

## **Child Protection and Safeguarding Policy**

**Last updated:** January 2019

**Policy owner:** Head of Safety, Security and Resilience

**Department:** Safety, Security & Resilience

# Contents

Part A – 1.0 Introduction.....	3
<b>2.0 Objectives</b> .....	4
<b>3.0 Roles and Responsibilities</b> .....	4
<b>4.0 Definition</b> .....	5
Part B – What do I do if I am concerned about a child? .....	7
<b>5.0 Types of Concern</b> .....	7
<b>6.0 Safeguarding Children Online</b> .....	8
<b>7.0 What do I do if I have concerns about an adult’s contact with children</b> .....	9
<b>8.0 Allegation Process</b> .....	9
<b>9.0 The Designated Officer (DO) Role</b> .....	11
<b>10.0 Referral to the Disclosure &amp; Barring Service (DBS) and Disclosure Scotland</b> .....	11
Part C – Safeguarding .....	13
<b>11.0 Editorial and Safeguarding Considerations</b> .....	13
<b>12.0 Code of Conduct</b> .....	13
<b>13.0 Bringing Children into Work</b> .....	13
<b>14.0 Guests at BBC Productions and Events</b> .....	13
<b>15.0 Criminal Background Checks</b> .....	14
<b>16.0 Training</b> .....	15
<b>17.0 Indies</b> .....	15
<b>18.0 Risk Assessment</b> .....	15
<b>19.0 Consent</b> .....	16
<b>20.0 Child Performace Licenses</b> .....	16
<b>21.0 Chaperones</b> .....	16
<b>22.0 Audience Controls</b> .....	17
<b>23.0 Online and Social Media</b> .....	17
<b>24.0 Process Flow Charts</b> .....	18
Part D - Legal Context .....	20
<b>25.0 Acts and Guidance</b> .....	20
<b>26.0 Criminal Background Checks</b> .....	21
<b>27.0 Child Performance Licenses - Key Legislation</b> .....	21

## Child Protection Policy

---

### Part A – 1.0 Introduction

#### 1.1 Who does this policy apply to?

This policy applies to all staff working for the BBC, whether in the UK, Eire or international bureaux either as a permanent member of staff, contractor or freelancer, and regardless of seniority or role. Indies are required to comply with the BBC Child Protection policy when engaged on any commissioned production involving children.

Everyone has a responsibility to safeguard the welfare of children, regardless of how a child might come into contact with us (e.g. whether as an audience member, performer, contributor, visitor to BBC events/premises or through BBC social media).

#### 1.2 Engaging with children is at the very heart of our remit as a public services broadcaster.

The BBC engages with around 6 million children and young people every year through the content and services that we provide, as well as significantly greater numbers directly, for example as audience members, contributor/performers and visitors to our buildings.

#### 1.3 In all that we do, the BBC has a legal duty to ensure that the children with whom we engage have a right to equal protection from all types of harm or abuse, regardless of age, disability, gender, racial heritage, religious belief, sexual orientation or identity; an obligation we take very seriously.

#### 1.4 The BBC does not tolerate any form of child abuse including online grooming, possession and distribution of child abuse images, and such behaviour will result in the BBC Child Protection policy being implemented including disciplinary action and, potentially, summary dismissal Should the BBC become aware of past or current convictions or upheld disciplinaries for gross misconduct that suggest there may be a risk to children, these will be considered in accordance with relevant legislation and alongside the requirements of the Child Protection policy.

### Five key points of this policy

#### 1.5 Programme makers have a duty of care to children taking part in our content under the Ofcom Broadcasting Code and the BBC Editorial Guidelines. Editorial Policy must be consulted when there is a risk of harm to children either participating in a programme or as the subject of a programme.

#### 1.6 Additionally, where there is a risk of harm to children, or where there is the potential for child safeguarding issues, guidance must also be sought from the Safeguarding Lead, SSR. These discussions will assist content makers in ensuring that robust measures and procedures are in place to mitigate risks to children posed as a consequence of their participation and ensure that appropriate action is agreed, followed up and recorded as being in place.

#### 1.7 Whatever your concern, whether you have been told something by a child or by another person, whether you have seen or heard something that has made you uncomfortable, or whether you have become aware of a breach of policy you must share it. It doesn't matter how you've become aware or how a child has

come into contact with the BBC. [Follow link to Section 5 for more information](#)

- 1.8 If you have concerns about the behaviour of an adult towards a child, be they a manager, colleague, friend, chaperone etc., you must speak to your Working with Children Adviser or, if you would prefer, you can speak to any member of the Child Protection Team, including the Head of Environment, Health and Safety or, in exceptional circumstances, you can email your concern to the Child Protection Inbox. You can be confident that you will not suffer any personal detriment through sharing your concerns. [Follow link to Section 7 for more information](#)
- 1.9 If you have any online safeguarding concerns, whether related to online grooming or child abuse images these must be referred to the Safeguarding Lead, BBC Children's immediately. [Follow link to Section 6 for more information](#)

### Terminology

- Children and young people means anyone under the age of 18 years of age.
- Staff means anyone who has a contractual relationship with the BBC.
- The policies, regulation and guidance relevant to child protection are the BBC Child Protection and Safeguarding Policy, Child Performance Regulations and the BBC Editorial Guidelines. They are available on <https://www.bbc.co.uk/foi/publication-scheme/classes/policies-and-procedures>

## 2.0 Policy Objectives

- 2.1 To ensure a culture within the BBC where safeguarding children, including child protection, is everybody's business
- 2.2 To inform all staff, including Independents who are commissioned to make programmes for the BBC, contractors and freelancers, of their responsibilities to safeguard children in all areas of the BBC
- 2.3 To ensure that staff know what to do if they are concerned about the welfare of a child or concerned about the behaviour of an adult who works with children.
- 2.4 To ensure staff know where they can go to for advice and support if they are not sure about any aspect of working with children.

## 3.0 Roles and Responsibilities

- 3.1 Everybody working for the BBC, either as a permanent member of staff, freelancer, Talent, Supporting Artist or contractor working on a BBC commissioned production or event, and regardless of seniority or role, has a responsibility to safeguard the welfare of children. Although the BBC is not a statutory body it has a duty of care for any child with whom it interacts, regardless of the nature of the interaction, as well as a responsibility to act in the child's best interests if it becomes aware of a risk of harm to a child, even if the risk lies externally to the BBC.
- 3.2 A Working with Children Adviser Network (WCA's) is established across all areas of the BBC and act as a point of contact and escalation route for all aspects of working with children, including safeguarding concerns. WCA's receive additional training and support from the Child Protection Team. Regardless of whether you are employed by the BBC on a permanent basis, a contractor or freelance it is important that you know who the relevant Working with Children Adviser is and how to contact them.

- 3.3. For Independent Production Companies/Contractors (Indies) the first point of contact and escalation route for all aspects of working with children, including safeguarding concerns is the Commissioning Executive. During the commissioning stage the Commissioning Executive is responsible for ensuring that the Indie understands the expectations of the BBC and is able to implement and follow safeguarding best practice. As a minimum the Indie must have a lead person for safeguarding who has received appropriate 'working with children' training, a child protection policy and Code of Conduct, mandatory 'working with children' training for all those who will be working directly with children, a process for safe recruitment and criminal background checks, robust risk assessment documentation, an understanding of licensing legislation and the BBC policy on the use of chaperones, the BBC policy on production guests bringing children on set.
- 3.4 The Child Protection Team, managed by the Head of Environment, Health and Safety, is responsible for ensuring that everyone working with children at the BBC has access to appropriate advice, up to date training, policies, guidance and compliance. They are responsible for ensuring that, where safeguarding concerns have been raised, appropriate actions are taken to protect the child.

## 4.0 Definition

- 4.1 Safeguarding is the action that is taken to promote the welfare of children and protect them from harm.
- 4.2 Safeguarding means:
- Protecting children from abuse and maltreatment
  - Preventing harm to children's health or development
  - Ensuring children grow up with the provision of safe and effective care
  - Taking action to enable all children and young people to have the best outcomes.
- 4.3 Child protection is part of the safeguarding process and focuses on protecting individual children identified as suffering or likely to suffer significant harm.
- 4.4 The child protection policy and safeguarding children guidance apply to all children up to the age of 18 years of age.

## What is Child Abuse?

- 4.5 Child abuse is any action by another person – adult or child – that causes significant harm to a child. It can be physical, sexual or emotional, but can also be about a lack of love, care and attention. We know that neglect, whatever form it takes, can be as damaging to a child as physical abuse.
- 4.6 An abused child can experience more than one type of abuse, as well as other difficulties in their lives. It can often happen over a period of time, rather than being a one-off event, and increasingly it can happen online.
- 4.7 We know that children are more vulnerable to abuse because they have a disability, or because they are experiencing parental and child mental health issues, bullying, parental or child substance misuse, such as drugs or alcohol, and behavioural issues including exclusion from education, social isolation etc.

## Types of child abuse

- 4.8 **Physical Abuse** is deliberately hurting a child causing injuries such as bruises, broken bones, burns or cuts.

- 4.9 **Emotional Abuse** is the emotional maltreatment or neglect of a child. It is sometimes called psychological abuse and can cause children serious harm. It may lead to a child thinking that they are worthless, unloved and inadequate. It may include expecting a child to be able to do more than their stage of development would allow, such as expecting a baby to feed themselves, be toilet trained or not to cry, as well as being over protective and stopping children from having opportunities to explore or participate in normal social interaction. It can also include seeing or hearing domestic abuse, being subject to or witnessing bullying (including cyber bullying) which can cause a child to frequently feel frightened or in danger. Emotional abuse is a factor in all forms of abuse although it may exist alone.
- 4.10 **Neglect** is the ongoing failure to meet a child's basic needs. It is dangerous and children can suffer serious and long-term harm. Neglect may occur during pregnancy because of maternal alcohol or drug misuse, but once a child is born, neglect may involve a parent or carer failing to provide adequate food, clothing and shelter, lack of supervision, access to medical care or keeping the child safe from danger. It may also include unresponsiveness to a child's basic emotional needs.
- 4.11 **Sexual Abuse** is when a child is forced or persuaded to take part in sexual activities. This does not have to be physical contact, but could involve children looking at, or being the subject of, sexual images, encouraging children to behave in sexually inappropriate ways, or grooming a child in preparation for abuse. Sexual abuse is not solely perpetrated by adult men; women can also commit acts of sexual abuse, as can other children.
- 4.12 **What is grooming?**  
Grooming is defined as developing the trust of an individual or his or her family for the purposes of sexual abuse, sexual exploitation or trafficking. Grooming can happen both online and in person.
- 4.13 **Online Abuse** is any type of abuse that happens on the web, whether through social networks or playing games online. Sexual abuse can happen online too.
- 4.14 We want to ensure that anyone working with children has sufficient knowledge and confidence to report any concerns that they might have for a child or about the behaviour of an adult or other young person, towards a child through an understanding of this policy and related training. Some adults will try to groom children over a period of time while others may act opportunistically. It is therefore up to all who work at or for the BBC to create a safeguarding culture and working environment where the potential to perpetrate abuse is minimised and prevented.

## Part B – What do I do if I am concerned about a child?

### 5.0 Types of Concern

- 5.1 You may be concerned about the welfare of a child for a number of reasons. For example: you may have observed an injury; witnessed or heard an interaction between children or between an adult and a child; you may be concerned about bullying or inappropriate use of mobile phones; you may know of someone who has been, or is, accessing or sharing child sex abuse images; a child may exhibit inappropriate sexualised behaviour or awareness, or look neglected or withdrawn in their behaviour; or a child might make a disclosure to you that they or someone they know is being abused.
- 5.2 If a child says they want to tell you a 'secret' or they disclose information that may suggest they are at risk of, or have been, abused it is important that you tell them that you cannot keep secrets and that, depending upon what they tell you, you may have to tell someone else in order to keep them safe. In the majority of cases the child will disclose to you anyway as, quite often, a child will have prepared themselves to make a disclosure.
- 5.3 It is important that you:
- Remain calm and do not show shock or disbelief
  - Listen carefully to what is being said
  - Do not ask detailed, probing or leading questions
  - Tell them that you take what they are saying seriously
  - Tell them what you are going to do next and that you will only tell people who you think need to know.
  - Tell them that when you have spoken to someone they will be told what is going to happen next.
- 5.4 In most situations the child is unlikely to be in immediate danger, but if they are you must contact the police on 999, and once you have done that refer to your Working with Children Adviser/Commissioning Executive as soon as possible.
- 5.5 **Whatever your concern** - whether you have been told something by a child or another person, whether you have seen or heard something that has made you uncomfortable, or whether you become aware of a breach of BBC policy – **YOU MUST SHARE IT**. It does not matter how you have become aware or how the child has come into contact with the BBC.
- 5.6 Do not ignore a concern and do nothing. We do not expect you to decide what is significant or whether abuse has happened, but you are expected to share information. Contact your Working with Children Adviser immediately or, if an Indie, you must inform the lead person for child protection and share your concern for the child with them. They will be able to advise you on the next step. If you are unable to contact the Working with Children Adviser you should contact the Child Protection Team. Do not delay in taking whatever action is necessary to safeguard the child.
- 5.7 Once you have shared your concern the Working with Children Adviser will decide what the next course of action should be and they will be responsible for taking this forward except in the case of Indies who are responsible for taking the appropriate action. Indies are expected to take whatever immediate steps are necessary to safeguard the child and must inform their Commissioning Executive within 48 hours of any incident.

5.8

5.9 Potential outcomes, dependent on the seriousness of the concern, could be a referral to a statutory agency such as police, Childrens Services or the NSPCC or to the child's school or parent who will know the child better. The information you hold may be important in building a bigger picture and in helping to safeguard the child.

5.10 The Working with Children Adviser will also be responsible for recording on 'myRisks Tools' what has been discussed, the action they have taken, who they contacted and what was agreed.

5.11 In some circumstances children may present with injuries or behaviours which, in isolation, are not significant. It is advisable to maintain a record of when children present with unexplained injuries, behaviours etc., as, over a period of time, a picture may emerge that raises concern and this should be dealt with by following this policy.

5.12 If the parent is not aware of the disclosure, or they are the alleged abuser, where possible it is better to wait for guidance from the police or Childrens Services as to how much information can be shared. Where the parent can be informed this is likely to be distressing for them so you will need to think about who is best placed to do this. If the child is in the care of a chaperone you will need to consider the child's right to confidentiality, unless it is the chaperone that has approached you.

5.13 Your Working with Children Adviser must be kept informed and advice sought before saying anything as this situation would need to be handled sensitively. For Indies, advice can be obtained from the Commissioning Executive if required.

5.14 Dependent on the seriousness of your concern it may not be possible to maintain your anonymity, but this will be discussed with you and you will be offered support throughout. Social workers will always consider how best to protect the referrer, but ultimately such decisions must be made in the best interests of the child and it is always possible that the alleged perpetrator may guess who made the referral.

5.15 **What if the child is in immediate danger or requires medical attention?**

***Dial 999 and ask for the appropriate emergency service. Once you have made sure the child is safe, inform your Working with Children Adviser immediately or Commissioning Executive within 48 hours***

5.16 It is important that you keep a record of what has happened so we have provided a Child Protection Report Form (available on the Working with Children website on Gateway) for you to use. As your written account may be needed in the future you must make sure it is accurate, factual, written as close to the event as possible and dated.

To find the form please follow the link below: <https://intranet.gateway.bbc.co.uk/fo/quality-risk-assurance/SSR/env-health-safety/working-with-children/Pages/documents-and-forms.aspx>

## 6.0 Safeguarding Children Online

6.1 If you have any online safeguarding concerns, whether related to online grooming or child abuse images, these must be referred to the Safeguarding Lead (BBC Children's) immediately. They are responsible for taking the necessary action to refer and alert the appropriate agencies. Regardless of how you have become aware of online child abuse images, be it via your personal or work e-mail account, you must refer it in accordance with this policy as the referral policy will ensure that agencies such as the Internet Watch Foundation are able to remove child abuse images from the internet.



- 6.2 Follow this link for further detailed information: <https://intranet.gateway.bbc.co.uk/fo/quality-risk-assurance/SSR/env-health-safety/working-with-children/Pages/online-and-social-media.aspx>

## 7.0 What do I do if I have concerns about an adult's contact with children

- 7.1 If you have concerns about the behaviour of an adult towards a child, be they a manager, colleague, friend, chaperone etc., you must speak to your Working with Children Adviser or, if you would prefer, you can speak to any member of the Child Protection Team, including the Head of Environment, Health and Safety. You can be confident that you will not suffer any personal detriment by sharing your concerns.
- 7.2 You may be concerned that an adult:
- Is behaving, or has behaved, in such a way that a child has been harmed or may be harmed;
  - May possibly have committed a criminal offence against a child; or
  - Has behaved towards a child or children in a way that makes you think they may pose a risk of harm to children

### AND/OR

- The behaviour of the individual compromises the reputation and ability of the BBC to safeguard children and young people. Examples of such behaviour (not exhaustive) could be:
- Contravening or continuing to contravene any safe practice guidance for working with children given by the BBC;
- Exploiting or abusing a position of trust and/or power;
- Consistently demonstrating a failure to understand or appreciate how their own actions could adversely impact upon the safety and well-being of a child;
- Exhibiting an inability to make sound professional judgements which safeguard the welfare of children;
- Failing to follow adequately BBC policy or procedures relating to safeguarding and promoting the welfare of children;
- Failing to understand or recognise the need for clear personal and professional boundaries in their work; or
- Behaving in such a way that it seriously undermines the trust and confidence placed in them by the BBC.

Having shared your concern the escalation route is to the Safeguarding Lead, SSR, who will then be responsible for instigating the process.

## 8.0 Allegation Process

- 8.1 There may be up to three strands in the consideration of an allegation:
- Consideration by an employer of disciplinary action in respect of the individual;
  - A police investigation of a possible criminal offence; and
  - Enquiries and assessment by Childrens Services as to whether the child is in need of protection or in need of services

- 8.2 Although this policy states that concerns about the behaviour of an adult towards children should be referred to the Safeguarding Lead, SSR, there are other routes by which such concerns may come to our attention such as the Whistleblowing policy, HR, BBC Investigations, police, members of the public. However, regardless of how the allegation has arisen the following process should be followed.
- 8.3 Any allegation or concern should be reported immediately to any of the following Senior Managers:
- Head of Environment, Health and Safety;
  - BBC Safeguarding Lead, SSR;
  - Head of Investigations; or
  - HR Director, Employee Relations
- 8.4 On receipt of the allegation the Senior Manager will be responsible for consulting with:
- Head of Environment, Health and Safety, (or their representative);
  - BBC Safeguarding Lead, SSR
  - Head of Investigations (or their representative);
  - HR Director, Employment (or their representative);
  - The employee's manager;
  - Divisional HRBP; and
  - BBC Safeguarding Lead, BBC Children's, if online abuse alleged.
- 8.5 This discussion should take place within one working day of the allegation being made. The nature of the allegation will be discussed between the above parties and will consider:
- The seriousness of the allegation and the evidence provided to support the allegation at that point;
  - Whether a criminal offence may have been committed;
  - The potential risk to the child and whether a referral to the police, Children's Services or the Designated Officer (DO, England only) should be made;
  - The action, from an employment perspective, that should be taken to investigate the allegations and provide support to the employee and alleged perpetrator (if they are employed by the BBC too);
  - What actions are to be taken if the individual is freelance or a contractor;
  - Whether the alleged perpetrator should continue in their role, be given alternative duties or be suspended;
  - Where an allegation relates to online sexual abuse a referral to the Child Exploitation Online Protection Centre (CEOP) will be necessary. They will also need to consider how the parents/carers of the child are to be informed and what support will be required for the child;
  - Any referral to the police, Children's Services or DO should be made within one working day of the allegation; and
  - A record will be kept of the allegations made, how the allegations are to be followed up, the agreed actions, timescales and who will take the lead in the process.
- 8.6 If the outcome of the above is that no referral to a statutory agency is required or that, following an initial investigation, the allegation/concern is considered low risk, the relevant internal policies should be followed. Confidentiality for the alleged perpetrator, alleged victim and any alleged witnesses must be maintained. If during the course of the investigation further information comes to light that changes the perceived level of risk, this should be shared and further actions agreed.
- 8.7 If the initial discussion concludes that the allegation/concern is high risk and requires a referral to a statutory agency, other relevant BBC departments may need to be brought in to agree what actions will be

taken in line with the above process. Any referral to a statutory agency and/or DO must be completed within 24 hours of the concern being raised. Referral to the Police, Childrens Services or DO does not

preclude the BBC from instigating its own disciplinary procedures, but it is advisable to obtain guidance from the statutory agency so that any criminal or safeguarding investigation is not compromised.

- 8.8 If, during the investigation or any subsequent disciplinary proceedings, the person under investigation decides to resign or cease to co-operate in the process, it is important that the process continues to its conclusion.
- 8.9 Once the process is concluded the BBC will review the case in order to consider any emerging lessons and actions to be taken.
- 8.10 Any publicity about the related incident/concern should uphold confidentiality so it is important that the media response is planned carefully.

## 9.0 The Designated Officer (DO) Role

- 9.1 Each county, unitary, metropolitan and London local authority have a Local Authority Designated Officer.

The DO is responsible for:

- Providing advice, information and guidance to employers and voluntary organisations around allegations and concerns regarding paid and unpaid worker;
  - Managing and overseeing individual cases from all partner agencies;
  - Ensuring the child's voice is heard and that they are safeguarded;
  - Ensuring there is a consistent, fair and thorough process for all adults working with children and young people against whom an allegation is made;
  - Monitoring the progress of cases to ensure they are dealt with as quickly as possible; and
  - Recommending a referral and chairing the strategy meeting in cases where the allegation requires investigation by police and/or social care.
- 9.2 In the devolved Nations this activity is undertaken by the Local Children's Services Departments. This is in line with the statutory guidance Working Together to Safeguard Children (Dept. of Education, 2015).
  - 9.3 Once contacted by an employer the DO will be want to:
    - Obtain further details of the allegation and the circumstances in which it was made;
    - Advise on what, if anything, may be shared with the person who is the subject of an allegation, particularly in situations that may possibly lead to a criminal investigation; and
    - Support a referral to the police or to Childrens Services if this has not already happened.

## 10.0 Referral to the Disclosure & Barring Service (DBS) and Disclosure Scotland

- 10.1 If the BBC removes an employee from working with children (or would have, had the person not left first) because the person is believed to pose a risk of harm to children, the BBC must make a referral to the Disclosure and Barring Service/Disclosure Scotland:
  - The relevant DBS Referral Form and guidance can be at <https://www.gov.uk/government/publications/dbs-referrals-form-and-guidance>
  - The relevant Disclosure Scotland Referral Form and guidance is at <http://www.disclosurescotland.co.uk/guidance/index.html>

10.2 Employers have a legal duty to refer someone to the DBS/Disclosure Scotland if they:

- Dismissed them because they harmed a child;
- Dismissed them or removed them from working in a regulated activity or (regulated work in Scotland) because they might have harmed a child;
- Were planning to dismiss them for either of these reasons, but the person resigned first; or
- Information comes to light that, had it been known before, would have led to the person being removed from working in a regulated activity/work

10.3 The referral must take place within 3 months of the criteria being met and it is an offence not to do so.

10.4 A decision to refer will be taken by the Head of Environment, Health and Safety in conjunction with the HR Director, Employment.

## Part C – Safeguarding

### 11.0 Editorial and Safeguarding Considerations

- 11.1 Programme makers have a duty of care to children taking part in our content under the Ofcom Broadcasting Code and the BBC Editorial Guidelines. Editorial Policy must be consulted when there is a risk of harm to children either participating in a programme or as the subject of a programme. Additionally where there is a risk of harm to children, or where there is the potential for child safeguarding issues to arise, guidance must also be sought from the BBC Safeguarding Lead, SSR. These discussions will assist content makers in ensuring that robust measures and procedures are in place to mitigate any risks to children that might otherwise be posed as a consequence of their participation and ensure that appropriate action is agreed, followed up and placed on record.

### 12.0 Code of Conduct

- 12.1 The BBC has a strict Code of Conduct to which all staff working with children, in whatever capacity, must adhere. The importance of this Code is that it makes explicit the behaviour that is expected when working within any environment that includes children and therefore makes any deviation from the Code of Conduct easily identifiable. It is not meant to inhibit normal interactions with children, but rather to support respectful relationships between BBC staff and children. The Code of Conduct can be found at: <https://intranet.gateway.bbc.co.uk/fo/quality-risk-assurance/SSR/env-health-safety/working-with-children/Documents/BBC%20Child%20Protection%20Code%20of%20Conduct.pdf>

### 13.0 Bringing children into work

- 13.1 BBC premises are places of work and it is therefore not possible to bring your child into BBC Offices for a visit. This rule applies at all times regardless of whether you are permanent staff, freelance, a contractor or talent. In exceptional circumstances where you have no childcare available, contact your manager to agree working arrangements such as working from home and, if you have no alternative but to bring your child into the office to allow you to collect your laptop, for example, you must ensure your child stays with you for the duration of your time in the office.

Please **do not** ask a colleague to supervise your child as this will put them in the difficult position of having to decline and they have their work to do too.

### 14.0 Guests at BBC Productions and Events

- 14.1 While it is understood that people may wish to bring their child to visit an event or production that they are working on it is imperative that prior written agreement is obtained from the senior manager responsible for the production or event or, in the case of Indies, from the Executive Producer.
- 14.2 Supervision of the child must remain the responsibility of the parent at all times and production staff must not be asked or expected to provide care and supervision. It is also forbidden for a child who is not directly involved in the event or production to wait unsupervised for their parent in dressing rooms, green rooms, back stage etc., while their parent is performing or working. If you are asked, and to avoid any misunderstanding it is important to explain the policy of the BBC or Indie straight away.

## 15.0 Criminal Background Checks

- 15.1 Ensure Indies' responsibilities with regards to DBS checks are clear. Consider updating the CP&S Policy to include guidance on what types of roles should be considered as requiring a DBS check.
- 15.2 Disclosure and Barring Checks (DBS) and Protection of Vulnerable Groups Scheme (Scotland only).

**When recruiting people to work with children it is important to follow safe recruitment practice to determine whether someone is a suitable person to work with children.**

**In order to undertake a DBS/PVG check certain criteria must be met such as:**

- Caring for, teaching, training, supervising or personally assisting (e.g. costume fitting or applying/removing make-up) a child as part of their normal duties or for intensive periods.
  - Driving a vehicle solely for children without supervision.
  - Monitoring online content or services used mainly by children for child protection purposes.
  - Providing a service as a registered professional, such as a doctor or solicitor.
  - Managing someone who undertakes an activity eligible for a DBS/PVG check.
- 15.3 Therefore such roles may include wardrobe/costume, make-up, sound, directing a child, transporting a child, moderating an online space which is used by children, or someone who manages an individual who has a DBS check. This list is not exhaustive.
- 15.4 The criminal background check must be in place prior to the individual undertaking their role and can be requested via HR or, for Indies via an umbrella company. In exceptional circumstances where the DBS/PVG certificate has not arrived arrangements must be put in place to ensure that the individual is subject to enhanced restricted or standard restricted duties which means they must work under direct supervision.
- 15.5 Any individual who has been asked to undergo a criminal background check must complete the process so that the check can be completed prior to them having contact with children. Failure to do so will result in them being unable to carry out their duties. Once the application and ID check is complete the individual will work under restricted duties until their certificate is issued.
- 15.6 **Supporting Artists** - When engaged on any BBC commissioned Programmes that involves a child or children in any way, the BBC requires all walk-ons and supporting artists (SAs) to be in possession of a Basic Disclosure certificate from either Disclosure Scotland or AccessNI, which confirms that they have no unspent convictions for offences contained within the Sexual Offences Act 2003. A Basic Disclosure certificate must be obtained every 18 months. If, after obtaining a Basic Disclosure certificate, the SA is convicted of an offence under the Sexual Offences Act 2003, then that SA cannot work on a programme commissioned by the BBC. SAs may alternatively be in possession of a standard or enhanced DBS check. However for the certificate to be valid it must be less than 18 months old. In exceptional circumstances this may be waived with the prior written consent of the BBC.
- 15.7 Further information on all of the above is at: <https://intranet.gateway.bbc.co.uk/fo/quality-risk-assurance/SSR/env-health-safety/working-with-children/Pages/staff-checks.aspx>

## 16.0 Training

### BBC Staff

- 16.1 As a minimum anyone planning to work with children in any capacity must complete the online Working with Children module prior to any activity. This will provide a basic understanding of best practice at the BBC.
- 16.2 A more in-depth face to face Working with Children course must also be undertaken if you are planning to or work with children as part of your day to day role. This should be undertaken prior to you undertaking the role. If you work in Childrens you will be expected to complete this course within the first month of joining.
- 16.3 If you have been asked to have a DBS/PVG check it is mandatory that you attend the face to face training course.
- 16.4 Further information can be found at: <https://intranet.gateway.bbc.co.uk/fo/quality-risk-assurance/SSR/env-health-safety/working-with-children/Pages/training.aspx>

## 17.0 Indies

- 17.1 Indies are required to comply with the BBC Child Protection policy when engaged on any commissioned production involving children or ensure they have a child protection policy of an equivalent standard. They must also have an identified individual who is the point of contact for the production should there be any concern for a child or about the behaviour of an adult towards a child. Their role would be to advise and manage any risk to the child, to follow the Child Protection policy and inform their Commissioning Executive within 48 hours of the concern and actions taken.
- 17.2 Indies working on BBC commissioned productions involving children are responsible for ensuring that those working on the production are adequately trained and understand their responsibilities in safeguarding children by reading the BBC Child Protection policy and Code of Conduct. The BBC strongly advises that the BBC online Working with Children module is undertaken by all crew working directly with children and access to the course can be arranged via the Commissioning Executive.
- 17.3 The Child Protection & Safeguarding Team can provide face to face Working with Children briefings to Indies on request, and these can be requested via the Commissioning Executive.

## 18.0 Risk Assessment

- 18.1 When planning to work with children, a risk assessment must be carried out which consider all aspects of how a child may suffer harm, including abuse (physical, emotional, neglect, sexual and online grooming or abuse) and how the child will be safeguarded such as having a child protection policy and Code of Conduct, a lead person for child protection, child protection training for production and Talent, DBS checks or use of Personal Disclosure Form, , obtaining appropriate consent, child performance licences, , tutoring and working hours, chaperones, a safe environment and transport, use of social media for the child, production and Talent and protection from inappropriate content (this list is not exhaustive).



A Child Protection Risk Assessment Template is available and can be used on its own or incorporated into the standard risk assessment. The template is available at: <https://intranet.gateway.bbc.co.uk/fo/quality-risk-assurance/SSR/env-health-safety/working-with-children/Pages/risk-assessment.aspx>

Further advice on addressing risks can be obtained from the Child Protection & Safeguarding Team

18.2 Further information is at: <http://www.bbc.co.uk/safety/resources/aztopics/children-and-young-people>

## 19.0 Consent

19.1 Informed consent from the child, parent, legal guardian or organisation with parental responsibility for the child must always be obtained in advance of working with children in any capacity and documented evidence of consent must always be kept.

19.2 Children aged 16 and 17 year olds can sign their own consent form if the project is not contentious (See BBC Editorial Guidelines).

19.3 Further detailed information is at: <https://intranet.gateway.bbc.co.uk/fo/quality-risk-assurance/SSR/env-health-safety/working-with-children/Pages/consent.aspx> and also at <http://www.bbc.co.uk/editorialguidelines/guidelines/children-young-people>

## 20.0 Child Performance Licenses

20.1 When planning any production or event that may be considered a performance and involving a child, it is important to consider whether the child will require licensing at the earliest stage. Child performance license legislation sets out the arrangements that must be made to safeguard children when they take part in certain types of performances, paid sport or paid modelling.

20.2 Licences are granted by the Local Authority for the area where the child lives and can take up to 21 days to process. Body of Persons Approval (BOPA) is given by the Local Authority where the event is taking place, but does not sanction the child missing school. Further detailed information is at: <https://intranet.gateway.bbc.co.uk/fo/quality-risk-assurance/SSR/env-health-safety/working-with-children/Pages/licensing.aspx>

## 21.0 Chaperones

21.1 Chaperones are employed in a professional capacity to act in 'loco parentis', ensuring the wellbeing of any child working on a production, and to monitor compliance with the performance regulations and the terms of any child licences. They may also be engaged to supervise children who are visiting the BBC as a contributor or an audience member.

21.2 The BBC policy is that professional licensed chaperones must be employed whenever a child is being used under the child performance regulations. That is not to say that parents cannot accompany their own child, particularly if they are under 5 years of age, but parents will not be allowed to act as the child's chaperone. Parents may however supervise their children in situations such as casting or participating in user testing or where an activity does not fall within the performance regulations. If in doubt, seek advice from your Working with Children Adviser.

- 21.3 If a parent is licensed by their Local Authority as a chaperone, they may be employed to chaperone other children, but not their own. This is to reduce any conflict of interest that may occur between deciding what is best for the child and balancing the needs of a production.
- 21.4 When employed by the BBC on any production it is important that the chaperone is aware of the BBC Child Protection Policy, Code of Conduct and their responsibilities. The production must provide the chaperone with the Guidance for Chaperones working at the BBC.
- 21.5 Further information on how and when to employ a chaperone can be found at:  
<https://intranet.gateway.bbc.co.uk/fo/quality-risk-assurance/SSR/env-health-safety/working-with-children/Pages/chaperones.aspx>

## **22.0 Audience Controls**

- 22.1 Children under the age of 18 years must be accompanied by a responsible adult. If any exception to this policy is required, the production must discuss the reasons why, explain what additional safeguards are to be put in place and get agreement from the BBC Safeguarding Lead, SSR. Audience Management Services must adhere to the Code of Practice.
- 22.2 More information is at:  
<https://intranet.gateway.bbc.co.uk/whatshappening/Documents/BBC%20Ticketing%20and%20Stewarding%20Code%20of%20Practice%20FAQs.docx>

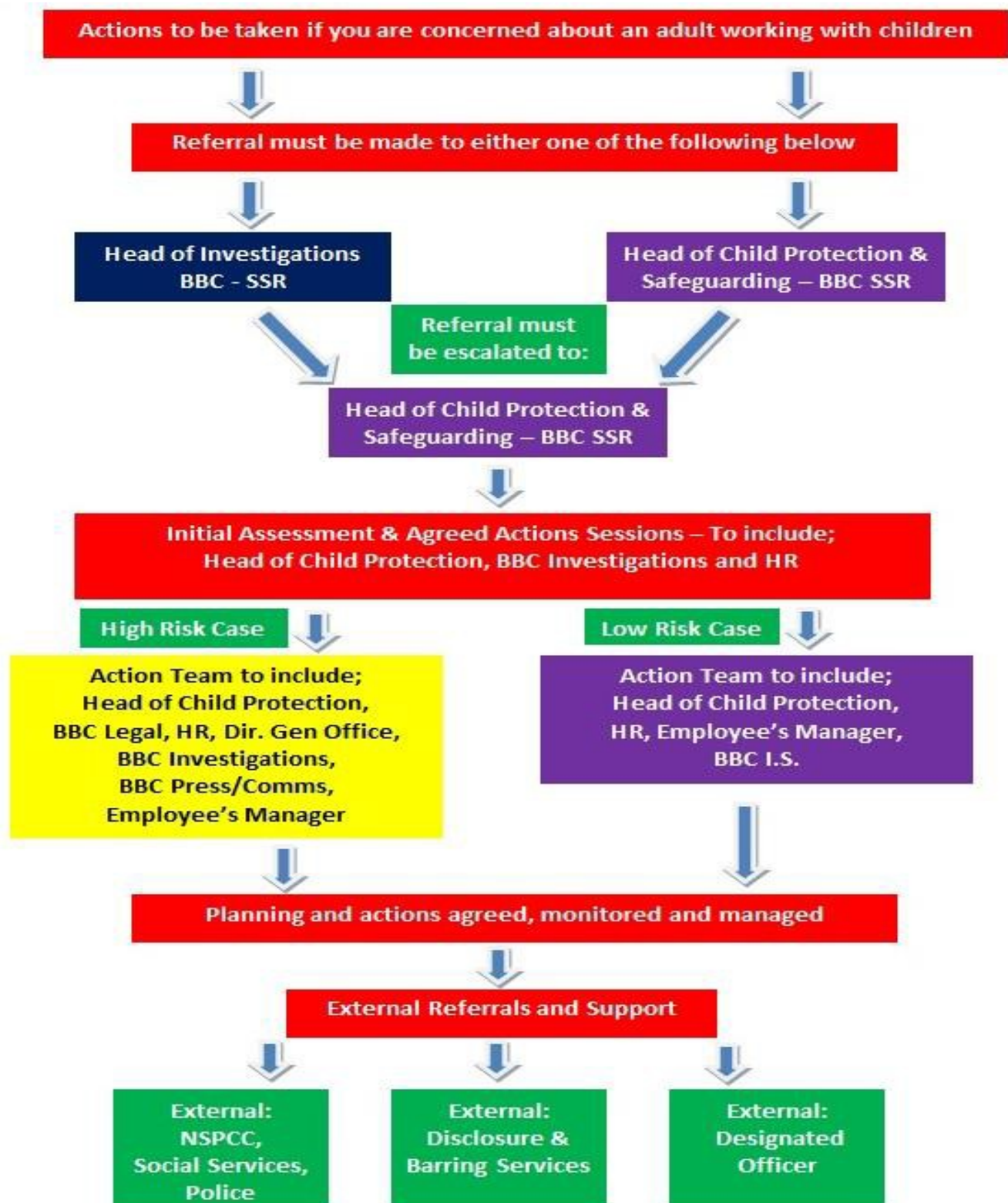
## **23.0 Online and Social Media**

- 23.1 **Children as contributors**  
 When engaging with children as contributors it is particularly important to consider the role of social media and the internet. The use of social media and the internet is an intrinsic part of life for many children and you must make sure that young people understand the impact of appearing in BBC content, and what the implications can be for anyone active on social media. Children under 13 years of age are not permitted to have an account by many social media services, but research suggests that this is not strictly adhered to and some 10-12 year olds will have their own account. Therefore productions should make sure that the children (and their parents) know how to keep themselves safe while online.
- 23.2 **BBC staff, Freelancers and Supporting Artists**  
 The BBC has a zero tolerance to any form of abuse of children including the inappropriate use of any computers, mobile phones, video/digital cameras or other electronic devices to commit online grooming, possess, distribute or create child abuse images. Disciplinary action which is proportionate and justifiable will be taken if anyone is found to be in breach of the above.
- 23.3 Further information is at: <https://intranet.gateway.bbc.co.uk/fo/quality-risk-assurance/SSR/env-health-safety/working-with-children/Pages/online-and-social-media.aspx>

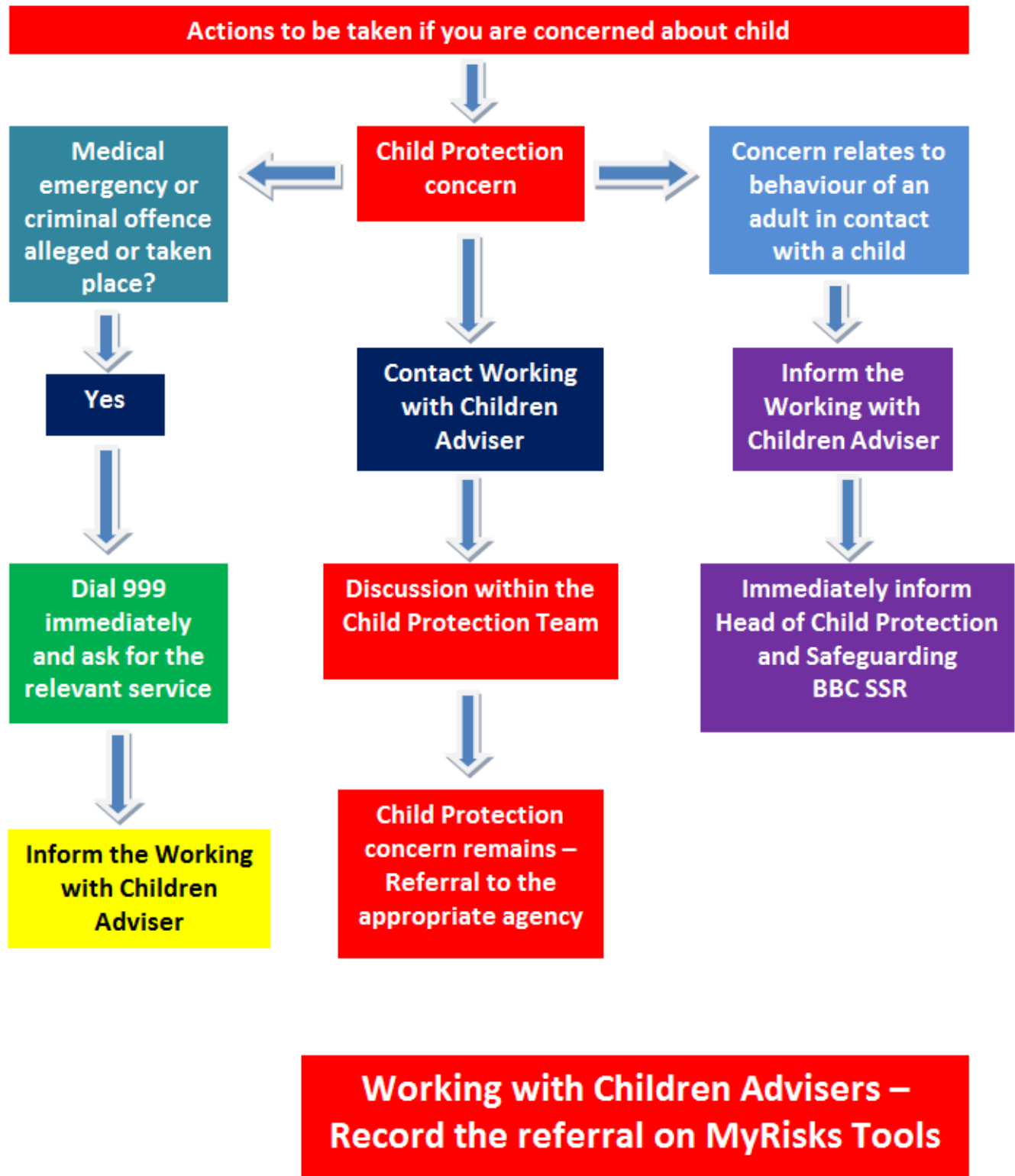
**Failure to follow this policy may result in disciplinary action being taken against you.**

## 24.0 Process Flow Charts

### Child Protection & Safeguarding Policy Flowchart



## Child Protection &amp; Safeguarding Policy Flowchart



## Part D - Legal Context

### 25.0 Acts and Guidance

25.1 The UK is governed by a range of legislation that seeks to protect the child and these have an impact on how the BBC functions in respect of its relationship with children.

25.2 The UN Convention on the Rights of the Child (1989) says that every child has:

- The right to a childhood including protection from all forms of violence (Article 6, 19, 34, 36)
- The right to have their best interests at the heart of all we do (Article 3)
- The right to be educated (Article 28, 29, 32)
- The right to be healthy (Article 6, 31)
- The right to be treated fairly (Article 4)
- The right to privacy (Article 16)
- The right to be heard including considering children's views (Article 12, 13, 14, 15, 23)
- Access to information from the media in a form they can understand (Article 13, 17)

25.3 **The Equality Act 2010.** This Act places a responsibility on public authorities to have due regard to the need to eliminate discrimination and promote equality of opportunity. This applies to the process of identification of need and risk faced by an individual child and the process of assessment. No child or group of children must be treated any less favourably than others in being able to access effective services which meet their particular needs;

### 25.4 Key Safeguarding Children Legislation

- **England** - Children Act 1989 introduced the principle of the best interests of the child being paramount, parental responsibility and significant harm (the threshold at which compulsory intervention into family life by Local Authorities is possible).
- Children Act 2004
- Safeguarding Vulnerable Groups 2006
- Children and Adoption Act 2006
- Children and Young Persons Act 2008
- Children's Services & Wellbeing Act 2014
- **Scotland** – Children (Scotland) Act 1995
- Safeguarding Vulnerable Groups (Scotland) 2007
- Children and Adoption Act (Scotland) 2007
- Children and Young People (Scotland) Act 2014
- **Wales** - Children Act 1989
- Children Act 2004
- Safeguarding Vulnerable Groups 2006
- Children and Adoption Act 2006
- Children and Young Persons Act 2008
- Children's Services & Wellbeing Act (Wales) 2014
- **Northern Ireland** - The Children (Northern Ireland) Order 1995

- Children's Services Co-operation Act (2015)
- Safeguarding Vulnerable Groups (Northern Ireland) Order 2006

25.5 As well as legislation each nation has statutory guidance which directs how safeguarding and child protection services should be managed.

- **England** - Working Together to Safeguard Children' (Department for Education, 2015).
- **Scotland** - National Guidance for Child Protection 2014
- **Wales** - Safeguarding Children: Working Together under the Children Act 2004 (Welsh Assembly Government, 2007).
- **Northern Ireland** - Co-operating to safeguard children and young people in Northern Ireland (DoH 2016)

25.6 All guidance documents are aimed at statutory public bodies however, it has resonance for the BBC in that they emphasises three areas of importance when working with children:

- A child centred approach
- It's everyone's responsibility to keep children safe
- Everyone who comes into contact with children has a role to play in identifying concerns, sharing information and taking prompt action

## 26.0 Criminal Background Checks

26.1 **Disclosure & Barring Service.** The Disclosure and Barring Service (DBS) carries out criminal record checks for specific positions, professions, employment, offices, works and licences included in the Rehabilitation of Offenders Act 1974 (Exceptions) Order 1975 and those prescribed in the Police Act 1997 (Criminal Records) regulations.

26.2 **Disclosure Scotland.** Disclosure Scotland undertakes criminal background checks under Protection of Vulnerable Groups (Scotland) Act 2007 Scheme and Part V of the Police Act 1997. They also manage the Protecting Vulnerable Groups Scheme. This is a membership scheme for people who work with children or vulnerable adults. Employers can check a member's record at any time to make sure they're still safe to work with these groups.

26.3 **Access NI.** AccessNI is a branch within the Department of Justice, established in April 2008. Its job is to supply certificates that show whether people who want to work in certain types of jobs, for example with children and or vulnerable adults, have a criminal record or if other important information is known about them. This enables employers to make safer recruitment decisions. AccessNI is a Criminal History Disclosure Service within the Department of Justice in Northern Ireland. It operates within Part V of the Police Act 1997.

## 27.0 Child Performance Licenses – Key Legislation

- **England** – Children & Young Persons Act 1963 and Education Act 2002
- **Scotland** - Children (Performances and Activities) (Scotland) Regulations 2014 and Children (Protection at Work) (Scotland) Regulations 2006
- **Wales** - Children & Young Persons, Wales 2015
- **Northern Ireland** - Children (Public Performances) Regulations (Northern Ireland) 1996 Statutory Rules No. 481