



Northern Ireland  
Assembly

Committee for Culture, Arts and Leisure

# OFFICIAL REPORT (Hansard)

Investigation into Consistency in Child  
Protection across the CAL Remit:  
Arts Council of Northern Ireland Briefing

7 February 2013

# NORTHERN IRELAND ASSEMBLY

## Committee for Culture, Arts and Leisure

### Investigation into Consistency in Child Protection across the CAL Remit: Arts Council of Northern Ireland Briefing

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**Members present for all or part of the proceedings:**

Mr William Irwin (Deputy Chairperson)  
Mr Dominic Bradley  
Mr David Hilditch  
Mr William Humphrey  
Ms Rosaleen McCorley  
Mr Michael McGimpsey  
Mr Oliver McMullan  
Mr Cathal Ó hOisín

**Witnesses:**

Mr Nick Livingston	Arts Council of Northern Ireland
Mr Gavin O'Connor	Arts Council of Northern Ireland

**The Deputy Chairperson:** We will now have a briefing from the Arts Council of Northern Ireland (ACNI). I welcome Mr Nick Livingston, director of strategic development, and Mr Gavin O'Connor, from the youth arts council. I invite you to make a presentation, after which members will have an opportunity to ask questions.

**Mr Nick Livingston (Arts Council of Northern Ireland):** Thank you for the invitation to talk about an important and timely issue: the protection of children.

I am joined today by Gavin O'Connor, who works for the Arts Council, not the Youth Council. He is our youth arts officer and our designated safeguarding officer. Prior to his appointment, Gavin worked for many years in the sector in childcare and in child development and directly managed several youth arts organisations, including WheelWorks, Sticky Fingers and Young at Art. He brings a background in child protection to his role as safeguarding officer in the Arts Council.

We recognise that safeguarding is a collective responsibility. Although the council does not directly provide services to children, we fund those who do. Our approach over the years has been to work in tandem with the Volunteer Now "Our Duty To Care" team and more recently with NSPCC. Incidentally, that was commented on positively in the 2011 Education and Training Inspectorate (ETI) report. Essentially, our approach is to build capacity among arts organisations so that there is justified confidence among the public and users of services that organisations that we fund provide safe, enabling and well-managed environments for children to create and enjoy art.

It is, however, an unceasing task. Arts programmes for children need to be delivered in a caring and responsible environment, keeping art safe. It would be remiss of me not to mention the host of new

challenges and future areas of work to which we will have to address our minds. They include internet safety, which we discussed, as well as social media and the need for improved structures for safeguarding in an internet age to ensure that those who are in positions of trust do not abuse that trust.

As the Committee is aware, we support a range of activities across the arts and almost 100 regularly funded organisations to ensure that they deliver quality arts and cultural activity. Children and young people are strategically significant as part of the delivery of that programme. That is because arts-led interventions help to stimulate a spirit of learning and discovery and to promote self-confidence. Through arts-related activity, they help children to develop life and communication skills, problem-solving and social and emotional vocabulary, and they help to foster positive mental health. That is why we are keen to extend access to the arts to young people in all walks of society and why our funded plans consciously commit resources to engage with young people.

We also have a dedicated youth arts strategy with themes and actions. It projects a positive message about the benefits of involvement in the arts that counteracts some of the risks to which young people are exposed. For example, the arts can prove to be useful interventions that counteract problems such as low self-esteem, as well as problems that arise from social exclusion and alcohol and substance abuse. The arts can also form part of a broader platform of community health initiatives. That is why we have been instrumental in brokering a new initiative with the Public Health Agency to work with excluded young people to promote positive attitudes towards mental health issues. We will be jointly funding a pilot initiative in that area. In getting involved in the arts either for fun or personal development, all children have the right to be protected from harm.

In summary, our policy as a funder aims to ensure that the welfare of children, young people and vulnerable adults is paramount in all relevant areas of our work. The organisations that we fund that work with children have to share that commitment to safeguard and promote their welfare. We take the view that all organisations that provide services for or work with children should be committed to the child's well-being and safety. They should also be clear about responsibilities to safeguard and promote welfare and have effective recruitment and human-resource procedures, including checking all staff, freelancers and volunteers and making sure that they work with children in a supportive way. We need to have procedures for dealing with allegations of abuse, particularly when they affect members of staff. We need to make sure that staff have appropriate targeted training to do their job well and that they are aware of what the procedures are, that is, to whom and how they should refer concerns.

Our actions extend to providing advice and guidance to our funded organisations, maintaining a high level of awareness of safeguarding in the sector by working with the duty of care team and by promoting a culture of vigilance to ensure that programmes of work that partner agencies carry out follow good practice guidelines and that grant programmes reflect that commitment to collective responsibility for safeguarding. They also aim to create an enabling environment for children and young people to create and enjoy art.

I will hand over now briefly to Gavin, who will give the Committee a flavour of some of the practical steps that help to take that forward.

**The Deputy Chairperson:** Mobile phones are interfering with the recording. Could members make sure that their phones are switched off, please?

**The Committee Clerk:** The meeting is being recorded by Hansard. If there are gaps in the recording, it means that we will not gather all the evidence that is required and that is being brought out in today's briefing. I stress that members must turn off their phones. It is vital that we get the full recording. Sorry, Deputy Chair. Thank you.

**Mr Gavin O'Connor (Arts Council of Northern Ireland):** Good morning to you all. First, I would like to say that I welcome the investigation. It is timely, appropriate and fit for purpose. I am thinking about the practical implications and challenges that face arts organisations to take all reasonable steps to ensure the safety and well-being of the children who are in their care. As the designated officer, I work with those organisations. I encourage them to follow good practice guidelines, which we developed in partnership with Volunteer Now's Our Duty to Care team and which are sector-specific. It is important to note that they are sector specific. They can actually be found on the Arts Council website. We also involve the arts sector in their development, because we want arts organisations not only to adopt guidelines and develop policies but to actually implement them in their day-to-day

practice. That is so that all staff can be fully familiar with and aware of their responsibility for the safety and well-being of children, young people and, indeed, vulnerable adults, even though we are not discussing them today.

It is an ever-changing picture, and, to keep organisations up to speed, we regularly issue briefing notes on safeguarding, and we signpost groups to relevant training and guidance on safeguarding from external service providers. The main providers are Volunteer Now and Children in Northern Ireland. So, we actually take a proactive stance. We provide advice and support on safeguarding, and we do that on a one-to-one basis when required.

To conclude, every organisation that we fund that works with children must supply its child protection safeguarding policy and comply with the safeguarding checklist that the Arts Council developed a number of years ago for all funded client organisations. We check that, and we work with those organisations to create a safe environment for those taking part in the arts. Thank you.

**The Deputy Chairperson:** Thank you very much for your presentation. Organisations that you provide funding to are required to apply child protection guidelines and commit to a child protection policy. That organisation subsequently provides funding to other groups. What checks does the Arts Council put in place to ensure that those groups are also compliant?

**Mr O'Connor:** From my experience, I can tell you that, from our point of view, all regularly funded clients must, obviously, adhere to the safeguarding checklist. If they do not directly work with children and young people, there is no need for them to tick the "yes" box everywhere. I think that that is accepted. However, if organisations that we fund then further distribute funds to client organisations, as the safeguarding officer, I would take all reasonable steps to ensure that the delivery funding organisation was complying with the guidelines that we expect them to. To be honest, however, I am not aware of any such organisations at the moment, so I would like to know what they are.

**The Deputy Chairperson:** Has the Arts Council funded any projects that raise awareness of child protection issues and cyberbullying, for instance?

**Mr O'Connor:** On cyberbullying, at this moment, no. A while ago, between 2006 and 2008, we funded Volunteer Now, which was formerly known as the Volunteer Development Agency, to carry out extensive training over a two-year period for all arts organisations for designated officer status, child protection and safeguarding awareness. Indeed, we also did a root-and-branch review of all policies that were in place in the Arts Council at that time. I think that it is important to note that we currently check policies as they come in. If it is three years old or more it is not acceptable, and we send it back to the organisation to review and reflect. We will signpost at any given time.

**Mr D Bradley:** Good morning to you. You said that the procedures and so on that you demand from the groups are sector specific. What does that mean in practice?

**Mr Livingston:** The point is that the delivery arrangements are somewhat different in the arts than in sport, where, for example, there is a formal structure of the governing bodies. We have had to adopt a tailored approach that is more specific to the prevailing circumstances for delivery in the arts. I stress that it is not just enough to have generic procedures; they have to be tailored and adapted to the circumstances and appropriate to the delivery mechanisms. The best way to achieve that is to work in conjunction with the sector so that it is not just a question of compliance but that it is actually built in to and applied in the operational practice of the organisations themselves. It becomes part of their cascading responsibilities to us and to those who take part in the activities.

**Mr D Bradley:** You have quite a stringent list of obligations to be met by the groups that apply to you for funding for arts for young people. There is also a checklist that must be fulfilled. How can you ensure that that is more than a desktop operation and that groups are doing what they say on the forms that they are doing?

**Mr Livingston:** That is a very important point. It rests very much on the ongoing contact that the client officer has with those groups. For instance, a cycle of meetings happens every quarter with funded organisations. Whenever the officers conduct those meetings, they are required to consider that. So, it is a matter of continuing monitoring and contact. As well as the danger of it being just a tick-box exercise, there is also the danger that it will lapse in prominence because it was done a little while ago. The idea of the checklist is to make sure that the issues remain prominent in the minds of

the organisations when they make applications to us and to make sure that their processes and systems are up to date.

**Mr O'Connor:** I will go back to what the NSPCC stated about a need for collective awareness. That goes from the participant who is in receipt of the arts programme right through to the delivering artists and the employer. I think that it is vital that there is increased awareness and confidence. If you have a concern or an issue, it is vital that you have the right to speak out and for that to be heard and acted on promptly.

This is not just an arts sector problem; there are issues across the board. We are a public body that resources organisations. They comply with what we have asked them to comply with, which is, in fact, what DCAL has asked us to comply with. We have actually gone a number of stages further than the DCAL requirements. At the end of the day, Dominic, we are not a policing organisation. Therefore, it is about the collective responsibility. I remember the old adage from many years ago that said that a child-friendly environment is a community-friendly environment. If we can instil that ethos and get it across, the protection and well-being of children will multiply and ripple out across the community. If children are heard and taken at their face value and if systems are in place to support their safety and well-being, the wider community will feel the benefit.

**Mr Ó hOisín:** Good afternoon, gentlemen. I posed this question during the previous presentation. Nick, you rightly said that a lot of arts organisations are not at the same level or do not have the same competence of governance per se as sporting bodies. That is very much a fact of life. Are there any opportunities in the inquiry or the wider scale of things to look at organisations that should or could have a degree of governance for individuals and groupings that are involved in the arts sector?

**Mr Livingston:** A point was made earlier about proportionality in what we can expect of the organisations and the scale at which they operate. It is unsettling to think that lower standards apply. I think that a general principle might emanate from the inquiry about setting a new benchmark in safeguarding standards that we might expect in Northern Ireland. In many ways, that would provide a lead for all the organisations in the DCAL family. Certainly, our role in all that would be to make sure that there was not just heightened awareness of the issues but that active measures were in place to make sure that they are evidencing the work that they are doing and that it is systematic and built in to all their processes.

A second thought is that, as you quite rightly said, this is not just about the staff and those who have contact, whether they are freelancers or volunteers. It occurs, obviously, at the level of those who have governance responsibility in the sector, such as those who act in a voluntary capacity on the boards. They have a primary role in setting the tone in the organisation that will give safeguarding the prominence that it justly deserves in the organisation and its ethos. So, it is important that that is also reflected in the work that we do and in what might come out of the inquiry.

**Mr Ó hOisín:** I see a list of "nevers" in your code of behaviour for staff and volunteers. I will declare an interest at this point as a GAA official. There are a number of points about personal contacts of people who are involved with children. A lot of people's experience is that it is useful, on occasions, to have that established.

The other issue, particularly for organisational purposes and possibly for safety purposes, is the whole idea of texting. Perhaps there could be a rewording or rethinking of that in that small sector. I am just talking about practicalities in the modern era.

**Mr O'Connor:** If I could respond to that. We developed good practice guidelines, and the interesting thing about them from our point of view was that they involved the Our Duty to Care team in Volunteer Now. We formed a working group that was sector specific. When I say sector specific, I mean that it was the arts sector, and it included those who practise circus skills, visual arts, drama, dance, movement, film-making and photography. The guidelines have specific details for what would be deemed best practice, and there is an acknowledgement that, like sport, there is a need for physical contact in some art forms. It is about how it is conducted, the manner in which it is conducted and the awareness of what is appropriate or inappropriate for the recipient of the training or support. I think that that involves general awareness of the issue. There is an acknowledgement that there needs to be physical contact with the diaphragm, etc in activities such as singing.

**Mr Ó hOisín:** We talked specifically about the communication of information for activities that may take place. Modern technology is increasingly used, and that should maybe be recognised in that.

**Mr O'Connor:** I agree with you.

**Mr McMullan:** Again, I will go back to disability. I see that your safeguarding policy mentions vulnerable adults. What guarantees are there that that is being followed through? I will go back to what was said to the NSPCC about the complexities of that situation. There is nothing in your paper to tell me how you can check up on what is happening. For example, a group could apply for funding from a local authority and can then fund other groups. Are we following through enough on that? Are you happy that your system is robust enough?

**Mr O'Connor:** As the designated officer, I am happy enough that, on behalf of the Arts Council of Northern Ireland, I have in place the most robust systems that I can currently have. However, I am open to review, support and recommendation.

Oliver, a specific section in our guidelines is dedicated to vulnerable adults. Specific reference is also made to those who are disabled, whether they learning disabled or physically disabled. That adheres to what is deemed to be a general awareness of those who are living with a disability. As such, in the guidelines we did not drill down to, for example, drama for those who are living without a disability and drama for those who are living with a disability. We take an overarching generic approach in the guidelines to disability.

If I could just add, the reason why we are confident is that the guidelines were informed by a former colleague of mine, Chris Ledger. She was the arts and disability officer in the Arts Council and is now the chief executive of the Arts and Disability Forum. So, the Arts Council is quite confident that disability has been addressed in the guidelines.

**Mr McMullan:** Right. I have a couple of other questions. In your report, you refer to your liaison with the health and social services trusts. The problem is that those who are working with disabilities and special needs are not aware of the complexities of the issues that are involved. Do the trusts help you to filter that down to organisations?

**Mr O'Connor:** I am not clear where that is mentioned in our report. Could you draw me to it? I am not being critical in any way.

**Mr Livingston:** Maybe I could add that we recognise that special circumstances apply as far as disability is concerned. As has been referenced, we fund a number of organisations with specialist skills and knowledge in that area, of which the Arts and Disability Forum is one of the sectoral lead organisations. It is very much about building in to their relationship with the sector their knowledge of good practice and ensuring that that is tailored and appropriate to the needs of those with disabilities.

**Mr McMullan:** I will come back to that in a minute. I think that RPA, which is coming up, will give you a good chance to go into councils, put that question and make sure that it is coming out. Believe it or not, I think that the Arts Council has done very well over the years in its funding of groups that deal with disability and special needs.

I think that some of the organisations, such as councils, that get funding from the Arts Council are not quite up to speed on the issue. I think that the RPA provides an excellent opportunity for them to go in to beef up the policy or whatever. Have you thought about that?

**Mr Livingston:** I take your point. We do not directly fund councils on an ongoing basis, but we do have a strategic relationship with them. As we move towards the implementation of the local government reforms, there will probably be an opportunity for us to work more collectively in a number of areas, of which, I am sure, safeguarding might well be one.

**Mr McMullan:** These papers show what the trusts say about safeguarding in situations where there are allegations of abuse or anything else.

**Mr O'Connor:** Obviously, I liaise with health and social services. Sorry, I misheard the question.

**Mr McMullan:** No bother at all. I would like to see it being part of it. I hope that any new council will be aware of everything to do with that and that more consideration is given to it, because it always comes down to funding. We are told that it is not appropriate because it takes too much to train

people, even attendants at community centres, etc, to work with them. They do not realise what is involved — *[Inaudible.]*

**The Deputy Chairperson:** No other members have questions. Thank you very much for your presentation.