



CODE OF PRACTICE

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Updated 1st September 2022

Expectations

New Era Academy of Drama and Music (London) Limited expects that all those covered by the scope of this policy will be aware of this Code of Practice and adhere to its principles in their approach to children. All New Era Academy of Drama and Music (London) Limited staff and associates are expected to uphold the highest levels of professional conduct in their dealings with children. This includes avoiding any physical, verbal or other conduct that could be construed as abusive, by not placing themselves in situations where they are open to false allegations and by protecting children from possible abuse by others.

Staff and associates should:

- conduct the examination/assessment process as openly as possible
- restrict time spent alone with a child to the time required to conduct the examination or assessment
- model good practice and appropriate conduct
- value and respect children as individuals
- treat all children equally, with respect and dignity
- keep a physical and professional distance from the candidate
- report any safeguarding concern or allegation following the safeguarding procedures

Staff and associates must avoid:

- physical contact with a child
- making suggestive or inappropriate remarks to a child
- being alone with a child other than during the time required to conduct the examination or assessment
- being unnecessarily inquisitive – do not ask for personal details that are not necessary for completion of the assessment
- doing or saying anything that might make a candidate feel uncomfortable and that includes being aggressive, hostile or impatient
- being drawn into personal conversations or introducing personal subjects with candidates
- making comments that could be misinterpreted, such as about a candidate's appearance
- meeting a candidate other than in the agreed assessment venue
- exchanging personal contact details including email or phone numbers
- contacting a child through any form of social media
- permitting a child to swear or use sexualised language unchallenged



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- permitting a child using language that aims to radicalise by supporting terrorism and forms of extremism leading to terrorism
 - promising that information shared by a child will be kept confidential
 - investigating any allegation of abuse themselves

The Sexual Offences Act (2003) makes it a criminal offence for a person to engage in any kind of sexual activity with a person under 18 where the adult is in a position of trust. This applies even if they do not work together directly.

Breaches

Breaches of the Code of Practice will be dealt with following the allegation procedure described in “Allegations against New Era Academy of Drama and Music (London) Limited staff and associates” below.

Procedures for reporting concerns about a child

Concerns about a child may come from:

- a) A child disclosing abuse
- b) Evidence of physical hurt, which may or may not be accompanied by unusual behaviour by a child
- c) Hearing or seeing inappropriate conduct against a child
- d) The conduct of an individual working on behalf of New Era Academy of Drama and Music (London) Limited

Responding to a disclosure from a child

If a child should raise or make an allegation of abuse to you:

- Stay calm and listen carefully to what is said.
- Take what the child is saying seriously
- Find an appropriate early opportunity to explain that it is likely that the information will need to be shared with others.
- Tell the child that the matter will only be disclosed to those who need to know about it
- Allow the child to continue at his/her own pace.
- Ask questions for clarification only.
- Reassure the child that they have done the right thing in telling you.
- Tell them what you will do next, and with whom the information will be shared.
- Make a written report of what was said, using the child’s own words as soon as possible – note the date, time, any names mentioned, to whom the information was given and ensure that the report is signed and dated. **See Appendix 2**

You should not:

- Promise to keep secrets

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- Ask leading questions that suggest a particular answer
 - Express an opinion about what you have been told
 - Start to investigate
 - Contact the alleged abuser

Remember that those who abuse children can be any age (even other children), gender, ethnic background or class, and it is important not to allow personal preconceptions about people to prevent appropriate action taking place.

It is important to remember that the person who first encounters a case of alleged abuse is not responsible for deciding whether abuse has occurred. That is a responsibility of the professional child protection agencies, following a referral from the designated child protection person in the organisation. Accordingly, you should report the matter to the Examinations Director.

Hearing a disclosure of abuse can be upsetting and you may need to seek some support. You can do this by contacting the Examinations Director or NSPCC Helpline on 0800 800 5000.

Responding to an emergency

If you think that a child is at immediate risk of harm, then:

- Ensure the appropriate emergency service is contacted if the child is in need of immediate protection or medical attention
- Inform the Designated Safeguarding Lead at New Era Academy of Drama and Music (London) Limited as soon as possible
- Complete the report form at Appendix 2 and send to the DSL at New Era Academy of Drama and Music (London) Limited within the same working day if possible or at least within 24 hours

Concerns arising from a script or performance

Particular care must be given to texts, images or other media that are or could be inferred to be:

- Gratuitously offensive in language
- Sexually explicit
- Containing nudity or representations of sexual acts
- Promoting illegal or criminal behaviour
- Describing or promoting abuse, self-harm including suicide
- Describing or promoting the support of terrorism or radicalisation
- Describing or promoting violence, inequality or inhumanity

If you have any of these concerns then you should contact the Examinations Director.



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Allegations against New Era Academy of Drama and Music (London) Limited staff or associates.

New Era Academy of Drama and Music (London) Limited recognises that abuse can occur within organisations where staff have opportunities to have contact with children through their work.

New Era Academy of Drama and Music (London) Limited endeavours to safeguarding children by strict adherence to recruitment and selection procedures, pre-employment checks, professional references and enhanced checks by the Disclosure and Barring Service. A culture of vigilance at New Era Academy of Drama and Music (London) Limited ensures that an attitude of “it couldn’t happen here” is avoided. When dealing with an allegation against a member of New Era Academy of Drama and Music (London) Limited staff or an associate, the welfare of the child is kept as the central concern.

An allegation against a New Era Academy of Drama and Music (London) Limited member of staff or associate is defined as:

- Behaviour that has harmed a child, may have harmed a child or might lead to a child being harmed;
- Having committed or planning to commit a criminal offence against a child or related to a child;
- Behaviour towards a child that indicates s/he is or would be unsuitable to work with children

An allegation may concern:

- Any type of abuse
- A breach of New Era Academy of Drama and Music (London) Limited’s Code of Practice
- Accessing abusive images of children online, grooming children online with the intent to cause harm

An allegation may arise as a result of:

- A direct allegation from a child or parent against an individual
- A staff member or associate’s concern about a colleague’s behaviour
- A related New Era Academy of Drama and Music (London) Limited procedure including disciplinary action, complaints procedure or whistleblowing
- Police or Local Authority contact with New Era Academy of Drama and Music (London) Limited concerning a member of staff or associate.
- New Era Academy of Drama and Music (London) Limited staff or associate informing New Era Academy of Drama and Music (London) Limited that they have been the subject of allegations, have harmed a child or committed an offence against or related to a child.

Managing allegations procedure

Once an allegation has been received by New Era Academy of Drama and Music (London) Limited an



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investigation will commence to establish:

1. The nature of the allegation;
2. The evidence provided to support the allegation;
3. Whether a criminal offence may have been committed;
4. The potential risk to any child;
5. Whether a referral to the police, children's social care, or the designated officer¹ should be made or whether advice should be sought from them first;
6. What steps from an employment perspective are necessary. Guidance should be sought first from the statutory agencies so that any criminal or safeguarding investigation is not compromised;
7. Any media response taking into account that the management of allegations should maintain confidentiality of the alleged perpetrator, alleged victim and alleged witness

Responding to an allegation

- In dealing with an allegation against New Era Academy of Drama and Music (London) Limited staff or associates, New Era Academy of Drama and Music (London) Limited will balance the seriousness of the allegation, the risk of harm to children and the welfare of the staff member concerned.
- Investigations will be dealt with quickly, fairly and impartially. The member of staff or associate should be informed of the allegation against them (once agreed by the local authority/police), notified of the processes that will follow and signposted to independent support should they require it.
- The member of staff or associate will be kept up to date about any progress in relation to their case; advised to contact their union or professional association at the outset; informed of arrangements to keep him/her updated about developments in the workplace in cases where the employee is suspended or where New Era Academy of Drama and Music (London) Limited cease to use the services of an associate; sent correspondence confirming all of the above including the arrangements for support.

A record will be kept of the allegations made, how they are to be followed up, agreed actions, timescales and who will take the lead in the process. If, during the investigation or any subsequent disciplinary procedures, the member of staff or associate decides to resign or ceases to cooperate in the process, the process must continue to its conclusion.

Outcomes

The following definitions should be used when recording the outcome of a safeguarding allegation:

- **Substantiated:** there is sufficient identifiable evidence to prove the allegation.

¹ This role was previously known as the Local Authority Designated Officer (LADO). Working Together 2015 states that local authorities should designate a particular officer, or team of officers, to be involved in the management and oversight of allegations against people that work with children. This applies in England only. In Wales the social service department should be contacted



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- **False:** there is sufficient evidence to disprove the allegation.
- **Malicious:** there is clear evidence to prove that there has been a deliberate act to deceive and the allegation is entirely false.
- **Unfounded:** there is no evidence or proper basis that supports the allegation being made. It might also indicate that the person making the allegation misinterpreted the incident or was mistaken about what they saw. Alternatively, they may not have been aware of all the circumstances.
- **Unsubstantiated:** this is not the same as a false allegation. It means that there is insufficient evidence to prove the alleged behaviour occurred

Referral to Disclosure and Barring Service and Professional Registration Bodies

Once the final outcome of the allegation management process is concluded:

Where a member of staff or associate is engaged in providing regulated activity then the issue of whether they are allowed to continue with this must be considered, depending on the outcome of the investigation /disciplinary process. If it is concluded that the person should no longer be engaged in regulated activity, then New Era Academy of Drama and Music (London) Limited must refer the person to the DBS for consideration to bar the person from working with children. The process for this is outlined on the DBS website.

Where the person is registered with a professional body, New Era Academy of Drama and Music (London) Limited needs to determine if that body should be notified of the outcome of any safeguarding allegation investigation and outcome.

These decisions must be made even if the staff member resigns or the associate ceases to work for New Era Academy of Drama and Music (London) Limited. A record of decisions made must be kept on file.

Breaches of the Code of Practice

Breaches of the Code of Practice will be dealt with following the allegation procedure described above.

Poor Practice

Allegations may be about poor professional practice rather than child abuse or intent to abuse a child. If, after investigation, the allegation is found to be about poor practice New Era Academy of Drama and Music (London) Limited will decide how best to respond.

Information Sharing and Confidentiality

The Children Act 1989 states that the “welfare of the child is paramount”. This means that considerations of confidentiality which might apply to other situations should not be allowed to override the right of children to be protected from harm. However, every effort should be made to ensure that confidentiality is maintained for all concerned when an allegation has been made and is being investigated.

The Data Protection Act 1998 allows for the disclosure of personal information without consent of the subject in certain situations, including for the purposes of the prevention and detection of a crime, for example, where there is a child protection concern. Fears about sharing information cannot stand in the way of the need to safeguard and promote the welfare and protect the safety of children or adults.

Effective information sharing between professionals and local agencies is essential in order to safeguard children. Information has to be shared with relevant agencies in order to obtain a full picture of the child



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and his/her circumstances.

For more guidance on information sharing go to <https://www.gov.uk/government/publications/safeguarding-practitioners-information-sharing-advice>.

Record Keeping

New Era Academy of Drama and Music (London) Limited will keep clear and comprehensive records of any safeguarding concern or allegation made against an individual, including details of how the allegations were followed up and resolved, and details of the decisions reached and any action taken will be kept. Records should distinguish between fact, hearsay and opinion.

Additional records e.g. email or hard copy documents are likely to be created as part of the investigation process. At the end of the investigation the DSL will create a file of all emails including scanned copies of all hard copy documents. The file must be appended to the safeguarding concerns form by the DSL. All original hard copy documents should be immediately destroyed (post scanning) using confidential waste.

Records of all allegations and subsequent processes against staff or associates must be passed to the Examinations Director. Such information should be retained, including for people who leave the organisation, at least until the person reaches 65 years, or for 10 years if that is longer. The records should also be stored safely in a password protected folder in a shared drive and with restricted access by the HR Director, DSL and anyone else authorised by him/her.

Record keeping for a concern about a child

All the information relating to a concern, including concerns arising out of scripts, and any subsequent action taken must be recorded using the safeguarding concerns form and additional log of actions and emails. This information should be stored by the DSL for 7 years.

International Staff

Where overseas students are taking New Era Academy of Drama and Music (London) Limited exams the procedure to follow if there is a safeguarding concern about a child is the same as outlined above.

In addition, the DSL may contact the Foreign and Commonwealth Office in the relevant country as a useful source of advice or the NSPCC Helpline on 0808 800 5000.

Use of images, film and photography

Written consent must always be obtained from the parents/carers of any child under 16 years who is being photographed or filmed for the purpose of New Era Academy of Drama and Music (London) Limited promotional materials. See Appendix 4.

All images must be stored securely. Images should not be retained on personal cameras, phones or any other devices. Names and addresses of children in images should not be stored alongside the actual images.

Notes

This policy is subject to review at the discretion of the Directors of New Era Academy of Drama and Music (London) Limited and/or as required by changes to legislation.