

TATE
SAFEGUARDING
POLICY AND PROCEDURES

JANUARY 2020

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1. TATE'S VISION AND AIMS

Tate's vision is to serve as artistically adventurous and culturally inclusive art museums for the UK and the world that are open, bold, rigorous and kind in all that we do. Ensuring a safe environment for children, young people, adults and protected characteristics has been at the heart of Tate's work in recent years and, with our new 5 year strategy now approved and ahead of ambitious initiatives to engage an increasing number of children, young people and families, it is essential that we have a clear safeguarding policy that all staff understand supported by robust procedures that staff adhere to.

This policy and associated procedures will be regularly reviewed during 2019 and 2020 in the light of experience from initiatives such as Year 3. It is essential that staff regularly review and update themselves on the policy and procedures.

2. SCOPE OF THE POLICY

- 2.1 Tate defines safeguarding as the range of measures in place to protect people at Tate or those it comes into contact with from abuse or maltreatment of any kind. This broader definition of safeguarding is in line with the Charity Commission. Safeguarding is about all adults and children being kept safe and free from harm.
- 2.2 This policy sets out principles regarding Tate's safeguarding responsibilities and is consistent with all relevant legislation and statutory guidance including the Health, Safety and Welfare Act 1974, the Protection of Children Act 1999, the Children Act 1989 and 2004, the Safeguarding Vulnerable Groups Act 2006, the Care Act 2014 and Working Together to Safeguard Children 2018 and the Equality Act 2010.
- 2.3 This policy applies to all people working on Tate sites in whatever capacity (employee, casual worker, volunteer (including trustees), student, freelancer, agency worker or contractor), including those working for Tate Gallery, Tate Eats and Tate Commerce or for one of Tate's external contractors. Throughout the rest of this document, these individuals will be referred to, for ease and simplicity, as 'Tate staff and volunteers'.
- 2.4 We recognise that Tate's visitors - whether teachers, parents, carers or members of the general public -also have a part to play in helping keep Tate's sites safe for everyone. We have added this policy to our public website so that our visitors have access to our Safeguarding Policy

3. CREATING A SAFE ENVIRONMENT

This section provides an introduction and overview of Tate’s safeguarding policy.

- 3.1 Although safeguarding is in respect of everyone at Tate, we recognise that children and vulnerable adults are the most vulnerable individuals/groups Tate has contact with. Children and vulnerable groups have contact with Tate in many different ways. For example, they may visit our exhibitions and displays, attend our events and workshops or log onto our website. Whoever come into contact with us, we want them to be safe from harm. All staff should:
- Treat children and adults with respect
 - Listen to and take account of children’s views
 - Take concerns about their welfare seriously
- 3.2 Tate upholds the principle that the welfare of our visitors is paramount and that all individuals whatever their age, disability, race, ethnicity, religion or belief, sex, gender identity or gender expression, sexual orientation, marriage or civil partnership, or any other equality characteristic. have the right to protection from abuse.
- 3.3 The word ‘child’ or ‘children and young people’ is used to refer to anyone under the age of 18, as defined by the Children Act 1989.
- 3.4 An “adult at risk”/vulnerable adult is defined by the Care Act 2014 as an adult who has needs for care and support (whether or not the local authority is meeting any of those needs) and; is experiencing, or at risk of, abuse or neglect; and as a result of those care and support needs is unable to protect themselves from either the risk of, or the experience of abuse or neglect.
- 3.5 Tate’s safeguarding procedures are intended to:
- Offer safeguards to the children and adults with whom we work, and to our members of staff and volunteers
 - Help to maintain professionalism and high standards of practice.

Tate recognises that any policy and/or procedure is only as effective as the ability and skill of those who operate it. We are therefore committed to:

- Recruiting staff and all those that work on our behalf, either paid or in a volunteer capacity, safely, ensuring all necessary steps are taken and checks are made, in line with our recruitment and vetting procedures as outlined in our [Safer Recruitment policy](#) which can be accessed through the HR department or Tatenet.
- Training and supervising all staff and volunteers to adopt best practice to safeguard and protect children and vulnerable groups against abuse, and themselves against allegations being made against them providing a code of conduct for all

- Ensuring staff and volunteers are made aware of the Safeguarding Policy at induction
- Ensuring all Tate’s exhibitions and displays, workshops, events and activities are planned and organised with safeguarding as a priority
- Storing children and adults’ contact information, images, records and correspondence securely for the appropriate time period
- Ensuring that all our partners and contractors adhere to best practice in safeguarding children and adults
- Taking all concerns and/or allegations of abuse or risk to children and adults seriously, and responding to these swiftly and appropriately through the safeguarding procedures
- Sharing information about concerns with those relevant agencies which have a legal duty to act, and involving parents/carers/teachers where appropriate
- Providing support to staff and volunteers, if and where appropriate and to children and/or adults when concerns are shared

In addition to this policy there are other relevant Tate policies and procedures that have aspects which relate to safeguarding and should be read in conjunction with this document as relevant to your role and responsibilities. These are:

- Safer Recruitment Policy
- Disciplinary and Grievance Policy
- Whistleblowing Policy
- Social Media Policy
- Code of Conduct
- Photography & Film Making – Guidance on Consent and Data Protection (included as Appendix E)
- Dignity and Respect Policy

- 3.6 Breaches of the safeguarding policy will be taken seriously and may require disciplinary procedures to be applied and/or a referral to the police or children’s social care or Adult Safeguarding Board at the relevant local authority.
- 3.7 Tate’s safeguarding policy was first adopted in January 2013. It has been substantially updated and reviewed in 2019. It will continue to be amended and updated throughout 2019 and 2020 in the light of experience emerging from the Year 3 project and other relevant initiatives. The next formal review of the policy will be in October 2020.

4. ROLES AND RESPONSIBILITIES FOR SAFEGUARDING WITHIN TATE

Although all staff have a responsibility for safeguarding, there are a number of specific roles within Tate which exist to support, advise and refer any concerns to the authorities should this be necessary.

4.1 The Designated Safeguarding Representative (DSR) and Deputy (DDSR) will:

- Be responsible for ensuring Tate's Safeguarding policy and procedures are regularly reviewed and kept up-to-date.
- Promote the importance of safeguarding across the organisation
- Manage allegations or concerns about abuse against Tate staff
- Ensure mechanisms are in place to communicate and raise awareness about safeguarding issues.
- Keep senior managers and trustees up to date on safeguarding issues, providing reports and monitoring information on at least a quarterly basis
- Co-ordinate the Designated Safeguarding Officer (DSO) network ensuring that there are sufficient trained DSOs in place across the organisation and that the network meets at least quarterly to review safeguarding issues and share good practice.
- Ensure that roles at Tate are risk assessed and that security vetting is carried out in accordance with Tate's Safer Recruitment policy.
- Ensure the DSO network receive appropriate training and have oversight of basic safeguarding training for the organisation.
- Contact statutory services (eg Children's Social Care or Adult Safeguarding Boards) when appropriate
- Ensure incidents are dealt with and reported appropriately
- Collect monitoring data on all safeguarding concerns raised, their management and outcome in order to check compliance and note any lessons learnt
- Evaluate the effectiveness of safeguarding within the organisation and ensure records of any concerns reported are maintained and stored securely.

Tate's Designated Safeguarding Representative is Victoria Cheetham, Chief Operating Officer.

Tate's Deputy Designated Safeguarding Representative is Lisa Mack, Interim Head of HR.

4.2 The Designated Safeguarding Officers (DSOs) will:

- Act as first point of contact for all staff, contractors and volunteers for advice if they are concerned about the safety and welfare of a child or adult.
- Referring incidents to the DSR so they can be reported to the relevant statutory service (eg Children's Social Care or Adult Safeguarding Boards) if

this is deemed appropriate

- Keep accurate records of safeguarding concerns and actions taken and then ensuring that a report of any incident that is reported to them is then forwarded to the DSR using the safeguarding forms provided by Tate
- Be familiar with all aspects of Tate's Safeguarding policy and procedures
- Keep accurate records of concerns about children and actions taken
- Ensure that staff in their departments are aware of the Safeguarding policy and procedures and how to proceed if they have a concern about a child or adult.
- Participate as a member of Tate's DSO network which meets quarterly to share good practice and learning and review Tate's Safeguarding policies and procedures
- Support staff/volunteers after they have shared their concerns about a child or adult
- Contribute to the review and update of the safeguarding policy

For a full list of DSOs see [Appendix B](#).

4.3 Line managers will:

- Be familiar with Tate's safeguarding policy and procedures and able to guide any of their team members who are concerned about the safety and welfare of a child or adult to an appropriate DSO
- Ensure freelance, contracted staff, volunteers or students are informed about the person to contact if they have a concern about the safety and welfare of a child or adult
- Ensure that all staff know where they can find the safeguarding policy and procedures and communicate to them any changes in policy and procedures
- Ensure that new staff understand the safeguarding policy and procedures during their induction period

4.4 The DSO Network will:

- Meet quarterly to discuss safeguarding issues and share good practice and learning from incidents
- Be responsible for the implementation of the Safeguarding policy and procedures throughout Tate
- Act as an advisory group for Tate to draw on for operational safeguarding issues
- Contribute to the review of the Safeguarding policy and procedures
- Receive annual DSO training so they have up-to-date knowledge of safeguarding

4.5 Trustees

Trustees will receive quarterly reports from the DSR about safeguarding across Tate. Additionally, two Tate trustees have agreed to have Board responsibility and oversight for safeguarding. These trustees will have an important role in

ensuring the Board pays due regard to safeguarding issues.

The named trustees are

- John Booth
- Anna Lowe

5. RECRUITING AND SUPPORTING STAFF

- 5.1 Most people who apply to work for Tate will have the best motives for doing so. However, a small number of individuals who want to abuse children do sometimes target certain organisations as a way of gaining access to them. Others, although they do not deliberately set out to harm children, may hold unsuitable attitudes or behave in a way that harms children or vulnerable adults. Our Safer Recruitment policy and processes have been designed to deter these people from applying and will also help to identify unsuitable people that might apply.
- 5.2 All people working for Tate in any capacity, including employees, casual workers, interns, contractors, freelancers and volunteers, will be security checked in accordance with the requirements of the Cabinet Office Baseline Security Standard. Those who have particular roles and responsibilities which involve working directly with children, young people or adults carrying out regulated activity will be required to have a satisfactory Disclosure and Barring Service (DBS) Enhanced Disclosure and a check to be made against the barring list for children and/or adults, as appropriate.
- 5.3 All employment recruitment advertisements, recruitment packs and induction packs, and any print or online employment information that relates to roles which are required to work with children, young people and adults and undertake regulated activity will include the statement: 'Tate operates a Policy for the Protection of Children and Vulnerable Adults and successful applicants will be subject to a satisfactory Enhanced DBS Disclosure and a check against the barred list for children and/or adults, as appropriate. For further information please refer to <https://www.gov.uk/disclosure-barring-service-check/overview>'.

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

6. WORKING WITH CHILDREN AND ADULTS

- 6.1 This section outlines the behaviour expected of all Tate staff and volunteers in respect of their work and contact with children and adults.
- 6.2 This guidance will not only help to protect children and adults, but will also help all Tate staff and volunteers to identify any practices which could be mistakenly interpreted and perhaps lead to false allegations of abuse being

made. Safer working practices will protect Tate by reducing the possibility of anyone using their role within the organisation to gain access to those who are the most vulnerable in order to abuse them. This is because all members of Tate staff and volunteers will be expected to report any breaches of this code by any others working for or on behalf of the Tate.

- 6.3 If in doubt, you should always consider how an action or activity may be perceived as opposed to how it is intended.
- 6.4 This policy should guide all actions taken by Tate staff and volunteers. If it is necessary to act contrary to it, you should only do so after discussion and with the documented approval of your line manager or the person that has contracted you in.
- 6.5 Engaging directly with children and adults
- Work with children and adults in an open and transparent way.
 - Always listen to and respect children and vulnerable adults, regardless of their age, disability, race, ethnicity, religion or belief, sex, gender identity or gender expression, sexual orientation, marriage or civil partnership, or any other equality characteristic.
 - Ensure allegations by a child or adults are reported, including any made against you.
 - Avoid unobserved situations of one to one contact with a child or vulnerable adults.
 - Follow the procedures for reporting safeguarding concerns or allegations. Never agree to keep any information relating to the harm of a child or vulnerable adult confidential.
 - Ensure that your relationships with children and young people are appropriate to their age and take care that their language or conduct does not give rise to comment or speculation. Attitudes, demeanour and language all require care and thought. The use of swear words in the presence of children, even if not directed at them, is never appropriate.
 - Ensure that if you need to comfort a child or an adult who has become distressed, you do so in a way which is respectful of their personal space. Never act in a way which may be perceived as threatening or intrusive; ask before you act
 - Ensure that dangerous or otherwise unacceptable behaviour by a child or adult is managed appropriately
 - Ensure that the focus of your relationship with a child you have met through work is always on work. The aim should never be, or become, to develop the relationship into a long-term friendship.
 - Never invite, or allow, a child or vulnerable adult you have met through work into your home or make contact with them outside of work. Never make sexually suggestive remarks or discriminatory comments to, in front of a child
 - Be mindful of keeping yourself safe. Never act in a way that could be misconstrued or put yourself in a potentially vulnerable position

ONLINE SAFETY

- 6.6 Tate recognises the opportunities and challenges technology brings to those working with children and adults. We advocate applying the same principles, expectations and standards for interacting and communicating with children and adults online as in other areas of practice, maintaining personal and professional boundaries in their communications and contacts with children, their families and adults. Tate has a social media policy which must be followed by all staff. Remember safeguarding is about keeping staff safe as well as children and other adults. Never act in a way that could be misconstrued or put yourself in a potentially vulnerable position.
- 6.7 The term 'online safety' is defined here as the process of limiting the risks to children and young people when using any internet, digital and mobile technology. To this end, Tate expects all staff to adhere to the following at all times:
- When communicating with children online, observe the same rules of behaviour as if speaking with them in person; that is by being polite, respectful, not swearing or saying anything (using the written word, images or icons) that could be regarded as sexual innuendo, bullying or discrimination.
 - Always maintain professionalism in your communications online and on mobile devices.
 - Tate IT equipment (including computers, laptops, mobile phones, tablets, notebooks, etc) must not be used to view, download, create or share (with colleagues or children) illegal content including abusive images of children). Contact with children online should only be with the knowledge and approval of your line manager and strictly for Tate work purposes only.
 - If staff identify online concerns – be they be about illegal online content or suspicious behaviour by another adult online - then they must follow Tate procedures for reporting those concerns (see section 7.13 to 7.15' to 'section 8.12 to 8.14).
- 6.8 Staff must not:
- Give their personal contact details to any child. This includes personal mobile phone numbers, email address, home address, social networking accounts, personal website/blog URLs, online image storage sites, passwords etc
 - Communicate with children via any personal social networking sites (e.g. as Facebook, Instagram and Twitter)
 - Ask to become an online friend/contact of a child
 - Add/allow a child to join their contacts/friends list on personal social networking profiles
 - Share personal details with any child on a personal social network site
 - Use their work or personal digital camera/ phone / video for work unless this is part of Tate official business and has been agreed and documented

- as part of their role or for specific projects by their line manager.
- Play online games with any child unless part of official Tate business using professional accounts and devices.
 - Send any illegal or inappropriate content (written, images or icons) via mobile phones.
 - Seek to befriend a child or their family online whom you have met through work for any purpose whatsoever including for the purpose of developing a personal and/or sexual relationship.
 - Use their work or personal mobile phone to communicate with children. This includes phone calls, texts, emails, social networking sites etc.
 - Use the internet or social media communication to send personal messages to any child unless this is part of official Tate business using professional accounts and devices.

7. CONFIDENTIALITY AND INFORMATION SHARING

- 7.1 Sharing information appropriately and in a timely fashion is a very important part of keeping a child or adult safe from harm. Care must also be taken to ensure that both adults and children's confidentiality is maintained, and that information is handled and disseminated on a need to know basis only. Individuals must be confident that information held about them by Tate will only be disclosed to others either with their consent or when there is a legal duty to do so.
- 7.2 The principles of the Data Protection Act 2018 must be adhered to when handling personal information, that is: personal information is obtained and processed fairly and lawfully; only disclosed in appropriate circumstances; accurate, relevant and not held for longer than necessary; and kept securely.
- 7.3 The Act allows for the disclosure (in other words, sharing) of personal information without consent of the subject in certain conditions, including for the purposes of the prevention and detection of a crime, for example where there is a safeguarding concern.
- 7.4 It is best practice to gain verbal or written consent, from a child, adult or parent/carer before any personal contact data relating to them is shared with another organisation (such as children's social care). However, you may not need to seek consent to share information if it might be unsafe to seek (e.g. seeking consent might increase the risk to the child or adult) or causes an unjustified delay or if it would prejudice the prevention, detection or prosecution of a serious crime. The most important consideration is whether the child or adult needs to be protected. If in doubt about whether to share information, discuss with the DSR and seek advice from children's social care or the NSPCC Helpline or the Safeguarding Adults Board.

In summary, the principles for information sharing are that it is necessary and proportionate; relevant; adequate; accurate; timely; secure; and that a record is kept of having shared the information.

8. IDENTIFYING AND RESPONDING TO CONCERNS

- 8.1 Tate staff may, at times, have to respond to concerns about the welfare and safety of children and adults. This could include actual or alleged harm. Alternatively, a child or adult we are working with may tell someone of their abuse directly. If a child or adult is at immediate risk of harm, you need to act immediately and call Security first and then the duty manager. Otherwise, contact your DSO within one working day. A DSO may then take advice from, or refer onto, the DSR, who will then decide whether other agencies, such as the police or statutory services, need to be contacted.
- 8.2 There are 4 key steps to be followed:
1. Being alert to signs of abuse and neglect
 2. Questioning behaviours and listening to the individual
 3. Ask for help
 4. Referring to children's social care, safeguarding adults' boards and/or the police
- 8.3 Being alert to signs of abuse or neglect
- Welfare concerns may arise in many different contexts and can vary greatly in terms of their nature and seriousness. Children may be abused in a family or in an institutional or community setting, by those known to them or by a stranger, including via the internet. In the case of female genital mutilation, children may be taken out of the country to be abused. They may be abused by an adult or adults, or another child or children. An abused child will often experience more than one type of abuse, as well as other difficulties in their lives. Abuse and neglect can happen over a period of time but can also be a one-off event. Child abuse and neglect can have major long-term impacts on all aspects of a child's health, development and well-being.
- 8.4 You can become aware of the actual or alleged harm to, or abuse of, a child in a variety of ways:
- a child tells you
 - the child's play or behaviour
 - the child's appearance, including injuries the child's interaction with the parent/carer
 - someone else tells you that they suspect a child is being abused the behaviour of another adult towards a child

- you may observe harmful behaviour between a child and adult or between children

8.5 There are four broad categories of child abuse and neglect:

- Physical abuse
- Neglect
- Emotional abuse
- Sexual

8.6 It is important to be mindful that some children are particularly vulnerable to abuse because of their age or their living circumstances or characteristics. Disabled children are at greater risk of abuse than non-disabled children. Children living in adverse parental circumstances may also be more at risk; in particular, children living in homes where there is domestic violence, substance misuse and /or severe parental mental illness. Children from particularly isolated or new communities may also be at increased risk of abuse as well as those children who display challenging behaviour. Parental behaviour may also indicate child abuse or neglect, so you should be alert to parent-child interactions which are concerning.

8.7 There are a number of categories of vulnerable adult abuse:

- physical (including unlawful restraint)
- domestic violence ('controlling/coercive/threatening')
- sexual abuse (including Female Genital Mutilation - FGM and sexual exploitation)
- forced marriage
- honour based violence
- psychological/emotional
- financial and material
- modern slavery/ trafficking
- radicalisation
- neglect and acts of omission
- disability and hate crime
- other forms of hate i.e. Transphobia, Homophobia, Bi phobia and racism
- discriminatory
- self neglect
- organisational abuse

8.8 All staff and volunteers should be familiar with the definitions and indicators of abuse and neglect. See [Appendix C](#) for definitions of abuse and neglect.

8.9 What to do if a child or adult makes a disclosure

The signs of child or adult abuse might not always be obvious and a child or vulnerable adult might not tell anyone what is happening to them. Sometimes a child or vulnerable adult will tell you directly what is happening as a means

of getting help. Therefore, you should question behaviours if something seems unusual and try to speak to the child, alone, if appropriate, to see further information.

If a child or adult says or indicates that they are being abused, or information is obtained which gives concern that they maybe being abused, the person receiving this information should:

- Stay calm
- Listen to the individual
- Take what the individual says seriously, recognising the difficulties inherent in interpreting what is said by a person who has a speech disability and/or differences in language
- Keep questions to the absolute minimum necessary to ensure a clear and accurate understanding of what has been said
- Reassure them that you will act to keep them safe, but do not promise that you won't tell anyone, as you may need to do so to protect them
- Make a record of what has been said, heard and/or seen using the safeguarding reporting form

8.10 Referrals to external agencies

It is not the responsibility of anyone working at Tate in a paid or voluntary capacity to decide whether a child or adult is being abused or neglected. However, it is your job to pass on the information to those who are qualified to do so.

If you become aware of any concern relating to the welfare of a child or adult you should speak to the relevant DSO as soon as possible and in all instances within one working day.

The concern will then be discussed and a decision made by the DSO and DSR as to whether to refer the concern to the police or the relevant local safeguarding authority/statutory service.

8.11 How to make a referral

- It is Tate policy that all concerns about children and vulnerable adults are reported as soon as possible and within one working day, to your line manager in the first instance and the DSO.
- The person who identifies the concern should record the details of the concern on the Safeguarding Reporting Form and submit to a DSO.
- The DSO may resolve the issue but - in some cases - may seek the advice of the DSR. The DSR, in conjunction with the DSO, will decide if it is appropriate to make a referral to the police or relevant statutory service. All referrals must be made within 24 hours of the concern or disclosure coming to light. The DSR or Deputy DSR is responsible for making the referral.
- The person who raised the concern in the first place will be given

appropriate feedback and will receive support from either the DSO or line manager, if required.

- Once a referral has been made to the relevant statutory service, they have a day to decide what further action is necessary to take and should inform the referrer of this. If the DSR has not heard anything back from the statutory service, they should follow this up and note the outcome.
- If further signs of potential abuse and neglect are identified again, then report and refer again as per this procedure.

8.12 Medical emergency with suspicion of abuse

An ambulance should be called for a child or vulnerable adult requiring urgent medical attention. For London galleries, inform Security on ext 2222 to let them know an ambulance is coming. If an ambulance is not required, the child or adult should be escorted (by taxi, if necessary) to the nearest accident department by two staff from Tate. Where possible, the child should be accompanied by a parent or carer. If a parent or carer unreasonably refuses to allow necessary medical treatment, the police should be contacted immediately. The DSR or DDSR should be contacted as soon as is practical and they should make the necessary referral to the relevant statutory service and follow steps outlined in 8.11.

8.13 Action to take regarding indecent/obscene images of children

What to do if a member of staff is inadvertently exposed to indecent images of children whilst using the internet:

- Inform your line manager
- The URLs (webpage addresses) which contain the suspect images should be reported to the National Crime Agency's Child Exploitation and Online Protection Command (CEOP) – the member of staff/volunteer/freelancer should do this and immediately inform the DSR/DDSR and the IS Service Desk of having done so. You must avoid sending copies of the actual images to CEOP.
- Any copies that exist of the image, for example in emails, should be deleted.

8.14 What to do if indecent images of children are found on Tate electronic devices

- Inform your line manager and DSR immediately.
- The police should be informed immediately, and advice sought.
- The URLs (webpage addresses) which contain the suspect images should be reported to CEOP. You must avoid sending copies of the images to CEOP
- If any copies need to be stored at the request of the police, they should be stored securely where no one else has access to them. All other copies must be deleted.

- 8.15 What to do if a member of staff is found in possession of indecent images of children on their electronic device whilst at work:

Report the matter to the DSR/DDSR. They should then:

- Contact the police regarding the images. If there is doubt about whether the images are criminal, then discuss with the police the best way for them to receive copies to determine whether they are criminal or not;
- Discuss with the police what to do about the device that the images are on; quarantine the device in question and discuss with the police about checking for any other images on that device;
- Keep the line manager informed and suspend the person's access to their Tate network account but do not explain the reason for this until clarified with the police;
- Initiate the procedure for managing safeguarding allegations against staff/volunteers (See Section 10).

9. RECORDING THE INFORMATION – KEEP IT CLEAR AND SIMPLE

- 9.1 Information may need to be passed to the relevant statutory service (e.g. children's social care, safeguarding adults board or the police).
- 9.2 It should be recorded on the Safeguarding Reporting Form (Appendix A). The form can be completed by the person reporting the concern, the line manager or the designated person. However, it is the DSO's responsibility to ensure it has been completed and the DSR/DDSR will make the referral to the relevant statutory service. To be as helpful as possible the information should include:
- The nature of the allegation or concern
 - A description of any injuries
 - The individual's account, if they can give them, of what has happened and how any injuries occurred
 - Any times, dates, or other relevant information
 - Whether the parent, carer, child or adult is aware of the referral having been made
 - A clear distinction between what is fact, opinion, or hearsay
 - However, do not delay reporting the matter by trying to obtain more information
- 9.3 All records of safeguarding concerns and referrals are stored electronically and will be kept for 25 years with access strictly controlled.

10. MANAGING SAFEGUARDING ALLEGATIONS AGAINST STAFF AND VOLUNTEERS

- 10.1 Evidence indicates that abuse which takes place within an organisation is rarely a one-off event. It is crucial those involved in Tate are aware of this possibility and that all allegations are taken seriously, and appropriate action taken.
- 10.2 The procedures should be followed in all cases, including outside work, in which it is alleged that a member of Tate staff/volunteer has:
- Behaved in a way that has or may have harmed a child or adult
 - Possibly committed a criminal offence against or related to a child; or vulnerable adult
 - Behaved towards a child in a way that indicates they are unsuitable to work with children or vulnerable adults.
- 10.3 The procedures are:
- If a staff member has a concern about the behaviour of another member of staff, volunteer, student, contractor or freelancer they should discuss it with their line manager in the first instance.
 - The line manager will report it to the DSR/DDSR within the same working day.
 - If the concern is about the behaviour of the line manager then you can report the matter directly to the DSR/DDSR
 - If the concern is about the behaviour of the DSR it can be reported to the named safeguarding trustees, Deputy DSR, HR department or the Director of Tate
 - The DSR/DDSR should be informed of situations even if it is unclear if the allegation constitutes abuse or not, and the action to be taken is not obvious. The DSR/DDSR needs to consider who else needs to be informed bearing in mind the need to maintain confidentiality.
 - The DSR/DDSR will require a written account from the member of staff/manager about the allegation and a summary of any available additional information including the names and addresses of any potential witnesses. Both documents should be signed and dated.
- 10.4 The fact that a member of staff tenders their resignation or ceases to provide their services will not prevent an allegation/concern from being followed up in accordance with these procedures and a conclusion reached.
- 10.5 Settlement Agreements - A 'settlement agreement' by which an individual agrees to resign, and an employer agrees not to pursue disciplinary action, and both agree to a form of words to be used in future references will never be used by Tate in situations where there are concerns about their behaviour towards children and vulnerable adults.

- 10.6 There may be circumstances where allegations are about poor practice rather than child abuse but, where there is any doubt, the DSR/DDSR should seek advice from the designated officer(s)* in the local authority.

Every effort should be made to ensure that confidentiality is maintained for all concerned and to protect the integrity of the investigation process.

*This role was previously referred to as the LADO. Different LAs may refer to it differently from now onwards.

- 10.7 It is acknowledged that feelings generated by the discovery that a member of staff or volunteer is, or may be abusing a child or vulnerable adult, will raise concerns among other staff or volunteers, including the difficulties inherent in reporting such matters. However, it is important that any concerns for the welfare of a child or vulnerable adult should be reported and acted upon immediately.

- 10.8 Tate will fully support and protect any member of staff or volunteer who, in good faith, reports their concern that a colleague is, or may be abusing a child or vulnerable adult.

- 10.9 What happens next?

Where there is a complaint of abuse against a member of staff, there may be three types of investigation:

1. A criminal investigation
2. An investigation or enquiry by the relevant statutory service
3. A disciplinary investigation or enquiry by Tate

The HR department, DSR/DDSR and line manager will decide if an individual accused of abuse should be suspended from work pending enquiries by the police and/or relevant statutory service. Advice and support to the person who has been suspended from work will be provided by a member of the HR Department and their line manager.

Investigations will be dealt with quickly, fairly and impartially. The member of staff or volunteer should be informed about the allegation or concern as soon as possible (but not before consultation with the designated officer in the statutory service/police where necessary, in respect of timing and content).

Tate's disciplinary process should happen as soon as possible; however, the police and statutory service investigation may delay Tate's disciplinary process.

If the investigation shows that the allegation is clearly about poor practice Tate will consider whether performance management or the need to instigate its disciplinary procedure is required.

Irrespective of the findings of police or the statutory service, Tate will assess all individual cases under the appropriate disciplinary procedure to decide if a member of staff can be reinstated or a volunteer's services resumed and how this can be sensitively handled. This may be a difficult decision, particularly where there is insufficient evidence to uphold any action by the police. In such cases, Tate must reach a decision based upon the information that is available.

The welfare of the children or vulnerable adults should always remain paramount. Consideration should be given to what support may be appropriate to children, parents or carers, vulnerable adults and members of staff.

10.10 Referral to DBS for consideration to bar

If Tate removes an individual (paid worker or unpaid volunteer) from work with children or adults (or would have, had the person not left first) because that person poses a risk of harm, Tate must make a referral to the Disclosure and Barring Service (DBS) so that they can consider if the individual should be barred from, or have conditions imposed, in respect of working with children or vulnerable adults. It is an offence to fail to make a referral without a good reason.

The DSR is responsible for making the referral to the DBS. The referral form can be found on the DBS website.

Tate may seek advice about this from the designated officer in the relevant statutory service.

A decision about making a 'referral to bar' has to be made within 30 days of the final outcome of the investigation/inquiries.

10.11 Referral to a professional regulatory body

If a member of staff/volunteer is registered with a professional regulatory body, there may be a requirement to notify that body if Tate removes an individual (paid worker or unpaid volunteer) from working with children or vulnerable adults (or would have, had the person not left first) because that person poses a risk of harm to children or vulnerable adults. It is the responsibility of the DSR to make such a referral.

10.12 Contracted and sub-contracted (freelance) staff and students

In the event that a member of staff or volunteer has, or is aware of, concerns raised by the behaviour of a contractor, a member of their staff, a sub-contractor/freelancer or student, this must be raised with your line manager and / or the DSR who will then decide who else needs to be informed and what action needs to be taken and by whom.

10.13 Secure storage of concern/referral information

If, as a result of the discussion, a referral is made using the procedures set out above, a copy of the referral form must be kept together with this record. It should include the name and role of the person to whom the referral was made, their telephone number and the time and date. Where the concern related to an allegation or concern about a member of staff, all files are kept for 7 years after the individual has left Tate or if they were in the Civil Service Pension Scheme until the individual reaches 100 years old or has deceased, whichever is the soonest.

It is also important that all records are stored securely:

- Compile and label hard copy files carefully.
- Files containing sensitive or confidential data should be locked away and access to the keys strictly controlled.
- Access to records needs to be limited to people in named roles who either need to know about the information in those records and/or who manage the records/files.
- If files are to be stored long term arrangements need to be made for the keys to be passed from outgoing staff to their successors.
- Electronic files must only be accessible by limited staff.
- Arrangements must be in place for ongoing management of the records including the review and disposal of records.

10.14 Escalation process – what to do if safeguarding concerns are not being appropriately acted upon

Escalation is the course of action that should be taken where there are concerns that a child or vulnerable adult's safety is compromised and the current action of either Tate or other external agencies does not support effective safeguarding.

If you have concerns about the safety or welfare of a child or adult and feel they are not being acted upon by the DSO or DSR, you can make the referral directly to the statutory service yourself, contact the NSPCC Helpline or use Tate's Whistleblowing policy.

If Tate has concerns that an external agency is not acting upon their safeguarding concerns appropriately:

- The DSO in conjunction with the DSR will determine if the matter requires escalation. In the first instance, the aim should be to resolve the disagreement at the lowest level between the individuals involved.
- If this fails, the matter should be raised with a more senior manager in the other agency.
- If this approach fails, each local safeguarding board for children and adults will have a process for escalating a concern so the procedure to be followed will depend on the area in which the concern arose

- The procedures for each Local Safeguarding Board/Partnership can be found on the relevant council's website.
- A record of all conversations and actions must be kept.

11. DEPARTMENTAL GUIDELINES

The following Guidelines are specific to Tate's operation and programmes. These guidelines will be constantly reviewed, updated and added to over the coming months in the light of further work and consideration given to safeguarding by individual teams.

Currently these guidelines cover:

- General Visits
- Admissions to Exhibitions and Displays
- Group visits: Learning
- Learning Projects and Events
- Tate Online

11.1 General Visits

On entry to the galleries, it is the responsibility of staff to be observant and be prepared to ask an unaccompanied child, if appropriate², whether they are accompanied by an adult.

Staff should assess all situations sensitively and act accordingly, treating visitors with respect while recognising that the child or adult's welfare is paramount. If there is any cause for concern, the staff member should report this to the Duty Manager.

11.2 Admissions to Exhibitions and Displays

All exhibitions and displays at Tate will take safeguarding into consideration as part of the risk assessment and on the advice of the DSO, and possibly DSR, will ensure the correct measures, such as signage and screening have been taken.

Where there is an identified issue or concern with an exhibition, Tate will take responsibility for informing visitors of the specific content through the appropriate channel in consultation with the relevant DSO(s) and DSR from the following list:

- Information Assistants
- Visitor Experience teams
- Learning Assistants
- Learning Curators
- Curators
- Press and Communications Department

2. The lower age limit for unaccompanied children visiting the gallery is 12 years old.

- Programme leaflet
- Exhibitions leaflet
- Information for teachers and group leaders
- Signage
- Information in the foyer and/or at the entrance /pay desk for special exhibitions/displays
- Information on the Tate website

11.3 Groups Visits: Learning

In addition to the above guidelines outlined under 'Group Visits: General' the first contact for Education group visits is by telephone or email to Membership and Ticketing Services (MTS) followed, in many cases, by contact with Learning Curators.

- MTS and Learning staff will inform teachers and group leaders verbally and will send written information and Guidelines for Group Visits. These guidelines should refer to Tate's Health and Safety Policy and Safeguarding Policy.
- Where appropriate this may be followed up by a conversation with the relevant Learning staff in order to meet any particular special needs.
- Information on the content of exhibitions, displays and activities will be conveyed verbally and in written form sent to the teacher or group leader.

Where it is felt that there is a specific protection issue, teachers and group leaders will be informed. In these instances, teachers and group leaders will be encouraged to:

- Visit the gallery to assess the risk in order to make informed choices about their proposed group visit.
- Undertake a planning visit session with staff to ensure content and themes are discussed and risk assessed.

11.4 Learning Projects and Events

In devising and planning talks and workshops for groups, staff and artist educators will ensure that the protection of children and vulnerable adults is included in the risk assessments relating to the activity.

Where projects are planned by the Learning teams, either independently or with external partners, a full risk assessment of the project should be undertaken. This assessment will include assessment of content, processes, staffing, parental/adult supervision, use of photography/other media and appropriate behaviour.

Tate is not in a position to assume responsibility directly over children and young people. This particularly relates to any projects which could involve children and young people being provided with overnight accommodation in

any format or with activities which may sit outside Tate's core activity. The duty of care for children and young people should remain at all times within the sphere of responsibility of parents, teachers, carers or guardians.

Staff should only carry out risk assessed activities. Any changes should be agreed with Learning Curators and relevant senior management and a new risk assessment carried out. These risk assessments should:

- Be clear about roles and responsibilities of staff and accompanying adults.
- Ensure parental/teacher/group leader supervision at all times.
- Ensure an appropriate staff to child ratio.
- Gain parental/teacher/group leader consent for all photography/other media.

In all cases where a safeguarding concern is raised in the risk assessment it should be discussed and risk managed with a relevant DSO and the DSR.

11.5 Tate Digital

Tate aims to provide a number of opportunities for children, young people and adults to login to the website, upload their own content and interact with other users online. We have policies in place to ensure that any data we capture on our users is held in accordance with GDPR.

Tate Digital engages with audiences on a range of third party social media platforms to encourage engagement and participation around art. We are committed to a range of guidelines to protect participants and foster positive digital communities. We provide guidance and training to all staff and artists we invite to engage with young people online. We will moderate responses across all social media channels as far as the platforms' built-in tools allow

With regard to children, Tate has additional measures in place to ensure their safety online. This includes making sure that children are unable to disclose their real identity or location online, that they are unable to give out any details (such as email address) to other users and that all content on the Kids area of the site is pre-moderated to ensure its suitability for the age group.

11.6 Privacy Policy

Tate Digital provides a privacy policy clearly explaining what we do with the information we collect through the website, internet and other forms of electronic communication.

11.7 Safety Guidelines

Tate Digital provides safety guidelines aimed at the user group for each given area of the website. For example, Tate Kids offers safety guidelines accessible to parents and also written so that children can easily understand them.

11.8 Moderation

Tate Digital's approach to moderation aims to ensure that all content is suitable for the user group for each given area of the website. Users are able to contact a member of Tate Digital regarding anything inappropriate. All content on the Kids area of the site is pre-moderated to ensure it is suitable before it appears on the site. Tate does not tolerate online bullying. If we find bullying occurring Tate will step in and remove comments.

11.9 Terms and Conditions.

Tate Digital provides clear terms and conditions throughout the website. These act as user guidelines or terms of usage and set out the rights and obligations of users of the website. These aim to help users understand the terms of usage whether they be parents, children or young adults.

12. TATE'S RESPONSIBILITY IN RELATION TO CHILDREN AND THE LICENSING ACT 2003

Item 4 of the Licensing Act 2003 places specific responsibility on Tate for the welfare of children on its premises.

The licensing objectives are:

1. Prevention of crime and disorder
2. Public safety
3. Prevention of public nuisance
4. Protection of children from harm

Accordingly, the sale of alcohol to minors is prohibited. Tate does not permit smoking anywhere on the premises and does not sell tobacco products. There is no gaming or gambling on site.

13. INSURANCE

As a non-departmental public body, Tate is exempt from carrying Employer's Liability Insurance and is therefore not permitted to insure against injury to those working at Tate. This means therefore that Tate will be liable to cover the cost of any successful claims made against the organisation. Tate is unable to offer insurance cover to visiting students, work experience visitors, volunteers, etc, and it encourages those institutions who visit Tate to provide their own insurance cover. All freelancers working on Learning projects and events should be covered by their own public liability insurance.

14. WORKING IN OR WITH SCHOOLS

By law all schools have a duty to safeguard and promote the welfare of their pupils. They will have their own safeguarding policy and procedures. If any Tate member of staff, freelancer or volunteer is working in a school setting and has a concern about a child or the behaviour of a member of the school they must:

- Pass this information to the school's designated safeguarding lead or head teacher and inform their line manager
- Record the concern on the safeguarding reporting form (Appendix A)
- Inform a DSO
- The relevant DSO or DSR should follow up the concern with the school within 24 hours to confirm what action has been taken. If no action has been taken and the DSO remains concerned, then they should follow the procedure for escalation of a concern (See section 11)

15. CONTRACTORS AND SUB-CONTRACTORS (FREELANCE)

- 15.1 Contractors provide valuable services to and on behalf of Tate. These contractors in turn may employ people or sub-contract to others. To protect children and the reputation of the Tate it is important that, where appropriate, any such contracts for services / terms of engagement reflect the need for them to be aware of and to follow the safeguarding policy and procedures; this includes ensuring that they are made aware of the process for reporting concerns to one of the DSOs or an appropriate manager.
- 15.2 The responsibility for employees of contractors, and sub-contractors remains with the main contractor who must ensure that they are informed about their responsibility to report any concerns directly to them in the first instance and to an identified Tate DSO in line with this policy and procedure.

16. LOST CHILD OR VULNERABLE ADULT PROCEDURES

All Tate sites have specific procedures for what do to in the event of finding or trying to locate a lost child or vulnerable adult. The site-specific procedures are in Appendix D.

17. PHOTOGRAPHY & FILM MAKING – GUIDANCE ON CONSENT AND DATA PROTECTION

In some circumstances i.e. family events and workshops Tate may take photographs of children, guidelines on what images may be taken and how they must be stored are outlined in Appendix E.

APPENDIX A SAFEGUARDING REPORTING FORM

If the person you are collecting the information from has access reasonable adjustments need to be made for example; a person with a hearing impairment provide written questions.

If you are concerned about a vulnerable person's wellbeing call a DSO or the police.

Name of report writer	
Date	
Name of person making the disclosure	
Name(s) of others present	
Date and time of incident	
Factual record of conversation with the victim/person reporting the cause for concern	
Any next steps agreed	
Signature and name of staff member	
Signature of DSO and date of receipt	
Actions taken by DSO	

When completed please send this form to Lisa Mack, Interim Head of HR and Deputy Designated Safeguarding Representative (DDSR) .