

# BRITTEN PEARS ARTS

## Safeguarding Adults Policy

**Policy Version 5.0 Date: 20/07/2022**

### Version Control

Policy version	Date of approval	Policy owner	Review date
1.0	20/02/2020	Phillipa Reive & Helen Fletcher	20/02/2021
2.0	04/06/2020	Phillipa Reive & Helen Fletcher	04/06/2021
3.0	23/11/2020	Phillipa Reive & Helen Fletcher	23/11/2021
4.0	23/11/2021	Callum Given & Helen Fletcher	23/11/2021
5.0	20/07/2022	Callum Given & Helen Fletcher	20/07/2022

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# 1. Safeguarding Adults Policy

## 1.1 Purpose and Scope

Involving, nurturing creativity and new talent as well as bringing music to wide audiences is at the heart of what Britten Pears Arts seeks to achieve. We also provide retail facilities and holiday lets as part of our trading arm so that people can enjoy our rural location and activities. In so doing we engage with people in participatory and performance contexts and as audience and visitors to our site. It is imperative that Britten Pears Arts, both in its charitable and trading work, does all it can to ensure that everyone with whom we have contact is safe and free from harm. This is also a requirement of the bodies that fund us as well as a requirement of the Charity Commission and the Arts Council England. The Red House is the former home of Benjamin Britten and Peter Pears and includes the historic house and collections, archive, exhibition gallery and extensive gardens. It aims to use the resource created by Britten and Pears' music, archive, art, artefacts, and home, to passionately inspire audiences, encourage creativity, educate and inform. The Red House engages with a range of children and young people through an extensive programme of taught sessions for schools and learners, on and off site, as well as a wide variety of family activities and events programmed throughout the year.

This policy outlines the steps Britten Pears Arts will take to safeguard an adult with care and support needs if they are deemed to be at risk. This policy sets out the roles and responsibilities of Britten Pears Arts in working together with other professionals and agencies in promoting the adult's welfare and safeguarding them from abuse and neglect.

Britten Pears Arts will ensure that decisions made will allow adults to make their own choices and include them in any decision making. Britten Pears Arts will also ensure that safe and effective working practices are in place. This policy is intended to support staff, volunteers (including trustees), and freelancers working within Britten Pears Arts to understand their role and responsibilities in safeguarding adults. The key objectives of this policy are for all parties to:

- have an overview of adult safeguarding
- be clear about their responsibility to safeguard adults
- ensure the necessary actions are taken where an adult with care and support needs is deemed to be at risk

Under the Human Rights Act 1998, everyone has the right to live free from abuse and neglect.

<https://www.equalityhumanrights.com/en/human-rights/human-rights-act>

Britten Pears Arts has a separate policy and procedures for safeguarding children and young people at risk.

## 1.2 The six principles of adult safeguarding

The Care Act 2014 sets out the following principles that should underpin safeguarding of adults:

**Empowerment** - People being supported and encouraged to make their own decisions and informed consent.

*"I am asked what I want as the outcomes from the safeguarding process and these directly inform what happens."*

**Prevention** – It is better to take action before harm occurs.

*"I receive clear and simple information about what abuse is, how to recognise the signs and what I can do to seek help."*

**Proportionality** – The least intrusive response appropriate to the risk presented.

*"I am sure that the professionals will work in my interest, as I see them and they will only get involved as much as needed."*

**Protection** – Support and representation for those in greatest need.

*"I get help and support to report abuse and neglect. I get help so that I am able to take part in the safeguarding process to the extent to which I want."*

**Partnership** – Local solutions through services working with their communities.

Communities have a part to play in preventing, detecting and reporting neglect and abuse

*"I know that staff treat any personal and sensitive information in confidence, only sharing what is helpful and necessary. I am confident that professionals will work together and with me to get the best result for me."*

**Accountability** – Accountability and transparency in delivering safeguarding.

*"I understand the role of everyone involved in my life and so do they."*

## 1.3 Making Safeguarding personal

'Making safeguarding personal' means that adult safeguarding should be person-led and outcome focused. It engages the person in a conversation about how best to respond to their safeguarding situation in a way that enhances involvement, choice and control, as well as improving quality of life, well-being and safety.

Wherever possible safeguarding concerns should be discussed with the adult concerned to get their view of what they would like to happen and keep them involved in the safeguarding process. If necessary, consent to share information outside of the organisation should always be sought where possible.

## 1.4 Wellbeing Principle

The concept of wellbeing is threaded throughout the Care Act. Wellbeing is different for each of us however the Act sets out broad categories that contribute to our sense of wellbeing. By keeping these themes in mind, we can all ensure that adult participants can fully partake in activities led by representatives of Britten Pears Arts.

- Personal dignity (including treatment of the individual with respect)
- Physical and mental health and emotional wellbeing
- Protection from abuse and neglect
- Control by the individual over their day-to-day life (including over care and support provided and the way they are provided)
- Participation in work, education, training or recreation
- Social and economic wellbeing
- Domestic, family and personal domains
- Suitability of the individual's living accommodation
- The individual's contribution to society

## 1.5 Definitions

For the purposes of this policy and related procedures, the following terms and definitions apply:

**Adult:** anyone aged 18 or over.

**Adult at risk:** any person who is aged 18 years or over who:

- Has needs for care and support (whether or not the local authority is meeting any of those needs):  
and;
- Is experiencing, or is 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.

**Adult in need of care and support:** is determined by a range of factors including personal characteristics, factors associated with their situation or environment and social factors. Naturally, a person's disability or frailty does not mean that they will inevitably experience harm or abuse. In the context of safeguarding adults, the likelihood of an adult in need of care and support experiencing harm or abuse should be determined by considering a range of social, environmental and clinical factors, not merely because they may be defined by one or more of the above descriptors. In recent years there has been a marked shift away from using the term 'vulnerable' to describe adults potentially at risk from harm or abuse.

**Safeguarding adults:**

- Protecting the rights of adults to live in safety, free from abuse and neglect.
- People and organisations working together to prevent and stop both the risks and experience of abuse or neglect.
- People and organisations making sure that the adult's wellbeing is promoted including, where appropriate, taking fully into account their views, wishes, feelings and beliefs in deciding on any action.
- Recognising that adults sometimes have complex interpersonal relationships and may be ambivalent, unclear or unrealistic about their personal circumstances and therefore potential risks to their safety or wellbeing.



**Participant:** an adult who takes part in activity led by Britten Pears Arts' staff, freelancers or volunteers.

**Capacity:** refers to the ability to make a decision at a particular time, for example when under considerable stress. The starting assumption must always be that a person has the capacity to make a decision unless it can be established that they lack capacity (MCA 2005).

**Carer:** a person who provides or intends to provide care for another adult. It is either a relative or friend who assists another person in their day-to-day life. This is different from someone who offers care professionally or through a voluntary organisation.

**Abuse:** Abuse and neglect can take many forms. Organisations and individuals should not be constrained in their view of what constitutes abuse or neglect and should always consider the circumstances of the individual case. Abuse includes:

**Physical abuse:** including assault hitting, slapping, pushing, misuse of medication, restraint or inappropriate physical sanctions.

**Sexual abuse:** including rape and sexual assault or sexual acts to which the adult has not consented or was pressured into consenting.

**Psychological abuse:** including emotional abuse, threats of harm or abandonment, deprivation of contact, humiliation, blaming, controlling, intimidation, coercion, harassment, verbal abuse, isolation or unreasonable and unjustified withdrawal of services or supportive networks.

**Financial or material abuse:** including theft, fraud, exploitation, coercion in relation to an adult's financial affairs or arrangements, including in connection with wills, property, inheritance or financial transactions, or the misuse or misappropriation of property, possessions or benefits.

**Modern Slavery:** encompasses slavery, human trafficking, forced labour and domestic servitude. Traffickers and slave masters use whatever means they have at their disposal to coerce, deceive and force individuals into a life of abuse, servitude and inhumane treatment

**Domestic Abuse and coercive control:** including psychological, physical, sexual, financial and emotional abuse. It also includes so called 'honour' based violence. It can occur between any family members.

**Neglect and acts of omission:** including ignoring medical or physical care needs, failure to provide access to appropriate health, care and support or mobility assistance, the withholding of the necessities of life, such as medication, adequate nutrition and heating.

**Self – Neglect:** this covers a wide range of behaviour neglecting to care for one's personal hygiene, health or surrounding and includes behaviour such as hoarding. It is important to

consider capacity when self-neglect is suspected. Also consider how it may impact on other family members and whether this gives rise to a safeguarding concern.

***Discriminatory abuse:*** including discrimination on grounds of race, gender and gender identity, disability, sexual orientation, religion, and other forms of harassment, slurs or similar treatment.

***Organisational abuse:*** including neglect and poor care practice within an institution or specific care setting like a hospital or care home, e.g. this may range from isolated incidents to continuing ill-treatment.

***Cyber Bullying:*** cyber bullying occurs when someone repeatedly makes fun of another person online or repeatedly picks on another person through emails or text messages, or uses online forums with the intention of harming, damaging, humiliating or isolating another person. It can be used to carry out many different types of bullying (such as racist bullying, homophobic bullying, or bullying related to special educational needs and disabilities) but instead of the perpetrator carrying out the bullying face-to-face, they use technology as a means to do it.

***Forced Marriage:*** forced marriage is a term used to describe a marriage in which one or both of the parties are married without their consent or against their will. A forced marriage differs from an arranged marriage, in which both parties consent to the assistance of a third party in identifying a spouse. The Anti-social Behaviour, Crime and Policing Act 2014 make it a criminal offence to force someone to marry. The forced marriage of adults with learning disabilities occurs when the adult does not have the capacity to consent to the marriage.

***Mate Crime:*** a 'mate crime' as defined by the Safety Net Project as 'when vulnerable people are befriended by members of the community who go on to exploit and take advantage of them. It may not be an illegal act but still has a negative effect on the individual.' Mate Crime is carried out by someone the adult knows and often happens in private. In recent years there have been a number of Serious Case Reviews relating to people with a learning disability who were murdered or seriously harmed by people who purported to be their friend.

***Radicalisation:*** the aim of radicalisation is to attract people to their reasoning, inspire new recruits and embed their extreme views and persuade vulnerable individuals of the legitimacy of their cause. This may be direct through a relationship, or through social media.

***Safeguarding allegation:*** This is where a person has:

- a) Behaved in a way that has harmed an adult, may have harmed an adult, or might lead to an adult being harmed;
  - b) Possibly committed or is planning to commit a criminal offence against an adult;
- or;

- c) Behaved towards an adult in a way that indicates they are or would be unsuitable to work with adults at risk.

**Britten Pears Arts (BPA) Staff:** also includes staff employed by Snape Maltings Trading Ltd (SMTL) as SMTL is a wholly owned subsidiary of BPA.

## **1.6 Our commitment**

The law requires that the best interests of the participant are paramount in all considerations about their welfare and protection, including when to maintain confidentiality and when to share information about them.

At Britten Pears Arts we believe that:

- All people have an equal right to protection from abuse and neglect, regardless of their age, ability, gender, disability, nationality, racial heritage, faith, sexual orientation, identity or any other additional vulnerability.
- The entire staff contingent, volunteers (including trustees), partners and freelancers all have a role to play in safeguarding.
- Concerns or allegations that Britten Pears Arts staff or volunteers or freelancers have abused or neglected another person will be managed fairly in accordance with our safeguarding policy and procedures and the safeguarding requirements.
- Working together with other relevant authorities is essential in promoting welfare and ensuring the protection of adults at risk.
- As part of working together, Britten Pears Arts expect the relevant authorities and organisations to act on our concerns. If ever we have reason to believe that this has not been done satisfactorily, we will escalate the matter further.

## **1.7 Responsibilities**

Whilst Britten Pears Arts trustees are ultimately responsible for safeguarding arrangements, with the support of the senior management team (SMT), we have identified specific staff to embed this policy and procedures and their roles and responsibilities are outlined in Appendix 1. They include:

- A Designated Safeguarding Manager (DSM) who takes a lead responsibility for safeguarding implementation assisted by the other heads of department and who chairs the Britten Pears Arts Safeguarding Working Group
- Designated Safeguarding Officers (DSOs) to whom any safeguarding concerns or allegations should be reported to and who will make referrals out to the authorities when necessary

We expect all staff, volunteers, freelancers and anyone else working on our behalf to take safeguarding seriously, know who to report concerns to, uphold the code of conduct, follow the safeguarding procedures when necessary and follow best practice recruitment and vetting procedures for staff and volunteers where this is part of their role.

## 1.8 Our approach

We will create an environment that seeks to prevent and deter any actions or omissions, whether deliberate or inadvertent, that places people at risk of any kind of abuse while in our care.

Therefore, we will:

- Value, listen to and respect all participants in all our activities
- Provide a code of conduct which links to our capability and disciplinary procedures and volunteer issue resolution policy and procedures
- Provide safeguarding reporting procedures
- Use best practice for safer recruitment, selection and vetting processes to ensure suitable staff, volunteers and freelancers are recruited to work in premises and activities with adults at risk
- Establish a safeguarding governance structure and a Safeguarding Working Group to implement safeguarding arrangements across the entire organisation
- Provide staff and volunteers with induction, regular training and support appropriate to their safeguarding role and responsibilities
- Risk assess venues, events and activities with respect to safeguarding
- Ensure our online work is conducted safely with appropriate controls in place
- Ensure compliance with the child performance licensing
- Communicate our safeguarding policy and procedures to all relevant stakeholders and beneficiaries
- Ensure safeguarding requirements are in contractual arrangements for those that work with us including our partners, hirers and freelancers
- Capture, use and store images consistent with safeguarding and data protection law
- Provide a safe and trusted culture so that everyone can express any concerns they have about the conduct of others or unsafe working practices
- Quality assure our safeguarding practice to draw out lessons learnt
- Review the safeguarding policy, procedures and code of conduct every year (or sooner if required due to legal changes or learning from safeguarding incidents) and ensure trustees approve any updated safeguarding policy or procedures.

## 1.9 Related policies and procedures

Safeguarding and promoting the welfare of adults at risk is a broad concept. Other Britten Pears Arts policies and procedures which contribute to safeguarding and must be followed by those to whom they apply:

Child and young person safeguarding policy
Recruitment and vetting policy
Whistleblowing policy
Equality & Diversity policy
Performance licensing requirements
IT policy
Bullying and harassment policy
Health and safety
Disciplinary procedure
Privacy policy
Complaints policy

## 1.10 Law and guidance

The safeguarding policy and related procedures are underpinned by English law and guidance:

Care Act 2014	Safeguarding Vulnerable Groups Act 2006
Mental Capacity Act 2005	Deprivation of Liberty Safeguards
Protection of Freedoms Act 2012	Female Genital Mutilation Act 2003
Counter Terrorism and Security Act 2015	Charity Commission safeguarding guidance 2018
Sexual Offences Act 2003	Serious Crime Act 2015
Modern Slavery 2015	Data Protection Act 2018 (including GDPR)

## 2. Safeguarding Code of Conduct

### 2.1 Safeguarding

The Safeguarding Code of Conduct clarifies the behaviour that is expected of everyone within the Britten Pears Arts organisation which includes all staff and those working on our behalf such as volunteers and freelancers. The Code will serve to protect children and adults at risk from harm. It will help everyone at Britten Pears Arts to maintain appropriate standards of behaviour, reduce the possibility of false allegations of abuse being made against them and preserve our organisation's reputation.

### 2.2 The Code

**Do:**

- ✓ Always put the welfare of a child, young person or adult at risk first, whether working in-person or online.
- ✓ Report on all suspicions, concerns, allegations or disclosures of abuse made by a child or young person or adult at risk, including any allegations made against you. Follow our safeguarding procedures for this purpose – these can be found in the policy on our website.
- ✓ Demonstrate commitment to ensure safety in all areas of organisation life, acting to safeguard and reduce risk to children and young people and adults at risk of harm.
- ✓ Treat everyone with dignity and respect. All children, young people and adults at risk have a right to equal protection regardless of their race, culture, age, gender, disability, religion, sexuality, sexual orientation, pregnancy and maternity or political persuasion.
- ✓ Be friendly and approachable but professional in your interactions.
- ✓ Work openly, avoiding private or unobserved situations and working in isolation. Try to ensure that you are not the only adult present and are at least within sight or hearing of others. Leave the door open if you find yourself in a room alone with a child, young person or an adult at risk.
- ✓ Ensure the correct level of adult supervision is maintained throughout activities. These are:
- ✓ 0 - 2 years - one adult to three children.
- ✓ 2 - 3 years - one adult to four children.
- ✓ 4 - 8 years - one adult to six children.

- ✓ 9 - 12 years - one adult to eight children.
- ✓ 13 - 18 years - one adult to ten children.
- ✓ Any physical contact with children, young people or adults at risk can be potentially subject to misinterpretation or even malicious allegations and therefore avoid all such physical contact unless it is an emergency, or it is pre-planned and a necessary part of the work that you are doing.
- ✓ Ensure your behaviour and appearance is appropriate to the work or activity that you are undertaking.
- ✓ Allow children, young people and adults at risk to change their clothes with levels of respect and privacy appropriate to their age, gender, culture and circumstances.
- ✓ Ensure that consent is gained from the guardian (for those under 16) or the individual directly (for those over 16), for all photographs or films of children, young people and adults.
- ✓ Any photographs or films of children and young people must be taken on Britten Pears Arts' own devices and can only be posted on websites managed and maintained by Britten Pears Arts, or as specified within the photo permission agreements made with the young people and their guardians.
- ✓ Respect the right to personal privacy but never agree to keep any information relating to the harm of a child or adult confidential.
- ✓ Ensure you are aware of the latest Safeguarding policy and procedures on <https://brittenpearsarts.org/about-us/safeguarding-policy> including the on-duty DSO phone number.
- ✓ Ensure that all direct communication with children, young people and vulnerable adults come directly from Britten Pears Arts accounts and devices.

### **Physical Contact:**

Britten Pears Arts permits physical contact with a child, young person or adult at risk only if:

- The individual is at risk of harm or harming others
- A verbal or written instruction is not sufficient for the individual  
Note: If you need to touch a student as part of an instrumental lesson, explain in advance that you are going to do so, why you need to do this and make sure you have the student's permission to proceed
- The individual initiates contact, such as if they are in emotional distress
- The individual has additional or access needs and requires physical assistance or help with communication  
Note: If this is the case, you should ensure you have the consent of the individual and the appropriate training to do so safely
- In all circumstances contact should be minimal, open and transparent.

### **Do not:**

- ✗ Give out your personal contact details (personal phone or mobile number, email, home address or social networking links).

- ✗ Befriend children, young people or adults at risk that you meet through their work or volunteering either face to face or on social networking sites such as Facebook and Twitter.
- ✗ Establish on-line networking, group or blog forums which are not regulated with controls relating to Britten Pears Arts governance and scrutiny.
- ✗ Engage in sexually provocative behaviour, use inappropriate or sexually suggestive language or gestures either in person, verbally or via texting/emails.
- ✗ Use any form of physical punishment as a means of discipline.
- ✗ Conduct a sexual relationship with a child, young person or adult at risk or take part in any form of sexual contact with a child or adult at risk regardless of the age of consent.
- ✗ Swear or make sarcastic, insensitive, derogatory or discriminatory comments or gestures to or in front of children, young people or adults at risk.
- ✗ Transport children or adults with whom you are working in your own vehicle.
- ✗ Rely on your reputation, position or the organisation to protect you.
- ✗ Work under the influence of alcohol or drugs.
- ✗ Smoke or vape in front of children or young people.
- ✗ Discuss your own personal/sexual relationships with children, young people or adults at risk.
- ✗ Give or receive gifts and/or substances such as drugs, alcohol, cigarettes, e-cigarettes from or to a child/adult at risk or their family.
- ✗ Broadcast or share any audio and/or visual material (CDs, DVDs, videos, photos, films, computer, blogs or games etc.) during work hours that has inappropriate or obscene content.
- ✗ Invite, or allow, a child, young person or adult at risk whom you have met through your work to your home.
- ✗ Arrange to meet a child, young person or adult at risk outside of your work/volunteering role at all, whether working in-person or online.
- ✗ Provide any child, young person or adult at risk with support, such as personal care, unless this is a specified part of your job or volunteering role.
- ✗ Wear anything that could be considered offensive or discriminatory. This could include clothing which could reasonably be deemed inappropriate e.g political, sexual, violent, non-age appropriate.

### **2.3 What to do if there is a breach of the Code of Conduct**

If anyone is concerned that a staff member, volunteer or freelancer has breached the code of conduct they should consider first if they feel able to raise the matter with the person concerned but only if this is safe and appropriate to do so and this will depend on the nature of the concern. Otherwise they should alert their line manager in the first instance. If the concern is about their line manager then inform the second line manager. The line manager will need to consider the nature of the breach and the most appropriate action to take which might involve addressing poor practice, or using the relevant internal procedures e.g. disciplinary and/or safeguarding procedures and/or volunteer resolution.

If the breach concerns a member of the board of trustees then inform the chair of the board of trustees.

If the breach concerns the CEO then inform the chair of the trustees.

Advice can always be sought from the Designated Safeguarding Manager or a Designated Safeguarding Officer or HR Director.

### **3. Recognition of abuse and neglect**

#### **3.1 Introduction**

The Safeguarding Procedures are a key element of how Britten Pears Arts seeks to safeguard and protect all those with whom we engage as well as our staff, volunteers, freelancers and third parties.

If you have any comments or concerns about these Procedures please notify the Designated Safeguarding Manager or Designated Safeguarding Officer [see Appendix 8 for contact details].

#### **3.2 Principles of the procedures**

The '5Rs' underpin these reporting procedures as follows:

- **Recognise** concerns that a person is being harmed or might be at risk of harm
- **Respond appropriately** to a person who is telling you what is happening to them
- **Refer** the concerns on to your designated safeguarding officer or straight to the emergency services (if the incident warrants this)
- **Record** the concerns appropriately and any subsequent action taken
- **Resolution** and escalation are the responsibility of the DSOs or DSM to follow up referrals made to the authorities and if necessary, escalate concerns if identified risks remain.

#### **3.3 Recognition of abuse**

Abuse can take place in any context and by all manner of perpetrator. Abuse may be inflicted by anyone in the club who an athlete comes into contact with. Britten Pears Arts staff, volunteers or freelancers may suspect that a person is being abused or neglected outside of the activity setting. There are many signs and indicators that may suggest someone is being abused or neglected, these include but are not limited to:

- Unexplained bruises or injuries – or lack of medical attention when an injury is present.
- Person has belongings or money going missing.
- Person is not attending / no longer enjoying their sessions.
- Someone losing or gaining weight / an unkempt appearance. This could be a participant whose appearance becomes unkempt, does not wear suitable clothing and deterioration in hygiene.



- A change in the behaviour or confidence of a person. For example, a participant may be looking quiet and withdrawn when their carer collects them from sessions, in contrast to another individual whom they greet with a smile.
- They may self-harm.
- They may have a fear of a particular group or individual.
- They may tell you / another person they are being abused – i.e. a disclosure.
- They may behave inappropriately towards others.
- A carer may be not recognising or responding to the needs of a participant during the session (i.e. comfort breaks, mobility support, medication)

### **3.4 Concerns**

A concern about the safety of an adult may arise because:

- A person says that they are being abused or is telling you about something that has happened to them that you think would be harmful
- You see possible signs of abuse or neglect
- Somebody says that a person is being harmed or is at risk of harm
- The behaviour of an adult towards others gives cause for concern
- A person shares their experience of abuse in their past - this may be referred to as 'historical or non-recent abuse'.

### **3.5 Non-recent historic allegations of abuse**

Any concerns that relate to abuse that happened more than a year ago, whether involving anyone working for Britten Pears Arts or outside of it, must be taken seriously and acted upon in line with these procedures. Often victims of abuse take many years to come forward due to shame and a fear of being disbelieved however the alleged perpetrator may remain a risk to others. Britten Pears Arts should report such cases and concerns to the local authority and/or the police following the procedures laid out in Sections 4 -6 even if the person is no longer at risk of harm.

### **3.6 Mental Capacity**

The issue of capacity or decision making is a key one in safeguarding adults. It is useful for organisations to have an overview of the concept of capacity. We make many decisions every day, often without realising. We make so many decisions that it is easy to take this ability for granted. But some people are only able to make some decisions, and a small number of people cannot make any decisions. Being unable to make a decision is called "lacking capacity". To make a decision we need to:

- Understand information
- Remember it for long enough
- Think about the information
- Communicate our decision

A person's ability to do this may be affected by things like learning disability, dementia, mental health needs, acquired brain injury, and physical ill health. The Mental Capacity Act 2005 (MCA)

states that every individual has the right to make their own decisions and provides the framework for this to happen. The MCA is about making sure that people over the age of 16 have the support they need to make as many decisions as possible. The MCA also protects people who need family, friends, or paid support staff to make decisions for them because they lack capacity to make specific decisions.

To help you to understand the MCA, consider the following five points:

1. Assume that people are able to make decisions, unless it is shown that they are not. If you have concerns about a person's level of understanding, you should check this with them, and if applicable, with the people supporting them.
2. Give people as much support as they need to make decisions. You may be involved in this – you might need to think about the way you communicate or provide information, and you may be asked your opinion.
3. People have the right to make unwise decisions. The important thing is that they understand the implications. If they understand the implications, consider how risks might be minimised.
4. If someone is not able to make a decision, then the person helping them must only make decisions in their "best interests". This means that the decision must be what is best for the person, not for anyone else. If someone was making a decision on your behalf, you would want it to reflect the decision you would make if you were able to.
5. Find the least restrictive way of doing what needs to be done.

Remember:

- You should not discriminate or make assumptions about someone's ability to make decisions, and you should not pre-empt a best-interest's decision merely on the basis of a person's age, appearance, condition, or behaviour.
- When it comes to decision-making, you could be involved in a minor way, or asked to provide more detail. The way you provide information might influence a person's ultimate decision. A person may be receiving support that is not in-line with the MCA, so you must be prepared to address this.

### **3.7 Additional vulnerabilities including safeguarding disabled adults**

Research has consistently shown that adults with a disability are more at risk of abuse. Disability may be visible such as Cerebral Palsy or invisible such as a learning disability. Many things contribute to this increase in risk of abuse including:

- Poor practice resulting from not understanding the care and support the adults needs
- Attitudes and assumptions about disability
- Lack of awareness and the belief that disabled adults are not abused
- Factors linked to the impairment i.e. it may be harder to communicate or avoid the abuser if the adult depends on them.
- Targeting by abusers who may believe they are less likely to tell or be believed because of this

Best practice in this area includes;

- Making sure everyone working with the adult at risk understands what the impairment actually means for the adult concerned
- Talking to the adult and their carers to understand the adult's needs
- Making sure there is a plan to meet additional needs and that this is clear and shared with those who work with the adult
- Listening to what the adult says and communicates by their behaviour as well as their words or signs
- Making sure the adult knows who to go to and how to do so if they are worried about anything
- Observing carefully and getting to know the adult and understanding how they respond to different experiences
- Reviewing the adult's involvement regularly to help them get the most from the activity

### **3.8 Fairness, inclusion and equality**

Everyone must guard against not sharing share their concerns in the belief that they are protecting a person's cultural or religious beliefs or through fear that their action might be interpreted as being prejudiced. Everyone is entitled to equal protection. Participants will enjoy, achieve and stay safe if they:

- Feel able to be themselves
- Feel valued for who they are
- Feel included and part of a community
- Have access to resources and information relevant to them
- Feel safe and supported
- Feel they have people to talk to if things aren't going so well

## **4. What to do if you have a safeguarding concern about an adult**

**What to do if you have a concern: respond - refer - record**

### **4.1 Responding to a safeguarding concern**

If you identify a safeguarding concern which is **not** immediately life-threatening or does not immediately present a high risk of serious harm, you must:

#### **Step 1**

- Seek consent from the adult to take action and to report the concern. Consider whether the adult may lack capacity to make decisions about their own and other people's safety and wellbeing.

#### **Step 2**

- Speak to a DSO about your concern and determine together if it is a safeguarding concern (This should be done on the same day that you identify the concern).
- Give brief details about what has happened and what the adult would like done about it.

### **Step 3**

- Make a record of what was seen, said and done on the Safeguarding Concern Form (Appendix 6). If you have this form to hand, then complete it otherwise the DSO will complete it when you speak with them.
- As far as possible, records should be written as soon as possible, dated and signed.
- Keep records about safeguarding concerns confidential and in a location where the alleged abuser will not have access to the record.
- Access should not be given to any unauthorised person for accessing confidential information including the sharing of passwords.

### **Step 4**

The DSO will determine what action is necessary. In making a decision whether to refer or not, the designated safeguarding lead will take into account:

1. the adult's wishes and preferred outcome
2. whether the adult has mental capacity to make an informed decision about their own and others' safety
3. the safety or wellbeing of children or other adults with care and support needs
4. whether there is a person in a position of trust involved
5. whether a crime has been committed

**Step 5** The DSO must record whatever decision is taken on the Safeguarding Concern Form (Appendix 6) with a rationale even if no further action is to be taken. A decision to take no further action or monitor a situation is as serious as a decision to make an external referral.

**Step 6** If the DSO decides to make an external referral (unless it is an emergency, or the DSO considers it better for the person with the concern to make the referral and report back) then the DSO must:

- make the referral via the [Suffolk Adult Care Portal](#) within 48 hours of the concern being reported
- seek feedback after three working days of having made the referral to check it has been received and action taken

**Step 7** The DSO must keep a record of all the actions taken, decisions made and any outcomes in accordance with good practice on recording and information storage and retention (see Section 7)

**Step 8** The DSO must consider if the person who first raised the concern needs any support and who can provide it.

**Step 9** The DSO should also notify the relevant Head of Department that they are dealing with a safeguarding concern.

Further advice can be found in the [Suffolk Safeguard Adults Framework](#).

## **4.2 Reporting procedures for residential activities**

Follow the same procedures in 4.1. There will be an on-duty number for the DSO during out of office hours.

See **Appendix 13: Suffolk Safeguarding Adults Board – Safeguarding Journey**

## **4.3 Responding to a direct disclosure of abuse**

Sometimes a person will tell someone about their experience of abuse or the way they are being treated by someone else. You should respond in the following ways and then follow the procedures in paragraph 4.1:

### **Do:**

- Be accessible and receptive
- Listen carefully
- Take it seriously
- Reassure them that they were right to tell
- Explain what will happen next in terms of the process within Britten Pears Arts

### **Do not:**

- React strongly – for instance saying, ‘that’s terrible’
- Jump to conclusions especially about the abuser
- Tell them you will keep this a secret
- Ask leading questions
- Make promises you cannot keep
- Stop them from speaking freely
- Tell them to stop talking so that you can fetch a DSO

## **4.4 Responding to a safeguarding emergency**

In an emergency where a person has been seriously hurt or is in imminent danger of being harmed you should:

- Ring 999 and ask for the emergency service required - police and/or ambulance;
- Inform a DSO and the designated safeguarding officer onsite if you are working offsite or in the premises of another organisation (e.g. care home) where this role is in place
- If a DSO is not available then inform the DSM
- The procedures in 4.1 must then be followed by the DSO

## **4.5 Resolution and escalation**

If, after reporting on a concern, it is evident that the local authority or police have not taken appropriate action in relation to the safeguarding concern or allegation, then the DSO must discuss

this with the DSM to determine if the matter needs escalating with the local authority. There are specific procedures to be followed in such instances as defined by the Suffolk Safeguarding Adults Board.

Similarly, if the safeguarding lead in a partner organisation has not taken appropriate action then the DSO should discuss this with the DSM to determine whether to make a referral out to the local authority or police or if advice needs to be sought about the matter from an external body.

A record of any decisions and outcomes must be kept by the DSO or DSM using the Safeguarding Action Log (Appendix 7).

#### **4.6 Consent and Information Sharing**

Britten Pears Arts staff, volunteers and freelancers should always share safeguarding concerns with a DSO in the first instance, except in emergency situations. The DSO will then consider the situation and plan the actions that need to be taken, in conjunction with the wishes of the adult at risk.

To seek advice as to whether an adult safeguarding referral is needed the DSO/DSM will call the MASH Professional Consultation Line (0345 606 1499). A conversation can be held without disclosing the identity of the person in the first instance. If it is thought that a referral needs to be made, consent should be sought from the adult at risk.

Individuals may not give their consent to the sharing of safeguarding information with the safeguarding adult's team for a number of reasons. Reassurance, appropriate support and revisiting the issues at another time may help to change their view on whether it is best to share information.

If they still do not consent, then their wishes should usually be respected. However, there are circumstances where information can be shared without consent such as when the adult does not have the capacity to consent, it is in the public interest because it may affect other people, or a serious crime has been committed. This should always be discussed with your safeguarding lead and the Suffolk Safeguarding Adults Board. Decisions made to share information (or not) must be defensible and in the best interests of vulnerable people, in a bid to reduce or prevent harm; and consideration must be given to the likelihood of harm being caused if the information is not shared.

If someone does not want you to share information outside of the organisation or you do not have consent to share the information, ask yourself the following questions:

- Is the adult placing themselves at further risk of harm?
- Is someone else likely to get hurt?
- Has a criminal offence occurred? This may include: theft or burglary of items, physical abuse, sexual abuse, forced to hand over sums of money (financial abuse) or harassment.
- Is there suspicion that a crime has occurred?

If the answer to any of the questions above is 'yes' - then you can share without consent and need to share the information.

When sharing information there are seven Golden Rules that should always be followed.

1. Seek advice if in any doubt
2. Be transparent - The Data Protection Act (DPA) is not a barrier to sharing information but to ensure that personal information is shared appropriately; except in circumstances where by doing so places the person at significant risk of harm.
3. Consider the public interest - base all decisions to share information on the safety and well-being of that person or others that may be affected by their actions.
4. Share with consent where appropriate - where possible, respond to the wishes of those who do not consent to share confidential information. You may still share information without consent, if this is in the public interest.
5. Keep a record - record your decision and reasons to share or not share information.
6. Accurate, necessary, proportionate, relevant and secure - ensure all information shared is accurate, up-to-date; necessary and share with only those who need to have it.
7. Remember the purpose of the Data Protection Act (DPA) is to ensure personal information is shared appropriately, except in circumstances where by doing so may place the person or others at significant harm.

To ensure a balance between the requirement of confidentiality and the need to share information, due consideration is given to:

- Public Interest Disclosure Act (1998)
- The Caldecott Guardians
- Human Rights Act 1998
- Section 17 Crime and Disorder Act (1998)

#### **4.7 The need for support services**

Where you think that a person needs support services for their welfare rather than a need for protection, then you should speak to your line manager about what to do. No referral can be made to any support service without the consent of the person involved therefore a discussion with them would be necessary. Use the Safeguarding Concerns Form (Appendix 6) to jot down what action, if any, has been taken and send it to the DSO.

## **5. What to do if there is a safeguarding allegation against a member of staff, volunteer or freelancer**

### **5.1 Definition of a safeguarding allegation**

This is where a person has:

- a) Behaved in a way that has harmed another person, may have harmed another person or might lead to another person being harmed;
- b) Possibly committed or is planning to commit a criminal offence against another person or related to another person or;
- c) Behaved towards another person in a way that indicates they are or would be unsuitable to work within this context.

The allegation may:

- Involve a child/ren, or adults(s) or both
- Be about any type of abuse;
- Concern a breach of the Britten Pears Arts safeguarding code of conduct;
- Relate to a person who no longer works or volunteers for Britten Pears Arts (known as a 'historical non-recent allegation')

A safeguarding allegation may arise when:

- An adult at risk or carer makes an allegation against member of staff, volunteer or freelancer
- Harmful behaviour is observed
- Britten Pears Arts receives a safeguarding allegation from any individual during another internal procedure, for example in respect of a misconduct enquiry or complaint
- Britten Pears Arts is informed by the police or local authority or an individual that they are the subject of a criminal investigation
- New information is contained in a Disclosure and Barring List (DBS) renewal check.

## **5.2 Consideration**

There may be up to four strands in the consideration of any safeguarding allegation:

- Enquiries and assessment by social services about whether an adult at risk needs protection and/or specific support
- A police investigation if a criminal offence may have been committed
- Consideration by an employer of disciplinary action in respect of a member of staff
- Referral for 'consideration to bar' a person from working with children and vulnerable adults (i.e. referral to the Disclosure and Barring Service) and/or referral to a professional registration body for professional misconduct.

## **5.3 Confidentiality**

If a member of staff/volunteer/freelancer is concerned about the behaviour of another member of staff/volunteer/freelancer then they should not worry about the confidentiality of this



information. Even if it turns out to be mistaken, it is better to discuss it and enable a proper investigation and assessment to happen than not report it at all. Do not:

- Ignore concerns
- Confront the person
- Discuss the matter with anyone else apart from those identified in this procedure

#### **5.4 What to do when there is a safeguarding allegation**

**Step 1** The person should contact the DSO and complete the Safeguarding Concern Form (Appendix 6).

**Step 2** If it is considered that a person is subject to life threatening concerns or risk of immediate harm, or needs emergency medical attention, then the emergency services must be contacted straightaway and the emergency contact for the person informed. The procedures in Section 4 should also be followed.

**Step 3** The DSO must inform the DSM within 24 hours about the safeguarding allegation and in turn they will consult with the HR Director to consider if the allegation is a safeguarding one (ie it meets one or more of the criteria in 6.1 (a)-(c). The DSM will oversee the management of any safeguarding allegation together with the HR Director.

- If the DSM is on leave or not available, then the DSO will contact the DSM Deputy.
- If the DSM Deputy is on leave, the DSO will contact the HR Director. If the HR Directors on leave, the DSM will work with the Chief Executive or Trustee to manage the allegation

**Step 4** If, after the initial consideration, the DSM and HR Director do not consider the matter constitutes a safeguarding allegation then they must decide if an internal investigation is required to determine if the behaviour/incident was related to poor practice or misconduct and follow the appropriate procedure to address this. All decisions and the reasons for them, including there being no need to take safeguarding action, must be recorded and kept separate from the individual's file but with a cross reference to it.

**Step 5** If the DSM and HR Director do consider the matter constitutes a safeguarding allegation, they will then need to agree an initial plan of how to manage the allegation within one working day. The safeguarding allegation may be in respect of the person's employment or behaviour towards any other children including their own. They should consider:

- the immediate safety of any relevant individuals involved, for example those that are the subject of the safeguarding allegation or other vulnerable people that the individual has contact with through work or family
- if further information is required for clarification
- what information to share with the individual who is the subject of the safeguarding allegation and with any other known employer of the individual, and when to do so
- whether any immediate decision should be taken about suspension of the individual subject to allegation, pending further enquiries and/or investigation;

- if any records need to be secured or 'locked down, or any equipment removed from the individual who is the subject of the concern
- whether the criteria are met for referral to the local authority and/or the police;
- whether the criteria are met for a serious incident report being made to the Charity Commission
- notifying the relevant Head of Department that a safeguarding allegation is being dealt with
- identifying who else is aware of the safeguarding allegation and who has been spoken to
- if any advice should be sought from the Suffolk Safeguarding Adults Board helpline
- any arrangements to support the person who is the subject of the safeguarding allegation, the person who raised the allegation and the alleged victim
- delegation of tasks to the DSO

In addition, there may need to be a plan around the management of information including:

- who needs to know and what information can be shared within Britten Pears Arts
- how to manage speculation, leaks and gossip
- what, if any, information can reasonably be given to reduce speculation
- how to manage press interest if, and when, it might arise

**Step 6** Arrangements for managing an allegation will vary in the following circumstances if the allegation is made against:

**DSO** - the DSM and HR Director will manage the allegation process

**DSM / Deputy DSM** - the HR Director and CEO will manage the allegation

**HR Director** – the DSM and a nominated member of the board

**CEO** – a board member and HR Director

**Step 7** If it is agreed that the safeguarding allegation meets one or more of the criteria in Section 5.1 (a) to (c) then the DSM or HR Director must make a referral within one working day to:

- Suffolk Safeguarding Adults Board, or;
- The local Safeguarding Adults Board where the staff member, volunteer, freelancer resides if the allegation is about adult behaviour but with no identifiable victim.

The LADO will:

- discuss the allegation and obtain further details of the allegation and the circumstances in which it was made;
- discuss whether there is evidence/information that establishes the allegation is false or unfounded.

**Step 8** If the allegation is considered to meet the criteria for referral to the local authority, then any child protection investigation and/or police investigation must take priority over any internal Britten Pears Arts HR processes.

**Step 9** The DSM and HR Director will need to determine if the allegation warrants Britten Pears Arts to suspend the member of staff who is the subject of the allegation or cease to use the services of a freelancer or volunteer. The act of suspension does not indicate a person's guilt. An individual must not be suspended automatically when there has been an allegation or without careful consideration about other alternative arrangements. Suspension should be considered in any case where:

- there is cause to suspect an adult at risk is at risk of significant harm
- or, the allegation warrants investigation by the police
- or, is so serious that it might be grounds for dismissal
- or, there are concerns that the person about whom the allegations are made may put pressure on or interfere with potential witnesses.

The power to suspend the accused member of staff or discontinue the services of the freelancer or volunteer is vested in the employer alone. However, in making these decisions the DSM in consultation with the HR Director will need to take into consideration the views of the police and the local authority.

## **5.5 Action following the conclusion of the investigative process**

**5.5.1** At the conclusion of any external investigations, the DSM in conjunction with the HR Director and the Suffolk Safeguarding Adults Board will formally review the outcome and determine if any further action is required. The range of options open will depend on the circumstances of the case and will need to consider the result of any police investigation or trial, any investigations in respect of the child/young person, as well as the different standard of proof required in disciplinary and criminal proceedings. Options include:

- reintegration of the member of staff
- using the services again of the volunteer or freelancer
- instigating the disciplinary process in respect of staff or the volunteer resolution process in respect of volunteers
- alerting other known employers of the individual concerned (which is a responsibility of the Suffolk Safeguarding Adults Board to do if necessary)
- making a referral to the Disclosure and Barring Service (DBS) for consideration to bar the person from working with children and adults at risk if they were working in 'regulated activity'. The referral process is outlined on the DBS website and they can be contacted for advice if there is uncertainty as to what to do. The DSM or HR Director are responsible for making such a referral.
- alerting the Charity Commission of the outcome as per their serious incident reporting requirements

**5.5.2** The following definitions should be used when recording the outcome of allegation:

- **Substantiated:** there is sufficient evidence to prove the allegation
- **False:** there is sufficient evidence to disprove the allegation.
- **Malicious:** there is sufficient evidence to disprove the allegation and that there has been a deliberate act to deceive

- **Unsubstantiated:** there is insufficient evidence to either prove or disprove the allegation

Every effort should be made to reach a conclusion in all cases even if:

- the individual refuses to cooperate, although they should be given a full opportunity to answer the allegation and make representations
- it is difficult to reach a conclusion
- the member of staff has resigned, or the freelancer or volunteer withdraws their services
- the person is deceased

**5.5.3** Britten Pears Arts **never** agrees to the use of a 'settlement agreement' or non-disclosure agreement with a member of staff in the context of a safeguarding matter. This is where the member of staff subject to the allegation agrees to resign, the employer agrees not to pursue disciplinary action, and both parties agree a form of words to be used in future references. Nor can it be used to override Britten Pears Arts' duty to make a referral to the DBS where they meet the criteria for consideration to bar them from working with children or vulnerable adults.

**5.5.4** The DSM and HR Director must determine who needs feedback following the conclusion of any investigations and the nature of that feedback in accordance with the principles of data protection and confidentiality.

**5.5.5** If an allegation is determined to be false or malicious, the DSM with the HR Director must consider if any further action is required which includes:

- if the safeguarding allegation was deliberately invented or malicious then this should be discussed with the police and advice sought
- whether disciplinary action is required (in respect of staff) or volunteer issue resolution (in respect of volunteers)
- the support needs of the person that was the subject of the safeguarding allegation or the person that was harmed

**5.5.6** At the end of the process of managing an allegation and its conclusions, the DSM and HR Director are responsible for the identification of any lessons learned. This learning may need to feed into policy and procedural revisions and/or safeguarding training.

**5.5.7** The DSM must provide in writing feedback to the person who has been subject to the investigation, clarifying the outcome and any implications for their employment. This must be provided within five working days of the conclusion of the investigation.

## **5.6 Poor Practice**

There may be circumstances where allegations are about poor practice rather than abuse, for example the member of staff, volunteer or freelancer has not adhered to an aspect of the Code of

Conduct but this has not resulted in any harm. If enquiries indicate that the allegation is about poor practice, then Britten Pears Arts will determine how best to remedy this e.g. using misconduct procedures and/or training.

## **5.7 Support**

Britten Pears Arts will fully support and protect any member of staff, freelancer or volunteer who, in good faith, reports his or her concern that a colleague is, or may be abusing an adult at risk. If an allegation is made that is found to be malicious or fraudulent Britten Pears Arts retains the right to take appropriate action against the individual responsible for making the claim.

Britten Pears Arts has a duty of care to its staff, volunteers and freelancers and will therefore act to manage and minimise the stress inherent in the allegations process. In managing any allegation there is a need for the DSM and HR Director to consider the support needs of individuals involved. The support they require depends on the circumstances of the case and will have to be negotiated and agreed on a case-by-case basis. Support may include responding to the impacts of shock, anger or being a risk to self, for example. It may include support for the:

- person who raised the concern at the outset
- person who is the subject of the allegation
- the DSM and HR Director

The person who is the subject of the allegation can also ask for support.

## **5.8 DSM & HR Director**

The DSM and HR Director are responsible for ensuring that the staff member, volunteer or freelancer who is the subject of an allegation is:

- informed of the allegation against them (once agreed by the local authority/police), notified of the processes that will follow and signposted to independent support should they require it
- kept up to date about any progress in relation to their case
- advised to contact their union or professional association at the outset, if applicable
- kept up to date about what is happening in the workplace in cases where the person is suspended or Britten Pears Arts cease to use their services. This is to enable their reintegration should they return to work/volunteering
- sent correspondence confirming all of the above including the arrangements for support.

## **5.9 References**

Cases in which an allegation was proven to be false, unsubstantiated or malicious should not be included in employer references.

## **6. Recording, records retention and destruction**

### **6.1 Recording**

It is essential that Britten Pears Arts keep clear and comprehensive records of any safeguarding concern or allegation including details of how they were followed up and resolved, and details of the decisions reached and any action taken. The purpose of the record is to:

- enable accurate information to be given in response to any request for a reference
- provide clarification in cases where a future DBS disclosure reveals information from the police that an allegation was made but did not result in a prosecution or a conviction
- prevent unnecessary re-investigation should an allegation resurface after time
- provide evidence and information if a decision is made to refer the person for consideration to be barred from working with children and vulnerable adults
- enable Britten Pears Arts to review and improve policies, procedures and practice

### **6.2 Creation and Maintaining**

The DSO and DSM are responsible for creating and maintaining the record while managing a safeguarding concern or allegation.

### **6.3 Additional Records**

Additional records e.g. email, hard copy documents etc. must also be retained. Summaries of the content of these will be recorded on the Safeguarding Action Log (Appendix 7). At the end of the case the DSOs or DSM will create a file of all emails including scanned copies of all hard copy documents. The file must be linked to the Safeguarding Concern Form (Appendix 6). All original hard copy documents should be immediately destroyed (post scanning) using the shredder/secure paper collection.

### **6.4 Records of Safeguarding Allegations**

Records of safeguarding allegations and any subsequent processes against members of staff, freelancers and volunteers must be retained by Britten Pears Arts, including for people who leave the organisation, for fifty years. The records must be stored securely in a password protected folder in a shared drive and with restricted access by the DSO and DSM and anyone else authorised by them. Details of allegations that are found to be malicious should be removed from personnel records.

### **6.5 Safeguarding Concern Form**

All the information relating to a safeguarding concern about a child/young person and subsequent action taken must be recorded using the Safeguarding Concern Form (Appendix 6) and the Safeguarding Action Log (Appendix 7). These records must be stored securely in a password

protected folder in a shared drive and with restricted access by the DSO and DSM and anyone else authorised by them. These records should be retained for a period of 15 years. The period of retention may need to be longer if there has been a complaint in respect of the case or legal proceedings. The reason for keeping a record for longer than 15 years must be documented to be in line with the principles of the Data Protection Act.

## **6.6 Retention**

Once the requisite retention period has been reached all records should be destroyed using shredding and confidential waste or be electronically purged.

## **7. Safeguarding arrangements when Britten Pears Arts works with partners, freelancers, with those that hire our premises and organised groups of visitors**

### **7.1 Duty of Care**

Britten Pears Arts aims to ensure that the same duty of care is applied to people in our venues who are working with someone hiring and/or partners who are delivering in our venues, as those to whom we work directly. This should be reflected in any Contractual Agreements/Terms and Conditions as part of any hiring arrangements or partnership agreements.

### **7.2 Working with partners**

Britten Pears Arts does work in partnership with other organisations either onsite or on the premises of our partner. When this happens, it is essential that there is a written agreement (e.g. a memorandum of understanding) about the safeguarding arrangements between us and our partner which details:

- who is the 'lead' partner taking primary responsibility for responding to any safeguarding concerns or allegations
- the name and contact details for the designated safeguarding officer in the partner organisation and at Britten Pears Arts
- who conducts the risk assessment(s) for the activity/project and implements the controls necessary to make it safe
- any additional elements regarding the Safeguarding Code of Conduct because of the specific nature of the activity/project
- responsibility for getting consent to participate in the activity/project and for the use of images if applicable
- information sharing and storage of confidential data e.g. registration forms and medical information
- any safeguarding training requirements
- arrangements for monitoring safeguarding for the duration of the partnership arrangement

- arrangements for ensuring staff, volunteers or freelancers are suitable, appropriately qualified and safe to work with adults at risk

The DSO at Britten Pears Arts should be involved in making any such arrangements even if they are not directly working with the partner.

### **7.3 Hirers**

**7.3.1** We expect hirers who are involving adults at risk to meet our safeguarding requirements and these will be included in the hirer's contract. Hires are expected to:

- have a safeguarding policy and procedures and code of conduct
- ensure their staff or volunteers are suitable to work with adults at risk and that they hold the requisite qualification related to the activity that they are delivering in our premises where this is necessary
- risk assess their activities at our site
- ensure compliance with any associated regulations
- hold the appropriate level of public liability insurance

**7.3.2** Hirers will be sent a summary copy of our Safeguarding Policy and Procedures and the full Safeguarding Code of Conduct. The hirers should be told to inform the DSO if the hirer has any concerns about the behaviour of our staff, volunteers or freelancers or if a safeguarding concern or allegation arises in the course of them being onsite.

**7.3.3** Hirers are required to complete a booking form and to complete the safeguarding checklist (Appendix 11) if they intend to involve adults at risk in their activity/performance.

The artistic planning co-ordinator will review these documents. If the hirer does not meet all our safeguarding requirements, then the artistic planning co-ordinator should escalate the matter to the DSO in order to determine whether the hire arrangement can proceed or not.

### **7.4 Organised Groups**

Britten Pears Arts venues and events receive a range of organised groups (e.g. choirs, music groups, orchestras). If any staff member, freelancer or volunteer has a concern about a person in such a party they should follow the procedures in Section 4. The DSO will advise as to what action to take. Normally this will be for staff or freelancer to discuss the concern with the leader of the party and it will then be for them to manage the concern. However, if the concern is about the behaviour of the leader of the party then the DSO will have to contact a more senior person in their organisation to alert them and/or the police if no such person exists. It will be for that organisation to manage the allegation. The DSO must record the information about actions and decisions made.

## **8. Lost or missing adults at risk on and off site**

### **8.1 Lost on site**



Adults at risk may become lost from a carer or group when (a) visiting our site or (b) when they are participating in activities that either Britten Pears Arts or a hirer is responsible for. This can be highly distressing for everyone involved.

**8.1.1** If a staff member, freelancer or volunteer encounters an adult whom they deem is at risk and lost anywhere onsite they should:

- Ask the person if they are lost, find out their name and who they were with and/or what activity they are participating in
- If possible, tell a colleague you are taking the person to the Visitor Centre
- Take the person to the Visitor Centre and ensure you are never alone by staying in public places only whilst walking to the Visitor Centre
- Put out a message on the radio about the lost person
- Alert the DSO if there is one on site
- Wait with the person until their carer or group leader is located
- Check that the 'lost' person and carer/group leader know each other
- Record the incident and outcome on an Accident Report Form

If a group leader/hirer informs you that a person from their party has gone missing then this needs to be managed, as above, in conjunction with the group leader/hirer and a record made of the incident and outcome with the DSO.

## **8.2 Lost off site**

If an adult at risk goes missing from an activity without letting anyone know then it's important to act quickly to ensure the person is safe. If a staff member, volunteer or freelancer identifies that a person has gone missing then they should:

- Alert the rest of the team
- Agree with the team a search plan, ensuring the safety of other participants is maintained
- Contact the person if we have their details and check what any other people know about the situation
  - If other participants have the relevant contact details, ask them to contact the person or contact them yourself, depending on the situation
- If the person cannot be found or located elsewhere then their emergency contact should be contacted, and/or police as appropriate. Clearly there is a judgment call to be made here about the level of risk to the person which will depend on their age and ability, but this call must be done within a maximum of one hour of the person going missing
- Record the incident and outcome with the DSO

If a group leader/hirer informs you that a person from their party has gone missing whilst off site then this needs to be managed, as above, in conjunction with the group leader/hirer and a record made of the incident and outcome with the DSO.

## **9. Use of Images – photographs and film**

## **9.1 Marketing**

Britten Pears Arts may take photographs and films to use for marketing and promotional purposes. However, such images are people's personal data and therefore should be taken and stored in a way that is safe and complies with data protection law. The following procedures and principles apply:

## **9.2 Consent**

- Britten Pears Arts staff, volunteers and freelancers can only take photographs or film of people when there is a record of informed consent having been given.
- Clear instructions relating to photography restrictions will be provided in the form of announcements, signage and printed programme (if relevant). In the event of people taking photographs and videos when not permitted, ushers and staff will use reasonable endeavours to stop them.
- Informed consent means that we need to explain: how the images will be used; for what purpose, it will be used; when and where it will be used (including the impact of publishing material online) and for how long it will be used.
- Signed consent forms must be dated. Ordinarily images will be used on an ongoing basis to promote the work of Britten Pears Arts but in some instances it might be appropriate to include an expiry date if the images have only been agreed for a specific campaign or period in this instance, when the consent period is up – or if Britten Pears Arts decides to use the material in a different way to what was originally agreed we must make reasonable efforts to track down the subject and ask them to renew their consent.
- Everyone featured in an image used by Britten Pears Arts (including staff, volunteers, freelancers) should have given informed consent for the photograph to be taken. Best practice is to make a written note of the consent with a standard consent form.
- Consent is not required for crowd shots in public places where it would be impractical to ask everyone pictured – but everyone who's identifiable in the foreground – especially children/young people – should have given consent.
- Hard copies of consent forms will be retained and stored in the related venue or project folder in a locked cabinet or will be scanned and kept within the electronic project file.

## **9.3 Anonymity**

- All participants should be given the right to remain anonymous in photographic/video material if they so wish.
- Our standard practice is to protect the identities of all children/young people in any images we take (unless specific consent has been gained to publish their name). This means that all names in any case study and/or photographs/films should be changed. This will be done by the marketing department and approved by the relevant programme team before publishing.
- We should always consider the potential impact on a child/young person in allowing us to use their information or their image.

## **9.4 Use of images - photography and filming**

Images taken must not:

- be harmful to anyone in the future
- show anyone inappropriately clothed
- perpetuate negative stereotypes

Images taken must be:

- appropriate, dignified and for a defined work purpose only
- taken and stored on Britten Pears Arts equipment and not personal devices
- destroyed once used for a specific purpose unless new permission has been sought to use them for a different purpose
- used only in Britten Pears Arts publications or on company social media sites and not for personal use or posts

## **9.5 Professional Photographer/Film Maker**

Where Britten Pears Arts uses professional photographer or film maker then requirements about Taking, storing and using the images will form part of the contractual arrangement.

See **Appendix 14: Film and Photography Consent Form (Over 18)**

## **10. Safeguarding induction and training**

Britten Pears Arts are committed to ensuring all staff, volunteers and freelancers receive information about the safeguarding policy, procedures and code of conduct as part of their induction appropriate to their role and responsibilities. The HR Director with input from Heads of Department will ensure training plans for staff and volunteers include safeguarding at all levels across the organisation and that it is monitored for compliance.

## **11. Bullying**

Bullying may be defined as deliberately hurtful behaviour, usually repeated over a period, where it is difficult for those bullied to defend themselves. It can take many forms, but the three main types are physical (e.g. hitting, kicking, theft), verbal (e.g. racist or homophobic remarks, threats, name calling) and emotional (e.g. isolating an individual from the activities and social acceptance of their peer group). The damage inflicted by bullying (including bullying via the internet or mobile devices) can frequently be underestimated. It can cause considerable distress to children and adults at risk, to the extent that it affects their health and development or, at the extreme, causes them significant harm (including self-harm). The extent and seriousness of the bullying will determine your response to it. Staff, volunteers or freelancers should aim to address it as it arises. A record should be made on a comments sheet kept with the relevant paperwork for the project or activity.

## Appendix 1: Safeguarding roles and responsibilities

### Board of Trustees

- Hold ultimate responsibility for safeguarding across Britten Pears Arts
- Appoint a lead trustee for safeguarding
- Ensure the safeguarding policy, procedures and a code of conduct are in place and understood
- Ensure the necessary checks are done on staff, freelancers, volunteers and trustees
- Set out any safeguarding risks and their management in a risk register which is regularly reviewed
- Promote a culture and environment whereby staff, volunteers and freelancers are empowered to raise concerns and feel supported in their safeguarding role
- Ensure that due diligence arrangements are in place when Britten Pears Arts works with other bodies to achieve its aims
- Comply with the Charity Commission serious incident notification requirements<sup>1</sup>
- Receive and review regular feedback on safeguarding activity, issues and remedial action from the SLT

### Chief Executive and Leadership Team (LT)

- Take overall responsibility for ensuring that there is a robust safeguarding policy and procedures are in place and implemented
- Monitor effectiveness and compliance with the safeguarding policy and procedures
- Take account of safeguarding risks in any new business ventures and projects

### HR Director

- Ensure best practice around safer recruitment and vetting policies and procedures are in place for relevant staff, volunteers and freelancers
- Assist in the management of safeguarding allegations and disciplinarys involving

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<sup>1</sup> Trustees should make a report to the Charity Commission if any of the following occur:

- beneficiaries of Britten Pears Arts have been, or alleged to have been, abused or mistreated while under the care of the Britten Pears Arts, or by someone connected with it, for example a trustee, staff member or volunteer
- there has been an incident where someone has been abused or mistreated (alleged or actual) and this relates to the activities of Britten Pears Arts
- there has been a breach of procedures or policies at Britten Pears Arts which has put beneficiaries at risk, including failure to carry out checks which would have identified that a person is disqualified in law, under safeguarding legislation, from working with children or adults.

safeguarding matters

- Ensure internal procedures such as disciplinary, complaints and whistleblowing link to the safeguarding policy, procedures and code of conduct
- Ensure that there is provision for safeguarding being incorporated into inductions and training for staff and volunteers appropriate to their roles and responsibilities

### **Designated Safeguarding Manager (DSM)**

- Take responsibility for the overall implementation of the safeguarding policy and procedures and its review
- Provide support and advice to the Designated Safeguarding Officers
- Oversee the management of safeguarding allegations against staff, volunteers and freelancers
- Brief the board of trustees on safeguarding activity and issues on a regular basis and produces an annual report on safeguarding
- Keep abreast of changes in safeguarding law and best practice
- Chairs the Safeguarding Working Group

This role will be undertaken by Callum Given, Head of Community  
01728 687163 | 07547 928470. In their absence, the role is undertaken by Harry Young, Chief Operating Officer 01728 687100 | 07866 748916

### **Designated Safeguarding Officers (DSOs)**

- Provide advice and support on safeguarding matters for staff, volunteers and freelancers
- Make referrals to police or children's social care when necessary
- Receive any safeguarding allegations and pass them on to the DSM
- Liaise with parents/carers when necessary and appropriate if there has been a safeguarding concern or allegation
- Represent Britten Pears Arts in any multi agency meetings that might be called to safeguard a child's welfare and co-ordinate the implementation of any aspects of any plan to ensure a child's protection
- Ensure that all partnership arrangements/contracts/projects have the necessary safeguarding requirements and arrangements in place
- Alert the HR Director to identified safeguarding training needs
- Keep abreast of changes in safeguarding law and best practice
- Undertakes other tasks delegated to them by the Designated Safeguarding Manager in respect of managing a safeguarding allegation

The DSOs are as follows: Rachael Bull, AYM Programme Manager; Catherine Bullough, Producer, Community; Joe Carr, Collections and Learning Curator; Rory Hill, Head of Retail Operations; and Anna Matthew, Artist Accommodation Manager. The on-duty DSO can be contacted on: 01728 687218

### **Director of Marketing and Communication and Head of Volunteering**

- Ensure that there is a policy and procedures, known and understood, for taking and using images of children, young people and adults at risk which applies to staff, volunteers and freelancers and for those contracted to do this work on our behalf.
- Ensure box office staff and volunteers know and understand the safeguarding policy, procedures and code of conduct.

### **Head of Retail Operations & Head of Hospitality and Events**

- Ensure that their staff know and understand the safeguarding policy, procedures and code of conduct and this includes their application to any under 18s that are employed in our trading activities.

### **Producer, Performance Programme**

- Communicate the Britten Pears Arts safeguarding policy, procedures and code of conduct to those who hire our venues and facilities
- Ensure that Britten Pears Arts' safeguarding requirements are built into all contractual arrangements for hire and performance

## Appendix 6: Safeguarding Concern Form

Complete as much detail as you are able. Don't delay making a referral if there is information missing.

<b>Part 1 Details of the person of concern:</b>		
Name:		
Gender:	Age:	Date of Birth:
Religion	Ethnicity	Any additional needs (e.g. disability, language spoken, interpreter required)
Next of kin or carer's name (if appropriate):		
Home address:		
Place where the concern was identified		
<b>Part 2 Details of a safeguarding allegation against staff and all others named in this document</b>		
Name and role of person		
Age and/or Date of Birth		
Place where the concern came to light		
<b>Part 3 Your Details:</b>		
Your Name:	Your Position:	Your contact details

<b>Part 4 Report:</b>		
Are you reporting your own concerns or responding to concerns raised by someone else?		
<input type="checkbox"/> Responding to my own concerns  <input type="checkbox"/> Responding to concerns raised by someone else	If responding to concerns raised by someone else, please provide their name, role and contact details (if known):	

<p>Please provide details of the concerns you have including times, dates or other relevant information. Please make it clear whether you are giving a fact, expressing your opinion or expressing the opinion of someone else. Please add any other relevant information known. If you are reporting on concerns about a safeguarding allegation against a member of staff, contractor or supplier please provide full details here.</p>
<p>The person's account of what happened (e.g. of any incident, injury, disclosure, behaviour):</p>
<p>Please provide details of the person alleged to have caused the incident/injury if known (e.g. names(s) /address/ incident address /relationship to child</p>
<p>Please provide details (name, role contact details if known) of any witnesses to the incident/concerns:</p>



<b>Part 5: Actions Taken</b>	
State any risk of immediate danger:	
Identify any action taken already e.g. contact with police, manager, LADO, MASH helpline	
If over 18, does the person you are concerned about give consent for you to progress this matter?:	
If over 18, does the person you are concerned about have full mental capacity?	
Any known previous history of concerns or abuse or allegations:	
Any further information or comments:	

**Date and time of report being submitted.....**

<b>Part 6: Immediate action and decisions by DSO</b>

## Appendix 7: Safeguarding Action Log

Date & time of entry	Your Name	Notes	Action required and by whom and by when

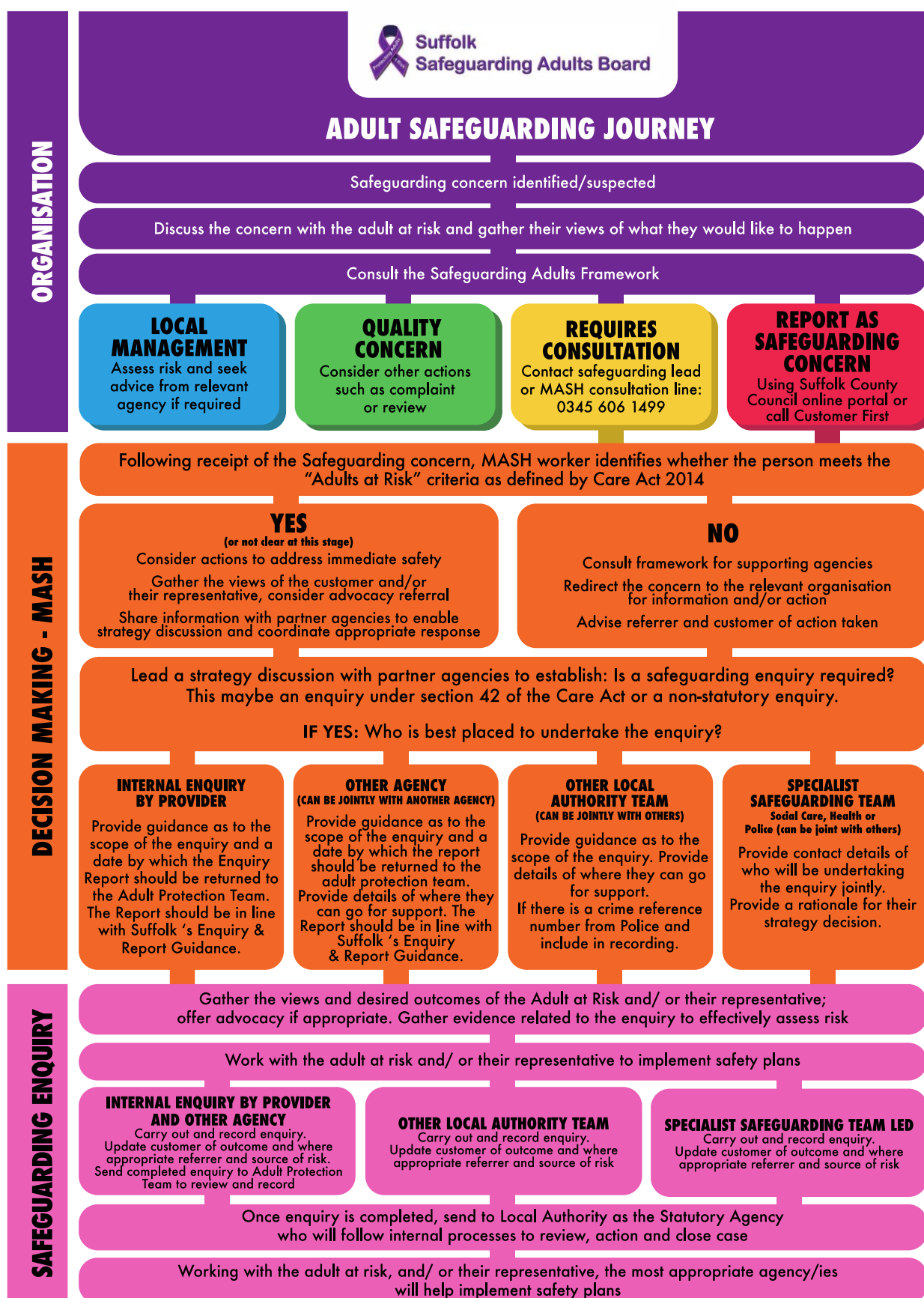
## Appendix 8: Contacts for Safeguarding

Name and job title	Safeguarding Role	Contact details
Callum Given, Head of Community	Designated Safeguarding Manager	01728 687163 or 07547 928470 <a href="mailto:cgiven@brittenpearsarts.org">cgiven@brittenpearsarts.org</a>
Harry Young, Chief Operating Officer	Deputy Designated Safeguarding Manager	07866 748916 <a href="mailto:hyoung@brittenpearsarts.org">hyoung@brittenpearsarts.org</a>
Rachael Bull, Programme Manager, Aldeburgh Young Musicians	Designated Safeguarding Officer	01728 687191 <a href="mailto:rbull@brittenpearsarts.org">rbull@brittenpearsarts.org</a>
Catherine Bullough	Designated Safeguarding Officer	01728 687218 <a href="mailto:cbullough@brittenpearsarts.org">cbullough@brittenpearsarts.org</a>
Joe Carr, Collections and Learning Curator	Designated Safeguarding Officer	07851 246 376 <a href="mailto:j.carr@brittenpearsarts.org">j.carr@brittenpearsarts.org</a>
Anna Matthew, Artist Accommodation Manager	Designated Safeguarding Officer	07851 246 376 <a href="mailto:amatthew@brittenpearsarts.org">amatthew@brittenpearsarts.org</a>
Rory Hill, Head of Retail Operations	Designated Safeguarding Officer	<a href="mailto:rhill@snapemaltings.co.uk">rhill@snapemaltings.co.uk</a>
Helen Fletcher	HR Director	01728 687153 <a href="mailto:hfletcher@brittenpearsarts.org">hfletcher@brittenpearsarts.org</a>
Suffolk County Council MASH (Multi-Agency Safeguarding Hub) Professional Consultation Line	For seeking advice about whether to make a safeguarding referral about a child or adult at risk	03456 061 499 in office hours
Suffolk County Council Customer First	To make a safeguarding referral about at child or to call if you cannot access the Suffolk Adult Care Portal	0808 800 4005
Suffolk County Council LADO	For making referrals about an allegation of abuse against member of staff, volunteer, freelancers etc.	0300 123 2044 <a href="mailto:LADO@suffolk.gov.uk">LADO@suffolk.gov.uk</a>

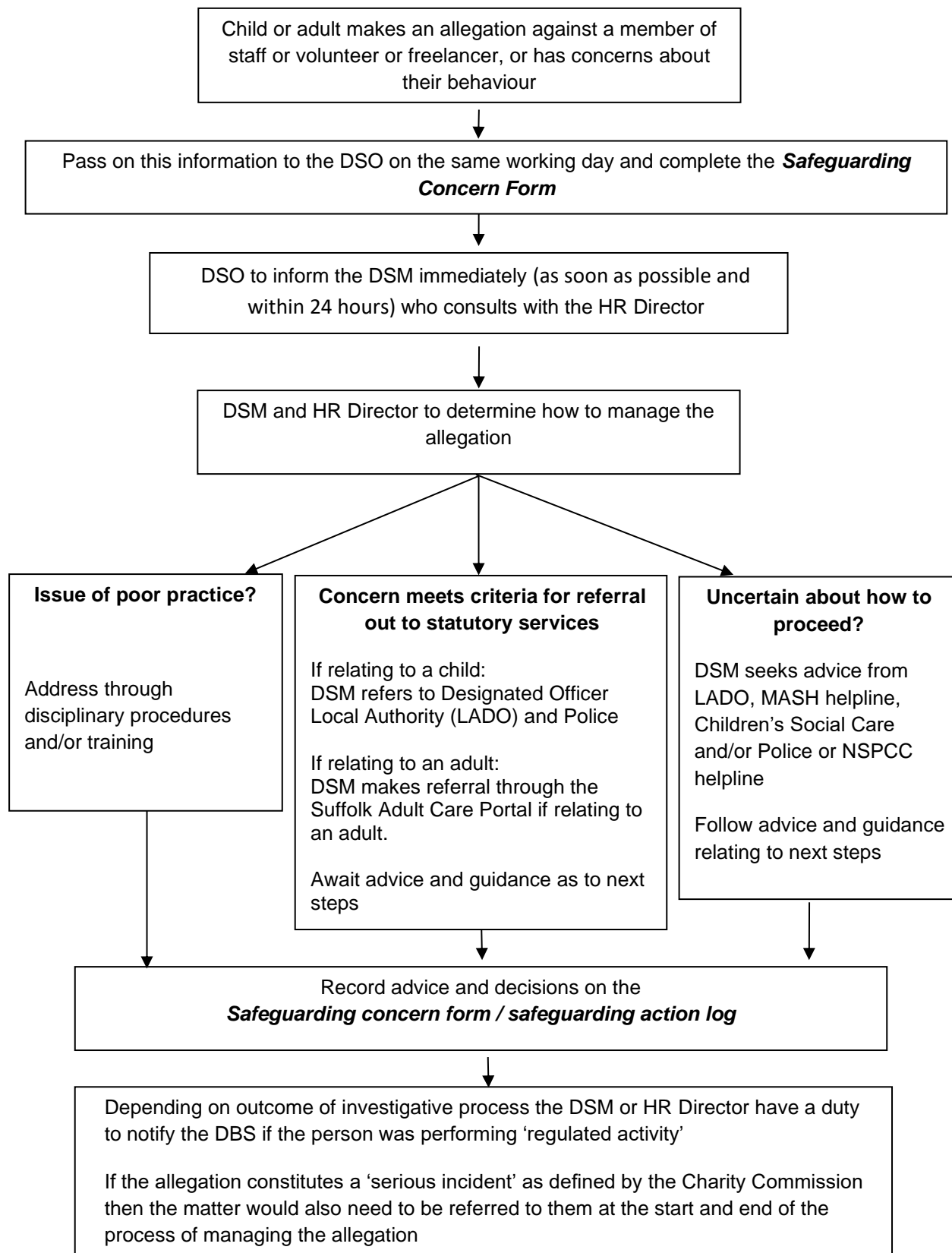
Suffolk Adult Care Portal	To make a referral about an adult at risk where you believe that abuse has happened or is likely to happen	Online portal: <a href="https://earlyhelpportal.suffolk.gov.uk/web/portal/pages/adultsa#h1">https://earlyhelpportal.suffolk.gov.uk/web/portal/pages/adultsa#h1</a>
Adult Protection Team Duty Line	For enquiries about ongoing cases involving adults at risk	01449 724593
NSPCC Helpline	24-hour helpline for advice on child protection matters for professionals and adults	0808 800 5000
Childline	24-hour helpline for children and young people	0800 1111
Whistle blowing advice line (external)	Advice can be sought from NSPCC if using the HCT whistleblowing procedure has not resolved a concern satisfactorily	0800 028 0285
The UK Safer Internet Centre	Provides advice for professionals and responds to reports about sexual abuse images of children online	0844 381 4772
Child Exploitation and Online Protection Centre(CEOP)	Investigates inappropriate online behaviour such as grooming online or sexual exploitation	0870 000 3344
Internet Watch Foundation	Remove images of child sexual abuse content and criminally obscene content online	01223 203030
Disclosure and Barring Service (DBS)	Advice line for criminal records checks and barring people from working with children or adults at risk	03000 200 190
Local authority Children's Social Care (England)	Use the following website to find out the details: <a href="https://www.gov.uk/report-child-abuse-to-local-council">https://www.gov.uk/report-child-abuse-to-local-council</a>	



## Appendix 10: Suffolk Safeguarding Adults Board – Safeguarding Journey



## Appendix 11: Flow chart - what to do if you have a safeguarding allegation about a staff member, volunteer or freelancer



## Appendix 12: Safeguarding checklist for hirers of Britten Pears Arts' premises

Britten Pears Arts is committed to promoting the safety and welfare of all children, young people and adults at risk as a part of its duty of care. To this end Britten Pears Arts needs to be satisfied that any hirers meets our safeguarding requirements.

Therefore, please complete this form and return to Sharon Goddard, Artistic Administration, 01728 687100, [sgoddard@brittenpearsarts.org](mailto:sgoddard@brittenpearsarts.org)

Please note that Britten Pears Arts is not responsible for quality assuring your safeguarding policies and procedures.

By completing and signing this document you are confirming that what you have in place is suitable and fit for purpose, complying with relevant law, guidance and best practice.

---

**Name of organisation**

.....

**Name of person completing this form** .....

**Role/job title**.....

### Section 1: Suitable staff and volunteers - recruitment, induction and supervision

	Yes or No	Additional information
<b>Your organisation has in place:</b>		
A written recruitment and induction policy and procedure which includes:		
An application form		
A face to face interview		
A request for 2 references, 2 pieces of identification and original copies of necessary qualifications before appointment or commencement as a volunteer		
Enhanced DBS check are undertaken for every member of staff or volunteer engaged in <i>regulated</i> activity		



## Section 2: Safeguarding

You have in place:	Yes or No	Additional information
A written statement of your organisation's commitment to protecting all children, young people and adults at risk from harm. Such a policy should ensure nobody discriminated against on the grounds of race, gender, beliefs, culture, sexual orientation or ability.		
Written procedures for dealing with child protection and safeguarding concerns.		
Written procedures for dealing with situations where allegations of abuse are made against someone (either an adult or child) in your club/group/organisation		
Staff / volunteers know and understand the child protection policy and safeguarding procedures.		
A code of conduct/behaviour for staff and volunteers which identifies the expected behaviours of responsible adults when supervising, teaching, coaching or providing support to children or adults at risk		
A nominated/designated person in your organisation with a responsibility for safeguarding		

## Section 4: Avoiding accidents and running safe events

You have in place:	Yes or No	Additional information
Adult to child ratios which are appropriate and safe		
Adequate volunteer support (where appropriate)		
Information about each child or participant's medical and dietary needs, allergies and specific individual requirements		
Parent/carer/emergency contact details		
A procedure for recording accidents and dealing with illness		
Public liability insurance with no exclusions for child abuse		
A child performance license or BOPA in place if a child/ren are to be involved in a performance which meets the licensing requirements		

**Signature.** *I confirm that the measures listed above are in place. I also understand that if a child or adult is at risk of harm or is actually harmed or there is a serious concern about the behaviour of an adult in the course of events on Britten Pears Arts' premises that I will notify the Britten Pears Arts designated safeguarding officer within one working day of the concern being identified.*

Name .....

Signature and date.....

## Appendix 14: Britten Pears Arts Photography and Film Consent Form (over 18)

<b>Event/activity</b>	
<b>Date</b>	
<b>Purpose for taking photographs or film</b>	
<b>Photographs/film will be published in these ways:</b>	Digitally: including website, emails, social media, YouTube, partners' and funders' web and digital channels, and in media coverage of Britten Pears Arts work In print: including brochures, posters, flyers, annual reviews, partners' and funders' publications, and in media coverage of Britten Pears Arts work
<b>Photographs or film will be stored for</b>	Three years

Britten Pears Arts would like to take photographic or video footage of the above activity. We will process and store any photographs or film safely and securely. We appreciate that not everyone will want to be photographed or filmed and we will ensure that this does not exclude anyone from participating in our events or activities. Please sign the box below to indicate whether you give your consent to be photographed/filmed. If you wish to withdraw your permission at any future point or if you have any questions, then please talk to the project manager or session leader.

### Consent

**Please circle your response to these questions**

I give my permission to be photographed/filmed by Britten Pears Arts as outlined in this form  
YES/NO

I am happy for my name to be used in promotional/archive material YES/NO

I understand that by signing this form that Britten Pears Arts is obliged to keep a copy of it in accordance with GDPR guidelines.

<b>Sign</b>	
<b>Date</b>	

**Find out more about our safeguarding policy and procedures by speaking to Designated Safeguarding Manager, Phillipa Reive, 01728 687128 or 07872 184430 or [preive@brittenpearsarts.org](mailto:preive@brittenpearsarts.org)**

## Appendix 15: Online working & guidelines for everyone involved in online activity

Following the move to online activities which took place during the Covid-19 Pandemic, Britten Pears Arts occasionally engages with children, young people and adults at risk online. The lack of face-to-face contact can mean that those we work with are more vulnerable because there are fewer opportunities for people in their lives to identify and respond to concerns or issues.

As always, Safeguarding remains of paramount importance and the principles laid out in Britten Pears Art's Safeguarding policies remain the same, but in response to the online setting being different, we recommend the following guidelines for everyone involved in online activity.

- Whilst engaging in online activity, we ask that you follow the same guidelines that you would follow if you were at working with us in person.
- When using Zoom or other online platforms, please ensure that your screen name is the name that you would like to be used when people communicate with you.
- When using Zoom or other online platforms, or recording any visual content, please ensure that your setting is appropriate – that you feel comfortable within it and there is nothing distracting or offensive in the background. Ideally sit in front of a space with few features.
- Work openly, avoiding private or unobserved situations and working in isolation.
- Any photographs or films of children, young people or adults at risk working online must be taken on Britten Pears Arts' own devices and can only be posted on websites managed and maintained by Britten Pears Arts.
- We'd like the environment to be warm, friendly, open, and supportive. Any feedback you wish to share should be positive and constructive.
- When 1-1 sessions are necessary e.g. mentoring:
  - These will always be hosted on BPA Zoom Channels, not personal Zoom Channels
  - These will be spot-checked
  - Both parties should have someone else that knows the session is taking place: child–parent, mentor–BPA
  - If an artist is required to work 1-1 we require you to have NSPCC Safeguarding training in addition to your DBS checks
- Breakout rooms:
  - Members of staff will circulate regularly, as we would if working in person
- Private messages are only permitted with members of Britten Pears Arts staff. A transcript of any Zoom chat will be downloaded and reviewed at the end of each call.
- When working with external organisations, we will always adhere to their online working policies.

- All Zoom activity is hosted through a licensed account belonging to BPA. Participants are not required to create, or sign into, their own account to access any content. They will only need to click on a link to the video call at the specified time of the activity.
- A member of BPA staff will be present at all Zoom sessions; they will host the session and will let participants in and out of the call.