

<b>Committee(s)</b>	<b>Dated:</b>
Nominations, Effectiveness and Inclusions Committee Barbican Centre Board	8 November 2022 16 November 2022
<b>Subject: Safeguarding Policy and implementation plan</b>	<b>Public</b>
<b>Which outcomes in the City Corporation's Corporate Plan does this proposal aim to impact directly?</b>	<b>1, 2, 5</b>
<b>Does this proposal require extra revenue and/or capital spending?</b>	<b>N</b>
<b>If so, how much?</b>	<b>N/A</b>
<b>What is the source of Funding?</b>	<b>N/A</b>
<b>Has this Funding Source been agreed with the Chamberlain's Department?</b>	<b>N/A</b>
<b>Report of: Claire Spencer</b>	<b>For Decision</b>
<b>Report author: Beth Bryan</b>	

### Summary

The Barbican Centre, as part of the City of London Corporation, has a legal obligation to safeguard children and adults at risk (The Children Act 1989, The Children Act 2004, Mental Capacity Act 2005, The Care Act 2014). This statutory duty extends to anyone engaging in work (paid or unpaid) or acting on behalf of the Barbican. The Centre's current Safeguarding Policy (May 2021) is out of date and includes incorrect language and reporting procedures. Claire Spencer (she/her) became the Centre's Designated Safeguarding Lead (DSL) on an interim basis on 1 September 2022. Safeguarding was flagged as a risk on the Corporate Risk Register in September 2022. The mitigations of that risk include updating the Safeguarding Policy and an implementation plan that included increasing awareness and training by April 2023.

The policy presented to the Committee takes measures to ensure our safeguarding responsibilities are held at a senior level and across the Centre, which is best practice. This departs from the previous approach of holding safeguarding duties primarily within the remit of Creative Learning (and formerly as a joint department with Guildhall). It also aligns in structure to the City of London Corporation's Safeguarding Policy (June 2021), which enables the Centre to align its practice to the City and adjust as needed following annual reviews.

The policy has been developed with the support and guidance of a Safeguarding Consultant Lesley Wood (they/them). It includes current reference to current legal statutes and their language, codifies the Centre's duty and defines clearly the responsibilities of the Centre's Safeguarding Champions, Managers and anyone engaging in work (paid or unpaid) on behalf of the Barbican to fulfil this obligation. It also details how anyone working on behalf of the Barbican can fulfil that duty through clear procedures and reporting lines.

Following the approval of an updated Safeguarding Policy, this cover presents a proposed implementation plan for the Centre, which will serve to mitigate the risk as

identified on the Corporate Risk Register and ensure compliance with Safeguarding statutory requirements.

### **Recommendation(s)**

Members of the NEI Committee are asked to:

- Review the policy and implementation plan, and endorse to the Barbican Centre Board
- Offer further suggestions to increase effectiveness and organisational commitment to safeguarding

Members of the Barbican Centre Board are asked to

- Approve the policy and implementation plan
- Appoint a Board Safeguarding Lead to support the Barbican Designated Safeguarding Lead and safeguarding work at the Barbican.

## **Main Report**

### **Background**

1. The Barbican Centre, as part of the City of London Corporation, has a legal obligation to safeguard children and adults at risk (The Children Act 1989, The Children Act 2004, Mental Capacity Act 2005, The Care Act 2014). This statutory duty extends to anyone engaging in work (paid or unpaid) or acting on behalf of the Barbican. An out of date Safeguarding Policy, places the Centre in legal risk of breaching this duty of care.
2. Historically, safeguarding responsibilities have primarily been held within the Creative Learning Team. A cross-departmental Safeguarding Group, with membership spanning levels of the organisation, has been led by the Designated Safeguarding Lead (DSL) and Creative Learning. Best practice is to hold this at a senior level across the department to ensure this legal duty of care is actioned upon as required.
3. For the years when Creative Learning was a joint department with Guildhall, there was in-house safeguarding expertise, which was drawn upon to ensure actions were taken in accordance with best practice and the law as well as to lead annual training for Creative Learning staff and casuals. When this department shifted to working within the Centre only, this expertise remained with Guildhall. It has been drawn upon on an ad hoc basis in the absence of holding this expertise within the Centre or contracted by the Centre.
4. The Centre's current Safeguarding Policy is out of date (May 2021) and includes incorrect language and reporting procedures. In May 2022, the Centre's DSL, Sandeep Dwesar (he/him), commissioned a review of the Centre's policy and procedures with the support of Beth Bryan (she/her) in the Barbican Futures Team. External Consultant Lesley Wood (they/them) was contracted between June and September to review the policy and procedures, lead training for the cross-departmental Safeguarding Group and provide recommendations based on best practice. In the course of Lesley's consulting, they identified incorrect language used in the policy and, apart from Creative Learning, noted a lack of

knowledge on legislation and the signs of abuse and awareness of the Centre's procedures among the cross-departmental Safeguarding Group.

5. Sandeep Dwesar was the Centre's DSL until his departure 31 August 2022. From 1 September, Claire Spencer (she/her) became the DSL on an interim basis. Her DSL training is scheduled for January 2023 and she will be supported by the Centre's Deputy Designated Safeguarding Leads (DDSL) in Creative Learning, Lauren Monaghan-Pisano (she/her) and Natalie Levitt (she/her), until her training has been completed.

### **Current Position**

6. The Barbican's current safeguarding policy is out of date (May 2021), includes incorrect safeguarding terminology and directs staff to report to colleagues who have since left the Centre. An updated policy is required to ensure the Barbican can fulfil its statutory duty to safeguard children and adults at risk.
7. An audit of the current Safeguarding Policy and consultation with the Centre's cross-departmental Safeguarding Group occurred between June and September 2022. An external consultant identified a lack of awareness of safeguarding issues and confusion over the reporting procedures should a Safeguarding concern arise or a disclosure be made outside of the Creative Learning Team.
8. As a result of the above, safeguarding was included on the Corporate Risk Register in September 2022 with mitigations including updating the Safeguarding Policy and increasing training.

### **Proposals**

9. An updated Safeguarding Policy is presented to the Committee for review and approval. This has been developed with recommendations based on best practice and expands the current procedures in the Creative Learning Team across the Centre.
10. Following the approval of an updated Safeguarding Policy, the author proposes the below implementation plan, which has been devised in consultation with the Centre's CEO Claire Spencer and Safeguarding Consultant Lesley Wood:
  - i. Include Safeguarding on the Director's/Management Team meeting agendas for November/December to discuss the central role the Centre's Senior Management will play in following and implementing the new policy.
  - ii. Upload the Safeguarding Policy as well as all of its appendices independently on the intranet. Ensure the public can easily access the policy by including a link on the Barbican Centre's website.
  - iii. Centralise the Centre's Safeguarding records by adopting the Creative Learning Team's Safeguarding Log.
  - iv. Identify ongoing Safeguarding expertise that the Centre's Safeguarding Champions can draw upon on a routine and ad hoc basis to ensure the Centre's actions are appropriate, adequate and performed with best practice.

- v. Increase the knowledge and level of responsibility at the senior level by shifting the Centre's cross-departmental Safeguarding Group to a group of Safeguarding Champions with membership comprised of Senior Leadership across each area of the Centre (membership listed in Appendix 2 of the Safeguarding Policy appendix). The responsibilities of these Champions are detailed in Section 8 of the policy. This group will meet at least once a quarter to discuss the safeguarding concerns reported, actions taken and risks that arose in the preceding quarter.
- vi. Implement mandatory minimum e-learning courses for employees (safeguarding children and young people), with additional training for managers (safeguarding for managers). These e-learning courses should be completed every three years. As required, additional mandatory training will be identified by area Safeguarding Champions and Managers.
- vii. Update the Safeguarding Policy annually to reflect changes in legislation, internal/external contacts and best practice.

### **Options**

#### Policy:

1. Approve the policy
2. Approve the policy with recommended edits, additions and/or alterations
3. Reject the policy and instruct a new version drafted based on new considerations to be re-submitted to the Committee

#### Implementation plan (detailed in proposal):

1. Approve the plan
2. Approve the plan with recommendations edits, additions, alterations and/or deadlines
3. Reject the plan and instruct a new version drafted based on new considerations to be re-submitted to the Committee

### **Key Data**

None

### **Corporate & Strategic Implications**

- Strategic implications:
  - People are safe and feel safe – Children and adults at risk are safeguarded and can access our safeguarding commitments and procedures to keep them safe
  - People enjoy good health and wellbeing – Children and adults at risk can enjoy their experiences fully because they are safeguarded
  - Business are trusted and socially and environmentally responsible – Our safeguarding policy and procedures will be publicly accessible, demonstrating our commitment to safeguarding and legal duties.
- Financial implications
  - None
- Resource implications

- Senior Management will need to within their existing capacity, undergo training and dedicate time regularly and as needs require to follow the policy.
- Legal implications
  - Children Act 1989
  - Children Act 2004
  - Mental Capacity Act 2005
  - Care Act 2014
- Risk implications
  - Failure to put a Safeguarding Policy and adequate Safeguarding procedures in place leave the Centre vulnerable to breaching the above legal implications
- Equalities implications:
  - Safeguarding policies and procedures ensure those who are at risk of harm (children and adults at risk) are protected regardless of their characteristics.
- Climate implications
  - None
- Security implications
  - None

## **Conclusion**

11. This Safeguarding Policy and implementation plan is presented to the Committee for review and approval. If approved, it will supersede any and all previous Barbican Safeguarding policies and procedures.

## **Appendices:**

Appendix 1 – Safeguarding Policy

### **Report author**

Barbican Futures Planning Officer, Creative Collaboration and Learning

E: Beth.Bryan@Barbican.org.uk

T: 0207 382 7381