective measures to ensure that no child is exposed to unnecessary risk. These protective measures may include:

Providing an appropriate level of supervision:

Re-assigning duties where the accused will not have contact with children

Putting the staff member off duty with pay. Putting the staff member off duty pending the outcome of the investigation should be reserved for exceptional circumstances.

It should be explained to the staff member concerned that the above actions are precautionary measures and not a disciplinary sanctions. The views of the staff member concerned will be taken into consideration when determining the appropriate protective measures to take, however, the final decision will rest with the Director.

It is acknowledged that staff may be subjected to erroneous or malicious allegations. Therefore, any abuse allegation will be dealt with sensitively. While the primary goal is to protect the child, care will be taken to ensure that staff are treated fairly.

The Director will liaise closely with investigating bodies (Social Work department / police) to ensure that actions taken by ESW do not undermine or frustrate any investigations.

ESW Child Protection And Welfare Policy Agreement Form

Name (Block Letters)

Date of birth _____

Address _____

Telephone number _____

I have received a copy of

ESW Child Protection and Welfare Policy

I have read and understand the particulars outlined in the policy and I agree to follow the guidelines on procedures and practices contained within them.

Signature: _____

Date: _____

This declaration must be signed and returned to: Edinburgh Sculpture Workshop Bill Scott
Sculpture Centre, 21 Hawthornvale Edinburgh EH6 4JT.

3. Code of Behaviour for Working with Children and Young People

This code outlines what is expected of all staff and freelancers working for Edinburgh Sculpture Workshop as well as anyone working in partnership with us or on our behalf.

Where possible when starting long term work with a new group Edinburgh Sculpture Workshop will jointly write a similar code of behaviour with the group together.

The purpose of this code:

- To protect children and young people from harm.
- Help staff maintain the standard of behaviour we expect.

The role of the staff:

All staff and volunteers working for Edinburgh Sculpture Workshop are acting in a position of trust and are expected to behave in an appropriate manner at all times.

Staff should:

- Operate within Edinburgh Sculpture Workshops policies and procedures including the child protection guidelines.
- Treat everyone fairly, with respect, dignity and as an individual.
- Engage with children and young people in a meaningful way and valuing their contribution.
- Ensure that contact with children and young people is appropriate and relevant to Edinburgh Sculpture Workshop's work.
- Be aware of any additional vulnerabilities that some children, young people or communities may face.
- Respect children and young people's right to privacy.
- Ensure that activities are run as safely as possible with risks minimized.
- Where possible try to ensure there is more than one adult present during activities.
- Understand when physical contact is appropriate and be aware that physical contact can be misinterpreted.
- Challenge unacceptable behaviour and report any concerns or allegations.

Staff should not:

- Ignore or trivialise any concerns.
- Promise confidentiality to a child or young person.
- Develop inappropriate relationships with children, young people or their families, such as contact outside of work.
- Provide personal contact details or engage in online activity outwith ESW's policy.
- Allow any bullying to take place without challenge <http://respectme.org.uk/wp-content/uploads/2017/11/RESPECT-FOR-ALL-FINAL.pdf>

Appendix I: Legal Framework and References

The Scottish government is responsible for child protection in Scotland. It sets out policy, legislation and statutory guidance on how the child protection system should work. Child Protection Committees (CPCs) are responsible for child protection policy, procedure, guidance and practice at the local authority level. CPCs make sure that all the different local agencies, such as children's social work, health services and the police, work together to protect children.

The key guidance for anyone working in Scotland is [Scottish Government \(2014\) National Guidance for child protection in Scotland](#). (waiting for update in 2020)

National guidance for child protection in Scotland

Updated in May 2014 – the National guidance for child protection in Scotland provides the current guidance and a national framework for anyone who could face child protection issues at work. Further guidance has been published for health professionals, and protecting disabled children. Child protection committees will have their own inter-agency child protection procedures which are based on the national guidance.

[Download National guidance for child protection in Scotland](#)

United Nations Conventions on the Rights of the Child

<https://www.unicef.org.uk/what-we-do/un-convention-child-rights/>

Getting it right for every child (GIRFEC)

Getting it right for every child (GIRFEC) is the Scottish government's approach to making a positive difference for all children and young people in Scotland. Its principles help shape all policy, practice and legislation that affects children and their families.

It provides a consistent way for people to support and work with all children and young people in Scotland. It aims to improve outcomes for children and make sure that agencies work together to take action when a child is at risk or needs support.

GIRFEC says children should be:

Safe, healthy, achieving, nurtured, active, respected, responsible and included.

GIRFEC is based on 10 core components that can be applied in any setting and any circumstance. Progress is measured through a set of 8 wellbeing indicators that are the basic requirements for all children and young people to grow and develop and reach their full potential.

Children and Young People Scotland Act (2014)

The GIRFEC approach is reinforced by measures in the [Children and Young People \(Scotland\) Act 2014](#)

Protection of Vulnerable Groups (Scotland) Act (2007)

<https://www.legislation.gov.uk/asp/2007/14/contents>

General Data Protection Regulation (GDPR) (2008)

<http://www.parliament.scot/abouttheparliament/106198.aspx>

The Early Years Framework (Scottish Government, 2008)

Aims to give all children a better start in life by focusing on prevention and early intervention from pre-birth to age 8. It sets out 10 changes that need to take places over ten years to improve outcomes for children. Underpinned by GIRFEC, the Early Years Framework is one of 3 interlinking frameworks that provide the cornerstone of the Scottish government's social policy. The other two frameworks are:

- Equally Well – focusing on health inequalities
- Achieving Our Potential – focusing on poverty and income inequality.

[Download Early Years Framework](#)

Appendix II: Child Protection Record Template

INCIDENT REPORT FORM FOR INCIDENTS/ALLEGATIONS/SUSPICIONS INVOLVING CHILDREN AND YOUNG PERSONS

Designated Person

Date Allegation Reported Time of Allegation

Person Reporting Incident

Victim's Name & Age:

School/College/Educational Group or Organisation responsible for Child or Young Person

Address

Teacher/Carer/ Responsible Adult Name and Contact Details

Parent's Details & Contact No's

Date of Incident / Time of Incident / Location of Incident

Details of Incident/Allegations/ Suspicions

Medical Treatment

Y N

Sent to Hospital

Y N

Details of Visible Injuries/ Doctor/Person Treating

Health Board Informed Date: Time: Person Informed

Police Informed Date: Time: Person Informed

Signature DP / Countersigned (Person Reporting) Page 1 of 2

Incident report form for Incidents/allegations/suspicions involving children and young persons

Incident Report Number...../.....

Continuation Sheet for recording details of incidents/allegations/suspicions involving children and young persons. The sheet will be used to record all actions taken, referrals. All entries are to be signed after each entry and where appropriate countersigned by the appropriate person. All details entered in this report are strictly confidential and may not be communicated to any unauthorised person.

Appendix III: ESW Safeguarding Pledge

All of us at Edinburgh Sculpture Workshop promise to make sure that you have the best time possible while you are taking part in our activities. We believe that that you have the right to feel safe and comfortable while you are with us. We will do our best to live up to the promises that we make you.

We will:

- Make you feel welcome.
- Always think about your needs as the main consideration.
- Treat all children and young people fairly.
- Make sure that all our staff know what they are supposed to be doing.
- Make our activities as safe as possible.
- Listen to what you want to tell us.
- Do what we will say we will do.

Appendix IV: Poster Brief for Displaying For Children and Young People

CHILD PROTECTION AND WELFARE POLICY

ESW wants to keep you safe

What we will do:

Always think about your best interests.

Treat you fairly and with dignity and respect.

Protect you from harm.

Listen to and respect your opinions.

Encourage and support you.

What you can do: / We want you to:

Express your views.

Tell us if you don't feel safe.

Tell us if you are worried or unhappy.