

SAFEGUARDING

Policy

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brb.org.uk/safeguarding

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**ARTS COUNCIL
ENGLAND**

BIRMINGHAM ROYAL BALLET

Safeguarding at Birmingham Royal Ballet

Birmingham Royal Ballet works with children and adults at risk in education and community settings, and with child performers working alongside the professional company. Everyone we work with is valued and respected as an individual and their views and concerns are listened to. Having an open and positive relationship is important and contributes both to the success of the rehearsal and performance process and to the outcomes in LEAP work. Birmingham Royal Ballet is committed to creating and maintaining a safe and positive environment for all young people and adults at risk in order that they achieve their potential, as well as ensuring that all staff are trained and supported in their role when working with these groups.

This Policy outlines the principles we work to. It is supported by a series of Good Practice Guidelines, which cover every area of the Company's work that involves children. The Policy and Guidelines are reviewed on an annual basis by a group of Birmingham Royal Ballet staff, to ensure that they remain in line with current legislation and good practice.

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- Who to contact?
- Responding to concerns or allegations of abuse
- Flow chart – reporting a child welfare concern
- Flow chart – reporting a staff behaviour concern
- Form for recording a disclosure or concern

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- Learning, Engagement, Access & Participation (LEAP) work
- Social Media
- Rehearsal and performance
- Work Place and Work placements
- Treatment for dance injuries
- Dealing with aggressive or violent behaviour
- Children in the workplace
- Online Teaching

All policies and guidelines are available on the BRB Intranet and the main policy is available at brb.org.uk/Safeguarding

Safeguarding Policy Statement

The Policy and Good Practice Guidelines apply to all staff and artists who work for the Company whether on permanent, temporary or freelance contracts, or working as volunteers. Organisations and individuals who wish to hire Birmingham Royal Ballet studios are required to have their own Child Protection Policy or Safeguarding Procedures in place.

Principles

In all our work with children and adults at risk we adhere to the following principles:

- Everyone who works with children or adults at risk has a duty of care towards them. By law you must take reasonable steps to ensure their safety and protect them from harm.
- Their welfare is paramount.
- Everyone should maintain an attitude of 'it could happen here'.
- We respect the rights and dignity of everyone we work with.
- Children and adults at risk are treated equitably and sensitively, regardless of gender, ethnic origin, cultural background, sexual orientation or religion, in line with Birmingham Royal Ballet's Equality and Diversity Policy.
- Relationships between Birmingham Royal Ballet trustees, staff and artists and the groups they work with are based on mutual trust and respect.
- No child, or group of children or adults at risk must be treated any less favourably than others in being able to access services which meet their particular needs.
- All children and adults at risk, without exception, have the right to protection from abuse regardless of gender, ethnicity, disability, sexuality or beliefs.
- Birmingham Royal Ballet staff and artists seek to achieve a balance between artistic outcomes and the social, emotional, intellectual and physical needs of the groups we work with.
- The feelings and concerns of any child, adult at risk or their parent/carer are listened to and acted upon.
- Birmingham Royal Ballet trustees, staff and artists acknowledge that some children and adults at risk are particularly vulnerable to abuse for example those with disabilities, those living in circumstances of domestic violence, severe parental mental illness, potential substance misuse, living in care, young carers, children whose behaviour involves a lack of control.
- All Birmingham Royal Ballet staff and artists who work with children and adults at risk have a responsibility to prevent the physical, sexual or emotional abuse of anyone with whom they come into contact. Any suspicions or allegations of abuse are taken seriously and responded to swiftly and appropriately.
- All staff whose job involves working closely with children and adults at risk need to complete child protection training and/or adult at risk training.
- Staff recruitment and selection processes will include Disclosure and Barring Service checks (DBS) checks for all staff that work with children or adults at risk, and these checks will be renewed at least every three years, and more frequently where appropriate.
- All young people, parents/carers, schools and community groups who work with Birmingham Royal Ballet will receive information about the Safeguarding Policy and Procedures.
- The policy is reviewed, approved and endorsed by the Board of trustees annually or when legislation changes.
- No individual can have a full picture of a child's needs and circumstances, so everyone who comes into contact with them has a role to play in identifying concerns, sharing information and taking prompt action.

Supporting policies

Other Birmingham Royal Ballet policies and procedures that link with this policy are:

- Safe recruitment practice – includes references, DBS checks and rehabilitation of offenders self-declaration forms.
- Recruitment of Ex-offenders
- Equality and diversity
- Harassment and bullying
- Health and safety
- Whistle blowing
- Procedures for issues of capability
- Disciplinary procedures
- Grievance procedures
- Social media policy
- Mobile phone policy
- Artists guidelines / Staff behaviour (code of conduct)
- Dignity at work
- Guidelines for online teaching
- Internet usage
- Complaints procedure
- Safeguarding training records
- Privacy policy

Legal context

- Birmingham Royal Ballet uses the word ‘child’ to refer to anyone under the age of 18, as defined by the Children Act 2004.
- An adult at risk is a person over 18 who is, or may be, unable to take care of themselves or unable to protect themselves against significant harm or exploitation.
- The safety of the children we work with is our priority. Although not legally required to do so, we take every reasonable step to ensure a level of care that is comparable to the requirements of the Working together to Safeguard Children, 2018; Keeping Children Safe in Education, 2022; The Human Rights Act; the UN Convention on the Rights of the Child, DFE After School Clubs community activities and tuition 2023 and the Equality Act 2020. The Equality Act 2020 ensures you do not discriminate on the grounds of disability and you make reasonable adjustment to ensure a child is not disadvantaged.
- While the principles in the Policy and Good Practice guidelines apply to work with children young people and adults at risk in any location, the reporting procedures were drawn up within the legislative framework of England, Wales and Northern Ireland and may vary outside these jurisdictions. Birmingham Royal Ballet’s community programme also involves adults who are vulnerable, e.g. adults with learning disabilities. The Principles outlined above apply equally to our work with adults at risk.

This Safeguarding Policy and procedure materials were drawn up specifically by Birmingham Royal Ballet in 2003 and are reviewed annually. They conform to current child protection legislation and guidance.

Staff introduction to the Safeguarding Policy

What is the Safeguarding Policy?

Birmingham Royal Ballet works with children and adults at risk in a range of different ways, and the well-being and safety of everyone we work with is of paramount importance to the Company. We have therefore worked with the NSPCC to create a policy outlining the principles that all staff are expected to follow. The policy is backed up by a series of Good Practice Guidelines, which cover every area of the Company's work involving children and adult at risk.

Why do we need these?

These documents have been developed to give advice to everyone who works for Birmingham Royal Ballet, to make sure that all the children and adults at risk we work with are kept safe. These procedures recognise that staff can also be at risk and it is important that staff do not put themselves in situations where they might be vulnerable.

Who are these documents for?

These documents are written for Birmingham Royal Ballet trustees, staff and artists, whether on permanent, temporary or freelance contracts, or working as volunteers.

How do we define children and adults at risk?

The word 'child' refers to anyone under the age of 18, as defined by the Children Act 2004. An adult at risk is a person over 18 who is or may be in need of community care services by reasons of mental health or other disability, age or illness and is or may be unable to take care of themselves, or unable to protect themselves against significant harm or exploitation.

What do I need to read?

There are a number of documents. You should read the following list, and make sure that you read the documents that are relevant for you:

- **Safeguarding Policy Statement**

This outlines the principles that Birmingham Royal Ballet follows in working with children and adults at risk and everyone who comes into contact with these groups at Birmingham Royal Ballet should read this document.

- **Working with children and adults at risk**

These provide more details of things to think about when you are working with children and adults at risk, and should be read by anyone who might work with these groups at Birmingham Royal Ballet. This includes staff in departments that take young people on work placement, members of the Sinfonia who may come into contact with child performers, and dancers who may perform with children on stage. The guidelines include practical advice on the importance of chaperones, the need to respect a child's right to privacy, etc.

- **Recognising and responding to concerns or allegations of abuse**

This tells you what to do if you have a concern that a child might be a victim of abuse, whether it is by someone working for Birmingham Royal Ballet or someone in the child's home or elsewhere. It is essential that any suspicions or concerns you have are passed to the designated people at Birmingham Royal Ballet. The Procedures for doing this are outlined in this document.

We have also developed a set of Good Practice Guidelines to give more detailed advice on specific areas of the Company's work. If you work in any of these areas you should make sure you read the relevant documents:

- Learning, Engagement, Access & Participation (LEAP) work
- Social Media
- Rehearsal and performance
- Work Place and Work placements
- Treatment for dance injuries
- Dealing with aggressive or violent behaviour
- Children in the workplace
- Online Teaching

How can I get more practical help?

All staff working with children or adults at risk will receive child protection training. If you have not received training or would like refresher training please contact the Designated Safeguarding Lead.

Who should I speak to for more information or advice?

You should speak to any member of Birmingham Royal Ballet's Safeguarding Steering Group, who are:

Tristan Rusdale, Company Manager, Designated Safeguarding Lead (DSL) and Chair of the Safeguarding Steering Group.

Role: To oversee the development and implementation of the Safeguarding Policy and ensure that all policies and procedures are in place, relevant and practicable for all departments but with particular focus on education and community work. Responsible for ensuring that all procedures are followed in cases of concern or allegation.

Rebecca Brookes, Head of Learning, Engagement, Access and Participation (LEAP) and Designated Safeguarding Officer,

Role: To ensure that all recruitment procedures are followed in order to safeguard the children, young people and vulnerable adults the Company works with by completing all relevant recruitment checks on employees and future employees. Responsible for staff training and works closely with the Company Manager to ensure all procedures are followed in cases of concern or allegation.

Safeguarding Steering Group

- **Nick Allen** Clinical Director, Jerwood Centre
- **Kate Darby** Health, Safety & Environmental Manager
- **Jonathan Payn** Principal Character Artist
- **Patricia Tierney** Répétiteur
- **Jane Hackett** Board Member
- **Vacant** Development
- **Vacant** Sales, Marketing and Audiences representative
- **Vacant** Elmhurst Ballet School representative
- **Vacant** Technical Department representative
- **Vacant** Dancer representative
- **Vacant** Royal Ballet Sinfonia representative

Role: Members of the Steering Group represent a cross-section of the Company and are responsible for reviewing the Policy and Procedures on an annual basis and ensuring they are maintained throughout the Company.

Whether you are working with the Company in Birmingham or on tour you will be able to speak to any member of the Steering Group in person or by telephone.

Working with children and adults at risk

These guidelines have been developed to help all staff and artists who work for Birmingham Royal Ballet to ensure the safety of all the children and adults at risk we work with. They are also designed to help protect staff: we know that false allegations of abuse are occasionally made by children and adults at risk – although this is a rare occurrence, it is important that staff do not put themselves in situations where they might be vulnerable.

These are general guidelines, which should be read in conjunction with Birmingham Royal Ballet's Safeguarding Statement. More detailed guidelines are available about specific areas of Birmingham Royal Ballet's work are included in the Good Practice Guidelines listed on page 4. Our policy and guidelines apply to all staff, whether on permanent, temporary or freelance contracts or working as volunteers.

Approach to working with children and adults at risk

It is essential to Birmingham Royal Ballet that everyone we work with is valued and respected as an individual, and that their views and concerns are listened to. Remember that having an open and positive relationship is important, and contributes both to the success of the rehearsal and performance process, and to the outcomes in LEAP work. Working with children or adults at risk in any context at Birmingham Royal Ballet, staff must:

- Treat everyone with respect
- Offer encouragement and praise
- Take time to listen to their views
- Where possible take these views on board in any relevant decision-making process

Children have said they need

- **Vigilance:** to have adults notice when things are troubling them.
- **Understanding and action:** to understand what is happening; to be heard and understood; and to have that understanding acted upon.
- **Stability:** to be able to develop an on-going stable relationship of trust with those helping them.
- **Respect:** to be treated with the expectation that they are competent rather than not. Information and engagement: to be informed about and involved in procedures, decisions, concerns and plans.
- **Explanation:** to be informed of the outcome of assessments and decisions and reasons when their views have not met with a positive reaction.
- **Support:** to be provided with support in their own right as well as a member of their family.
- **Advocacy:** to be provided with advocacy to assist them in putting forward their views.

Contact with children and adults at risk

You must adhere to the following guidelines:

- Any work with children at Birmingham Royal Ballet should take place in the presence of a registered chaperone or Disclosure and Barring Service checked member of Birmingham Royal Ballet staff.
- Work in schools should always take place in the presence of a teacher.
- As far as possible, work in other education contexts should take place in the presence of a teacher or chaperone.
- Avoid being on your own, but if it is unavoidable, make sure that you are within sight or hearing of others.
- If physical contact is made with children, young adults or adults at risk, this should be in response to their needs at the time, of limited duration and appropriate given their age, stage of development, gender, ethnicity and background.

The Guiding Principles of touch:

What is your motivation?

- Educational: to demonstrate
- Emotional: offer support to someone in distress
- Safeguarding: to prevent injury or administer first aid

Duration

- Do not touch for longer than is necessary in context of your motivation.

Perception

- The perception of all physical contact is that it is professional and unambiguous. Any touching is clear, direct and necessary and could not be misinterpreted if viewed by another adult.

Respect a person's right to privacy

- Do not do anything of a personal nature for a person if they can do it themselves.
- Adults and children should not share changing and toilet facilities. Separate dressing rooms and toilets should be provided for children performing with the Company; in some smaller theatres on tour this may not be possible, and it is important that an advance visit identifies this beforehand. Should this situation arise, children, their parents and Company dancers should all be informed in advance, and chaperones should be briefed to ensure that children change at different times from adults. When working in schools, make sure you use the staff toilets not the children's.
- It is not good practice to take children alone on car journeys, however short. If it is essential it must be done with the parents'/carers' consent, and insurance liability needs to be checked. It is preferable to travel by taxi, pre-booked on Birmingham Royal Ballet's account.

Contact with young people via e-mail / text / telephone / social media

(For under 16's, primary contact should be with a parent/carer)

- If direct contact is needed with young people or adults at risk it is recommended that you contact young people only when necessary and ensure other people know who, when, and why you made contact.
- Inform a colleague of the reasons why the call needs to be made and have them present for the duration of the call if at all possible.
- If contact is via message services, link in the group of colleagues. Avoid sending messages to individuals.

Relationships

Many people at Birmingham Royal Ballet will develop relationships with children or adults at risk through their work. This might be, for example, as a dancer performing with children on stage, a musician working in the pit with a children's choir, or a member of the Brand, Marketing and Communications team working with young people who are taking part in Birmingham Royal Ballet media activities. This contact can lead to what is known as a 'relationship of trust', i.e. a relationship that exists between an adult and a young person aged 18 years or under or adult at risk, where the adult has power or influence over that young person due to the nature of their role within an organisation. It is essential that such power is not abused in any way by anyone working for Birmingham Royal Ballet. You should bear in mind:

- Young people aged 16 to 18 years can legally consent to some types of sexual activity, however in law they are still classified as children (The Children Act 2004). A young person's age does not necessarily reflect maturity and emotional development, and young adults may still be vulnerable to abuse. The law says that it is an offence for a person aged 18 or over to have sexual intercourse or engage in any other sexual activity with a person under that age, if the older person is in a position of trust in relation to the younger person.
- It is essential that you recognise your responsibility towards the children, young people and adults at risk Birmingham Royal Ballet works with, and that you do not abuse your position of trust. Do not meet with them outside your work, whether that work is taking place at Birmingham Royal Ballet, in an educational institution, or elsewhere.

Children working with Birmingham Royal Ballet

Occasionally young people of 16 or 17 are employed by the Company. The Company's relationship with any employee is governed by employment law, however where an employee is under the age of 18 we are mindful of the fact that they are still defined as a child in law. As far as is practically possible within their job role, the principles behind our Safeguarding Policy are adhered to.

Children in Performance

- As required by law, all children performing with Birmingham Royal Ballet will be licensed by the appropriate local authority; the licences are acquired by the Company Manager. The Company Manager is responsible for making sure all aspects of the child's work adhere to the Children and Young Persons, England Act and The Children (Performances and Activities) Regulations 2014.
- All children will be accompanied by a licensed and council-approved chaperone during all auditions, fittings, rehearsals and performances.
- When on tour with the Company the children will travel with a registered Birmingham Royal Ballet chaperone (who is known to the child) at all times. The number of chaperones will be in line with Birmingham City Council recommendations, and may be increased if necessary e.g. if children in the group are involved in different rehearsals and/or performances. Hotels will be provided by Birmingham Royal Ballet, with the chaperone sleeping in a room that is adjacent to or opposite the children's bedrooms. Up to two children of the same gender may be expected to share a room, and all hotel bedrooms will have en-suite facilities.

Recommended ratios

Making arrangements for the proper supervision of children is the most effective way of safeguarding. Following the recommended ratios is very important:

- 4 – 8 years:** one member of staff to nine children.
- 9 – 12 years:** one member of staff to twelve children.
- 13 – 18 years:** one member of staff to twelve children.

If you are unsure or require a different ratio for a specific activity then please contact the DSL who will assess whether an amendment to the ratios above is possible.

Transport

When children, young people and adults at risk are required to travel by bus or taxi, care will be taken to ensure that only recognised companies are used and drivers with DBS checks are requested. Taxis should be booked on Birmingham Royal Ballet's account.

General

It is important that you challenge unacceptable behaviour. Sanctions or reprimands which are in any way humiliating, or make a person look or feel foolish in front of others, are not acceptable. Humiliating behaviour is equally unacceptable from anyone. You must report any suspicions or allegations of abuse or bullying, whether by an adult or another child. The 'Recognising and responding to concerns or allegations of abuse' document gives details of how to do this.

Bullying

Bullying is not acceptable to Birmingham Royal Ballet, whether adult-to-adult, adult-to-child, or child-to-child. Bullying can include:

- Physical actions such as hitting and kicking
- Name-calling, humiliation, ignoring
- Racial insults and gestures
- Sexual comments and suggestions
- Unwanted physical contact

If a child or adult at risk tells you that they are being bullied, they must be taken seriously, and given support. Similarly the bully needs to be supported, as they may well be victims of bullying themselves. Any incident of bullying will be discussed with the victim's and bully's parents or teacher, by an appropriate member of Birmingham Royal Ballet staff, i.e. class teacher, chaperone, project manager. If a member of staff perpetrates the bullying, the Harassment and Bullying Policy will be referred to.

If you have any worries

Recognising child abuse is not easy, however it is not up to individuals to decide whether or not abuse has taken place – if you have any anxieties it is essential that you report them using Birmingham Royal Ballet's Procedures (see separate document), and let the appropriate bodies investigate. This applies regardless of whether your concern relates to the behaviour of another Birmingham Royal Ballet employee, or the possibility that a child or adult at risk might be a victim of abuse at home or elsewhere.

What is abuse and neglect?

Abuse and neglect are forms of maltreatment. Somebody may abuse or neglect a child or adult at risk by inflicting harm, or failing to act to prevent harm. Children or adults at risk may be abused in a family or in an institutional or community setting, by those known to them or, more rarely, by a stranger. An adult, or another child or children may abuse them.

It is generally accepted that there are six main forms of abuse:

- 1. Physical abuse** may involve hitting, shaking, throwing, poisoning, burning or scalding, drowning, suffocating or otherwise causing physical harm. Physical harm may also be caused when a parent or carer fabricates the symptoms of illness in a child, or deliberately causes illness.
- 2. Emotional abuse** is persistent emotional ill-treatment, which can cause severe and persistent adverse effects on emotional development. It may involve conveying to a child or adult at risk that they are worthless or unloved, inadequate or valued only for meeting the needs of another person. It may feature age or developmentally inappropriate expectations being imposed. These may include interactions that are beyond the child or adults at risk developmental capability, as well as over protection and limitation of exploration and learning, or prevention of participation in normal social interaction. It may involve seeing or hearing the ill-treatment of another. It may involve serious bullying causing children or adults at risk frequently to feel frightened or in danger, or their exploitation or corruption. Some level of emotional abuse is involved in all types of ill-treatment of children and adults at risk, but it can also occur alone.
- 3. Sexual abuse** involves forcing or enticing a child or adult at risk to take part in sexual activities, including prostitution, whether or not they are aware of what is happening. The activities may involve physical contact, including penetrative or non-penetrative acts. They may include non-contact activities such as involving children or adult at risk in looking at, or in the production of, sexual on-line images, watching sexual activities, or encouraging inappropriate sexual behaviour. Sexual exploitation is the above in exchange for money, drugs, alcohol, gifts, appreciation of status – child sexual exploitation does not always involve physical contact and may occur online.
- 4. Neglect** is the persistent failure to meet basic physical and/or psychological needs, likely to result in the serious impairment of health and development. Neglect may also occur during pregnancy as a result of maternal substance misuse. Once the child is born, it can include a parent or carer failing to: provide adequate food, clothing or shelter (including exclusion from home or abandonment); protect a child from physical and emotional harm or danger; ensure adequate supervision (including the use of inadequate care-givers) or ensure access to appropriate medical care or treatment. It may also include neglect of, or unresponsiveness to basic emotional needs.
- 5. Peer on Peer abuse:** All staff should be aware that children can abuse other children (often referred to as peer on peer abuse) most likely to include, but not limited to: bullying (including cyber bullying), physical abuse, sexual harassment, sexual violence, up-skirting, sexting and initiation/hazing type violent rituals.
- 6. Honour-based violence:** This includes: forced marriage, breast ironing, honour killings, female genital mutilation. **There is a statutory duty to report suspicion or information. Call the Police on 101.**
- 7. Domestic abuse** Children and young people are deemed to be victims of domestic abuse under the Domestic Abuse Act 2021, where they see, hear or experience the effects of abuse.
- 8. Online safety**
The misuse of technology often provides the platform that facilitates harm. Three main risk areas are:
 - 1. Content** – being exposed to illegal, inappropriate or harmful materials.
 - 2. Contact** – being subjected to harmful online interactions.
 - 3. Conduct** – personal online behaviour that increases the likelihood or causes harm.

Be alert to:

Child sexual exploitation, peer-to-peer relationship abuse, sexting and cyber bullying, domestic violence, drugs, fabricated or induced illness, faith abuse, forced marriage, gangs and youth violence, gender-based violence, mental health, radicalisation, extremism and trafficking, honour-based violence including female genital mutilation (FGM).

It is a statutory duty to report suspicion or information regarding FGM to the Police - call 101. If you have extremism related concerns, contact local authorities.

Things to look for and think about

- Most children acquire cuts and bruises during their normal daily life, but the location of bruises can be indicators of abuse – for example a bruise on a part of the body where accidental injuries are unlikely, e.g. the face, can be a worrying sign. Bruises, which reflect hand marks, or injuries where the explanation does not make sense, are other causes for concern, as are unexplained changes in behaviour.
- Emotional abuse can be difficult to measure, but signs can include developmental delay, fear of making mistakes, self-harm, or a fear of their parent being approached regarding their behaviour.
- In cases of sexual abuse it is usually the child's or adult at risk's behaviour, which causes people to become concerned. In all cases, children who talk about sexual abuse do so because they want it to stop. It is important, therefore, that any child who talks to you about this is listened to and taken seriously. Behavioural changes, which can indicate sexual abuse, include nightmares, sexual knowledge that is beyond a child's age or development, eating problems, self harm, drugs misuse.
- Neglect can be difficult to recognise, but physical signs can include hunger, loss of weight, inappropriate dress for the conditions. Children may also complain of being tired all the time, and talk about being left alone or unsupervised.

1. Mental health problems and suicidal thoughts can affect anyone. They are common among children and young people, but can be difficult to identify. It is important that everyone working with children and young people know the signs and symptoms:

1. Becoming withdrawn from friends and family.
2. Persistent low mood and unhappiness.
3. Tearful and irritable.
4. Sudden outbursts of anger.
5. Loss of interest in activities they once enjoyed.
6. Problems eating or sleeping
7. Children suffering from mental health problems may also be more vulnerable to self harm.

- Children with special educational needs (SEND) can face additional safeguarding difficulties. These can include:

1. Assumptions that signs of possible abuse, such as behaviour, mood and injury, relate to the child's disability, without further exploration.
2. Being more prone to peer group isolation than other children.
3. Potential to be disproportionately affected by behaviour such as bullying, without showing any outward sign.
4. Communication barriers and difficulties in managing or reporting these challenges.
5. Difficulty in being unable to understand the difference between fact and fiction in online contexts.
6. Repeating content or behaviour without understanding the consequences of doing so.

Recognising and responding to concerns and allegations

Often the initial reaction on hearing about abuse is disbelief, often followed by the worry of not knowing what to do, the fear of making things worse and possibly a desire not to be involved, especially if it is someone we know. These are understandable reactions. However it is more serious if they prevent us listening to a child and responding appropriately.

The following guidelines contain information on what to do if you have a concern or allegation of abuse. They are split into two distinct areas Reporting a child welfare concern and Reporting an adult behaviour concern or allegation. However it is unlikely that any concerns you may have will split distinctly into a clear category and therefore procedures may overlap.

The concern or allegation procedures include:

- What is abuse and neglect?
- Who to contact?
- Responding to concerns or allegations of abuse
- Flow chart – reporting a Child Welfare concern
- Flow chart – reporting an Adult Behaviour concern
- Form for recording concerns or allegations

These procedures for reporting concerns or allegations of abuse apply to all staff and artists who work for the Company whether on permanent, temporary or freelance contract, volunteers, trustees, and parents and carers. While the principles in the Policy and Good Practice guidelines apply to work with children and adults at risk in any location, the reporting procedures were drawn up within the legislative framework of England, Wales and Northern Ireland and may vary outside these jurisdictions. Also included within these procedures is guidance on sharing information and keeping records of the concerns or allegations.

What is abuse and neglect?

Anyone who has concerns about a child's welfare should make a referral.

Fears about sharing information **must not** stand in the way of the need to promote welfare and protect the safety of children.

Abuse and neglect are forms of maltreatment. Somebody may abuse or neglect a child or adult at risk by inflicting harm, or failing to act to prevent harm. Children may be abused in a family or in an institutional or community setting, by those known to them or, more rarely, by a stranger. They may be abused by an adult, or another child or children.

It is generally accepted that there are six main forms of abuse:

- 1. Physical abuse** may involve hitting, shaking, throwing, poisoning, burning or scalding, drowning, suffocating or otherwise causing physical harm. Physical harm may also be caused when a parent or carer fabricates the symptoms of illness in a child, or deliberately causes illness.
- 2. Emotional abuse** is persistent emotional ill-treatment, which can cause severe and persistent adverse effects in emotional development. It may involve conveying to a child or adult at risk that they are worthless or unloved, inadequate or valued only for meeting the needs of another person. It may feature age or developmentally inappropriate expectations being imposed. These may include interactions that are beyond the child or adult at risk's developmental capability, as well as over protection and limitation of exploration and learning, or preventing participation in normal social interaction. It may involve seeing or hearing the ill-treatment of another. It may involve serious bullying, causing children or adults at risk frequently to feel frightened or in danger. Some level of emotional abuse is involved in all types of ill-treatment of children and adults at risk, but it can also occur alone.
- 3. Sexual abuse / exploitation** involves forcing or enticing a child or adult at risk to take part in sexual activities, including prostitution, whether

or not they are aware of what is happening. The activities may involve physical contact, including penetrative or non-penetrative acts. They may include non-contact activities such as involving children or adults at risk in looking at, or in the production of, sexual on-line images, watching sexual activities, or encouraging inappropriate sexual behaviour. Sexual exploitation is as above in exchange for money, drugs, alcohol, gifts or status etc. Exploitation does not always involve physical contact and may occur on-line.

4. **Neglect** is the persistent failure to meet basic physical and/or psychological needs, likely to result in the serious impairment of health and development. Neglect may also occur during pregnancy as a result of maternal substance misuse. Once the child is born, it can include a parent or carer failing to: provide adequate food, clothing or shelter (including exclusion from home or abandonment); protect a child from physical and emotional harm or danger; ensure adequate supervision (including the use of inadequate care-givers), or ensure access to appropriate medical care or treatment. It may also include neglect of, or unresponsiveness to a child's basic emotional needs.
5. **Peer on Peer abuse.** All staff should be aware that children can abuse other children (often referred to as peer on peer abuse) most likely to include, but not limited to: bullying (including cyber bullying), physical abuse, sexual harassment, sexual violence, up-skirting, sexting and initiation/hazing type violent rituals.
6. **Honour-based violence.** This includes forced marriage, breast ironing, honour killing and female genital mutilation. There is a statutory duty to report suspicion / information. Call the Police on 101.

Things to look for and think about

- Most children acquire cuts and bruises during their normal daily life, but location of bruises can be indicators of abuse – for example a bruise on a part of the body where accidental injuries are unlikely, e.g. the face, can be a worrying sign. Bruises that reflect hand marks, or injuries where the explanation does not make sense, are other causes for concern, as are unexplained changes in behaviour.
- Emotional abuse can be difficult to measure, but signs can include developmental delay, fear of making mistakes, self-harm, or a fear of their parent being approached regarding their behaviour.
- In cases of sexual abuse it is usually the child's or adult at risk's behaviour, which causes people to become concerned. In all cases, children who talk about sexual abuse do so because they want it to stop. It is important, therefore, that any child who talks to you about this is listened to and taken seriously. Behavioural changes, which can indicate sexual abuse, include nightmares, sexual knowledge that is beyond a child's age or development, eating problems, self harm, drugs misuse.
- Neglect can be difficult to recognise, but physical signs can include hunger, loss of weight, inappropriate dress for the conditions. Children may also complain of being tired all the time, and talk about being left alone or unsupervised. Recognising and responding to concerns and allegations

Who to contact

Tristan Rusdale, Company Manager, Designated Safeguarding Lead and Chair of the Safeguarding Steering Group.
07980 696 878; tristanrusdale@brb.org.uk

Rebecca Brookes, Head of LEAP and Designated Safeguarding Officer
07799 891 074; rebeccabrookes@brb.org.uk

Safeguarding Steering Group

- **Nick Allen** Clinical Director, Jerwood Centre
- **Kate Darby** Health, Safety & Environmental Manager
- **Jonathan Payn** Principal Character Artist
- **Vacant** Dancer
- **Patricia Tierney** Répétiteur
- **Jane Hackett** Board Member
- **Vacant** Development
- **Vacant** Sales, Marketing and Audiences representative
- **Vacant** Elmhurst Ballet School representative
- **Vacant** Technical Department representative
- **Vacant** Royal Ballet Sinfonia representative

Useful contacts

Birmingham Children's Advice and Support Service (CASS)

Office hours: 0121 303 1888; Out of office, call the emergency duty team on 0121 675 4806
cass@birminghamchildrenstrust.co.uk

If a child is not from Birmingham, concerns need to be reported to the social services area office nearest the child's home.
www.gov.uk/report-child-abuse-to-local-council

If an allegation is against a member of staff contact the Local Authority Designated Officer LADO 0121 675 1669: ladoteam@birminghamchildrenstrust.co.uk

NSPCC (24 hour helpline for support or referral)
0800 800 5000
www.nspcc.org.uk
help@nspcc.org.uk
whistleblowing advice line : NSPCC 0800 028 0285

The Data Protection Act 2018 and GDPR do not prohibit the collection and sharing of personal information, but rather provide a framework to ensure that personal information is shared appropriately.

Responding to concerns of allegations of abuse

The guidelines below are split into two distinct areas: Child Welfare Concerns and Adult Behaviour Concern or Allegation. However it is unlikely that any concerns you may have will split distinctly into a clear category and therefore procedures may overlap. Report any concerns immediately to a Birmingham Royal Ballet designated Safeguarding Officer, who will follow up your concern.

Reporting a concern in respect of a child or Adult at risk (C/AR)

Concerns about a child or adult at risk may arise in the following ways:

- If a C/AR says they are being abused.
- If someone reports that a C/AR has told them they are being abused.
- If someone strongly suspects a C/AR has been or is being abused.
- If there are concerns about a C/ARs welfare, where there are no specific disclosures or allegations of abuse.
- If someone has seen one C/AR abusing another or if one child reports that this has happened to them.

If a C/AR lets you know by whatever means that they have been abused, or if you are told by anyone else that a child is being abused or if you see something yourself which leads you to think a C/AR may be being abused you should:

- Stay calm
- Listen to what they say, without making any suggestions yourself.
- Ask questions for clarification only, and avoid asking questions that suggest a particular answer
Use TED technique : Tell me, Explain, Describe
- Allow the CVA to continue at their own pace.
- Find an appropriate early opportunity to explain that it is likely that the information will need to be shared with others. Do not keep secrets.
- Tell them what you will do next and who you will tell and reassure them.
- Pass the information on immediately to the Designated Safeguarding Lead. If the concern or

allegation is against the DSL then one of the other officers must be informed. In the absence of a Designated Safeguarding Officer, go straight to the Local Authority Designated Officer (LADO) to report a concern.

- Make a written, dated record of the concern or allegation as soon as practicable (and certainly within 24 hours). Forms are available on the Intranet or from the Company Manager, Head of LEAP or HR.
- The Designated Safeguarding Lead as Chair of the Safeguarding Steering Group, will be informed of any allegation or concern being dealt with by other colleagues, and will maintain an overview of any concerns that are raised.
- The Designated Safeguarding Lead will keep Birmingham Royal Ballet's Board members informed of any allegations or concern.
- The Designated Safeguarding Lead will inform the Local Authority Designated Officer (LADO).

Next steps

Immediately a concern is highlighted, the Safeguarding Officers will discuss the concern; all factors are considered and a written record completed.

There will be one of four possible decisions, following that consideration:

1. The concern is without foundation and no further action is taken.
2. The C/AR is not at risk of significant harm but it is felt that the C/AR has additional needs and should be subject to a common assessment or is a child in need and should be referred for more support from children's social care.
3. There is reason to suppose abuse could have occurred and an immediate referral under the local child protection procedure is necessary. Children's Services acknowledge receipt of the referral and will decide on the course of action within one working day.
4. There is reason to suppose that abuse could have occurred and referral under local child protection procedure is necessary and internal disciplinary procedures need to be considered.

Unless there is an objection by the police or child protection agency concerned, the Designated Safeguarding Lead will inform the C/AR what will happen next and ensure they are supported throughout the process.

- In cases where it is felt the C/AR is not at risk of harm
In case where it is felt the C/AR is not at risk of harm but has additional needs or should be subject to a common assessment this should be discussed with the parents/carers. If Birmingham Royal Ballet feels a referral to children's social care is necessary, parental/carer's consent is needed.
- In an emergency situation where the child has been harmed or is at risk of immediate harm, planned emergency action will take place following an immediate strategy discussion between the police, children's social care and other agencies as appropriate.
- If the referrer receives no report from children's social care after three days the Designated Safeguarding Lead will follow it up.

Reporting an adult behaviour concern or allegation

If there are concerns about or allegations against a member of staff, freelance artist, volunteer or trustee (including a Designated Safeguarding Lead) you should:

- Stay calm.
- Pass the information on immediately to a Designated Safeguarding Lead. If the concern or allegation is against a designated person then one of the other officers must be informed. In the absence of a Designated Safeguarding Officer, go straight to the Local Authority Designated Officer (LADO).
- Make a written, dated record of the concern or allegation as soon as practicable (and certainly within 24 hours). Forms are available on Birmingham Royal Ballet's intranet or from the Company Manager Head of LEAP or HR.
- The Designated Safeguarding Lead, as Chair of the Safeguarding Steering Group, will be informed of any allegation or concern being dealt with by other colleagues, and will maintain an overview of any concerns that are raised (unless the allegation is against them, when another Officer will be responsible).
- The Designated Safeguarding Lead will keep Birmingham Royal Ballet's Board members informed of any allegations or concern (unless the allegation is against them, when another Officer will be responsible).

- The Designated Safeguarding Lead will report any allegations or concerns to the Local Authority Designated Officer (LADO) within one working day (unless the allegation is against them, when another officer will be responsible).

Next steps

Immediately a concern or allegation is highlighted the Designated Safeguarding Officers will discuss the concern, all factors are considered and a written record completed, signed and dated by the person reporting the concern or allegation and the Designated Safeguarding Lead. This should include any information about times, dates, locations and names of potential witnesses. This information will be made available to the appropriate authorities, and a copy will be kept securely at Birmingham Royal Ballet.

There will be one of three possible decisions, following that consideration:

1. That there is reason to suppose abuse could have occurred and that referral under the local child protection procedure and, for employees, under internal disciplinary procedures may be necessary.
2. That the allegation was prompted by inappropriate behaviour by an employee, which needs to be considered under internal disciplinary procedures.
3. That the allegation is apparently without foundation.

Where an allegation is made against anyone working for Birmingham Royal Ballet

- The Designated Safeguarding Lead will make an urgent initial consideration, in consultation with the appropriate child protection agencies, of whether or not there is sufficient substance in an allegation to warrant an investigation. The substantive decision on whether to investigate under local child protection procedures rests with the child protection agencies, who will advise if a further investigation is needed and, if so, by whom. Only if the allegation is trivial or demonstrably false, would a further investigation not be warranted. Any subsequent investigation of all the facts will be aimed at establishing whether the allegation can be substantiated.
- Unless there is an objection by the police or child protection agency concerned, the Designated Safeguarding Lead will inform the parents/carers of the C/AR concerned, and the HR Director will inform the employee against whom the allegation is made, of the outcome of the initial consideration and the procedures which will now be followed.

Should an allegation be made on tour when the HR Director is not present, another member of the Senior Management Team or the most senior member of staff in the relevant department will inform the employee against whom the allegation is made.

Where an allegation is made against a person not working for Birmingham Royal Ballet

Including an allegation against another child, the designated person will inform the appropriate authorities. Any further involvement from Birmingham Royal Ballet will be agreed between the designated person and the child protection agency, and will only take place if in the C/AR's best interests.

- On the conclusion of any investigation and any related disciplinary proceedings, the C/AR(s) who made the allegations and their parents/carers should be informed of the outcome of the proceedings, and appropriate support for them should be considered.

Confidentiality and information sharing

Birmingham Royal Ballet will treat any concerns or allegations speedily, seriously and confidentially. However it is important to consider the following points.

C/ARs, young people and families/carers should know how information will or could be shared and why. The only exception to this are:

- Where it could lead to increased risk of harm or undermine prevention, detection or prosecution of a serious crime.
- Where there is a concern that a C/AR may be suffering or at risk, the C/ARs safety and welfare must be the overriding consideration.
- Where an adult at risks's health renders them incapable of consent.
- Where a disclosure is necessary to prevent serious injury or damage to the health of the adult at risk, third part or public health.
- Where disclosure is required by law or under an order of the court.

Where possible, respect the wishes of children, young people and families who do not consent to share confidential information. You may still share information if your judgement on the facts of the case is that there is sufficient need to override the lack of consent.

Ensure that the information you share is accurate, up-to-date and necessary for the purpose for which you are sharing it, shared only with those people who need to see it and that it is shared securely. Always record the reasons for your decision, whether it is to share information or not. Seek advice where you are in doubt.

Recording concern

It is vitally important to record all relevant details, regardless of whether or not concerns are shared with either the police or children's social care. An accurate record should be kept. A form for recording concerns or allegations of abuse must be completed. Additional sheets are also acceptable.

Investigating concerns of allegations of abuse

These procedures for investigating concerns or allegations of abuse apply to all staff and artists who work for the Company whether on a permanent, temporary or freelance contract, volunteers, trustees, and parents and carers. While the principles in the Safeguarding Policy and Good Practice Guidelines apply to work with C/ARs in any location, the investigating procedures were drawn up within the legislative framework of England, Wales and Northern Ireland and may vary outside these jurisdictions.

Investigations

1. Where a referral under the local child protection procedure is necessary

The allegations will need to be investigated under both the local child protection procedures and Birmingham Royal Ballet's disciplinary procedures. Any investigation by the police or child protection agencies will take priority over an internal investigation by Birmingham Royal Ballet. The employee will be informed of the instigation of the disciplinary proceedings, but the internal investigation will be held in abeyance pending the outcome of the external investigation.

The police should be given every assistance with their enquiries but confidentiality about the enquiries maintained in the employee's interests. When the police are involved, it would not normally be expected that police interviews of Birmingham Royal Ballet staff would be undertaken on Birmingham Royal Ballet premises.

2. Where wholly satisfied that the C/AR is not at risk of significant harm, and that a reportable criminal offence has not been committed

An internal investigation will be carried out to establish whether action in accordance with Birmingham Royal Ballet's disciplinary procedure is appropriate. The nature of the investigation must take into account the need to minimise the stress to the person who may be wrongly accused of serious offences.

3. Suspension, pending the outcome of an investigation

Suspension from any element of an employee's work may be considered at any stage of an investigation, but will not be undertaken without good reason. Circumstances in which suspension properly occurs include:

- a. Where that person presents a risk to a child or children.
- b. Where the allegations are so serious that dismissal for gross misconduct is possible.
- c. Where a suspension is necessary to allow the conduct of the investigation to proceed unimpeded.

If it is considered that suspension is necessary along with a full investigation of the allegation, the employee should be advised that they are suspended from duty on full pay. This should be confirmed in writing, giving reasons for the suspension.

The HR Director will consider carefully, and keep under review, decisions as to whom is informed of the suspension and investigation and to what extent confidentiality can or should be maintained, according to the circumstances of a particular case. In a situation where a matter becomes common knowledge or the subject of general gossip, it may be desirable to provide an accurate statement for general information. The employee will be kept informed of the timetable of the investigation, and should feel able to contact those conducting the investigation.

4. Outcome of investigation

- At the end of the investigation, a meeting should be arranged to inform the employee of the next steps. The employee may be accompanied or represented by a union representative or colleague.
- If the outcome is a disciplinary charge, further action will be in accordance with Birmingham Royal Ballet's disciplinary procedures, and will happen after the child protection enquiries are completed.
- If the employee has been suspended and it is not intended to proceed with any form of disciplinary action or to dismiss, the suspension should be lifted immediately.
- Other than in the event of dismissal, the HR Director will offer the opportunity for informal counselling. This could be used to give appropriate guidance, support and reassurance and to help rebuild, where necessary, an employee's confidence.
- On the conclusion of any investigation and any related disciplinary proceedings, the child or children who made the allegations and their parents should be informed of the outcome of the proceedings, and appropriate support for them should be considered.

5. Allegations found to be without substance

Where, following the initial consideration, the allegation is found to be without foundation, the designated person will consider in consultation with the child protection agencies whether the child might have been abused by someone else;

- Consider, in consultation with the child protection agencies, appropriate counselling and support for the child or children who made the allegation(s);
- Inform the parents of the child or children of the allegation and the outcome;
- Prepare a report setting out in conclusion that the allegation is without foundation, with reasons.

The HR Director will:

- Inform the employee of the allegation and the fact that no further action is to be taken under disciplinary or child protection procedures. The employee may be accompanied by a union representative or colleague;
- Consider whether counselling and/or informal professional advice to the employee is appropriate and the form either might take.

On the conclusion of any investigation and any related disciplinary proceedings, the child or children who made the allegations and their parents should be informed of the outcome of the proceedings and appropriate support for them should be considered.

6. Confidentiality and information sharing

Every effort will be made to maintain confidentiality and guard against publicity whilst an allegation is being investigated. A planned media response will be in place in case of breach of confidentiality.

7. Resignations and 'Compromise Agreements'

The fact that a person tenders their resignation or ceases to provide their services, must not prevent an allegation being followed up in accordance with these procedures. It is important that every effort is made to reach a conclusion in all cases of allegations bearing on the safety and well-being of C/ARs, including any in which the person concerned refuses to cooperate with the process.

8. Record Retention and Storage

The data protection act 2018 requires that everyone responsible for using personal data must follow 'data protection principles'. They must ensure the information is:

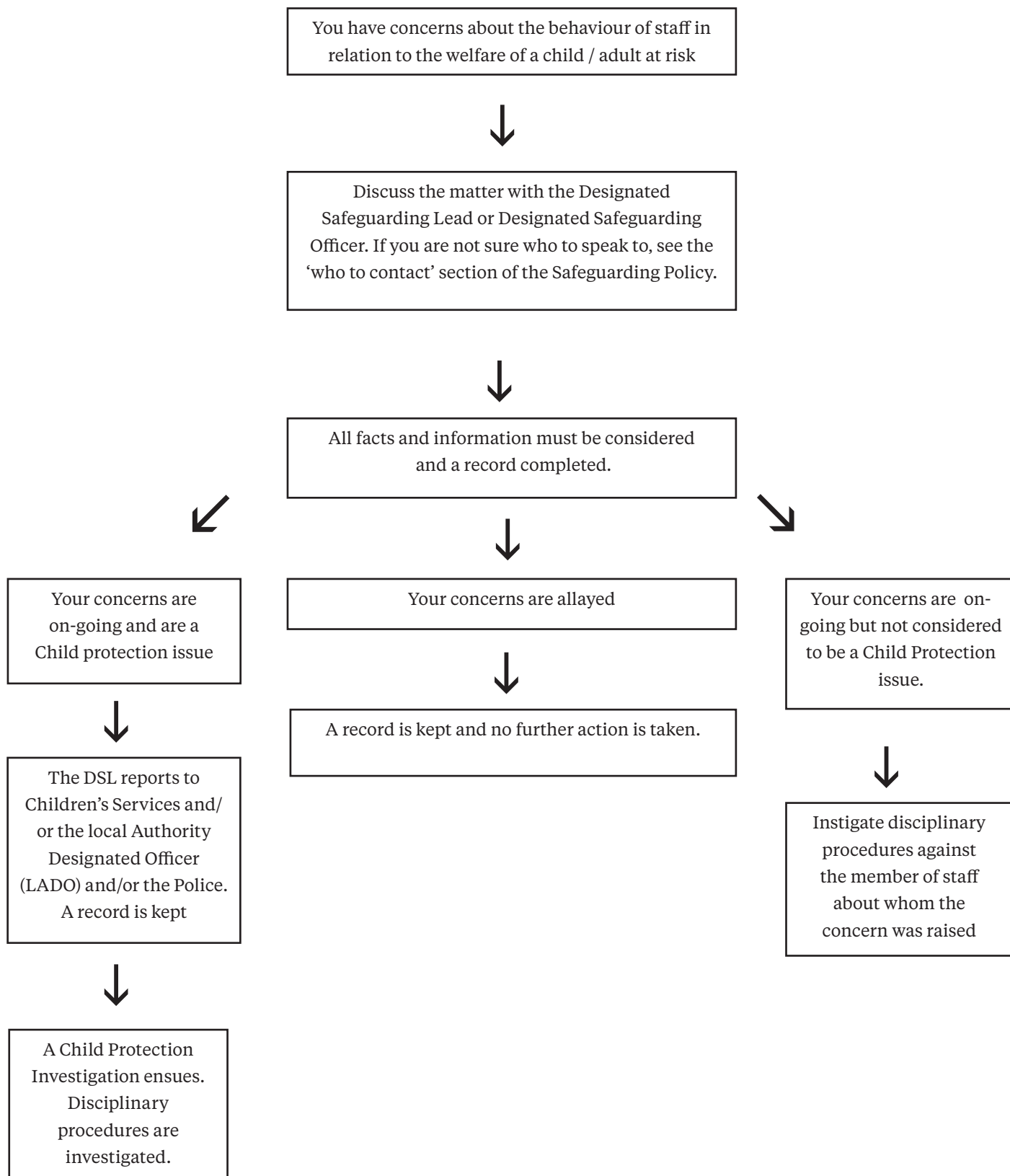
- Used lawfully and transparently
- Used for specific, explicit purposes

- Used in a way that is adequate, relevant and limited to what is necessary
- Accurate and up-to-date
- Kept no longer than is legally required
- Handled in a way that ensures appropriate security, including protection against unlawful or unauthorised processing, access, loss, destruction or damage.

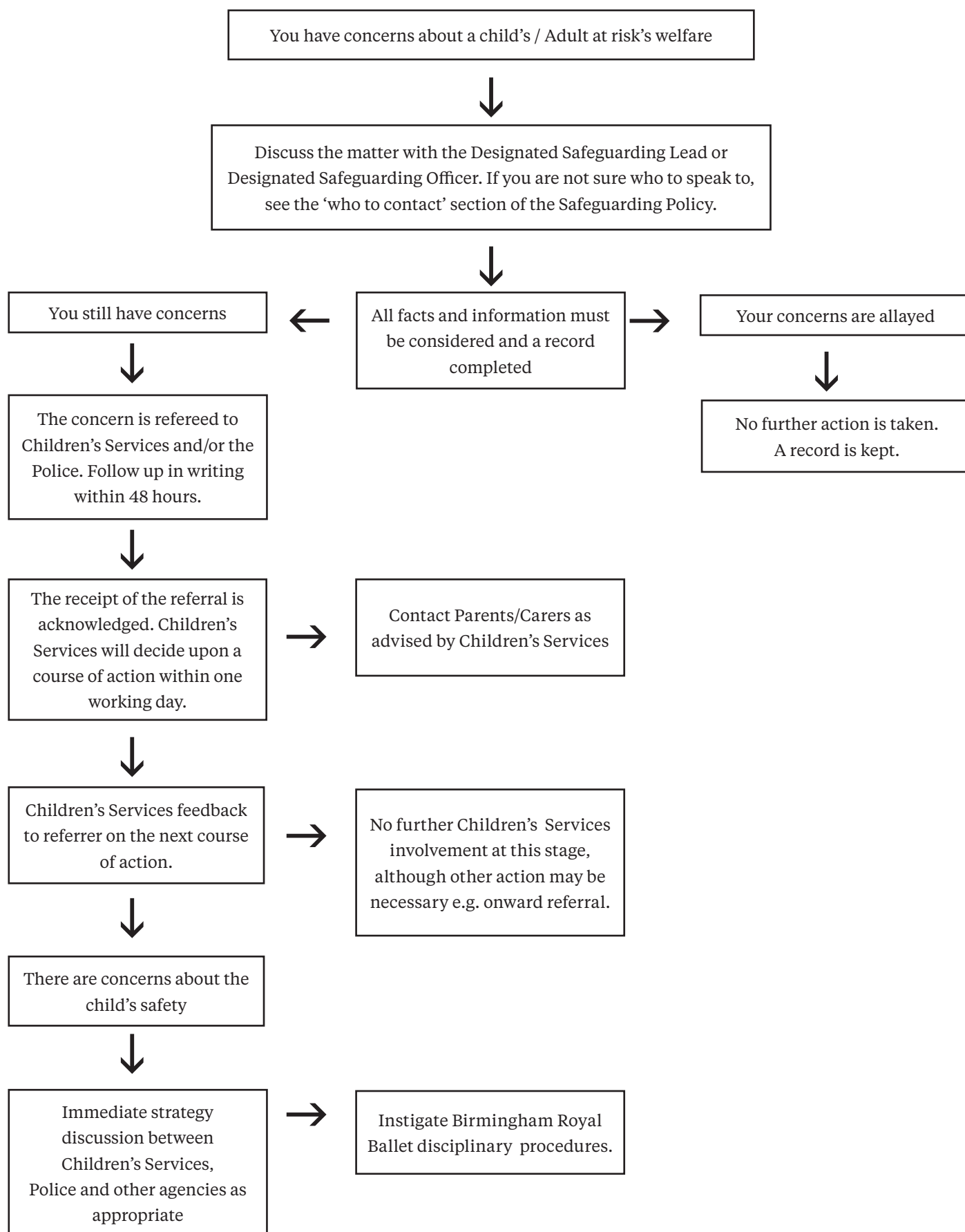
All personal information will be covered by the data protection act 2018 unless protection of the child is the most important consideration – which is addressed by Article 8 of the European Convention of Human Rights whereby disclosure of information would be for: 'the protection of health or morals, for the protection of the rights and freedoms of others and for the prevention of disorder or crime. Disclosure should be appropriate and only to the extent necessary to achieve that purpose'

- A comprehensive summary will be made of: any allegations made, how these allegations were followed up and resolved, any action taken and the decisions reached.
- These details will be kept in a person's confidential personnel file and a copy should be given to the individual such information should be retained on file, including for people who leave the organisation, at least until the person retires or for ten years, if that is longer. The records in the secure safeguarding folder will only be accessible by a designated Safeguarding team, in their absence a member of the Senior Leadership Team would access the information if required to do so.
- It is the responsibility of the Designated Safeguarding Lead to ensure that records are kept correctly and securely and that information is clear and accessible to any successor in post.
- NB: the word 'employee' is used in this document for convenience. These procedures apply equally to anyone working for Birmingham Royal Ballet in any capacity, whether freelance, or employed.

What to do if you have a concern about staff behaviour



What to do if you have a child welfare concern



Records, Retention and Storage

The data protection act 2018 requires that everyone responsible for using personal data has to follow data protection principles'. They must make sure the information is:

- Used lawfully and transparently
- Used for specified, explicit purposes
- Used in a way that is adequate, relevant and limited to only what is necessary
- Accurate and where necessary kept up to date
- Kept no longer than is necessary
- Handled in a way that ensures appropriate security, including, protection against unlawful or unauthorised processing, access, loss destruction or damage

All personal information will be covered by the Data Protection Act 2018 unless where there is an immediate risk of harm to a child or adult at risk and a disclosure needs to be made to the local authority and or Police. Disclosure should be appropriate and only to the extent necessary to achieve that purpose.

All paperwork will be kept in line with the safeguarding record, retention and storage guidelines.

Document	Period of Retention	Location	Other Comments
Child welfare concern reported to the Police or Social Care	30 years	Secure Safeguarding Reports Folder on SharePoint	Record should be kept with acknowledgement receipt from Police or social care
Child welfare concerns not reported to Police or Social Care	1 year after last contact with service user	Secure Safeguarding Reports Folder on SharePoint	
Record of child protection allegation against an employee/volunteer	6 years after employment ceases	Stored on HR password protected systems and in the Safeguarding Reports Folder.	
Record of behaviour that harmed a child or Criminal offence committed	30 years	Stored on HR password protected systems and in the Safeguarding Reports Folder.	Record should be kept with acknowledgement receipt from Police or social care
Unsubstantiated Concerns that behaviour indicates their unsuitability to work with children	6 years	Stored on HR password protected systems and in the Safeguarding Reports Folder.	
DBS Checks as part of the vetting process	6 years after employment ceases	Stored on HR password protected systems	Date and reference number check should be kept. Copies of the Certificate should not be kept.
Child Licences for Performances (including BOPA)	Kept for the following season. (1 year)	Company Office and LEAP Folders on SharePoint	Except where a safeguarding concern has been raised and the above retention will be in place.

A comprehensive summary will be made of: any allegations made, how these allegations were followed up and resolved, any action taken and the decisions reached.

These details will be kept in the Safeguarding Reports Folder where the only people with access is the Designated Safeguarding Lead and Designated Safeguarding Officers. In their absence during an investigation report will be shared with the HR Director and member of the Senior Leadership Team involved in the investigation.