

Safeguarding: protection of children, young people and vulnerable adults

1. These conditions only apply if you or your employees, business partners, contractors or volunteers will supervise, care or have significant direct contact with a vulnerable person during the funded activity
2. 'Vulnerable person' means:
 - a. anyone under the age of 18, or
 - b. anyone who:
 - needs (or may need) community care services because of mental disability, other disability, age or illness, and
 - ii. who is (or may be) unable to take care of themselves or unable to protect themselves against significant harm or exploitation
3. You must consider all the risks that may arise from your contact with the vulnerable person, and take all reasonable steps to ensure their safety. Before having any significant direct contact with the vulnerable person, you must get the written agreement of the legal carer or guardian of the vulnerable person
4. As well as your responsibilities in paragraph 3, you must have and carry out a written policy and set of procedures to safeguard vulnerable people if during the funded activity, your employees, business partners, contractors or volunteers supervise, care for or have significant direct contact with vulnerable people
5. As part of the procedures mentioned in paragraph 4 you must check with the Criminal Records Bureau the backgrounds and disclosures of those employees, business partners, contractors or volunteers who will, during their activities, supervise, care or otherwise have significant direct contact with vulnerable people
6. If you are the person having significant direct contact with the vulnerable person, you must contact his or her legally authorised carer or guardian and give them your consent to have your background checked and disclosures from the Criminal Records Bureau viewed, if the carer or guardian wants to
7. You must comply with paragraph 6 even if are not required to do so under any child protection or care standards legislation, and whether the work is formal, informal, voluntary or salaried
8. We cannot advise you of your legal responsibilities in your dealings with vulnerable people, and these conditions are not legal advice. If you have any queries about your obligations, we strongly advise that you seek your

own independent legal advice and also contact the National Society for Prevention of Cruelty to Children www.nspcc.org.uk/inform

Further Information

The information referred to below and in the documents referred to is not legally binding, but we encourage you to read and make it accessible to all those that work for and with you on the funded activity.

The directors and trustees of your organisation are responsible for ensuring your organisation complies with all legislation relevant to the protection of vulnerable people.

The National Society for Prevention of Cruelty to Children's document Firstcheck gives a comprehensive step-by-step guide for organisations to safeguard children. Stopcheck is an explanatory booklet which helps organisations that provide activities or services for children to develop child protection policies and procedures. Both are available from www.nspcc.org.uk/inform

The Arts Council also provides some guidance on safeguarding, good practice, legislation, background checking and disclosures in our publication *Keeping arts safe* and *Directory of safeguarding advisers*. You can download these from our website at www.artscouncil.org.uk