# Children, Young People and Adults at Risk Safeguarding Policy & Procedures	**Last reviewed:** September 2024
This policy covers how BOP staff, volunteers and contracted freelancers should work to promote the welfare of everyone they work with and in particular keep safe children, young people and adults at risk from harm.	**Managed by:** Artistic Director / CEO

BOP's Vision

BOP's vision is of a world that values the stories and lived experience of disabled people within its culture and in which professional disabled artists can thrive.

BOP's Values

ACCESS to Scotland's cultural output, opportunities and employment – access to the wider arts and to opportunities from participation to professional development

CARE in the work we do, the people we work with, the communities we create and for the environment/s we operate in to minimise negative impact

FAIRNESS in our practices and the practices of others to increase disability equality and justice

BOP's approach to policies and procedures

Underpinned by our values of **CARE**, **FAIRNESS** and **ACCESS,** and BOP's core work to address disability justice in the arts, we will work to ensure that BOP creates a safe environment for everyone it works with and will ensure that all staff, board members and people working in association with BOP are clear of the expectations of them with regards to safeguarding.

BOP's policies and procedures:

- ensure that the charity meets its legal duties, is safe and undertakes its best work
- are supported by staff and Board training and/or professional development
- are proportionate to its activity and capacity to deliver
- are regularly reviewed, incorporating any learning, and communicated to all stakeholders

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BIRDS OF PARADISE THEATRE COMPANY

Policy summary

This policy is about keeping people safe from harm. It is for everyone who works at Birds of Paradise Theatre Company.

This includes staff, freelancers, Board members, artists, people who take part in our projects, people who come to our shows

The policy says how we will protect children, young people, and adults who may be at risk of harm.

It also says we must keep everyone safe, not just people the law says we have to protect.

Who are children, young people and adults at risk?

The law in Scotland says:

- A child is anyone under 16 years old. A child is also anyone under 18 years old, according to the United Nations Convention.
- A young person is someone under 18 years old.
- An adult at risk is a person who is 16 or older who may not be able to keep themselves safe. This can be because of their age, an illness, or a disability.

The company believes disabled people are not more at risk than anyone else. We work with respect and will protect everyone's rights.

How to Report a Concern

If you think someone is being harmed or is at risk, you must report it right away.

- You can do this by speaking to someone or in writing.
- You must fill in a special reporting form.

If you have a concern, you must tell the Safeguarding Lead or a Designated Safeguarding Officer.

- The Safeguarding Lead is the Artistic Director and CEO, Robert Softley Gale.
- The Designated Safeguarding Officer for BOP Young Artists is Morna McGeoch Arnott.

It is important to remember:

- You must report a concern immediately.
- You must not promise to keep a secret if someone is at serious risk of harm.
- The person you speak to must write down what you say.

What happens after you report a concern?

After you report a concern, the Safeguarding Lead or the Designated Safeguarding Officer will:

- check the information you have given.
- decide what to do next.
- This could be to give support to the person.
- It may mean calling the police or social services if needed.

If the person is in immediate danger, you must call 999 right away.

Keeping people safe

- Everyone who works for us must show good behaviour.
- We expect everyone to help make a safe environment.
- We will give you training on how to keep people safe.
- We will do background checks on people who work with children and adults at risk. This is called a PVG check.
- You must keep a professional distance from people you work with.

About this document

This document will be checked and updated every year.

It will be checked and updated sooner if there are any changes to the law.

We want people to tell us if they have ideas on how to make this policy better. You can do this through our complaints process.

Introduction - BOP context

What is the purpose and aim of this policy?
BOP has a duty under UK and Scottish legislation and as a registered regulated charity to promote the welfare of children and at-risk adults, protecting them from risk or harm. BOP also believes that this responsibility and accountability for avoidance of harm applies to everyone it works with and not just those legally defined. This policy, and the procedures and systems outlined, explain how BOP will do this.

How does safeguarding affect BOP?
BOP is a charity with a small core staff team of five mainly part-time employees overseen by a board of directors who are ultimately responsible for the work of the company and its legal duties. BOP is an arts company that makes theatre and performance work, undertakes development projects and also delivers strategic consultation and training with others. At times the number of people BOP works with increases, especially during the creation of a theatre production. BOP employs freelance workers in delivering its work and is responsible for a variety of working environments - from large rehearsal rooms to smaller development spaces and one-to-one work.

BOP rarely works with **children** but when and where it does this policy will apply or if we are in a working environment such as a school then their policies and procedures will apply – we will at the same time expect our employees and associates to uphold the values in this policy. BOP Young Artists works with **young people** and **adults** in small group settings and on a one-to-one basis. This work is mainly delivered by the Development Officer but also freelance workers. This is the area of activity where procedures such as PVG checks and risk assessments outlined in this policy are most applicable.

BOP works with **adults** and there may be occasions where these adults are considered ‘at risk’ in legal terms. BOP will use this policy and procedures to identify courses of action where we feel adults we are working with are at risk of harm. BOP does not believe that disabled people are automatically more ‘vulnerable’ or at risk than non-disabled people. BOP takes a rights based approach in our work and will work with respect and diligence to ensure we do not undermine the rights of any individual. This policy will cite the definitions of **Children**, **Young People** and **Adults at Risk** that are used within the law.

What specific laws and guidance informs this policy?
The United Nations Convention on the Rights of the Child (UNCRC), which has been ratified by Scotland. The Children and Young People (Scotland) Act 2014; Data Protection Act 1998 and General Data Protection Regulations;The Protection of Vulnerable Groups (Scotland) Act 2007 (PVG) and Disclosure (Scotland) Act 2020; Human Rights Act 1998, and Equality Act 2010, Universal Declaration of Human Rights and the United Nations Convention on the Rights of Persons with Disabilities (UNCRPD). Scottish Government’s Adult Support and Protection (Scotland) Act 2007.

Policy

Purpose
Birds of Paradise Theatre Company is committed to creating a safe environment for all young people and adults at risk and everyone who works with us and who participates in our theatre, development and strategic projects. Underpinned by the values and practices of BOP, we strive to ensure that our activities promote disability equality in the arts while safeguarding the wellbeing of all who work with us.

Equality statement
BOP operates this policy while taking a rights based approach which means that our work is underpinned by human rights, specifically disability justice. We:

- recognise individuals as rights holders and that organisations such as ours have a responsibility for upholding those rights.
- understand that all individuals have inherent rights based on international human rights standards, such as the Universal Declaration of Human Rights and the United Nations Convention on the Rights of Persons with Disabilities (UNCRPD) and United Nations Convention on the Rights of the Child (UNCRC).
- support the individuals we work with to claim their rights and participate in decision-making processes.
- encourage self-advocacy and support the individuals we work with to communicate about their access requirements and needs when working with us.
- involve the disabled people we work with in the development, implementation, and evaluation of projects, policies and procedures that affect them.
- ensure that all policies and practices promote equality and do not discriminate against individuals based on any characteristic under the Equality Act 2010.
- work to mitigate barriers that prevent engagement in the work we undertake.
- recognise the intersectionality of discrimination and access to rights.

Scope
This policy applies to all staff, freelancers, volunteers (rarely used), board members, artists, participants, audience members and anyone involved in our activities who may come into contact with young people or adults at risk.

Legal Definitions in Scotland

Children:
anyone who is not yet 16 years old. However, the Act acknowledges the broader context of "young people," typically referring to those aged 16 to 18 years, particularly in relation to transition services and support. (**Children (Scotland) Act 1995**)

The UNCRC, which is ratified in Scotland defines "child" as any person under the age of 18.

Young People:
individuals under 18 years old - principles of safeguarding recognise that young people, including those aged 16 and 17, are entitled to specific rights and protections. (**Children and Young People (Scotland) Act 2014**)

Adults at Risk:
Individuals aged 16 years and over who may be unable to safeguard themselves due to age, illness, disability, or other factors. (**Adult Support and Protection (Scotland) Act 2007**) (Protection of Vulnerable Groups (Scotland) Act 2007)

‘Protected adults’ and ‘vulnerable adults’ are referred to in the legislation which covers the PVG system which is one way that BOP safeguards - see following:

Protection of Vulnerable Groups (Scotland) Act 2007 (PVG Act) is the legislation which creates a system for the vetting and barring of individuals who work with children and protected adults (vulnerable adults). **Disclosure Scotland** carries out background checks on individuals applying for roles involving children and protected adults and anyone found to pose a risk can be barred from working in certain roles.

The **Disclosure (Scotland) Act 2020** introduced changes to the existing framework established by the **Protection of Vulnerable Groups (Scotland) Act 2007 (PVG Act)**. The new legislation has an increased focus on the need to ensure that vulnerable groups are adequately protected, maintaining a robust vetting process for those working with children and vulnerable adults.

Principles of this policy:

- Disabled people are not any more vulnerable than others but may be at higher risk of unfair, discriminatory treatment and subsequent harm and in this context BOP pays attention to their safeguarding
- To work proactively to avoid harm and promote a safe, accessible environment
- To ensure that individuals are supported to have a voice in all safeguarding procedures
- To work transparently, honestly and in partnership with all involved in safeguarding
- To operate with integrity and confidentiality in all matters, respecting the rights of the individual

Lines of responsibility - Named Safeguarding Leads
BOP’s Safeguarding Lead is the Artistic Director and CEO, currently: **Robert Softley Gale**. For specific activities or projects a Designated Safeguarding Officer (DSO) may be identified and all safeguarding issues reported to them using the procedures in this policy.

The DSO for BOP Young Artists and BOP Youth Arts Online is **Morna McGeoch**, Development Officer.

If you have any questions about, or would like to raise any concerns or give feedback in relation to this Policy, please contact the Safeguarding Lead or the Executive Director.

A **reporting template** is outlined in this policy for reference.

Procedures and Systems

How can we identify and report?

Recognising signs of Harm:
Staff and volunteers should be aware of the signs of abuse, including physical, emotional, sexual, and financial abuse, as well as neglect.

Statutory guidance on adults recognises ten types of harm or abuse:

- Physical abuse
- Domestic violence or abuse
- Sexual abuse (BOP is developing a Sexual Harassment policy in line with new legislation)
- Psychological or emotional abuse
- Financial or material abuse
- Modern slavery
- Discriminatory abuse
- Organisational or institutional abuse
- Neglect or acts of omission
- Self-neglect

Links to guidance and support about identifying abuse and harm are in the Supporting Resources section of this policy. If at any time you are concerned about someone you are working with, raise this issue with the Safeguarding Lead or Designated Safeguarding Officer as soon as possible in a discrete and confidential manner as follows.

Reporting Procedure:
Everyone has the right to feel safe and be heard and disclosures should be treated with the utmost care and confidentiality and shared only with relevant parties - confidentiality must not be promised if harm is serious enough to warrant reporting. The concern will be documented and an appropriate action determined which may, in extremis and where deemed appropriate, include contacting statutory authorities - especially regarding the safety of a child.

1. **Immediate Reporting of Concerns**
   - 1.1. Any safeguarding concern must be reported immediately to the Safeguarding Lead or Designated Safeguarding Officer (DSO).
   - 1.2. Reports can be made verbally or in writing. Always complete the designated reporting form.
2. **Ensure Confidentiality**
   - 2.1. Treat all disclosures with the utmost care and confidentiality.
   - 2.2. Share information only with relevant parties involved in the safeguarding process.
   - 2.3. Do not promise complete confidentiality if the concern involves serious harm that requires reporting to authorities.
3. **Document the Concern**
   - 3.1. Thoroughly document the details of the safeguarding concern, including:
     - 3.1.1. The date and time of the report.
     - 3.1.2. The name of the individual making the report.
     - 3.1.3. The nature of the concern and any observed signs.
   - 3.2. Ensure that the report is passed to the Safeguarding Lead or DSO is clear, accurate, and stored securely.
4. **Determine Appropriate Action**
   - 4.1. The Safeguarding Lead or DSO will assess the reported concern.

4.2. Determine appropriate actions based on the severity of the concern, which may include:
   4.2.1. Providing support to the individual involved.
   4.2.2. Implementing additional protective measures or mitigations within BOP such as undertaking a risk assessment with resulting actions.
   4.2.3. Referral to statutory authorities (e.g. social services or police). BOP will only do this in exceptional circumstances and where it is deemed necessary. We will seek guidance in these situations for instance from the Glasgow Adult Protection Committee (APC) or social services

5. Emergency Situations

5.1. If the young person or adult at risk is in immediate and severe danger, contact emergency services by dialling **999** without delay.

5.2. Ensure the individual receives immediate protection and support.

6. Follow-Up Actions

6.1. After the initial report, maintain clear communication, explaining any actions taken.

6.2. Ensure the individual feels supported throughout the process and receives any necessary ongoing support.

If a disclosure is made by a child in particular be mindful to:

- Never promise an individual that you will not tell anyone what they have told.
- Be neutral and non-judgmental.
- Do not press the child for more information.
- Keep in mind that the child may have been told not to tell anyone.
- Write down what a child has told you as soon as possible.
- Centre on protection of the child as the most important consideration.

How do we keep people safe during our work?

Code of behaviour

BOP expects all staff, freelancers and Board to demonstrate behaviours that uphold BOP as a safe working and delivery environment.

- BOP's values of **Access**, **Care** and **Fairness** underpin expectations of behaviours.
- BOP expects everyone to be proactive in creating a safe environment, protecting everyone from harm and respecting individuals human rights.
- BOP expects safeguarding concerns to be reported in a timely manner and not to be the responsibility of staff or freelancers individually to resolve.
- BOP's Safeguarding Lead and Executive Director will keep up to date with safeguarding legislation and best practices and disseminate this to staff.
- Individuals in positions of trust such as those working with our BOP Young Artists must undergo checks through the Disclosure Scotland PVG Scheme before working with young people and adults at risk - see below - and work in a safe, accessible and trustworthy manner with everyone at BOP, including reporting to the DSO.
- Staff and freelancers are expected to maintain professional boundaries with children, young people and adults and should avoid behaviour that could be misconstrued as inappropriate.
- It is recognised that staff communicate using platforms such as Whatsapp. Where a participant involved in BOP Young Artists or associated projects contacts a staff member or freelancer working on a project using that person's social media (Facebook, Instagram, x, etc), they will be directed to use an official BOP page, email, phone or Whatsapp instead.
- Physical contact should be limited to situations that are clearly necessary and appropriate for the activities involved.

Staff monitoring and support
BOP will work to ensure the safest possible environment is developed

- A designated safeguarding officer (DSO) will be appointed during specific projects to oversee safeguarding practices and serve as the first point of contact for any concerns. The DSO is responsible for:
    - Being familiar with this policy and procedures.
    - Managing safeguarding concerns and reporting procedures.
    - Monitoring and supporting those they line manage or coordinate.
- All core staff must be supported to complete training in safeguarding policies and procedures where appropriate.
- All staff and freelancers working with children, BOP Young Artists or at risk adults will be monitored and supervised by a DSO and receive an induction in the policy and its procedures.

Training and awareness raising
BOP creates a culture where training and awareness-building is supported

- All staff will undertake safeguarding training to ensure ongoing awareness of safeguarding issues and procedures.
- BOP will provide resources and direct individuals to sources of information to ensure understanding across all staff, freelancers, and participants.
- To enable effective delivery of safeguarding, new staff, freelancers and Board members should receive induction to this policy, which will provide an overview of the organisation and ensure they know its purpose, values, and structure in relation to safeguarding.

Recruitment and PVG Checks
BOP recruits and selects staff teams to create a safe and supportive environment

- Roles are recruited based on suitability, with identity checks carried out and a minimum of two references sought.
- PVG and Disclosure checks will be carried out as required for new roles working in relevant areas: “The PVG scheme does not apply to all jobs and volunteering. It only applies to 'regulated work'. There are 2 types of regulated work – work with children and work with protected adults. Examples include:
    - jobs with caring responsibilities
    - teaching or supervising children or protected adults
    - providing personal services to children or protected adults
    - working directly with children or protected adults” - see link below
- PVG applications will be required for anyone undertaking Regulated Work* and/or whose role relates to children or young people in work that involves small group work or one-to-one work as part of projects.
- Staff new to the organisation will be periodically supervised to ensure they are applying the best possible safeguarding and accessibility practices to the people they are working with.
- Information about PVG and Disclosure Checks in Scotland can be found here: https://www.disclosure.gov.scot/about

Staffing ratios

In the rare instances when BOP is undertaking activities with children they may be accompanied by a parent or an appropriate adult, so the adult:child ratio will be met by this third party adult. If BOP is leading an activity with children and there are not enough accompanying adults, BOP will provide enough staff to comply with the adult:child ratios set down in the National Care Standards and ensure PVG checks are undertaken as required. Where BOP is undertaking activities with at risk adults and there are not enough

appropriate accompanying adults, BOP will undertake an assessment of the individuals it is working with (consulting with those familiar with the needs of the individual only if permission is given or requested) to work out a suitable staff:individual ratio.

Confidentiality

Information regarding safeguarding concerns will be treated with the utmost confidentiality and shared only with relevant parties involved in addressing the concern. If risk of harm is identified or disclosed and subsequently reported, **confidentiality must not be promised** because it may be that others need to be informed to best address the safety of an individual.

Reviewing and Monitoring

BOP views this policy and its procedures as a living document and will review its policy, procedures and practice.

- This safeguarding policy will be reviewed annually, or sooner if legislation changes or if there are significant changes to our activities.
- This safeguarding policy will be reviewed and evaluated immediately following any safeguarding incident.
- Feedback will be sought from staff, volunteers, and stakeholders to improve our safeguarding practices.
- BOP will promote a listening environment centred on involvement where anyone who works with us feels able to feed back, have their voice heard, and raise concerns about any poor safeguarding practice they observe within the company.
- BOP's **complaints procedure** is one way in which adults and children can voice concerns about unacceptable and/or abusive behaviour. This can also be used to feedback about BOP's approach to safeguarding

Safeguarding Reporting and Recording Form

- TEMPLATE content to be adapted for projects

Date of Report:
Report Completed By:
Position/Role:
Contact Information:

Details of the Individual Involved

Name of Individual:
Age:
Address:
Contact Number:
Relationship to BOP: (e.g., artist, participant, staff, freelancer)

Details of the Concern

Date of Incident:
Time of Incident:
Location of Incident if applicable:
Type of Concern: (e.g., physical abuse, emotional abuse, neglect, sexual abuse, bullying, discrimination, etc.)

Description of the incident or concern:
(Please provide a detailed account of what happened, including any relevant observations, comments made, and actions taken. Use additional pages if necessary.)

Witnesses - if applicable
Names of Witnesses:
Contact Information for Witnesses:

Actions Taken

1. Immediate Actions Taken: (e.g., reported to the Designated Safeguarding Officer, contacted emergency services, etc.)

2. Support Offered to the Individual: (e.g., counselling, medical assistance, etc.)

3. Follow-up Actions Required: (e.g., further investigation, referral to external agencies, etc.)

Reporting

Name of Designated Safeguarding Officer (DSO) Informed:
Date DSO Informed:
Action Taken by DSO:
(e.g., further investigation, referral to authorities, etc.)

Confidentiality and Data Protection
All information recorded is kept confidential and shared only with relevant individuals.

Data Protection Compliance
(Confirm that the information collected complies with data protection regulations.)

Signatures

Signature of Person Reporting:
Date:

Signature of Designated Safeguarding Officer:
Date:

Notes:

- This form should be completed as soon as possible after a safeguarding concern is identified.
- Ensure that all sections are filled out completely to provide a comprehensive account of the incident.
- Keep this form securely stored in accordance with your BOP's data protection policy.
- For any immediate safeguarding concerns, please contact emergency services (999) or your local safeguarding authority.

Supporting resources

Recognising abuse and harm resources:

Adult Protection Committees exist across Scotland as a response to 2007 legislation "*Each council must establish a committee (an "Adult Protection Committee") with the following functions*" - Glasgow support and protection committee. "Glasgow against harm' has resources:
https://www.glasgowadultprotection.org.uk/article/5314/Resources

The Ann Craft Trust is has useful guidance and resources about safeguarding adults - they want to promote "a world where people live safely, free from the risk of abuse":
https://www.anncrafttrust.org/resources/types-of-harm/

NHS Scotland have more information about self-harm and how to recognise possible signs:
https://nhsinform.scot/illnesses-and-conditions/mental-health/self-harm#signs

The Social Care Institute for Excellence (SCIE) have information about the different kinds of harm / abuse and how to recognise potential signs:
https://www.scie.org.uk/safeguarding/adults/introduction/types-and-indicators-of-abuse/

PVG and Disclosure Scotland:

Disclosure Scotland is the mechanism that allows BOP to undertake vetting.

Legislation and guidance on working with children:

While BOP does not work with many children, a useful summary of legislation in relation to child protection can be found here.

The National Society for the Prevention of Cruelty to Children (NSPCC) also provides useful guidance on safeguarding children and child protection;

Scottish Government guidance regarding adults:

Adult Support and Protection (Scotland) Act 2007: Code of Practice This revised Code of Practice aims to reflect the developments in policy, practice and legislation both in the overall context of adult support and protection and in day-to-day activity. It provides information and detail to support practical application of the 2007 Act.

Human Rights, disability justice and care:

United Nations Convention on the Rights of the Child (UNCRC) in Scotland:
https://www.gov.scot/policies/human-rights/childrens-rights/

The Scottish Human Rights Commission produces reports and guidance on human rights issues in Scotland, including rights relevant to vulnerable adults.

The Care Inspectorate provides reports on adult services in Scotland, often touching on safeguarding and human rights aspects.

Inclusion Scotland focuses on the rights of disabled people and may have resources addressing safeguarding and human rights issues.

Journal of Adult Protection "uniquely bridges the gap between research and practice. It is the only journal to address emerging perspectives and developments in safeguarding, adult protection, mental capacity and related areas across all adult service user groups."