

Safeguarding Children and Vulnerable Adults Policy

1. Purpose

‘Safeguarding is everyone’s responsibility’

The purpose of this policy is to protect children and vulnerable adults who engage with The Stained Glass Museum both onsite and offsite and provide all staff and volunteers with clear information about the Museum’s approach to safeguarding.

This policy applies to all paid permanent and temporary staff, volunteers (including young volunteers between the ages of 16-18), contractors, consultants, freelance practitioners, work experience students and anyone engaged to work on behalf of The Stained Glass Museum.

For the purposes of this policy, the following **definitions** apply:

Child

A child, as defined in the Children’s Acts 1989 and 2004, is anyone who has not yet reached their eighteenth birthday. ‘Children’ therefore means ‘children and young people’ throughout. Until a person has reached their eighteenth birthday, they are the legal responsibility of their parents/carers, even if that person is not present. The fact that a child has reached 16 years of age, is living independently or is in further education, is a member of the armed forces, is in hospital or in custody in the secure estate, does not change their status or entitlements to services or protection.

Vulnerable Adult

The term “vulnerable adult” refers to a person aged 18 or over whose ability to protect themselves from violence, abuse, neglect or exploitation is significantly impaired through physical or mental disability, illness, old age, emotional fragility, distress, or otherwise; and for that purpose, the reference to being impaired is to being temporarily or indefinitely impaired.

2. Introduction and Policy Dissemination

Every year, children and vulnerable adults visit The Stained Glass Museum and we wish to ensure that they and all our visitors are protected from harm whilst on our premises or engaging with our services in the community.

While the primary responsibility for the welfare of children and vulnerable adults rests with the supervising adult(s) (see **Appendix A and B**), The Stained Glass Museum recognises its responsibility to safeguard the welfare of all children and vulnerable adults by a commitment to practice which supports protecting them from harm. The Museum recognises that ‘to varying degrees’ Safeguarding is ‘everyone’s responsibility’, not just those within the organisation who have a specific responsibility for working with children or vulnerable adults.

Taking into account current legislation, guidance and best practice the Museum does not believe that it currently undertakes any 'regulated activities' for children or vulnerable adults (see **Appendix C**).

Changes to the public programme will be reviewed in accordance with health and safety and risk management policies to assess whether or not they constitute regulated activity. If a risk assessment concludes that regulated activity is to be carried out, additional checks will be carried out to review spent criminal records and other information, as relevant to the protected group.

The Museum's recruitment and appointment processes include robust and transparent pre-employment checks including DBS checks for staff, volunteers and freelancers and regular re-vetting where appropriate to the role.

All staff, volunteers and freelancers are provided with a copy of this Safeguarding Policy and Safeguarding Procedures upon induction. Staff, volunteers and freelancers may also be required to undergo relevant safeguarding training when required, periodically, as appropriate.

The museum's Safeguarding Policy is available on its website and disseminated to visiting groups and schools.

A guide to safeguarding procedures is available in the Keeping Vulnerable Children and Adults Safe: Museum Safeguarding Procedures document. A summary of the reporting structure for safeguarding concerns is provided in **Appendix D**.

These procedures will be made available on request to group leaders and relevant public authorities.

3. Policy Statement

The Stained Glass Museum aims to:

- respect the rights of all children and vulnerable adults
- provide an environment (including museum-led activities off-site) which is safe and welcoming for children and vulnerable adults and which protects them from harm
- ensure that everyone working at the Museum is aware of the need to protect children and vulnerable adults and know how to reduce the risks to them
- provide procedures and guidance for everyone working at the Museum for their own protection

The Stained Glass Museum and everyone who works within it endeavours to safeguard children and vulnerable adults by:

- adopting safeguarding procedures for all which minimise opportunity for abuse and establish appropriate treatment of children and vulnerable adults
- ensuring individuals working with children and/or vulnerable adults are fully aware of and trained to follow the Museum's procedures and guidance as appropriate to their role
- sharing information about the principles of safeguarding and good practice with staff, volunteers and visitors
- providing effective management through supervision, support and training

- ensuring any accompanying individuals (parents, guardians, school teachers etc.) are aware of their own responsibilities in relation to safeguarding
- sharing information about concerns with agencies who need to know, and involving parents/carers as appropriate
- following robust procedures for the recruitment and selection of staff and volunteers and ensuring individuals who are working with children and/or vulnerable adults have the appropriate DBS checks in place
- informing staff that not adhering to the policy and procedures will lead to formal disciplinary action
- designating members of staff to lead on safeguarding issues
- reviewing our policy and practice at regular intervals
- ensuring safeguarding policies and procedures are regularly updated in accordance with current Government legislation and best practice
- taking allegations seriously and responding fairly, swiftly and appropriately

4. Legal context

This policy has been informed by law and guidance that seeks to protect vulnerable groups, namely:

- Children's Act 1989
- Children Act 2004
- Safeguarding Vulnerable Groups Act 2006
- Protection of Freedoms Act 2012
- Care Act 2014
- Children and Social Work Act 2017
- Working Together to Safeguard Children July 2018

5. Associated policies and procedures

This policy should be read alongside our policies, procedures and guidance on:

- Keeping Children and Vulnerable Adults Safe: Museum Safeguarding Procedures
- Complaints Handling Policy
- Data Protection & Management Policy
- Grievance and Disciplinary Procedure
- Health & Safety Policy
- Risk Assessments
- Risk Management Policy
- Staff Handbook
- Social Media guidelines
- Volunteer Handbook and Agreement

6. Safeguarding Code of Conduct for staff, volunteers, freelance practitioners and contractors

Everyone working at the Museum, both paid and unpaid, has a responsibility to ensure that children and vulnerable adults engaging with Museum services are protected from abuse.

This code has been developed to provide advice which will not only help to protect children and vulnerable adults, but will also help identify any practices which could be mistakenly interpreted and perhaps lead to false allegations of abuse being made against individuals.

When working with children and vulnerable adults all staff, volunteers, freelance practitioners and contractors are considered by the Museum to be acting in a position of trust. It is therefore important that they act in an appropriate manner at all times and follow the Museum's **Safeguarding Code of Conduct (see table below)**.

All staff, volunteers, freelance practitioners and contractors are expected to report any breaches of this code to a Designated Safeguarding Officer.

Employees who breach this code of conduct may be subject to the Museum's disciplinary procedures.

Any breach of this code involving a volunteer, freelance practitioner or contractor may result in termination of their engagement.

Serious breaches of this code may also result in a referral being made to the police or a statutory child or adult protection agency.

Safeguarding Code of Conduct for working with children and vulnerable adults	
You should:	You should not:
<ul style="list-style-type: none"> • always follow the Museum's Safeguarding Policy and Safeguarding Procedures • approach any child or vulnerable adult apparently in distress and ask if you can help • seek assistance from colleagues or other adults in order to minimise the amount of time you are alone with the person • ensure that whenever possible there is more than one adult present during activities with children and vulnerable adults, or at least that you are within sight or hearing of others; the adult present may be a teacher or parent • when working with work experience students or young volunteers try to work in public areas or keep doors open so that spaces are not private. • listen to and respect children and vulnerable adults • treat children and vulnerable adults fairly and 	<ul style="list-style-type: none"> • physically restrain a child or vulnerable adult except in exceptional circumstances (e.g. to prevent injury, damage to property or collections, or to prevent theft) and even then be careful to use only the minimal restraint necessary • ever use any form of physical discipline • take a child alone with you on foot and never invite a child into your car or any other vehicle • patronise children or vulnerable adults • allow allegations or suspicions to go unreported • give out personal information, or share email, social network site details, or mobile phone numbers with any child or vulnerable adult. • communicate with children or vulnerable adults linked to your work in a 'personal capacity', e.g. don't become 'friends' on Facebook

<p>without prejudice</p> <ul style="list-style-type: none"> • value and take the contributions of children and vulnerable adults seriously • ensure any physical contact is appropriate and in relation to the nature of the activity (N.B: physical contact may be necessary in the case of emergencies but must remain appropriate and kept to a minimum at all times) • always ensure language is appropriate and not offensive or discriminatory • recognise that special caution is required when you are discussing sensitive issues with children and vulnerable adults • challenge unacceptable behaviour and report all allegations or suspicions of abuse • only hold a lost child's hand if offered (by the child) and in order to lead them safely to another public space. • stay alert to online and social media activity undertaken by young volunteers or work experience students e.g. you should inform the Designated Safeguarding Officer if personal relationships appear to be developing between students and staff or volunteers, or if inappropriate contact or personal information has been divulged. 	<ul style="list-style-type: none"> • develop social relationships with children or vulnerable adults; if you do come into contact with those you have worked with in a social situation, try to maintain a professional distance • do things of a personal nature for a child or vulnerable adult that they can do for themselves or that a parent/group leader can do for them e.g. encourage children to put on their own costumes or ask their responsible adult to help. • take children or vulnerable adults to the toilets. <i>Instead</i>, enable their responsible adults and carers to help them access the toilets as they require. • make personal remarks or discuss themes that encourage children or vulnerable adults to share personal information • use sarcasm or insensitive comments or be over familiar in your language or behaviour. • act in a way that can be perceived as threatening or intrusive • make promises to children or vulnerable adults, particularly in relation to confidentiality • jump to conclusions about others without checking facts • either exaggerate or trivialise safeguarding issues • be complacent about the potential risks to others and yourself • leave a group of children under the age of 16 unattended in the Gallery or workshop. The responsible adult/s for the group should be aware of the children's whereabouts at all times.
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Please note that:

- All staff, volunteers, freelance practitioners and contractors should be aware that some children and vulnerable adults may behave inappropriately. Any sanctions and approaches to discipline should in the first instance be managed by the responsible adult. If a staff member, volunteer, freelance practitioner or contractor is in a position where a sanction is to be issued (for example in the case of unaccompanied children who are behaving inappropriately) then this must be appropriate to age and understanding. Please refer to a Designated Safeguarding Officer if you are in any way uncertain of what action to take.

7. Photography and Filming

It is the museum's policy not to photograph or film people **without their prior permission**. Permission can be obtained using a Photo Consent form (see **Appendix F**) Photographs or videos, including those on websites, must not include any participant unless authorised by the appropriate member of staff, and (in the case of children and/or vulnerable adults) parental or adult consent is given.

There may be occasions when the Museum wants to take images of children and vulnerable adults during activities and events for use in publicity, marketing or recording. However, some children, parents or carers may not be comfortable with images of themselves or their children being shared. For example:

- if a child and/or their family have experienced abuse they may worry about the perpetrator tracing them online
- children who choose not to or unable to have contact with some members of their family and therefore it has been decided to minimise their online presence
- families may have religious or cultural reasons for choosing not to be photographed.

It is also important to acknowledge that sharing images of children and vulnerable adults on social media or other online platforms may carry potential risks to their welfare.

The following steps will therefore be undertaken to protect the welfare of children and vulnerable adults:

- The Museum has a **photography consent form** which, in the case of photographing or filming children or vulnerable adults, must be completed by the relevant guardian (e.g. teacher or parent/carer/guardian). **See Appendix F.** before taking and using a child's image.
- **Parental consent must be sought** for all images of children. The consent of an accompanying adult who is not the child's parent or legal guardian is not sufficient. Teachers may give consent for photographs of children participating in schools activities provided that their school has sought parental permission for photography of children involved in school trips.
- The **responsibility for obtaining signatories** rests with the member of staff organising the event at which the photographs will be taken. Once completed forms should be sent to the Learning Officer for secure storage with a record of any associated images.
- **The Museum will never publish personal information about individual children (including names) and will disguise any identifying information (for example the name of their school or a school uniform with a logo)**
- Museum staff will ensure that parents and carers understand how images of children will be used, securely stored and for how long (this information will be included in the consent form)
- We will reduce the risk of images being copied and used inappropriately by only using images of children in appropriate clothing (including safety wear if necessary) and using images that positively reflect young people's involvement in the activity.
- Electronic and paper copies of all images containing children and vulnerable adults will be stored securely and only devices belonging to the Museum will be used to take and store photos and recordings of children and vulnerable adults.
- The Learning Officer and Director and Curator will ensure that only authorised people will take photographs or images of children and vulnerable adults.
- **Visitors should not be permitted to take photographs of children or vulnerable adults with whom they have no association. If necessary visitors should be asked to delete any images that have been taken of children and vulnerable adults with whom they have no association.**
- When children themselves, parents, carers or spectators are taking photographs or filming at our events and the images are for personal use, we will encourage them to only take images of

children/vulnerable adults that they are associated with. They will be reminded that they need to obtain parental/guardian consent to take and share any photographs and videos which contain other children. Also, they will be reminded that any images should not be shared on social media.

8. Recruitment and selection of staff, volunteers, freelance practitioners and contractors

Disclosure and Barring Service

Everyone working or volunteering at the Museum who is eligible is required to undertake a DBS check, and these checks form an important part of our wider safeguarding policy. These checks will be carried out as part of the recruitment process for all employees, freelance practitioners and volunteers within the Museum. This is a requirement of the Museum as part of their safeguarding responsibilities. All staff and volunteers are also required to complete and return a Confidential Declaration and provide details of two referees regardless of whether their role is eligible for a DBS check.

Careful consideration will be given to whether a DBS check is required for each role within the Museum and, if so, which specific level of DBS is required. Please see **Appendix C** at the end of this document for more detailed government guidance regarding how decisions on eligibility for DBS checks should be made.

Regulated Activity and Enhanced DBS with barred List Checks

'**Regulated Activity**' is something that must not be done by a person who is barred on the Children's or Adult's Barred list. To be eligible for an enhanced 'with adults and children's barred list check' the position must meet the DBS definition of '**regulated activity**' (see **Appendix C**).

This guidance makes it clear that it is unlikely that the Museum will be in a position of delivering 'regulated activity'. The Museum does not come under the list of 'specified places' in the guidance and if activities such as teaching, supervision and caring for children are being conducted under the reasonable day to day supervision of another person who is deemed as being in 'regulated activity', then the Museum is not therefore considered to be delivering 'regulated activity'.

Illustrative example: The Learning Officer is regularly teaching groups of school children at the Museum. This will not be considered 'regulated' activity if it is supervised by someone in regulated activity (e.g. a teacher or teaching assistant is always present). However, if the Learning Officer is usually the only adult present in the room then this is considered regulated activity and they will be eligible for an enhanced with barred list DBS check.

The activities that may be undertaken by the Museum with vulnerable adults do not meet the criteria (described in **Appendix C**) to be deemed as 'regulated activity'.

Other levels of DBS checking

An individual will only be eligible for an enhanced criminal record check, if he / she engages in work which is included in the Rehabilitation of Offenders Act 1974 (Exceptions) Order 1975 (as amended) and is 'work with children' and / or 'work with adults' as defined in the Police Act 1997 (Criminal Records) Regulations 2002 (as amended).

All paid permanent and temporary staff, freelance practitioners and volunteers at the Museum will be required to undertake an **Enhanced DBS check** as part of their recruitment and induction.

- **Prospective employees** who are eligible for a DBS check may not be permitted to commence work until an appropriate disclosure has been seen and approved by the Designated Safeguarding Officer.
- **Existing employees** whose roles are deemed to require an enhanced DBS check, or enhanced with barred list check, will be checked every 5 years.
- Where an employed individual is about to commence in an activity which is not part of their regular duties (i.e. supervising a work experience placement) they will also need to apply for an enhanced DBS check, or enhanced with barred list check, and have it cleared before they commence this activity.
- For **freelance practitioners and contractors**, the need for an enhanced DBS check, or enhanced with barred list check, must be made evident by the member of staff contracting services. The staff member needs to consider carefully whether they are eligible for either check using the guidance provided. The individual may not be permitted to commence work until their disclosure has been seen and approved by the Designated Safeguarding Officer.
- For **volunteers**, the potential need for an enhanced DBS check, or enhanced with barred list check, must be made evident when the volunteer role is created and to the volunteer before they agree to undertake that role/task. **Volunteers**, who are eligible for an enhanced DBS check, or enhanced with barred list check, will be required to undertake one and may not be permitted to commence their role until an appropriate disclosure has been seen and approved by the Designated Safeguarding Officer.

Additional Points regarding recruitment and employment

The Safeguarding Vulnerable Groups Act 2006 specifies that when a child is aged 16-17 and is in any kind of **paid or unpaid employment**, those who teach, train, instruct, care for or supervise them, or those who provide them with advice and guidance as part of their employment aren't in regulated activity with children. This means that they are not eligible for a Standard or Enhanced Disclosure Check. If the child is under 16 and in any kind of employment, then the person teaching, training etc. them would be in regulated activity (if the period condition is met).

9. Reporting procedure to be followed by staff, volunteers, freelance practitioners and contractors

Comprehensive details of reporting procedures for safeguarding concerns are contained within the **Keeping Children and Vulnerable Adults Safe: Museum Safeguarding Procedures** document. A brief overview of the referral process is provided in Appendix D. These procedures will be made available on request to group leaders and relevant public authorities.

10. Use of Social Media

The museum has Social Media Guidelines and its online and social media presence is managed by appointed staff members only. The museum's social media accounts should not be used inappropriately. See **Data Protection & Management Policy** and **Grievance and Disciplinary Procedures**

11. Key contact information

Lead Designated Safeguarding Officer

Director and Curator (01353 660355)
curator@stainedglassmuseum.com

Designated Safeguarding Officer

Learning Officer (01353 660355 / 01353 660347)
learning@stainedglassmuseum.com

Police

Non-Emergency 101 / Emergency 999

Tell the switchboard you are calling about a possible crime against a child or vulnerable adult

Designated Safeguarding Persons (Ely Cathedral)

(For informal support ONLY when Museum staff are unavailable.)

Chapter Safeguarding Lead

Revd Canon James Reveley (Clergy) 01353 667735
James.reveley@elycathedral.org

Cathedral Safeguarding Adviser (Independent of Ely Cathedral)

Lisa Pearson (01353)652738
lisa.pearson@elydiocese.org

Support for safeguarding concerns involving children:

Cambridgeshire and Peterborough Safeguarding Children Partnership Board (CPSCP)
www.safeguardingcambspeterborough.org.uk/children-board/about/

Cambridgeshire Children's Social Care Team
0345 045 5203

Peterborough Children's Services Contact Centre

01733 864 180

Out-of-Hours Number for all above Agencies
01733 234 724

Children's Social Care MASH

01733 864170 or 01733 864180 (Mon – Fri 9am to 5pm).

NSPCC Helpline

0808 800 5000 (staffed 24/7)

ChildLine

0800 1111

Support for safeguarding concerns involving adults:

Cambridgeshire and Peterborough Safeguarding Adults Board (CPSAB)
<http://www.safeguardingpeterborough.org.uk/adults-board/>

Cambridgeshire Customer Services
0345 045 5202

Peterborough Direct

01733 747 474

Out-of-Hours Emergency Duty Team (Cambridgeshire and Peterborough) 01733 234 724

APPENDIX A: Group Leaders'/Teachers' responsibilities when visiting The Stained Glass Museum

The Stained Glass Museum wishes to ensure that children and vulnerable adults are safeguarded and protected from harm whilst visiting us. In addition to the measures that The Stained Glass Museum has put in place, we ask that teachers and group leaders exercise their own responsibilities in relation to their groups.

Responsibility for a child ultimately lies with the parent or whoever is *in loco parentis* for that child. This is usually a teacher, social worker, carer or guardian, whichever applies.

Responsibility for a vulnerable adult ultimately lies with the person undertaking regulated activity relating to that individual.

Local authorities have a responsibility for organisations working with children in their boroughs to have their own safeguarding and child protection policies. Employees from schools and other institutions will therefore comply with their own policies and procedures and the Museum ensures that these responsibilities are always made clear to the organisations it works with.

Children under 16 must be accompanied at the museum and all its organised events by a responsible adult. During school visits the teacher is *in loco parentis*. These adults are responsible for supervising the children in their care at all times and this is made clear at the point of booking.

In particular, all group leaders and teachers must:

- book in advance of the visit to The Stained Glass Museum
- ensure that they supervise the children and vulnerable adults in their care at all times
- ensure that all children under the age of 16 and vulnerable adults remain with a responsible adult at all times
- in case of an accident, they should contact a member Museum staff who will follow Museum procedure
- in the case of a lost child, they should contact a member of Museum staff who will follow Museum procedure
- not verbally or physically abuse a child or vulnerable adult
- inform their group of expected behaviour for the visit to The Stained Glass Museum by ensuring compliance with the guidelines outlined in **Group conduct whilst visiting The Stained Glass Museum** (see Appendix B)
- be considerate of other visitors and groups visiting The Stained Glass Museum
- observe Museum fire evacuation procedures.

Teachers and group leaders are reminded that the children and vulnerable adults in their care remain their responsibility throughout a visit to The Stained Glass Museum.

We recommend always having at least two adults present when working with or supervising children and young people. We recommend the following adult to child ratios as the minimum numbers to help keep children safe (as per NSPCC guidelines publication date August 2024)

- **0 - 2 years** - one adult to three children
- **2 - 3 years** - one adult to four children
- **4 - 8 years** - one adult to six children
- **9 - 12 years** - one adult to eight children
- **13 - 18 years** - one adult to ten children

In line with current guidelines, we reserve the right to refuse entry when the level of adult supervision falls short of a ratio of 1:15.

Museum staff will communicate any concerns to the group leader/teacher in charge (unless this person is the cause of concern) and if required, follow this up with the school/organisation following the visit.

Concerns about the conduct of any teacher/leader will be reported directly to the school or organisation and to the Police where there is cause to believe a crime has been or may have been committed.

APPENDIX B: Group conduct whilst visiting The Stained Glass Museum

The Stained Glass Museum wishes all visitors to have an enjoyable experience with us. We therefore expect all visitors to display courtesy and respect for others and for Museum property at all times.

Group leaders should therefore not allow members of their group to:

- Use threatening, abusive or violent behaviour.
- Bully (verbally or physically).
- Make any sexist, racist, homophobic or other offensive remarks toward any person or group.
- Vandalise Museum property or displays.
- Use offensive language.
- Smoke.
- Consume alcohol or use illegal drugs.
- Leave litter on Museum premises.
- Enter areas of the Museum that are marked as closed, private, or cordoned off.
- Eat or drink.

In the event that any of the above are not followed, the Museum reserves the right to refuse admission and/or ask the group to leave.

APPENDIX C: Understanding DBS checks and ‘regulated activity’

The following information has been taken from guidance from the Disclosure and Barring Service advice ‘DBS checks: Working with children in the charity sector and overseas aid organisations’ (August 2024) and ‘Working with adults in the charity sector and overseas aid organisations’ (August 2024)

[Working with children in the charity sector and overseas aid organisations - GOV.UK \(www.gov.uk\)](https://www.gov.uk/government/publications/db-checks-working-with-children-in-the-charity-sector-and-overseas-aid-organisations)

[Working with adults in the charity sector and overseas aid organisations - GOV.UK \(www.gov.uk\)](https://www.gov.uk/government/publications/db-checks-working-with-adults-in-the-charity-sector-and-overseas-aid-organisations)

Further Guidance on determining which roles are eligible for DBS checking can be found at the following Government websites:

<https://www.gov.uk/find-out-dbs-check> (eligibility tool)

www.gov.uk/government/publications/dbs-workforce-guidance

The DBS offers four different levels of Disclosure Check. These are as follows:

- **Basic Disclosure Checks** will disclose details of any unspent convictions and conditional cautions. Anyone can apply for a Basic Disclosure Check themselves via our website or via an organisation registered with the DBS to submit basic checks (known as Responsible Organisations). There is a fee for a Basic Disclosure Check. This fee also applies to volunteers.
- **Standard Disclosure Checks** will disclose details of spent and unspent convictions, cautions, warnings and reprimands. Standard Disclosure Checks should only be applied for when an individual is taking on a role or carrying out activities mentioned in the Rehabilitation of Offenders Act 1974 (Exceptions) Order 1975. Individuals can’t apply for their own standard check, only an employer or recruiter can apply via an organisation registered with the DBS (known as a Registered Body). There is a fee for a Standard Disclosure Check, but it is free of charge for volunteers.
- **Enhanced Disclosure Checks** will disclose the same information as a standard check but can also include other non-conviction information that the police believe is relevant to the workforce applied for. Enhanced Disclosure Checks should only be applied for if a role meets the definition of ‘work with children’ (the child workforce) and/or ‘work with adults’ (the adult workforce) or falls into the ‘other workforce’. Only an employer or recruiter can apply via an organisation registered with the DBS (known as a Registered Body). There is a fee for an Enhanced Disclosure Check, but it is free of charge for volunteers.
- **Enhanced Disclosure with Barred List Checks** will disclose the same information as an Enhanced Disclosure Check and include a check of the **Children’s Barred List, the Adults’ Barred List** or both, depending on which group the individual is working with and whether the role is eligible.
- If someone is included on a barred list, it means that they must not carry out ‘**regulated activity**’ within the workforce they are barred from and an employer must not employ them in that role.

Where an individual is not in ‘regulated activity’ but still has contact with children or vulnerable adults they will be eligible for an Enhanced Disclosure Check without a check of the Children’s Barred List.

What is 'regulated activity' with children?

Regulated activity with children is something that must not be done by a person who is barred. If someone is included on the Children's Barred List, they must not apply to work in a role that involves regulated activity with children. If someone who knows they're barred from regulated activity with children applies for work that meets the definition of regulated activity below, they are committing an offence; as is anyone who allows them to work in a role involving regulated activity knowing that they are barred. Both could be liable for up to 5 years imprisonment and/or a fine. An organisation that has any number of roles that meet the definition of regulated activity is known as a 'regulated activity provider'. These organisations have a legal duty to make referrals to the DBS when they believe a person has caused harm or poses a future risk of harm to vulnerable groups, including children. They also must provide information to DBS when requested to do so by us and may be fined unless they have a reasonable excuse for not providing the information.

To meet the definition of 'regulated activity' it must fall into one of 4 parts below:

Part 1: The following activities only need to be carried out **once** to be regulated activity with children:

- Providing personal care – which is: – physical help with, or prompting and then supervising a child in connection with eating or drinking because the child needs it due to their illness or a disability; or – providing any form of training, instruction or guidance to a child in relation to eating or drinking because the child needs it due to their illness or a disability; or – physical help with, or prompting and then supervising a child in connection with toileting, washing or dressing because the child needs it due to their age, illness or a disability; or – providing any form of training, instruction or guidance to a child in relation to toileting, washing or dressing because the child needs it due to their age, illness or disability.
- Providing health care by, or under the direction or supervision of a regulated health care professional.

Part 2: The following activities need to be carried out **more than three times in any 30-day period, or at any time between 2am and 6am (with the opportunity for face-to-face contact with children)** to be regulated activity with children:

- **Teaching, training or instructing children, unless the teaching, training or instruction is incidental to teaching, training or instruction of people who are not children. If the individual doing these activities is supervised by someone else who is in regulated activity with children, then they are not in regulated activity themselves so are only eligible for an Enhanced Disclosure Check without a Children's Barred List Check.**
- Caring for or supervising children, unless the care or supervision is incidental to care for or supervision of people who are not children;
- Providing any form of advice or guidance wholly or mainly for children relating to their physical, emotional or educational well-being; this does not include legal advice.

Individuals don't need to be in contact with the same children over this time frame – it can be with any number of different groups/individuals.

Part 3: The following activities need to be carried out **more than three times in any 30-day period** to be regulated activity with children:

- Moderating an internet chat room which is likely to be used wholly or mainly by children
- Driving a vehicle specifically for children, including anyone supervising or caring for the children, as part of a formal third-party arrangement. The following activities are also regulated activity with children: • Day-to-day management or supervision of a person carrying out regulated activity
- Being a foster carer

Part 4: If charity workers/volunteers aren't carrying out any of the activities explained in parts 1-3, they could still be carrying out regulated activity with children if they do their work in certain establishments and meet certain criteria.

The establishments are:

- An educational institution exclusively or mainly for the provision or full-time education of children, a pupil referral unit, a provider of nursery education, a detention centre for children, a children's home or a home provided under the Children Act 1989, a children's centre (managed by or on behalf of, or under arrangements made with, an English local authority, through which early childhood services is made available, and at which activities for young children are provided, by way of early years provision or otherwise), relevant childcare premises, a children's hospital in Wales only

If the charity workers are working in any of the establishments listed above, they must also meet all the criteria below:

- They work there more than three times in a 30-day period, or overnight between 2am and 6am with the opportunity for face-to-face contact with the children; and
- They have the opportunity, because of their job/role, to have contact with the children in the establishment; and
- They work there for the purpose of the establishment; and
- It is not temporary or occasional work; and
- If they are unpaid, to be in regulated activity they must not be supervised by someone else who is in regulated activity. If they are in a paid role, they can be supervised by someone else and still be in regulated activity. These criteria are aimed at ancillary roles e.g. admin staff, cleaners etc.

What is 'regulated activity' with adults?

Activities that place a person in regulated activity with an adult (a person aged 18 years and over) are:

1. Healthcare for adults provided by, or under the direction or supervision of a regulated health care professional (members of peer support groups and first-aiders are excluded);
2. Personal care for adults involving hands-on physical assistance with washing and dressing, eating, drinking and toileting, oral care or care of the skin, hair or nails (excluding only hair-cutting); prompting and supervising an adult with any of these tasks because of their age, illness or disability; or teaching someone to do one of these tasks;
3. Social work – provision by a social care worker of social work which is required in connection with any health services or social services;

4. Assistance with and managing an adult's cash, paying an adult's bills or shopping because of their age, illness or disability;
5. Assisting in the conduct of an adult's own affairs under a formal appointment;
6. Conveying adults for reasons of age, illness or disability to, from, or between places, where they receive healthcare, personal care or social work.

Points to note:

- For vulnerable adults these remain regulated activities even if they are conducted under the supervision of someone in a regulated activity.
- An adult is considered vulnerable at the point of receiving any of the activities outlined above. The setting in which the activities take place and the characteristics of the adult receiving them are not relevant in deciding whether an adult is vulnerable.

Further detail can be found here:

https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/216900/Regulated-Activity-Adults-Dec-2012.pdf

APPENDIX D: Referral Process

For detailed information on our safeguarding procedures please refer to the **Keeping Children and Vulnerable Adults Safe: Museum Safeguarding Procedures** document.

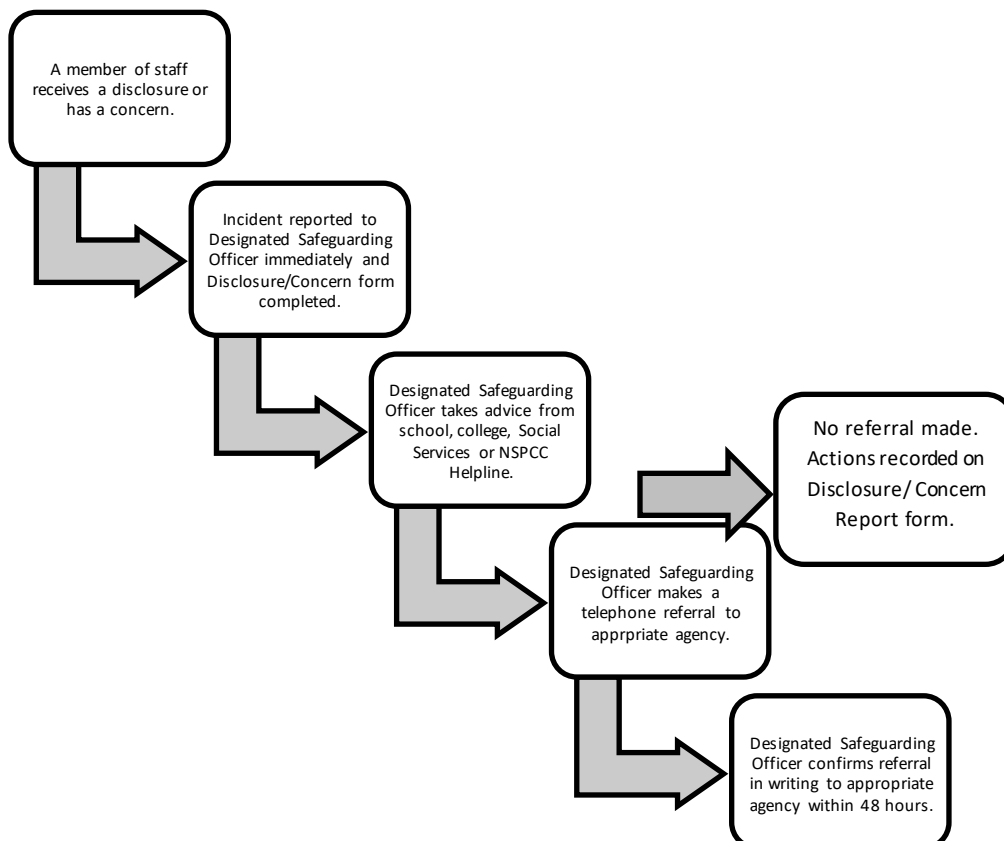
Wherever possible, referrals should be made by a Designated Safeguarding Officer.

A referral can be made to:

- The Multi-Agency Safeguarding Hub (Adults and Children) **See Appendix D for contact details.**
- The Police
- The NSPCC Child Protection Helpline – if you ring for advice and the advice is that a referral should be made the helpline can do this on your behalf

Referrals should be made by telephone in the first instance at the earliest opportunity and then confirmed in writing within 48 hours. Advice should always be sought before making a referral involving a child, particularly as to whether parental consent should be sought or whether you should tell parents that you have made a referral.

In the absence of a Designated Safeguarding Officer, the most senior member of staff onsite should assume their role.



APPENDIX E: Further Information

The Government guidance for DBS eligibility can be found here:

<https://www.gov.uk/government/publications/dbs-check-eligible-positions-guidance>

A Government overview of the Disclosure and Barring Service can be found here:

<https://www.gov.uk/disclosure-barring-service-check/overview>

The Government guidance on 'regulated activity' for children and adults can be found here:

<https://www.gov.uk/government/publications/dbs-guidance-leaflets>

NSPCC guidance on safeguarding for organisations working with children:

<https://learning.nspcc.org.uk/safeguarding-child-protection/writing-a-safeguarding-policy-statement/>

APPENDIX F

The Stained Glass Museum: Child or Vulnerable Adult photo/video consent form

To comply with the Data Protection Act, we need your permission before we take any images of your child. We would be grateful if you would fill in this form to give us permission to take photos and/or video of your child and to use these in our printed and online publicity.

I give The Stained Glass Museum permission to take photographs and/or video of my child. I grant full rights to use the images resulting from the photography/video filming, and any reproductions or adaptations of the images for fundraising, publicity or other purposes to help achieve the Museum's aims. This might include (but is not limited to), the right to use them in their printed and online publicity, social media, press releases and funding applications.

Name of Child/Vulnerable Adult:	
Name of Parent/Legal Guardian:	
Signature of Parent/Legal Guardian:	
Date:	

Conditions of use

Consent continues with no time limit. However, the majority of images are used for about five years. They are then moved into the image archive for possible future use.

Image consent can be changed or withdrawn at any time by notifying the Learning Officer in writing.

We cannot withdraw images already published.

We will not include details or full names (which means first name and surname) of any child or adult in an image, on video, on our website, or in printed publications, without good reason. For example, we may include the full name of a competition prize winner if we have their consent. However, we will not include the full name of a model used in promotional literature.

If we use images of individual children, we will not use the name of that child in the accompanying text or photo caption without good reason. For example, we may include a picture and full name of a competition prize winner if we have their consent. However, we will not include a picture and full name of a model used in promotional literature.

We may use group or class images with very general labels, such as "a glass fusing workshop" or "making Christmas decorations".

We will only use images of children who are suitably dressed, to reduce the risk of such images being used inappropriately.

For Office use:

Date of Event/Activity:	
Description of Event/Activity:	
Unique Photograph Number(s):	