

SAFEGUARDING POLICY AND PROCEDURE

1. SCOPE

This policy and procedure applies to all paid staff, trustees, volunteers, freelance staff, sessional workers, trainees, students, or anyone working on behalf of Art Refuge (hereafter referred to as “staff”), or coming into contact with service users (directly or indirectly) for Art Refuge activities.

2. OUR WORK

Art Refuge utilises art and art therapy to support the mental health and well-being of individuals displaced due to conflict, persecution, poverty, and the climate emergency, both in the UK and internationally. Ongoing psychosocial programmes take place in the UK and France, while the charity is involved in shorter-term projects, exhibitions and research in other settings. The charity also delivers tailor-made arts-based training, crisis support and skills-sharing workshops in the UK, Europe, internationally and online. The psychosocial work is delivered by a freelance team of experienced HCPC-registered art therapists alongside a small pool of artists who have lived experience of displacement.

Art Refuge works with people who may have experienced great hardship and harm, with the majority of our work taking place with young people and men who are on the move in northern France or in the UK asylum system. The direct trauma-informed work is committed to supporting the coping and resilience of those taking part. The work is delivered in a range of different venues – from day centres, drop-ins, mobile clinics, to hotels and large camps. It always takes place in collaboration with larger organisations and agencies and uses open access group models. It is carefully aligned to the context in which the work is delivered.

3. PURPOSE

Art Refuge recognises its responsibility to safeguard the welfare of all adults with vulnerabilities and children (defined as anyone under the age of 18) who engage with Art Refuge activities or services, whether delivered in person or online. The organisation believes that it is always unacceptable for a child or adult to experience

abuse of any kind. All decisions made by Art Refuge in relation to a child or adult will be made in their best interest.

This policy outlines Art Refuge's commitment to safeguarding children and adults at risk. It provides staff trustees, volunteers and collaborators with a safeguarding procedure that should be adopted if it is suspected that a child or adult may be experiencing or be at risk of experiencing any form of harm.

Safeguarding is Art Refuge's responsibility to take all reasonable steps to ensure that its people, operations and programmes do no harm to children or adults and do not expose them to abuse or exploitation, and to respond appropriately where concerns arise. This Policy recognises a duty of care to its staff, volunteers and collaborators and will take reasonable steps to ensure safe working environments, clear professional boundaries and safe communication practices.

Art Refuge recognises that service users may come from cultures with differing beliefs about sexual orientation or gender identity. We will manage group activities sensitively to ensure that no participant experiences discrimination, harassment or exclusion on these grounds.

This policy and procedure should also be observed in conjunction with Art Refuge's Equality, Diversity and Inclusion Policy, and its Data Protection Policy.

4. OUR LEGAL RESPONSIBILITIES

With regards to safeguarding children, the United Nations Convention on the Rights of the Child states that children's best interests should be prioritised in decisions that affect them, and they should be protected from abuse. In accordance with this Convention, Art Refuge will share information about a child (in relation to child protection) with relevant authorised agencies. Any such decision will be made after careful consideration of the risk of harm, the young person's age and circumstances, their best interests, safety and welfare.

Art Refuge's decisions in this regard will also be informed and guided by relevant legislative requirements, such as those set out in the:

- Children Act 1989,
- Children Act 2004,
- Children and Social Work Act 2017,
- The Working Together to Safeguard Children guidelines (HM Government, 2023) in England,
- The General Data Protection Regulation (GDPR) and the Data Protection Act 2018,
- Safeguarding Vulnerable Groups Act 2006, Mental Capacity Act 2005 and statutory guidance - When safeguarding concerns involve an adult at risk, Art Refuge will follow the Mental Capacity Act principles;

presuming capacity unless shown otherwise, and acting in the individual's best interest where capacity is impaired.

- Public Interest Disclosure Act 1998 - Individuals may raise safeguarding or organisational concerns confidentially with the CEO, the Chair of Trustees, or, if internal reporting is not appropriate, directly with the Charity Commission, Local Authority, Police or other regulators.

Art Refuge adopts the Care Act 2014 definition of an 'adult at risk'. In addition, we recognise that other adults may have vulnerabilities that fall outside the legal definition but still create increased safeguarding needs. Such vulnerabilities are often present among people seeking refuge who have experienced conflict, displacement, exploitation or unstable living conditions. Art Refuge applies safeguarding principles proportionately to ensure the safety and well-being of all adults who may be at heightened risk.

When delivering services outside the UK, Art Refuge will comply with local safeguarding requirements while maintaining UK safeguarding standards. Where expectations differ, the higher safeguarding standard will apply.

5. OUR COMMITMENT

Art Refuge's commitment to protecting children and adults at risk from harm, abuse and neglect will be demonstrated through:

- **Awareness** – We will ensure that all staff are aware of the risks and consequences of harm to children and adults at risk, as well as the safeguarding procedures adopted by the organisation.
- **Prevention** – We will ensure, through awareness and good practice, that all staff minimise the risk of harm to children and adults at risk in the services we deliver. This includes ensuring that all staff consider the **context** in which they are working, and ensure their practices align with the environment and type of service provided to minimise risk of harm to both the service user(s) and provider(s). Staff delivering services internationally will be briefed on local safeguarding systems, reporting pathways and emergency contacts before commencing work.
- **Reporting** – We will ensure that staff clearly understand and can confidently follow safeguarding reporting procedures where concerns arise regarding the safety of a child or adults at risk.
- **Responding** – We will ensure that action is taken to support and protect children and adults at risk where concerns arise regarding their safety and well-being.

Where Art Refuge staff encounter children with emerging needs that do not meet safeguarding thresholds, they may signpost families to appropriate local support services.

The above will be achieved through ensuring all staff read and sign this Safeguarding Policy and Procedure. Appropriate training will also be provided to staff, refreshed periodically to maintain current safeguarding practices, depending on their levels of engagement with children and adults at risk (both direct and indirect). Confidential reporting and response systems are in place, led by Art Refuge's CEO and trustees. Art Refuge will maintain a working culture in which safeguarding is treated seriously. When delivering services online, staff will ensure safe digital communication, use secure platforms, maintain professional boundaries, and handle personal data in line with Art Refuge's Data Protection Policy.

6. OUR VALUES AND PRINCIPLES

Our work with children and adults at risk is based on core values about the rights of all to:

- Have their best interests and welfare considered *paramount*.
- Have their welfare and development promoted and safeguarded so that they can achieve their full potential.
- Be valued, respected and understood within the context of their own cultural background and life experiences, and to have their needs identified and met within this context (and within the context of their family wherever possible).
- Be listened to and have their views carefully considered, and to be encouraged and helped to participate in decisions which affect them.
- Have the right to equal protection from all types of harm or abuse regardless of any protected characteristics (age, disability, gender identity and reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex, sexual orientation) and any other socio-cultural characteristics (including but not limited to nationality, country of birth, place of origin, ethnicity, language, colour, socioeconomic position, immigration status, trade union membership).

For these rights to be respected, Art Refuge staff will at all times:

- Treat all individuals with respect and dignity.
- Value children and adults at risk as individuals who have specific needs, rights, and important views to share.
- Work in partnership with children and adults at risk to develop mutual trust and respect.
- Work with children and adults at risk in ways that enhance their inherent capacities and develop their potential.
- Strive to understand children and adults at risk within the context in which they live.
- Not tolerate any forms of harm or abuse.

7. CODE OF CONDUCT

A. ALL STAFF ARE REQUIRED TO SAFEGUARD CHILDREN AND ADULTS AT RISK BY:

1. Providing a safe environment in which all individuals can participate in Art Refuge activities.
2. Working in partnership with adults, children and young people (and their parents/caregivers/family) and other agencies to promote the welfare of children and vulnerable adults.
3. Adopting Art Refuge's safeguarding reporting procedures and acting in accordance with Art Refuge's Code of Conduct, including maintaining clear professional boundaries at all times, particularly in relation to personal phones, social media, personal disclosure and physical contact.
4. Sharing information about safeguarding good practice with other staff and the Art Refuge community, where appropriate.
5. Sharing information about safeguarding concerns, *where appropriate*, with agencies *that need to know*. In the case of children, staff will involve parents and/or caregivers and/or other responsible adults *where possible and appropriate* in the context of work in the field.
6. Ensuring maintenance of their own Professional Indemnity Insurance, and attending clinical supervision with an experienced art therapy supervisor relevant to their caseload (art therapists only).
7. Abiding by Art Refuge protocols, including carrying out careful risk assessments before commencement of work (including online, overseas and event-based risks).
8. Working in pairs at a minimum, with at least one art therapist as part of the team.

B. ART REFUGE CEO AND BOARD WILL FULFIL ITS DUTY TO PROTECT CHILDREN AND ADULTS AT RISK BY:

1. Providing written guidance and incident reporting forms for staff, and responding to all safeguarding reports in line with best practice.
2. Carrying out thorough recruitment processes and reference checks for all staff appointed to the organisation, including ensuring that all freelance workers maintain an up-to-date enhanced Disclosure and Barring Service (DBS) certificate, and that all freelance art therapists working for Art Refuge are actively registered with the Health and Care Professions Council (HCPC).
3. Maintaining up-to-date knowledge and sharing of best practice in safeguarding.
4. Reviewing the Safeguarding Policy and Procedure annually and revising its contents to align with current best practice.
5. Providing effective management of staff through supervision, support and training. Training will be proportionate to role and responsibilities, and will include non-clinical staff, volunteers and visiting professionals engaged in Art Refuge activities.

8. SAFEGUARDING REPORTING PROCEDURE

A. CONCERNS, DISCLOSURE OR WITNESSING OF HARM

In all circumstances, the initial steps of the reporting and response procedure will be adopted by Art Refuge:

1. Following concerns regarding or disclosure/witnessing of harm/risk of harm, the relevant staff member(s) will listen to the child/vulnerable adult, offer reassurance without leading, and explain the actions that will occur next. Parents and/or caregivers and/or other family members should only be informed *if this does not place the individual at further risk*.
2. If the matter is deemed an emergency, staff should call 999. If the matter is deemed non-urgent but requires police action, staff should call 101.
3. If the health, well-being or safety of the individual concerned is not in immediate danger and police action is not required, the following additional actions should be undertaken.

B. ART REFUGE STAFF WORKING WITHIN A HOST ORGANISATION

1. The host organisation's Safeguarding Reporting Form will be immediately completed, signed and dated by the member(s) of staff who have concerns or were directly involved in the witnessing of harm or in receipt of disclosure of safeguarding concern(s) via verbal/written/any other communication means.
2. The form will be given to the host organisation's named Child Protection Officer/Safeguarding Officer for checking, countersigning and storage.
3. A countersigned copy should be emailed immediately to Art Refuge's Safeguarding Officer. If the form is emailed by the member(s) of staff directly involved, the host organisation's Child Protection Officer/Safeguarding Officer should be copied into the email.
4. Art Refuge's Safeguarding Officer will liaise with the host organisation's named Child Protection Officer/Safeguarding Officer to decide on subsequent actions in accordance with the host organisation's safeguarding policies.

C. ART REFUGE STAFF WORKING COLLABORATIVELY OR INDEPENDENTLY

1. Art Refuge's Safeguarding Reporting Form will be immediately completed, signed and dated by the member(s) of staff who have concerns or were directly involved in the witnessing of harm or in receipt of disclosure of safeguarding concern(s) via verbal/written/any other communication means.
2. A signed copy of the form should be immediately emailed to Art Refuge's Safeguarding Officer, or in her absence, to the CEO.
3. Art Refuge's Safeguarding Officer or CEO will determine the next course of action.
4. Actions may involve liaison with support services already in place for the child/vulnerable adult (e.g. social worker).

5. If this is not an appropriate course of action in the given circumstance, or support services are not already in place, Art Refuge's Safeguarding Officer or CEO will contact the First Response Team (children) and Care Direct Team (adults).

D. ALLEGATIONS AGAINST ART REFUGE STAFF

1. In the case of allegations against Art Refuge staff, the Art Refuge Safeguarding Reporting Form will be immediately completed, signed and dated by the member(s) of staff who have concerns or were directly involved in the witnessing of harm or in receipt of disclosure of safeguarding concern(s) via verbal/written/any other communication means.
2. The signed form should be provided to the Art Refuge CEO immediately.
3. The CEO will notify the Board as well as the Local Authority Designated Officer (LADO).
4. The LADO will oversee investigations of an allegation against a staff member.

E. BOARD NOTIFICATION AND RECORD STORAGE

In all circumstances:

1. Every effort will be made to ensure the confidentiality of all actions undertaken while a safeguarding investigation is underway.
2. Where appropriate, every effort will be made to ensure that the parties involved are provided with timely information and kept informed about current and future actions.
3. All actions undertaken will be documented, provided to the Art Refuge CEO and Board for review at the next scheduled Board meeting (or sooner if their input is required).
4. Notifications appropriate to each situation (e.g. DBS; Charity Commission in England, Wales and Northern Ireland) will be made promptly.
5. In accordance with the Charity Commission's 'Reporting Serious Incidents' guidance (2024), Art Refuge will report all safeguarding incidents that result in or risk significant harm, involve allegations about staff or volunteers, or indicate systemic failure, as a Serious Incident (SIR). The CEO and Chair of Trustees are jointly responsible for assessing and reporting SIRs.
6. All safeguarding records will be stored confidentially and retained for the period of time appropriate to the circumstances as per relevant legislation before the record is destroyed.
7. As part of the review process, the Safeguarding Officer will produce a report for the Trustees at least annually, summarising safeguarding incidents, near-misses, lessons learned, and actions taken.

9. SAFEGUARDING CONTACT INFORMATION

UK Safeguarding Officer: Miriam Usiskin

Joint international Safeguarding Officers: Miriam Usiskin, Bobby Lloyd

Contact details:

miriamusiskin@artrefuge.org.uk

bobbylloyd@artrefuge.org.uk

10. MONITORING AND REVIEW

This policy and procedure is fully supported by the Board of Trustees and the CEO of Art Refuge. It will be disseminated to all staff. The policy will be monitored and reviewed annually.