



Safeguarding Policy

Contents

1. Purpose and introduction.....	4
2. Policy statement.....	4
3. Legal context.....	5
4. Safeguarding code of conduct for all staff, contractors and volunteers.....	6
5. Safeguarding structure, roles and responsibilities.....	7
Trustee Safeguarding Champion.....	7
Designated Safeguarding Officer.....	8
Safeguarding Forum.....	8
6. Recognising and reporting concerns about a child or adult at risk.....	9
How concerns may arise.....	9
Reporting concerns.....	9
7. Responding to and managing safeguarding allegations against a member of staff, volunteer or freelancer/contractor.....	10
How allegations may arise.....	10
Process for managing a safeguarding allegation.....	11
8. Recruitment and selection of staff.....	11
9. Safeguarding training.....	12
10. Arrangements for work experience, academic placements and young volunteers.....	13
11. Arrangements for freelancers and contractors.....	14
12. Arrangements for donors.....	14
13. Filming and photography.....	15
14. Record keeping and retention of data.....	15
15. Contact details.....	16
Document control record.....	16
Appendices:.....	16
A. Safeguarding Risk Assessments for groups and outreach visits.....	16
B. BMT Online Safety Policy.....	16
C. BMT Photography and Film Consent Form.....	16
D. Disclosure and Barring Service (DBS) Eligibility Guidelines.....	16
E. BMT Safeguarded Roles.....	16
F. BMT Recruiting Ex-Offenders Policy.....	16
G. BMT Safeguarding Training Matrix.....	16

**Note that this document should be read in conjunction with
Birmingham Museums Trust's Safeguarding Procedures.**

1. Purpose and introduction

This policy defines how Birmingham Museums Trust operates to safeguard children, young people and vulnerable adults involved as visitors and as participants in all of our activities both on and off site. BMT is committed to the highest standards in protecting and safeguarding the welfare of the children, young people and vulnerable adults entrusted to its care at all times. We also want to protect and support our staff and volunteers who work or come into contact with these groups.

BMT is committed to strengthening our leadership, culture and capacity around safeguarding and embedding safeguarding within the organisation's culture. We are committed to achieve the highest standards of safeguarding appropriate for Birmingham Museums Trust.

For the purposes of this policy, the term vulnerable adult refers to someone over the age of 18 who may have a physical, learning or sensory disability, a mental health problem, a serious illness or may be an older person. Children and young people are defined as those under 18 years old.

This policy will apply to all staff, freelancers/contractors and volunteers and will be used to support their work. It has been written in line with best practice and advice sought from other safeguarding approaches within the sector.

The safeguarding of children is defined as "the process of protecting children from abuse or neglect, preventing impairment of their health and development, and ensuring they are growing up in circumstances consistent with the provision of safe and effective care that enables children to have optimum life chances and enter adulthood successfully.'

It is mandatory for everyone working at BMT to abide by the Safeguarding Policy and Procedures. Anyone found not to have followed the policy and procedures might be subject to disciplinary action, or alternative action if they are not an employee.

Where necessary, we will refer any issues or concerns involving protection to the appropriate agencies. If we encounter a safeguarding disclosure, concern or allegation that constitutes, or may constitute a crime, the police will be informed.

2. Policy statement

The principles that underpin Birmingham Museum's Trust approach to safeguarding are:

- **Welfare is paramount** - the welfare of the child, young person or vulnerable adult takes priority.

- **Right to protection** - all children, young people and vulnerable adults have the right to protection from harm.
- **We will recognise** all concerns that a child or vulnerable adult is at risk, or might be at risk of harm
- **We will respond** appropriately to a child or adult who is telling us they are being harmed or at risk of harm
- **We will refer** all concerns, if appropriate, to the relevant children's or adult care services and/or police.
- **We will record** the concerns and any subsequent action appropriately.
- **We will not delay** passing on concerns.
- **Staff, volunteers and freelancer/contractors are clear** on appropriate behaviours, responses and procedures.
- **Safe recruitment, selection and retention** is the first step to ensuring the welfare of children, young people and vulnerable adults.

BMT will therefore ensure that:

- Staff are safely recruited, selected and trained in issues of protection
- All staff, volunteers and any contractors working directly with the public are aware of BMT's safeguarding policy and procedures.
- Group leaders, service providers and any other interested parties are given information about BMT's safeguarding policy and procedures
- Teachers, group leaders and any other interested parties are provided with information about our expectations regarding protection and safe supervision responsibilities whilst visiting BMT
- A risk assessment is supplied to assist with the planning of a visit to a BMT site. Risk assessments for school visits to each site are downloadable from BMT's website at <http://www.birminghammuseums.org.uk/schools/planning-a-visit>. An example of a populated risk assessment is contained in Appendix A)
- Ensure relevant Disclosure and Barring (DBS) checks are done on required roles
- BMT's complaints procedure is accessible to all visitors

3. Legal context

This policy takes into account relevant legislation and guidance and is particularly informed by the requirement of the Children Act 1989, which provides a framework for the care and protection of children and young people, and the Children Act 2004 which underpins the Every Child Matters, Change for Children programme, and Working Together to Safeguard Children 2018.

Section 7 of the Local Authority Social Services Act 1970 gives local authorities the responsibility for developing partnership working to protect adults and to have an interagency safeguarding adults procedure. For the purposes of this policy, the same principles that can be applied to children and young people should be used to ensure appropriate action is taken to protect vulnerable adults.

4. Safeguarding code of conduct for all staff, contractors and volunteers

This safeguarding Code of Conduct sets out the expectations of Birmingham Museums Trust for all staff, contractors or volunteers who work for or represent the organisation in their contact with children, young people and vulnerable adults. Failure by any staff member to comply with this Safeguarding Code of Conduct may be considered Gross Misconduct and could end in summary dismissal. Contractors and volunteers may be asked to leave BMT premises and be dealt with according to the relevant procedures.

Do:

- Approach any child, young person or vulnerable adult apparently in distress and ask if you can help
- Seek assistance from colleagues or supervisors in order to minimise the time spend alone with the person
- Be aware of the possible risks and question situations that you find suspicious
- Keep a look-out for unaccompanied children and follow the “Lost Child” procedure (see Birmingham Museums Trust Safeguarding Procedures)
- Communicate details of any safeguarding issues to the Designated Safeguarding Officer or Deputy DSO.
- Keep any lost children in a public area where they can be clearly seen and take them to the designated point
- Actively contribute to BMT organisational values where inappropriate behaviour is not tolerated
- Ensure that whenever possible there is more than one adult present during activities with children, young people and vulnerable adults, or at least that are within sight or hearing of others. The adult present may be a teacher or a parent.
- If a child, young person or vulnerable adult wishes to talk to you in confidence then try to find a quiet space in a public area where this is possible.
- Act professional at all times
- Avoid situations which might appear compromising
- Report any allegation (including suspicions) of abuse or inappropriate behaviour immediately to the Designated Safeguarding Officer or Deputy DSO.
- Always do your utmost to accommodate if the child, young person or vulnerable adult expresses a wish to talk to a male or female member of staff.
- Be sensitive in your communication with people so that you avoid over familiarity.

Do Not:

- Engage in any physical play with children, young people or adults, nor allow or engage in any touching of any kind.
- Physically restrain a child, young person or vulnerable adult except in exceptional circumstances and only if you have been trained to do so. (E.g. to prevent injury, damage to property/collections or to prevent theft, however only consider minimum restraint)
- Make sexually suggestive comments to any visitor

- Use foul or abusive language to any visitor
- Physically assault or abuse any visitor
- Give your personal contact details (including phone, email, social network accounts etc) to any visitor or participant
- Give personal information of any other person as per the General Data Protection Regulation 2018
- Do things of a personal nature for children, young people or vulnerable adults that they can do for themselves or that a parent / leader can do for them.
- Photograph children and adults (unless for business purposes and following BMT procedures - see below and Appendix B*).
- Seek to befriend children, young people or vulnerable adults on any social media accounts or channels (refer to Appendix B for Policy on online behaviour).
- Use your personal mobile phone to communicate with children, vulnerable or vulnerable adults.

All staff, volunteers and freelancer/contractors should understand the need to maintain appropriate boundaries in their dealings with children, young people and vulnerable adults. When undertaking a role on behalf of Birmingham Museums Trust, individuals are considered acting in a position of trust. A position of trust is one in which one individual is in a position of power or influence over the other by virtue of their work or nature of their activity. It is vital for all those in a position of trust to understand the power this can give over those that they care for and the responsibility they must exercise because of this relationship.

5. Safeguarding structure, roles and responsibilities

All staff, contractors and volunteers have a responsibility to maintain appropriate standards of behaviour and to report poor practice.

All staff must be alert to and recognise safeguarding concerns regarding children, young people and vulnerable adults, and to report any concerns and all incidents according to BMT procedures (See Birmingham Museums Trust Safeguarding Procedures)

BMT has a Designated Safeguarding Officer on the Senior Management Team, supported by two Deputy Safeguarding Officers, to oversee and manage safeguarding at BMT. The HR Manager, who takes the lead on DBS checks, safe recruiting and staff training at BMT, also supports the DSO.

BMT Trustees have overall responsibility for safeguarding within the organisation. BMT has a nominated Trustee Safeguarding Champion to take the lead responsibility for safeguarding at Board level.

Specific roles and responsibilities:

Trustee Safeguarding Champion

- Takes the lead in overseeing BMT’s approach relating to safeguarding and the protection of children and vulnerable adults, including people who benefit from the charity’s work, staff, volunteers and other people connected to the charity’s activities
- Supports the designated leads in ensuring safeguarding is at the heart of decision-making.
- Assists other trustees to consider issues of safeguarding across all aspects of the charity’s work
- Keeps up to date with safeguarding legislation and good practice with support from the DSO.
- Champions safeguarding issues and risks with the Board.
- Acts as the “point of last resort” Board contact for staff raising safeguarding issues.

Designated Safeguarding Officer

- Draws up, enforce and annually reviews Birmingham Museums Trust’s Safeguarding Policy and Procedures.
- Organises and chairs regular meetings of the BMT Safeguarding Forum
- Promotes the importance of safeguarding across BMT
- Ensures all staff, volunteers and anyone who works for Birmingham Museums Trust is familiar with our safeguarding policy and procedures
- Ensures all staff receive training on safeguarding issues appropriate to their role.
- Takes a key role in BMT’s DBS checks on individuals, chairing DBS risk management meetings if required.
- Consults local advisors on safeguarding for additional information and guidance if needed.
- Gathers information and evidence in any safeguarding incidents.
- Reports safeguarding incidents to the police and social services.
- Supports the relevant authorities if a concern is investigated.
- Ensures all data records are kept and destroyed according to GDPR regulations and BMT’s Privacy Policy
- Produces an annual report on safeguarding for SMT and Trustees
- Be the first point-of-call for all staff who have safeguarding concerns.

The Director of Engagement undertakes the DBS role. The Learning and Access Manager and Museum Manager (Thinktank) undertake the Deputy Designated Safeguarding Officer role.

Safeguarding Forum

The Safeguarding Forum meets once per quarter. Its terms of reference are to:

- Embed a strong culture of safeguarding across Birmingham Museums Trust
- Ensure BMT’s Safeguarding Policy and Procedures are promoted to all employees, volunteers, freelancers/contractors.
- Maintain a group of appropriately trained safeguarding forum members to handle any safeguarding issues that occur and provide advice to the organisation on safeguarding issues.
- Review and monitor safeguarding across BMT events/activities

- Safeguarding Forum Chair to report to SMT and the Safeguarding Champion
- Keep abreast of legislative changes and best practice in safeguarding.
- Ensure sufficient safeguarding training provision for the organisation.
- Ensure good safeguarding practice is embedded into every area of BMT's activity.
- Safeguarding Forum Chair to ensure the meetings are arranged, actions agreed and all committee members understand their roles.

The DSO chairs the Safeguarding Forum. Members include: Deputy DSOs, HR Manager, Team Leaders in the Learning and Access Team, and the Museum Managers at BMAG, Thinktank and the Heritage Sites who are each responsible for Duty Management at their properties.

6. Recognising and reporting concerns about a child or adult at risk

[How concerns may arise](#)

A concern about the safety of a child or vulnerable adult may arise because:

- A child or adult tells you they are being abused, or tells you about an experience or event that has happened to them that you think would be harmful (this is sometimes referred to as a 'disclosure' – not to be confused with a disclosure to do with a check by the Disclosure and Barring Service).
- You identify signs of child/adult abuse or neglect.
- The person's behaviour is inappropriate and gives cause for concern (e.g. a visitor or teacher)
- You directly witness someone being harmed by an adult or another child.
- Someone tells you (e.g. a child or a member of the public) either face to face or by any other means of communication, that a child or adult is being harmed or is at risk of harm.
- The behaviour of an adult towards a child or vulnerable adult gives you cause for concern.
- An adult survivor of abuse tells you about their abuse in childhood. This can be referred to as 'historical abuse'. The perpetrator may still be alive and children may therefore be at risk.

[Reporting concerns](#)

All safeguarding concerns must be reported. The process for reporting can be found in Birmingham Museums Trust Safeguarding Procedures

7. Responding to and managing safeguarding allegations against a member of staff, volunteer or freelancer/contractor

How allegations may arise

A safeguarding allegation is where a member of staff, volunteer or freelancer/contractor has:

- Behaved in a way that has harmed, may have harmed or might lead to harm of a child, young person or vulnerable adult.
- Possibly committed or is planning to commit a criminal offence against a child, young person or vulnerable adult, or:
- Behaved towards a child, young person or vulnerable adult in a way that indicates he/she is or would be unsuitable to work with children, young people or vulnerable adults.

Allegations may concern one or more children or adults. It can be about any child or adult, for example those:

- visiting the museum with their family, friends or alone
- participating in one of BMT's outreach activities offsite
- participating in one of BMT's community engagement or consultation activities
- visiting as part of a school or other organised group
- supporting BMT such as volunteers, donors and patrons
- participating in work experience or internships
- that the member of staff, volunteer or freelancer/contractor has contact with in their community/home life
- who are the son, daughter or other relative of the employee, volunteer or freelancer/contractor.
- not known to BMT

The allegation may:

- not directly concern a known child, young person or vulnerable adult for example may involve accessing inappropriate images online
- be about any form of abuse or neglect
- relate to a staff member, volunteer or freelancer who has left

A safeguarding allegation against a member of staff, volunteer or freelancer/contractor may arise when:

- A child or parent/carer makes a direct allegation against the individual
- Another member of staff or volunteer observes behaviour that is cause for concern
- BMT receives a safeguarding allegation, e.g. by phone, letter or email, from a member of the public or a professional
- A member of the public tells a member of staff or volunteer face-to-face
- It is made in the course of another BMT procedure, such as grievance or disciplinary

- BMT is informed by the police or local authority or other organisation that an individual is the subject of a child protection or criminal investigation
- Information emerges from a DBS renewal that could compromise the safety of a child, young person or vulnerable adult
- An employee or volunteer informs BMT that they have been the subject of allegations or have harmed a child/adult

The procedures for managing safeguarding allegations must be followed consistently regardless of how the allegation arose, or from whom, or how the information was received.

[Process for managing a safeguarding allegation.](#)

Birmingham Museums Trust Safeguarding Procedures outlines what to do if a safeguarding concern or allegation arises in respect of a member of staff or volunteer or freelancer/contractor.

8. Recruitment and selection of staff

Legislation provides that individuals may be disqualified from working with children, young people or vulnerable adults by inclusion on one or more of a number of official lists contained in the statutory provisions. It is a criminal offence for any employer to knowingly recruit a disqualified individual into a post working with children. This also applies to volunteers and contractors. Individuals obtain checks on disqualification from the Disclosure and Barring Service (DBS).

The Safeguarding Vulnerable Groups Act 2006 places requirements on employers and individuals who are involved in regulated activity to undertake a DBS check. Regulated activity is defined as an activity that involves, frequent or intensive contact with children or vulnerable adults and is of a specified nature e.g. teaching, training and supervision or is in a specified place such as schools:

- The frequent contact test will be met if the work takes place once a week or more
- The intensive contact test will be met if the work takes place on 3 days or more in one month or overnight

Overnight stays at BMT are the sleepovers organised for school or uniform groups such as scouts. BMT does not organise overnight stays for families or individuals not organised through schools or uniformed groups.

Disclosure and Barring Service (DBS) Eligibility Guidelines are in Appendix D.

The list of job roles at BMT requiring a DBS check are included in Appendix E.

As part of the recruitment process, applicants will be required to complete either a Basic or Enhanced Enhanced Disclosure Application where the post involved works with children or

vulnerable adults. Enhanced checks are required for all roles undertaking regulated activity (as detailed in Appendix E).

BMT's policy is to require Portable Enhanced DBS checks. These enable BMT to obtain an annual update from the DBS on individuals employed in the relevant roles.

Applicants will be asked at conditional offer stage how to complete the DBS application. The job offer will be subject to DBS clearance. The job offer will be withdrawn if the Disclosure is not clear.

BMT's policy on recruiting and ex-offenders is included in Appendix F. A panel consisting of the Designated Safeguarding Officer, Deputy DSO and HR Manager will follow this policy to consider any disclosures that may arise following a DBS check.

Should BMT receive an Enhanced Disclosure about an individual already employed, the panel will hold an immediate review. The outcome of the review may include precautionary suspension.

All staff will receive a copy of the BMT Safeguarding Policy and Procedures as part of their induction. They will receive training appropriate to their role (see Section 9 below).

BMT will make a referral to the Disclosure and Barring Service of an individual removed from regulated activity, either because that person has caused harm, or poses a future risk of harm to children or vulnerable groups. Any such referral will be carried out according to the 'Barring – making a referral' guidance published by the DBS.

9. Safeguarding training

This policy will be available to all staff via the People Hub system and on the intranet. For those who do not use a computer regularly it is the responsibility of the line manager to ensure this is communicated to them.

Safeguarding training is provided to staff at three levels. Training is mandatory and it is the responsibility of line managers to ensure their teams undertake the training.

Level 1: Online safeguarding training for all staff. Received within probationary period for non-DBS check roles, and within 30 days for DBS roles. Renewed annually. Set up by the Workforce Development Team on the online Learning Management System.

Level 2: Internal training in BMT's Safeguarding Policy and Procedures. For the Learning and Access Team, Duty Managers and Security Team. The purpose of the training is to ensure staff members fully understand the contents of the Safeguarding Policy and Procedures, and know what to do in practical terms in different circumstances. The DSO and Deputy DSO deliver this training as a workshop. Renewed annually. Expert advisors may from time to

time be asked to deliver aspects of the workshop according to specific organisational need.

Level 3: Designated Safeguarding Officer training is provided to the DSO and Deputy DSOs. Renewed every two years either online or face-to-face via external professional trainer. Set up by the Workforce Development Team.

See Appendix G for details.

Training is also offered to the Trustee Safeguarding Champion on an annual basis. The Safeguarding Champion may already hold appropriate and up to date training, in which case BMT will obtain a copy of the training certificate.

10. Arrangements for work experience, academic placements and young volunteers

BMT provides schools, colleges and universities with work experience placements. It may be necessary to work on an individual basis with a student normally between the ages of 15 and 18. BMT recognises that students taking part in work experience placements are required to develop responsibility, independence and the ability to make their own decisions.

Birmingham Museums Trust recognises that it will not be practical to have more than one staff member work with a student placement. All staff must remember, however, that the health, safety and welfare of individuals is paramount.

Any placement, work experience or volunteer should come through the advertised route and either the Volunteer Team Leader or HR team (as appropriate) should be aware the placement is happening. Volunteers and work experience placements must be arranged via the Volunteer Team Leader, and academic placements (internships) must be arranged via HR and the academic institution.

BMT would like all student placements to have a positive experience and the following guidelines should assist with this:

- BMT provides each student placement with an induction to include Human Resources and Health and Safety issues. This is carried out by the line manager.
- A regular Health and Safety Audit is carried out by the relevant Board that handles work experience for Birmingham Schools.
- Each student placement will be provided with relevant policies, including the safeguarding policy, as part of the induction process.
- All student placements will be provided with a name badge when the work experience commences. The badge must be handed in at the end of the placement.

If you are expecting to spend time alone with a student, the staff member must:

- Hold a current DBS check.

- Always ensure that your line manager or the student's supervisor knows your location and the activity you will be carrying out.
- If practical, ensure the activity is held in a public place. If not practical you should perform the activity in a room where you can be viewed easily e.g. lab. Again, where practical ensure the door or the room is left open or ajar.
- Never allow travel with a student placement at any time, unless they are over 18.
- Comply with the Safeguarding Policy, Procedure and Code of Conduct.

Any BMT staff member who engages with volunteers is also obliged to make the volunteer aware of this policy and their duty to abide by it.

11. Arrangements for freelancers and contractors

Freelancers and contractors who are involved in regulated activity at BMT must hold a current DBS certificate. Regulated activity is defined as an activity that involves, frequent or intensive contact with children or vulnerable adults and is of a specified nature e.g. teaching, training and supervision or is in a specified place such as schools. Further information is provided in Section 8 above.

Any BMT staff member who enters into an agreement with a freelancer/contractor to provide a service that involves regulated activity on BMT premises is obliged to make the contractor aware of this policy and their duty to abide by it. Freelancers/contractors providing regulated activity for BMT must also provide evidence of having received up to date safeguarding training.

12. Arrangements for donors

BMT undertakes fundraising to generate income generation through donations and sponsorship. Donations may come from individuals, trusts and foundations, and corporate supporters. Individuals can donate to BMT in a number of ways, for example, via our donation boxes, a one-off or regular donation, signing up as a Patron, or by leaving a gift in their will. Individuals may be the sole decision-maker on behalf of trusts and foundations or corporate supporters; this is particularly likely for family trusts or family-owned businesses.

BMT staff talk to existing and potential donors regularly in the course of their jobs, for example, at a special event, exhibition launch, or in a one-to-one meeting, or phone call.

Anyone talking to a donor needs to be alert for clues as to whether the person is able to make an informed-decision to make a donation. A previous donation is not evidence of capability to make another donation.

BMT believes everyone should have the opportunity to donate if they want to do so. However, there are times when donations should not be taken.

BMT abide by the Fundraising Regulator's *Code of Practice* (1.2 General Principles) and use the Institute of Fundraising guidance for *Treating Donors Fairly* (2016) to ensure that:

- Donors have the mental capacity to make a decision.
- Staff consider whether a donor's context or circumstances may influence their capacity to make a considered decision.
- Staff consider indicators which could mean that an individual is in a vulnerable circumstance or needs additional support.
- Staff can identify the signs that an individual may be in a vulnerable circumstance.
- Staff are aware of the impact of BMT's fundraising messages and understand that those in a vulnerable circumstance may find it harder to say 'no' to a donation ask.

13. Filming and photography

Photographs and film of BMT activity must not include any participant unless authorised by the appropriate member of staff and adult/parental consent for children and vulnerable adults is given. This includes the use of camera phones. BMT has forms to be completed by the relevant guardian to obtain permission to photograph. These are available from the Marketing Department and included in Appendix C.

14. Record keeping and retention of data

Birmingham Museums Trust keeps a record of any safeguarding incident, including details of how each incident or allegation is followed up, of any decisions reached, and any action taken. These are stored in a secure safeguarding folder on the X drive. Access to this folder is restricted to the Designated Safeguarding Officer and Deputy DSO.

DBS check outcomes relating to staff are logged securely in the HR system.

Filming and photography consent forms are held in the Digital Asset Management System (DAMS) along with the images/film that they relate to.

All records are retained in line with BMT's Privacy and Retention Policies, which are in line with GDPR regulations. The DSO will seek advice from the relevant authorities before any records are destroyed.

The information which is provided or that is recorded against a person as part of this policy will be used in accordance with the European General Data Protection Regulation 2018 and for the following purposes:

- to enable the organisation to create electronic records of the incident;
- to enable BMT to manage safeguarding cases that arise;
- to enable the data to be processed and to enable the organisation to compile statistics and reports to the Board of Trustees. No statistical information used will be published that would identify an individual.

15. Contact details

Designated Safeguarding Officer (DSO)

Name Janine Eason, Director of Engagement

Phone/email 0121 348 8014

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Deputy DSOs

Name Andrew Fowles, Learning and Access Manager

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Document control record

Issue	Date	Author	Comments
Draft	August 2018	Danielle Cawood	New policy taking into account the previous safeguarding policy
Draft	November 2018	Janine Eason	Updates to draft policy to include role of Trustees, DSO role and responsibilities and DSO training.
Draft V4	November 2018	Rachel Cockett	Update to include reference to Fundraising and IOF guidance
Draft V5	February 2019	Janine Eason	Update following Internal Audit by Ashby Associates
V6	April 2019	Janine Eason	Update following advice from Safeguarding Champion

Appendices:

- A. Safeguarding Risk Assessments for groups and outreach visits
- B. BMT Online Safety Policy
- C. BMT Photography and Film Consent Form
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- E. BMT Safeguarded Roles
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