

## British Motor Industry Heritage Trust Policy for the Safeguarding of Children, Young People and Vulnerable Adults

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### Revision History:

Date	Reviewer	Issue No.	Reason
March 2020	Emma Rawlinson, Claire Broader, Hannah Dobson	Issue 2	Major review
March 2022	Emma Rawlinson, Claire Broader, Hannah Dobson	Issue 3	Continuation of 2020 review
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### Key Staff

#### Safeguarding Officer(s):

- Emma Rawlinson
- Claire Broader
- Jim Ellison
- Hannah Leese

#### Duty Manager(s)

**Managing Director**  
**Head of Operations**  
**Trustees**

### Other Relevant Policies and Procedures

OP/OPS/46 - Off Site Visits by BMM Volunteers & Staff  
OP/OPS/44 - Lost Child/Vulnerable Adult Procedure  
OP/OPS/56 - Work Experience Placements  
POL/HR/10 - Disciplinary Policy and Procedure

### Other Relevant Risk Assessments

BMM/LED/03 – Work Experience Placement  
BMM/LED/05 – Craft Activities & Museum Quiz Trail  
BMM/LED/11 – Object Handling  
BMM/LED/01 – General Museum Visit for Educational Group  
BMM/OP/10 – Off Site Visits Risk Assessment  
BMM/OP/02 – General Museum Visit

## Contents

Purpose .....	3
Introduction.....	3
Policy Statement.....	4
Legal Context.....	4
Children and Young People.....	4
Vulnerable Adults .....	5
Roles and Responsibilities.....	5
Staff, Volunteers and Contractors .....	5
Line Managers.....	5
Duty Managers .....	6
Safeguarding Officer(s).....	6
Head of Operations.....	6
Trustees .....	7
Recruitment and Selection of Staff, Volunteers and Contractors.....	7
Reporting Procedure.....	8
Statement of Investigation.....	8
Responding to a Safeguarding Concern .....	8
Recording Information.....	9
Training .....	10
Training Schedule.....	10
Due Diligence Checks .....	10
Policy Review .....	11
Appendices.....	12
Appendix 1 - Definitions of Abuse .....	12
Appendix 2 - Safeguarding Reporting Flowchart .....	15
Appendix 3 - Safeguarding Incident Report Form.....	16
Appendix 4 - Contact Information for External Safeguarding Boards.....	18

## Purpose

This policy sets out how the British Motor Industry Heritage Trust (the 'Trust') operates to safeguard children, young people and vulnerable adults. The Trust has a duty of care and is committed to the protection and safety of children, young people and vulnerable adults involved as visitors and participants in all our activities both on and off site. The Trust also wants to protect and support its staff who work or come into contact with these groups.

For the purposes of this policy, the term "vulnerable adult" refers to someone aged 18 or over who may have a physical, learning or sensory disability, a mental health problem, a serious illness, or may be an older person. "Children and young people" are defined as those persons aged under 18 years old.

This policy will apply to all staff, volunteers, Trustees and contractors and will be used to support their work at the British Motor Museum and off site where relevant. It has been drafted in line with best practice and following documentation available from the National Society for the Prevention of Cruelty to Children (NSPCC) and relevant Government legislation and guidance.

This policy will be ratified annually by the Trust Board of Trustees. It shall be made available on request to group leaders and relevant public authorities.

## Introduction

Every year children, young people and vulnerable adults visit the British Motor Museum, and the Trust wishes to ensure that all visitors are safe and protected from harm whilst on our premises. Children aged 16 or over entering our buildings and galleries without direct supervision are welcomed. Children under the age of 16 should be supervised by a responsible adult during their visit.

The Trust wishes to ensure its staff, volunteers, Trustees and contractors operate best practice standards, yet at the same time provide them with protection from unfair allegations. The guidelines in this policy will ensure that there is clarity about our obligations and standards.

Where necessary, the Trust will refer any issues or concerns involving protection to the appropriate agencies. If a safeguarding issue is encountered that constitutes, or may constitute a crime, the Police will be informed.

# Policy Statement

The Trust believes that:

- The welfare of children, young people and vulnerable adults is paramount.
- All children, young people and vulnerable adults have the right to protection from abuse.
- All suspicions and allegations of abuse must be properly investigated by the Trust and / or external authorities where relevant and dealt with swiftly and appropriately.
- Staff, volunteers and contractors must be clear on appropriate behaviour and responses. Where appropriate, failure by staff and volunteers to maintain standards may be dealt with using the Trust's Disciplinary Procedures; and
- Staff, volunteers and contractors may be asked to leave the British Motor Museum premises and be dealt with according to the relevant procedures if they have been found to be acting inappropriately.

The Trust will therefore ensure that:

- Staff and volunteers are carefully selected and trained in issues of Safeguarding to the level appropriate for their position.
- All staff and volunteers are aware of this policy for the protection of children, young people and vulnerable adults.
- Upon request, group leaders, service providers and any other interested parties are given information about Trust procedures regarding the safety of children, young people and vulnerable adults; and
- Risk assessments are supplied to assist with the planning of any education, community, group or general Museum visit, when requested.

## Legal Context

### **Children and Young People**

This policy takes into account relevant legislation and guidance including:

- The Children Act 1989 and 2004
- The Children and Families Act 2014
- Working Together to Safeguard Children (HM Government 2018)
- Every Child Matters: Change for Children (HM Government 2004)

These Government frameworks include an outcome that children should be able to stay safe, live in a safe environment and be protected from harm. This means that all organisations providing services to children have responsibility to share

information and work together, to protect children and young people from harm and help them achieve what they want in life. Staying safe is about helping to address bullying, crime and anti-social behaviour, and protecting children who are at risk of abuse and neglect.

## **Vulnerable Adults**

This policy takes into account relevant legislation and guidance including:

- The Local Authority Social Services Act 1970
- Safeguarding Vulnerable Groups Act 2017
- The Care Act 2014
- The Equality Act 2010

Section 7 of the Local Authority Social Services Act 1970 gives local authorities the responsibility for developing partnership working to protect vulnerable adults and to have an interagency safeguarding procedure. This means that safeguarding vulnerable adults stems from statutory guidance. This Act also outlines the expectation that the statutory, independent and voluntary sectors will be partners in this process. For the purposes of this policy, the same principles that can be applied to children and young people should be used to ensure appropriate action is taken to protect vulnerable adults.

## **Roles and Responsibilities**

### **Staff, Volunteers and Contractors**

All staff, volunteers and contractors have a responsibility to maintain appropriate standards of behaviour and to report lapses in these standards by others. All staff should discuss concerns immediately with their Line Manager or if not available, with a Duty Manager and / or Safeguarding Officer. Any concerns or reasonable suspicions of abuse should be reported immediately. If your Line Manager is not available or is part of the cause of your concern, then you should report the matter to the Duty Manager or Safeguarding Officer. Any safeguarding concerns that are raised should be documented as soon as possible afterwards using the Safeguarding Incident Report (Appendix 3).

### **Line Managers**

Line Managers will monitor the implementation of the policy for their respective areas as per procedure and will also be responsible for ensuring that staff who raise a concern are provided with the necessary support and complete all required documentation, i.e. Safeguarding Incident Report Form (Appendix 3).

Serious concerns involving the conduct of a member of staff, volunteer or contractor must be referred immediately to the Head of Operations.

## **Duty Managers**

All Duty Managers are to deal with any operational safeguarding issues that arise including lost and found children / vulnerable adults. It is also the Duty Manager's responsibility to decide when to notify the Safeguarding Officer or Head of Operations about a safeguarding incident.

## **Safeguarding Officer(s)**

The Safeguarding Officer(s) will be trained specifically to undertake this role within the Trust. They will take the lead in ensuring that appropriate arrangements are in place for keeping children, young people and vulnerable adults safe at the Trust. They will promote the safety and welfare of these groups by developing and reviewing the Trust's safeguarding policies, procedures and risk assessments.

They will ensure everyone working or volunteering with children, young people and vulnerable adults at the Trust (including the board of trustees), understands the safeguarding and child protection policy and procedures and knows what to do if they have welfare concerns. Where possible, they will be on hand to offer advice and support if a safeguarding incident occurs.

## **Head of Operations**

The Head of Operations will be responsible for implementing procedures relating to selection, vetting, training and induction, and for advising on any disciplinary action required.

Any allegations of inappropriate behaviour by staff, volunteers, contractors or visitors must be reported by Line Managers or the Duty Manager / Safeguarding Officer to the Head of Operations, who will liaise with the Police and Social Services as necessary.

In these circumstances, the role of the Head of Operations is to:

- Assess information promptly and carefully, clarifying or obtaining more information about the matter as appropriate.
- Consult initially with the Trust's HR Coordinator and where appropriate, the local Police and other statutory bodies.
- Make a formal referral if required to a statutory child protection agency or the Police; and
- Inform the Managing Director of the situation.

It is not the role of the Head of Operations to decide whether a child / vulnerable adult has been abused or not; this is the task of the Social Services Department which has this legal responsibility (in case of children), or of the Police. The Head of Operations will pass information on to the relevant authorities who have the necessary expertise to make the required decisions about the action required. In all serious cases involving Safeguarding issues, the Head of Operations must be contacted as soon as possible.

### **Trustees**

The Trustees should provide the Safeguarding Officers and Head of Operations with support and positive challenge. They should check that everyone in the organisation is receiving safeguarding and child protection training that's appropriate to their role. Trustees need to act as a 'critical friend' as part of the process to regularly review and update safeguarding measures. They should scrutinise policies and procedures and ask relevant questions to make sure their organisation is following best practice.

## **Recruitment and Selection of Staff, Volunteers and Contractors**

Legislation states that an individual may be disqualified from working with children and vulnerable adults if they are included on one or more of the barred lists maintained by the Disclosure and Barring Service. It is a criminal offence for any employer to knowingly recruit a disqualified individual into a post working with children or vulnerable adults. This also extends to volunteers and contractors.

As part of the recruitment process the HR Coordinator will ensure successful applicants, for positions which require **frequent** or **intensive** contact with children or vulnerable adults, complete a Disclosure Application.

- The **frequent** contact test will be met if the work takes place once a week or more; and
- The **intensive** contact test should be met if the work takes place on 4 days in one month or more, or overnight.

The level of the disclosure will be dependent upon the extent to which the post involves working with children or vulnerable adults. Wherever possible, these checks will have been completed prior to the start date. Until checks have been completed and security clearance has been granted, employees will not be eligible to work with children or vulnerable adults. At interview, all applicants will be required to account for any gaps in employment history.

# Reporting Procedure

The reporting procedure is to be followed by staff, volunteers and contractors in the case of a suspected or alleged abuse of a child, young person or vulnerable adult.

## Statement of Investigation

It is vital that anyone who suspects that a child / adult is at risk of harm or abuse takes personal responsibility to act. Keeping worries or concerns to yourself may put children and vulnerable adults at further risk of harm. It is not the Trust's responsibility to investigate a child or adult safeguarding complaint but to refer concerns on to local children's or vulnerable adults' social care departments or the Police. The Head of Operations will be responsible for investigating any potential breaches of this policy involving staff, volunteers or contractors.

## Responding to a Safeguarding Concern

Concerns about adults and children may arise in different situations:

- You may witness or observe something.
- You may hear something from others (in person, on the phone, via email or letter).
- You may be told directly.

The following guidance must be followed if you receive an allegation of child or vulnerable adult abuse:

- Ensure the immediate welfare of the child / young person or vulnerable adult in question. Check if any medical attention is required.
- Listen to the allegations being made with an open mind.
- Check your understanding of the situation, without asking leading questions.
- Explain that you cannot keep such information confidential, and that you have a responsibility to report what has been said to someone else.
- Report the matter as soon as possible to your Line Manager and / or the Duty Manager. The reporting process to be followed in these situations is explained in the Safeguarding Reporting Flowchart (Appendix 2).
- Make a note of the discussion as soon as possible afterwards by filling out the Safeguarding Incident Report Form (Appendix 3). Take care to record the timing, setting and people present as well as what was said. Try to record the words that were actually spoken and not your own interpretation of them.



If the allegation concerns a visitor or member of the public, the Duty Manager should consider whether there are reasonable grounds for excluding them from the site until an appropriate investigation can be carried out. In some cases, the immediate involvement of the Police may be appropriate. For example, if anyone was causing harm to a child or adult in a public place then the involvement of the Police **must be sought immediately**. In all incidents where the Police are called to attend the Museum, the Managing Director must also be informed.

If the child, young person or vulnerable adult involved is part of an organised group, the Duty Manager will consult with the group's leader and make every effort to agree an appropriate course of action.

If the child, young person or vulnerable adult involved is with a family member or other responsible adult and they are not causing the harm, the Duty Manager will consult with this person and will make every effort to agree an appropriate course of action.

If the child is under 16 years of age or a vulnerable adult and is unaccompanied the Duty Manager will speak to the child / vulnerable adult and then decide on the appropriate course of action. Children that are suspected of being truants should not be asked to leave the venue but their whereabouts within the venue should be discreetly monitored for their own safety. On being advised that there may be a possible truant within the venue the Duty Manager should, in the company of another staff member, ask their name and date of birth and try to establish the reason they are not at school. This information should then be passed to the Attendance, Compliance & Enforcement Service (see Appendix 4 - Contact Information for External Safeguarding Boards).

If any allegations concern another member of staff, volunteer or contractor, this must be raised with his/her Line Manager and/or the HR Coordinator. Staff, volunteers or contractors may be asked to leave the British Motor Museum premises if they have been found to be, or are suspected of, acting inappropriately. If a formal investigation is deemed necessary then this will be carried out by the Head of Operations in accordance with the Disciplinary Policy and Procedure. Depending on the nature of the allegation, the Trust may be required to involve the appropriate authorities, including the Police. If relevant external authorities need to be informed then this should be done by the Trust's Head of Operations.

## **Recording Information**

All staff should discuss their concerns immediately with their Line Manager or the Duty Manager.

Use the Trust Safeguarding Incident Report Form (Appendix 3) to record as much information as you can about the situation; what has happened, where and when, who was involved and any contact details if available. Also record what action has been taken so far.

This information should be passed immediately to your Line Manager or the Duty Manager. You can do this by phone, email or in person.

It is important to pass on what information you have, even if the informant has only divulged a little or will not give his/her details. This information must be maintained in the strictest confidence and failure to treat such information confidentially may be viewed as a potential disciplinary matter.

Safeguarding Incident Report Forms will be maintained and monitored by the Head of Operations (in cases involving members of the public) or the HR Coordinator (in cases involving staff, volunteers or contractors).

## Training

The Trust will provide and explain the contents of this policy to all new staff and volunteers in the course of the induction process.

The Trust will ensure that all staff have access to the Safeguarding policy via the company intranet system. Upon request, group leaders, service providers and any other interested parties will have the policy made available to them.

### **Training Schedule**

Safeguarding Officer(s) and Duty Managers will attend specialist training to perform their roles within the scope of this policy. This training will be refreshed annually and repeated, in full, on a two-yearly basis.

Trustees and Line Managers will undertake general Safeguarding training in line with their roles and be repeated on a two-yearly basis.

All staff and volunteers will receive an annual Safeguarding briefing.

Any individual need for more detailed guidance and training will be provided/facilitated by their Line Manager.

## Due Diligence Checks

Risk assessments for all activities run by, or on behalf of, the Trust by third parties will be created either by the Trust or in conjunction with the third party prior to the event. These will be accessible to all staff on the Trust's intranet. All

third-party staff who will potentially engage with a child or vulnerable adult will be required to produce an up-to-date DBS check.

## Policy Review

This policy will be reviewed on an annual basis to take into account any changes to Government legislation and relevant Trust procedures.

# Appendices

## **Appendix 1 - Definitions of Abuse**

Although the legal context is different for vulnerable adults, much of the following information on types of abuse and neglect for children does apply for vulnerable adults too.

### **Abuse and Neglect – Children**

It is generally accepted that there are four main forms of abuse of children. The following definitions are based on those from Working Together to Safeguard Children (HM Government 2010) and Safeguarding Children: Working Together under the Children Act 2004.

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

### **Physical Abuse**

Physical abuse may involve hitting, shaking, throwing, poisoning, burning or scalding, drowning, suffocating, or otherwise causing physical harm to a child. Physical harm may also be caused when a parent or carer fabricates the symptoms of, or deliberately induces illness. An important indicator of abuse is where bruises or injuries are unexplained or the explanation does not fit the injury.

### **Emotional Abuse**

Emotional abuse is the persistent emotional ill treatment of a child such as to cause severe and persistent adverse effects on the child's emotional development. It may involve making a child feel or believe they are worthless or unloved, inadequate, or valued only insofar as they meet the needs of another person. It may involve serious bullying causing children frequently to feel frightened or in danger, or the exploitation or corruption of children. It may involve seeing or hearing the ill treatment of others. Some level of emotional abuse is involved in all types of ill treatment of a child, though it may occur alone.

## **Sexual Abuse**

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

## **Neglect**

Neglect is the persistent failure to meet a child's basic physical and psychological needs, likely to result in the serious impairment of the child's health or development. It may involve a parent or carer failing to provide adequate food, shelter and clothing, failing to protect a child from physical harm or danger, or the failure to ensure access to appropriate medical care or treatment. It may also include neglect of a child's basic emotional needs.

## **Bullying**

Bullying may come from another young person or an adult. It can be defined as deliberate hurtful behaviour, usually repeated over a period of time, where it is difficult for those bullied to defend themselves.

There are four main types of bullying.

1. Physical (e.g. hitting, kicking, slapping)
2. Verbal (e.g. racist or homophobic remarks, name-calling, graffiti, threats, abusive text messages)
3. Emotional (e.g. tormenting, ridiculing, humiliating, ignoring, isolating from the group),
4. Sexual (e.g. unwanted physical contact or abusive comments).

Please note that some of the above may be deemed a crime and warrant investigation by the Police.

## **Additional Information**

Some children and vulnerable adults may be particularly vulnerable to abuse. For example, there is research which has found that disabled children are three times more likely to be abused than non-disabled children. Reasons for this might include disabled children and vulnerable adults:

- Having fewer outside contacts than other children.
- Having an impaired capacity to resist or avoid abuse.

- Requiring intimate care from a number of carers which may both increase the risk of exposure to abusive behaviour and make it more difficult to set and maintain physical boundaries.
- Using different communication methods or lack of appropriate vocabulary which might provide a barrier for being able to communicate their concerns.

Some studies suggest children from minority ethnic groups may be at increased risk of abuse through factors such as stereotyping, prejudice and discrimination.

### **Vulnerable Adults Abuse – Definitions**

A vulnerable adult is someone who:

Is over the age of 18 who may have a physical, learning, or sensory disability, a mental health problem, a serious illness, or may be an older person.

#### **Adult abuse is:**

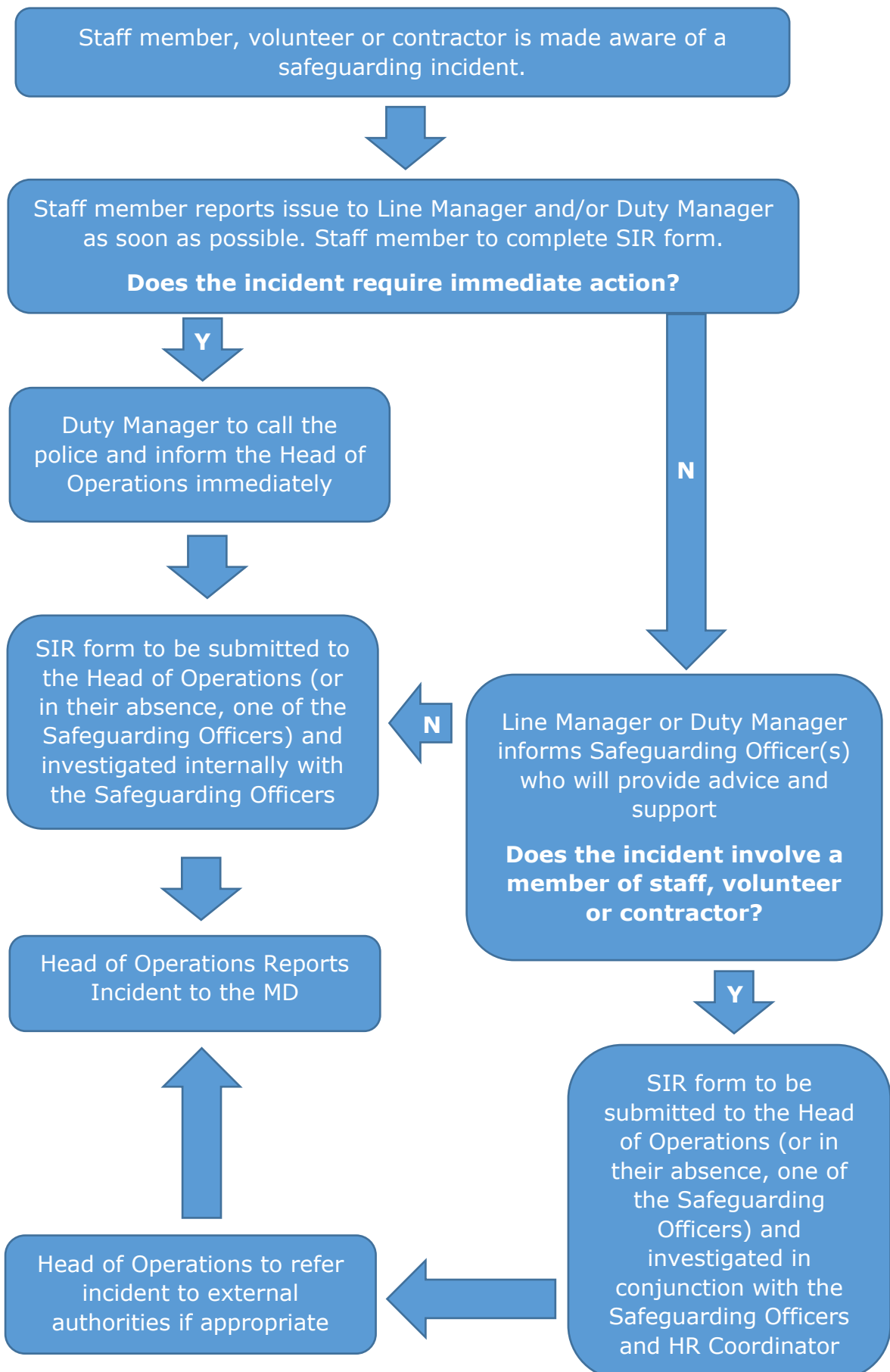
- A violation of an individual's human and civil rights by any other person or persons.
- Any behaviour towards a person that deliberately or unknowingly causes him or her harm, endangers their life or violates their rights.
- Abuse may be physical, sexual, emotional, financial or through neglect or discrimination.
- Abuse may be perpetrated by an individual, a group or an organisation.

Abuse can also be caused by poor or bad professional practice and is sometimes called "Institutional" or "Practice" abuse.

### **Financial Abuse, Discriminatory Abuse and Institutional Abuse:**

- Financial abuse is abuse or misuse of possessions or money. Indicators may be an unusual shortage of money to pay bills or buy food or to maintain adequate living conditions.
- Discriminatory abuse is harassment or similar discriminatory or derogatory treatment which is racist, sexist or refers to disability or any of the other protected characteristics covered by the Equality Act 2010.
- Institutional abuse or Practice abuse is neglect due to bad or poor care practice or unsatisfactory professional practice and low standards.

## Appendix 2 - Safeguarding Reporting Flowchart



## Appendix 3 - Safeguarding Incident Report Form

To be filled out by the person reporting the concern. Please fill out all the information that is known.

<b>Name of Child/ Vulnerable Adult</b>		<b>Age and D.O.B</b> <i>(if known)</i>	
<b>Special factors</b> <i>(e.g. disability)</i>			
<b>Home Address</b>			
<b>Telephone number(s)</b>			
<b>Location of incident</b>			
<b>Description of what has prompted concerns:</b>			
<i>Please include details of any specific incident, dates, times etc. and describe any physical or behavioural indicators which have been observed:</i>			
<b>Have you or anyone else spoken with the child/vulnerable adult?</b>		<b>Yes / No</b> <i>(delete as appropriate)</i>	
<i>If yes, please provide details of what was discussed:</i>			



<b>Have you or anyone else spoken with the parents/carers/or other adult?</b>		<b>Yes / No</b> <i>(delete as appropriate)</i>	
If yes, please provide details of what was discussed:			
<b>Was this incident reported to a senior member of staff or Duty Manager at the time of occurring?</b>		<b>Yes / No</b> <i>(delete as appropriate)</i>	
If yes, please provide the name and job title of the person it was reported to and the time and date it was reported.			
<b>Your Name</b>		<b>Job Title</b>	
<b>Signature</b>		<b>Date</b>	

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**This section is to be completed by the Head of Operations:**

<b>Any further action taken?</b>

<b>Signature</b>		<b>Date</b>	
<b>Print Name</b>			

**Record to be kept by:-**

Head of Operations

☐

HR Coordinator

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*Please refer to the 'Safeguarding Reporting Flowchart' (within the Safeguarding Policy) for guidance on the reporting structure and submitting this form.*

## **Appendix 4 - Contact Information for External Safeguarding Boards**

There are separate safeguarding boards for the local areas for both children / young people and adults.

### **Children and Young People**

The appropriate safeguarding board to contact is the one based where the child or young person lives. If it is not possible to confirm the address, referral should be made to the Warwickshire Safeguarding Children Board.

Warwickshire Safeguarding Children's Board: 01926 410410

If there is concern that the child is truanting then the Duty Manager should report their concern to the Warwickshire Attendance Service (WAS) who will pass the information to the relevant school.

WAS: 01926 413777

Other useful numbers:

NSPCC 24 hour helpline 0800 800 5000

Childline 24 hour helpline 0800 1111

### **Adults**

Warwickshire Adult Social Care Team: 01926 410410 (Mon-Fri - 8am-5pm)  
01926 886922 (Out of Hours)