

## THE NATIONAL GALLERY SAFEGUARDING POLICY

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The National Gallery recognises its responsibility to safeguard the welfare of all children, young people, and adults at risk by a commitment to practice which protects them.

All employees, workers, contractors and agency workers should be aware of their obligations to ensure the safeguarding of children, young people and adults at risk and must ensure compliance with this policy.

Taking into account legislation, guidance and best practice the Gallery does not believe that it undertakes any 'regulated activities' for children, young people, and adults at risk – see Appendix A for definitions.

The Gallery's recruitment and appointment processes include robust and transparent pre-employment checks including criminal record checks and regular re-vetting for employees, contractors, workers, and agency workers.

Changes to the public programme are reviewed in accordance with health and safety and risk management policies to assess whether or not they constitute regulated activity and safeguarding measures are implemented as required.

If a risk assessment concludes that regulated activity is to be carried out, additional checks will be carried out to review spent criminal records and other information, as relevant to the protected group.

# THE NATIONAL GALLERY SAFEGUARDING CHARTER

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We recognise that:

- the welfare of the child, young person, and adult at risk is paramount
- all children, young people, and adults at risk have the right to equal protection from all types of harm or abuse

The purpose of this policy is to provide:

- protection for the children, young people, and adults at risk who receive the National Gallery's services both onsite and offsite
- employees, workers, contractors, and agency workers with guidance on procedures they should adopt in the event that they suspect a child, young person or adult at risk may be experiencing, or be at risk of, harm

We will seek to safeguard children, young people, and adults at risk by:

- valuing them, listening to and respecting them
- adopting safeguarding procedures and a code of conduct for employees and workers, contractors, and agency workers
- recruiting employees and engaging workers, contractors, and agency workers safely, and ensuring all necessary checks are made
- sharing information about concerns with agencies who need to know, and involving children, young people, adults at risk, and parents/guardians appropriately
- providing effective management for employees through supervision and support creating a safe environment by risk assessing all activities undertaken onsite and offsite
- protecting the identity of children by restricting access to personal information and reproduction of images in print or online

This policy applies to all employees, workers, contractors, and agency workers engaged to work on behalf of the National Gallery.

The National Gallery is committed to reviewing this policy every 3 years or earlier if there are major changes in legislation or within the organisation.

## CODE OF CONDUCT

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This section outlines the behaviour expected of National Gallery employees, workers, contractors, and agency workers.

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

Following this good practice code will also help to protect the National Gallery by reducing the possibility of anyone either using their role within the organisation to gain access to children in order to abuse them or leaving themselves open to allegations of abuse.

When working on behalf of the National Gallery with children, young people and adults at risk, all employees, workers, contractors and agency workers are considered to be acting in a position of trust. It is therefore important that they act in an appropriate manner at all times and follow the code of conduct.

All employees, workers, contractors, and agency workers are expected to report any breaches of this code to a Safeguarding Officer or Duty Manager.

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

Any breach of this code involving a worker, contractor or agency worker may result in termination of their engagement.

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

## Code of conduct for working with children, young people, and adults at risk

### You should:

- always follow the National Gallery's Safeguarding Policy and Safeguarding Procedures
- ensure that there is more than one adult present
- listen to and respect children, young people, and adults at risk
- treat children, young people, and adults at risk fairly and without prejudice
- value and take the contributions of children, young people, and adults at risk seriously
- always ensure equipment is used appropriately and for the purpose it was designed for e.g. computers, cameras etc.
- ensure any physical contact is appropriate and in relation to the nature of the session (n.b. physical contact may be necessary in the case of emergencies but must remain appropriate and be kept to a minimum at all times)
- always ensure language is appropriate and not offensive or discriminatory
- recognise that special caution is required when you are discussing sensitive issues with children, young people, and adults at risk
- challenge unacceptable behaviour and report all allegations or suspicions of abuse.

### You should not:

- put a child, young person or adult who may be vulnerable at risk
- patronise children, young people, and adults at risk
- allow allegations to go unreported
- develop inappropriate relationships with children, young people, and adults at risk
- let children, young people, and adults at risk have your personal telephone number or email address
- make contact via social media that is unrelated to Gallery business
- make personal remarks or discuss themes that encourage children, young people, and adults at risk to share personal information
- use sarcasm or insensitive comments
- act in a way that can be perceived as threatening or intrusive
- make inappropriate promises to children, young people, and adults at risk, particularly in relation to confidentiality
- jump to conclusions about others without checking facts  
either exaggerate or trivialise safeguarding issues
- be complacent about the potential risks to others and yourself
- take a chance when common sense, policy or procedures suggest another more prudent approach.

## SAFEGUARDING PROCEDURES

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What happens if a child, young person or adult discloses or you have a safeguarding concern?

If a child, young person or adult at risk discloses (i.e. tells you about abuse or harm s/he is suffering or has suffered) all employees, workers, contractors, and agency workers will:

- listen carefully, only asking questions for clarification
- remain calm and caring and avoid interpreting information
- tell the child, young person, or adult at risk that you need to share this information with others but make it clear to them that you will only tell people who need to know and who can help; you should not promise to keep it a 'secret'
- speak immediately to a Safeguarding Officer or Duty Manager
- make a signed and dated record of what was said using the words of the child, young person or adult at risk as soon as possible after the disclosing conversation using a standard Disclosure of Information Report form (Appendix C) which you can also use to record your observations

If you have a safeguarding concern but the child, young person or adult at risk has not disclosed then you can also use this form to record your concern.

A summary of the referral process is provided in the Safeguarding Procedures (Appendix B).

## THE ROLE OF SAFEGUARDING OFFICERS & DUTY MANAGERS

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Designated Safeguarding Officers work across the National Gallery and National Gallery Company and are based in the following departments:

Education	Head of Education Head of Programmes for Children & Creative Learning Programmes Manager Education Operations Manager
HR	Head of HR
Buildings	Head of Buildings
Visitor Engagement	Head of Visitor Engagement
Visitor Services and Security	Head of Visitor Services and Security
NGC	HR Manager Retail Manager

Where possible safeguarding concerns and referrals should be reported directly to a Safeguarding Officer but if that is not possible (e.g. at weekends) then safeguarding concerns or referrals should be reported to a Duty Manager.

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Designated Safeguarding Officers and Duty Managers are responsible for:

- receiving and recording information from anyone who has concerns
- assessing the information promptly and carefully, clarifying or obtaining more information when they need to
- consulting initially with a statutory child/adult protection agency
- following the Gallery's referral process as outlined in the Safeguarding Procedures document, and if necessary making a formal referral to a statutory child/adult protection agency
- ensuring that procedure is followed on such matters as making a referral, confidentiality and recording
- leading in the development of safeguards and review of National Gallery policy and procedures

It is not the Safeguarding Officer's or Duty Manager's responsibility to determine whether a disclosure is valid.

In addition to managing the referral process Safeguarding Officers will meet on a regular basis to monitor, review and develop the work of the Gallery in delivering its duty of care, to help keep abreast of good practice initiatives and changes to legislation, and to provide written updates to the Lead Safeguarding Officer. The Lead Safeguarding Officer is the Director of Public Programmes and Partnerships.

## CONFIDENTIALITY

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The right of a child, young person or adult at risk to be protected takes precedence over a parents'/guardians' right to confidentiality.

The Lead Safeguarding Officer will keep all Disclosure of Information Report forms in a locked non-portable cabinet for 12 years.

## SAFE ENVIRONMENT

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### Risk assessment

Risk assessment is undertaken by each department as required and takes into account operational and organisational risks including safeguarding.

A Health and Safety Informative for Education Programme Participants is available on the website for schools and other education groups:

[nationalgallery.org.uk/school-visits-what-to-expect](https://nationalgallery.org.uk/school-visits-what-to-expect)

In the event that employees, workers, contractors or agency workers undertake project work onsite or offsite which constitutes 'regulated activity' involving children, young people or adults at risk, such projects will be risk assessed on a case-by-case basis and referred to the Safeguarding Officers group to ascertain whether enhanced DBS checks are required.

### Lost or unaccompanied child procedure

There are established procedures for reporting lost or unaccompanied children, young people and adults at risk. These can be found in the Safeguarding Procedures.

### Photography

Visitors are allowed to photograph, film and record in the National Gallery for personal, non-commercial purposes, although some exceptions apply. There are established procedures which apply if the National Gallery undertakes photography, filming and recording of children, young people and adults at risk, including the recording, storing, and publishing of images. Full details are outlined in the Safeguarding Procedures document.



## SAFE RECRUITMENT

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The Gallery's Recruitment and Selection Policy covers the pre-employment checks necessary to work for the Gallery, including criminal record checks.

The approval process to request to fill a post, or engage workers, agency workers or contractors, includes a box that indicates whether the role is likely to carry out regulated activities, following a risk assessment by a manager.

Reference to the Gallery's Safeguarding Policy will be included in the recruitment pack.

It is a criminal offence for an individual who is disqualified from working with children to knowingly apply for, offer to do, accept or undertake any work in a regulated position. It is a criminal offence for the National Gallery to knowingly employ an individual who is disqualified from working with children and therefore the Gallery undertakes not to do so.

# TRAINING

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## Employee induction

Safeguarding is included in the general induction on the first day of employment and all new employees are signposted to this policy.

The National Gallery induction itinerary covers the Safeguarding Policy and Safeguarding Procedures as part of the Health and Safety Module. All employees are briefed that they should be alert to the safety and welfare of children, young people and adults at risk, and made aware of the referral process for reporting disclosures or concerns to a Safeguarding Officer or Duty Manager.

## Training

Safeguarding Officers are required to attend training appropriate to their responsibility for reviewing the legislative framework and ensuring that the Gallery is delivering its duty of care. Safeguarding Officers will attend refresher training on a regular basis.

Targeted safeguarding training will be provided for Duty Managers.

Safeguarding training will also be provided for other employees if it is required to fulfil their role.

# COMMUNICATION

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## Employees

An up-to-date version of the Safeguarding Policy and Disclosure of Information Report form is available on the K: Drive where all employees can access these documents at any time.

National Gallery Company employees have access to the policy via their Staff Handbook.

The Safeguarding Officers group is responsible for notifying Heads of Department of changes to the Safeguarding Policy, Safeguarding Procedures and Disclosure of Information Report form. This information will be cascaded to all managers who are responsible for ensuring that employees are aware of any changes.

## Workers, contractors, and agency workers

The engaging officer is responsible for ensuring that all workers, contractors, and agency workers receive a copy of the Safeguarding Policy and Safeguarding Procedures document at the point of engagement and that they are informed of any changes to this documentation.

## Public

The National Gallery Safeguarding Charter is published on the website and the full Safeguarding Policy is available on request.

# WHISTLE-BLOWING POLICY

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There are established procedures for whistle-blowing. These can be found on the K: Drive.

## APPENDIX A

# DEFINITIONS AND RESPONSIBILITIES

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### Child

In the context of this policy a child is defined as anyone under the age of 18, thus including those commonly referred to as 'young people'.

### Adult at risk

An adult at risk may be someone aged 18 years or over who 'may be in need of community care services by reason of mental or other disability, age or illness; and who is or may be unable to take care of him or herself, or unable to protect him or herself against significant harm or exploitation'. This definition is taken from the current Department of Health guidance to local partnerships.

### Regulated activity

The full, legal definition of regulated activity is set out in Schedule 4 of the Safeguarding Vulnerable Groups Act 2006, as amended (in particular, by the Protection of Freedoms Act 2012).

The following summary of the definition is derived from this document:

[gov.uk/government/publications/disclosure-and-barring-information-leaflets](https://www.gov.uk/government/publications/disclosure-and-barring-information-leaflets)

Regulated activity excludes family arrangements, and personal, non-commercial arrangements.

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## 1. Regulated activity relating to children comprises:

- Unsupervised activities: teach, train, instruct, care for or supervise children, or provide advice/guidance on well-being, or drive a vehicle only for children;
- Work for a limited range of establishments ('specified places'), with opportunity for contact: for example, schools, children's homes, childcare premises. Not work by supervised volunteers;

### Regulated activity relating to children comprises:

- Once a week or more, or
- 4 or more days in 30, or
- Overnight

## 2. Regulated activity relating to adults

Regulated activity relating to adults no longer labels adults as 'vulnerable'. Instead, the definition identifies the activities which, if any adult requires them, lead to that adult being considered vulnerable at that particular time. This means that the focus is on the activities required by the adult and not on the setting in which the activity is received, nor on the personal characteristics or circumstances of the adult receiving the activities.

There are six categories of people who fall within the definition of regulated activity (and so will anyone who provides day-to-day management or supervision of those people).

- Providing health care
- Providing personal care
- Providing social work
- Assistance with cash, bills and/or shopping
- Assistance in the conduct of a person's own affairs
- Conveying

### Minimum age for independent visitors

The National Gallery accepts independent visitors aged 13 and over.

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## Responsibility for children, young people, and adults at risk

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

Responsibility for an adult at risk ultimately lies with the person undertaking regulated activity relating to that individual.

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

Children aged 12 or under must be accompanied at all organised events by a responsible adult; at school visits the teacher is in loco parentis. These adults are responsible for supervising the children in their care at all times and this is clearly stated in all marketing material. If any activity is planned to involve unaccompanied children, the activity is designed in accordance with health and safety and risk management policies to assess whether or not they constitute regulated activity and safeguarding measures are implemented as required.

If a risk assessment concludes that regulated activity is to be carried out additional checks will be made to review spent criminal records and other information, as relevant to the protected group.

## Adult to pupil ratios for facilitated school visits

To protect students, employees, workers, contractors and agency workers, we require the following adult to pupil ratios for facilitated school visits:

Early Years Foundation Stage (3–5 years old)	1:6
Key Stages 1–2 (5–11 years old)	1:10
Key Stages 3–5 (11–18 years old)	1:15