

## Junk Ensemble Child Protection Policy

### Introduction

Junk Ensemble is committed to upholding the rights of children and young people as performers, participants and audience members for their work.

Jessica Kennedy worked with the youth organisation Arts Fusion, teaching dance and drama workshops in North-East London schools from 2003-2004. From 2004-2005 she taught youth dance classes for Myriad Dance Company, Wexford. Jessica was Artistic Director of Draocht Youth Dance Company in 2007. Jessica and Megan were Artistic Directors of Drogheda Youth Dance Company in 2007-2008. Below is our child protection policy.

### Legal Framework

Since the publication of the 1987 Child Abuse Guidelines by the Department of Health, the profile of child abuse as a social problem has risen considerably in Ireland. During this period, significant reforms have taken place in terms of legislation, policies and services established to promote the protection and welfare of children. The Child Care Act, 1991 updated legislation for the welfare and protection of children. In September 1992, the UN Convention on the Rights of the Child was ratified by Ireland and came into force on 21 October 1992. Health board community care services have been expanded considerably and management responsibilities for child care and child protection have been re-organised. In 1993, Children First: National Guidelines for the Protection of Children were issued. Finally, key aspects of the Data Protection Act 1998 and its subsequent amendment, the [Data Protection \(Amendment\) Act 2003](#) also apply to working with children and youth.

### Key Principles

Junk Ensemble is fully committed to safeguarding the welfare of all children, young people and vulnerable adults. It recognises its responsibility to take all reasonable steps to promote safe practice and to protect children, young people and vulnerable adults from harm, abuse and exploitation. Paid staff and volunteers will endeavour to work together to encourage the development of an ethos, which embraces difference and diversity and respects the rights of children, young people and vulnerable adults.

This policy relates to children and young people up to the age of 18 years and vulnerable adults. The key principles underpinning this policy are:

The interests and safety of the child, young person or vulnerable adult are paramount. All children, young people and vulnerable adults should be treated fairly and with respect. All children, young people and vulnerable adults have the right to be protected from all forms of harm, abuse, neglect and exploitation. All children, young people and vulnerable adults have the right to express their views on matters that affect them.

All work carried out by Junk Ensemble staff must comply with both the *Children First: National Guidelines for the Protection of Children* and the *UN Convention on the Rights of the Child*, as follows.

Every child [young person or vulnerable adult] shall have the right to work and play in a safe and inclusive environment. Every child [young person or vulnerable adult] shall have the right to freedom of expression; this right shall include freedom to seek, receive and impart information and ideas of all kinds, regardless of frontiers, either orally, in writing or print, in the form of art, or through any other media of the child's [young person's or vulnerable adult's] choice. Every child [young person or vulnerable adult] shall have the right to rest and to engage in play and recreational activities appropriate to the age of the child and to participate freely in cultural life and the arts.

### Good Practice Code of Conduct

All staff at Junk Ensemble are encouraged to demonstrate exemplary behaviour in order to

safeguard the welfare of children, young people and vulnerable adults. Junk Ensemble requires all staff with substantial access to children to be checked by An Garda Síochána. Our aim is to strive towards creating a positive culture and climate by adhering to the following guidelines:

#### YOU SHOULD

- Help to develop an ethos, which promotes difference and diversity, where all people are treated equally and with dignity and respect.
- Always put the care, welfare and safety needs of a child, young person or vulnerable adult first.
- Actively encourage children, young people and vulnerable adults to be involved in making choices and decisions, which directly affect them.
- Listen attentively to any ideas and views a child, young person or vulnerable adult wants to share with you.
- Respect a child's [young person's or vulnerable adult's] culture and/or religious beliefs.
- Respect a child's [young person's or vulnerable adult's] right to privacy and personal space.
- Respond sensitively to a child, young person or vulnerable adult who seems anxious about participating in certain activities.
- Be aware of the vulnerability of some groups of children to being isolated and hurt (for example: those with learning and physical disabilities, those from minority ethnic groups, those with limited English language skills)
- Ensure that a teacher, parent or other responsible adult is present at all times. junk ensemble staff never work "in loco parentis" (we are not solely responsible for children, young people or vulnerable adults).
- Speak to another member of staff immediately if you suspect that a child is experiencing bullying or harassment.
- Listen carefully to any child who 'tells you' (sometimes through drawings and behaviour as well as words) that they are being harmed and report what you have heard immediately to either one of the Co-Artistic Directors or the Producer.
- Only restrain a child, young person or vulnerable adult who is at risk of inflicting harm to themselves or others.

#### YOU SHOULD NOT

- Exaggerate or trivialise another member of staff's concerns about a child, young person or vulnerable adult.
- Ignore an allegation or suspicion of abuse in the hope that it will either 'go away' or that 'someone else will deal with it'
- Discuss personal issues about a child [young person or vulnerable adult] or their family with other people except with one of the Co-Artistic Directors or the Producer when you are concerned about the child's [young person's or vulnerable adult's] well being.
- Be drawn into any derogatory remarks or gestures in front of children, young people or vulnerable adults. You should lead by example and where ever possible comply with the rules that govern the organisation you are in (e.g. school).
- Allow a child, young person or vulnerable adult to be bullied or harmed by either a member of the organisation or by one of their peers.
- Allow children to swear or use sexualised language unchallenged.

#### YOU SHOULD NEVER

- Engage in sexually provocative games including horseplay.
- Allow others or yourself to engage in touching a child, young person or vulnerable adult in a sexually provocative manner.
- Make sexually suggestive comments to a child, young person or vulnerable adult, even in jest.
- Engage in rough or physical contact unless it is permitted within the rules of a game or sports activity or conforms to the guidance on appropriate physical restraint.

- Form inappropriate emotional or physical relationships with children, young people or vulnerable adults.
- Harass or intimidate a child, young person vulnerable adult or co-worker because of their age, race, gender, sexual orientation, religious beliefs, socio-economic class or disability.
- Invite a child, young person or vulnerable adult to stay with you at your home.

#### Child Protection and Other Artistic Companies

Other artistic companies who collaborate and/or co-produce with Junk Ensemble are required to have their own Child Protection Policy and procedures in place where members of the company are children, young people or vulnerable adults or where the visiting company plan to work with children, young people or vulnerable adults as part of an ancillary education package. Additionally venues where our work is performed should ideally also have such policies but where they do not, the Company's Child Protection Policy remains central to the conduct of our relations with children and young people.

Junk Ensemble reserves the right to ask for copies of all child protection documentation on request and ensure that all permissions and arrangements for supervision are in place.

#### Health and Safety in the performance spaces

A thorough assessment to identify risks will be carried out prior to every rehearsal, performance and/or workshop that involve children to ensure that children, young people and vulnerable adults using the performance area, dressing rooms and back stage areas for said activities are safe and comfortable. The following things will be checked prior to a group of children, young people or vulnerable adults use a space:

Is the room temperature suitable? Is the room light enough? Are the exits clearly identified and free from obstruction Is the floor area free from obstruction? Are there any potential trip, slip or other hazards? Are the fire extinguishers clearly visible and unobstructed?

The member of staff leading the session/rehearsal, or another member of Junk Ensemble's staff present, must be made aware of fire evacuation procedure from the space they are using.

#### Managing with concerns/ disclosures of abuse

If the Child Protection Officer is unavailable please contact one of the Co-Artistic Directors or the Producer or in an emergency situation contact social services or the police.

#### General definition of abuse

Children, young people and/or vulnerable adults may be in need of protection where their basic needs are not being met, in a manner appropriate to their stage of development, and they will be at risk from avoidable acts or omissions on the part of their parent(s), sibling(s), other relative(s) or carer(s).

To define an act or omission as abusive and/or presenting future risk for the purpose of registration a number of elements must be taken into account. These include demonstrable or predictable harm to the child, young person or vulnerable adult as a result of action or inaction by the parent or other carer. Abuse can include: physical injury, physical neglect, sexual abuse, non-organic failure to thrive (e.g. children who significantly fail to reach normal growth/developmental milestones where physical and genetic reasons have been medically eliminated) and emotional abuse.

There are also 4 main categories of abuse as outlined in *Children's First: National Guidelines for the Protection and Welfare of Children*. Please refer to the Company's Child Protection Officer for further details

#### Dealing with Concerns of Abuse

The following action should be taken if you suspect a child may be suffering abuse in some way:

Do not attempt to investigate Privately voice your concerns to the supervising teacher/youth worker/carer If you continue to feel concerned speak immediately to the company's designated child protection officer who will contact the relevant authorities As soon as possible after becoming aware of possible abuse, make notes about your concerns. Pass on your written record to the company's designated child protection officer. Do not discuss the incident with anyone else Ask for support for yourself if you feel you need it

#### Dealing with Disclosures

The following action should be taken if a child who has suffered abuse confides in you:

Listen attentively to what the child, young person or vulnerable adult is saying Do not promise confidentiality. The child, young person, vulnerable adult must understand that you will have to pass on information and why it is important Ask open non-leading questions, which help to clarify what the child is say but not lead into an investigative situation. Intrusive questioning could contaminate a subsequent child protection investigation. Reassure the child, young person vulnerable adult that s/he has been courageous in speaking to you about this. Do not make judgements about what is disclosed or about the alleged abuser. Explain the next step, the child should know that they will be kept informed and supported as appropriate Treat the allegation seriously and report it immediately to the company's designated child protection officer Write down exactly what was said using the pro-forma attached to this policy On no account should you speak to the parent or carer about what has been alleged until the child protection officer has discussed concerns with Social Work. Ask for support for yourself if you feel you need it.

#### Dealing with disclosures against a staff member

Good practice in both the recruitment and supervision of staff and volunteers should be designed in such a way that the risk of abuse is reduced and staff can protect themselves from false allegations. However, the possibility of abuse cannot be eliminated and constant vigilance is necessary. If a user tells you that someone in the organisation has caused them harm, this should be treated in the same way as any other disclosure a child may make. The information should be passed on to the company's designated child protection officer and handled in the same manner.

*Please note that in managing concerns/disclosures it is not your responsibility to decide whether or not abuse has taken place. You must abide by these guidelines if you are concerned about the welfare of a user.*

#### Defamation

In producing this policy we prefer the following definition and approach to addressing issues of defamation as described in *Guidelines on Child Protection* prepared for the independent schools in Scotland by Kathleen Marshall.

*"Concerned adults are sometimes reluctant to report suspicions of abuse for fear that the person suspected will sue them for defamation if the allegation turns out to be unfounded. To be defamatory, a statement must first of all be untrue. Even if subsequently shown to be untrue, the statement will be protected by 'qualified privilege' if it is made to the appropriate authority 'in response to a duty, whether legal, moral, social or in the protection of an interest'. Unjustified repetition of the allegations to other persons will not be protected by privilege.*

*The qualification on privilege refers to statements motivated by malice. If a statement, even to the appropriate authority, can be shown to be not only untrue, but motivated by malice, then an act of defamation could be successful."*

If you are still concerned about defamation you are advised to seek legal advice.

Storing of and access to confidential child protection data Junk Ensemble abides by the Data Protection Act 1998 and its subsequent amendment, the [Data Protection \(Amendment\) Act 2003](#).

These acts set out provisions for the regulations of processing of information relating to individuals, including obtaining, holding, use or disclosure of such information. Children are entitled to the same duty of confidence as adults, provided they have the ability to understand the choices and their consequences relating to the proposed lines of action. Where consent had not been obtained the law permits disclosure of confidential information necessary to safe guard a child where s/he is considered to be at risk.

All child protection information will be stored securely and will only be shared with authorised personnel and appropriate authorities.

#### Managing Disclosure Information

Junk Ensemble is committed to the development of best practice in relation to the recruitment of staff.

In accordance with recognized best practice, junk ensemble will ensure the following practice: Disclosures will only be requested when necessary and relevant to a particular post/role and the information provided on a Disclosure certificate will only be used for these purposes Junk Ensemble will ensure that an individual's consent is obtained before seeking and using Disclosure information. Disclosure information will only be shared with Traverse personnel who are authorised to see it in the course of their duties Where additional disclosure information is provided to Junk Ensemble this will only be discussed with the applicant should the Disclosure information have an impact on the outcome of the recruitment process. Disclosure information will be stored securely for a maximum of six months and will be accessible only to Junk Ensemble authorised personnel. There after, information will be shredded and disposed of through confidential waste No image or photocopy of the Disclosure information will be made however, the following details will be retained: Name of subject Date of Disclosure Disclosure type Position for which disclosure was requested Reference number of Disclosure Recruitment decision taken

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Pro-forma for recording concerns/allegations of abuse

Name of Child:

Age:

Address and telephone number: