

Review of BBC Child Protection
Policy

By

Mandate Now

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BBC Text	Analysis
1. Introduction	
1.1 The BBC engages with around 6 million children and young people every year through the content and services we provide, as well as a significant number more directly in their capacity as, for example, audience members, contributor/performers and visitors to our buildings.	Introductory text, no requirement on staff
1.2 Engaging children and young people is at the very heart of our remit as a public services broadcaster. However it also comes with responsibilities.	Introductory text, no requirement on staff
1.3 In all that we do the BBC has a legal duty to ensure that the children and young people we engage with, regardless of age, disability, gender, racial heritage, religious belief, sexual orientation or identity, have a right to equal protection from all types of harm or abuse – an obligation we take very seriously.	Introductory text, no requirement on staff
1.4 The policies, regulation and guidance relevant to child protection are the <i>BBC Child Protection Policy</i> , <i>Child Performance Regulations</i> and the <i>BBC Editorial Guidelines</i> . They are available on bbc.co.uk/inside the bbc .	Introductory text, no requirement on staff
1.5 In addition to the Working with Children guidance, this policy document has been produced in order to inform and assist our staff and contractual partners in meeting their responsibilities in terms of child protection, whether working directly or indirectly for the BBC.	Introductory text, no requirement on staff
1.6 For ease of use, the term ‘staff’ will refer to anyone who has a contractual relationship with the BBC	Introductory text, no requirement on staff
1. Objectives	
2.1 To support the culture within the BBC that safeguarding children, including child protection, is everybody’s business	Introductory text, no requirement on staff
2.2 To inform all staff, including contractors and freelance (herein referred to as ‘staff’) of their responsibilities to safeguard children in all areas of the BBC	Introductory text, no requirement on staff
2.3 To inform staff of what they should do if they are concerned about <ul style="list-style-type: none"> • the welfare of a child or young person or • the behaviour of an adult who works with children. 	Introductory text, no requirement on staff

BBC Text	Analysis
2.4 To inform staff on where they can go for advice and support when dealing with child protection concerns	Introductory text, no requirement on staff
2. Roles and Responsibilities	
3.1 As stated in the introduction all staff working for the BBC, either as a permanent member of staff, contractor or freelancer and regardless of seniority or role, have a responsibility to safeguard the welfare of children. Although the BBC is not a statutory body it has a responsibility towards any child it interacts with whether as an audience member, performer or visitor. In some circumstances the BBC may also become aware of child protection concerns through its role as a producer of media for children and adults and which may prompt a child or adult to make contact and share a concern.	Introductory text, no requirement on staff
3.2.1 The BBC has a strict Code of Conduct that all adults working with children, in whatever capacity, must adhere to. The importance of this Code is that it makes explicit the behaviour that is expected when working within any environment that includes children and therefore makes any deviation from the Code of Conduct easily identifiable. It is not meant to inhibit normal interactions with children but to support respectful relationships between BBC staff and children. The Code of Conduct can be found at www.bbc.co.uk/workingwithchildren	Introductory text, no requirement on staff

BBC Text	Analysis
<p>3.2.2 BBC commissioned programmes involving a child or children in any way: in addition, the BBC requires all walk-ons and supporting artists ('SAs) to be in possession of a Basic Disclosure certificate from either Disclosure Scotland or AccessNI which confirms that they have no unspent convictions for offences contained within the Sexual Offences Act 2003 when engaged on programmes commissioned by the BBC. A Basic Disclosure certificate must be obtained every 18 months and if within the period between obtaining the Basic Disclosure certificate the Artist is convicted of an offence under the Sexual Offences Act 2003 they cannot work on a programme commissioned by the BBC. SAs may alternatively be in possession of a standard or enhanced DBS check and for the certificate to be valid it must be less than 18 months old unless the SA has applied to the Update Service when the original enhanced DBS check was obtained. In exceptional circumstances this may be waived with the prior written consent of the BBC. Further information can be found here http://explore.gateway.bbc.co.uk/GatewayCMS01Live/working_with_children/2_staff_checks.aspx</p>	<p>New in Dec 2015. Appears to apply only to Scotland & NI. Basic disclosure is less than the level of disclosure required for those in other activities working with children</p>
<p>3.3 This document is focussed on child protection pan BBC when directly interacting with a child (and their family or chaperone) in any capacity and location.</p>	<p>Introductory text, no requirement on staff</p>
<p>3. Legal context</p>	
<p>4.1 The UK is governed by a range of legislation that seeks to protect the child and these have an impact on how the BBC functions in respect of its relationship with children.</p>	<p>Introductory text, no requirement on staff</p> <p>The weak child protection legislation fails to protect children. It confers responsibility without any accountability.</p>

BBC Text	Analysis
<p>4.2 The UN Convention on the Rights of the Child (1989) says that every child has:</p> <ul style="list-style-type: none"> • The right to a childhood including protection from all forms of violence (Article 6, 19, 34, 36) • The right to have their best interests at the heart of all we do (Article 3) • The right to be educated (Article 28, 29, 32) • The right to be healthy (Article 6, 31) • The right to be treated fairly (Article 4) • The right to privacy (Article 16) • The right to be heard including considering children's views (Article 12, 13, 14, 15, 23) • Access to information from the media in a form they can understand (Article 13, 17) 	<p>Introductory text, no requirement on staff</p>
<p>4.3 The Equality Act 2010 puts a responsibility on public authorities to have due regard to the need to eliminate discrimination and promote equality of opportunity. This applies to the process of identification of need and risk faced by an individual child and the process of assessment. No child or group of children must be treated any less favourably than others in being able to access effective services which meet their particular needs;</p>	<p>Introductory text, no requirement on staff</p>
<p>4.4 In England the current child protection system is built around the Children Act 1989 (amended under the Adoption and Children Act 2002) which introduced the principle of the best interests of the child being paramount, parental responsibility and significant harm (the threshold at which compulsory intervention into family life by Local Authorities is possible). The Children (Northern Ireland) Order 1995 and the Children (Scotland) Act 1995 (amended 2004) all share the same principles.</p>	<p>Introductory text, no requirement on staff</p>

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<p>4.5 A further document of significance for England is the statutory guidance 'Working Together to Safeguard Children' (Department for Education, 2013). Wales has its own guidance known as Safeguarding Children: Working Together under the Children Act 2004 (Welsh Assembly Government, 2006). Both guidance documents are aimed at statutory public bodies however, it has resonance for the BBC in that it emphasises three areas of importance when working with children:</p> <ul style="list-style-type: none"> • a child centred approach • it's everyone's responsibility to keep children safe • everyone who comes into contact with children has a role to play in identifying concerns, sharing information and taking prompt action 	<p>Introductory text, no requirement on staff</p>
<p>4.6 The Disclosure & Barring Service is responsible for undertaking criminal records checks on individuals who apply to work with children in a regulated activity (refer to BBC guidance When Should You Apply for a DBS/PVGS Check). For Scotland this role is undertaken by Disclosure Scotland under the Protection of Vulnerable Groups Scheme (PVGS). Criteria for a DBS/PVGS check are stringent and many roles within the BBC do not come under the banner of a regulated activity. Even for those roles that do require a DBS/PVGS check it is important to remember that this check, of itself, does not protect a child. It is therefore incumbent on all who work within the BBC (or have a contractual obligation) to be sensitive to what is adult appropriate behaviour towards children, be aware of the BBC Code of Conduct and to share concerns where they believe an adult, who works with children, may pose a risk to a child.</p>	<p>Introductory text, no requirement on staff</p> <p>Seems to some extent to be contradicted by the new 3.2(ii). It's all a mess</p>
<p>5. What is Safeguarding?</p>	
<p>Safeguarding can be described as the process of maintaining a focus on the well-being of a child to promote their welfare and protect them from harm during their direct involvement with the BBC. Such areas are covered within the Child Performance Regulations and the BBC Editorial Guidelines.</p>	<p>Introductory text, no requirement on staff</p>
<p>6. What is Child Protection?</p>	
<p>6.1 Child protection is the activity that is concerned with the protection of a child from significant harm through abuse.</p>	<p>Introductory text, no requirement on staff</p>

BBC Text	Analysis
6.2 Abuse is categorised into four main headings:	
<p>Physical abuse may involve hitting, shaking, throwing, poisoning, burning or scalding, drowning, suffocating or otherwise causing physical harm to a child. Physical harm may also be caused when a parent or carer fabricates the symptoms of, or deliberately induces, illness in a child.</p>	<p>This is good, it appears to have been taken wholesale from the London Child Protection Procedures or an equivalent document</p>
<p>Emotional abuse involves the persistent emotional maltreatment of a child such as to cause severe and persistent adverse effects on the child's emotional development.</p> <p>It may involve conveying to a child that they are worthless or unloved, inadequate, or valued only insofar as they meet the needs of another person. It may include not giving the child opportunities to express their views, deliberately silencing them or 'making fun' of what they say or how they communicate.</p> <p>It may feature age or developmentally inappropriate expectations being imposed on children. These may include interactions that are beyond a child's developmental capability, as well as overprotection and limitation of exploration and learning, or preventing the child participating in normal social interaction</p> <p>It may involve seeing or hearing the ill-treatment of another. It may involve serious bullying (including cyber bullying), causing children frequently to feel frightened or in danger, or the exploitation or corruption of children. Some level of emotional abuse is involved in all types of maltreatment of a child, though it may occur alone.</p>	

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<p>Sexual abuse Involves forcing or enticing a child or young person to take part in sexual activities, not necessarily involving a high level of violence, whether or not the child is aware of what is happening.</p> <p>The activities may involve penetrative and non-penetrative sexual contact with a child as well as non-contact activities, such as involving children in looking at, or in the production of, sexual images, watching sexual activities, encouraging children to behave in sexually inappropriate ways, or grooming a child in preparation for abuse (including via the internet). Sexual abuse is not solely perpetrated by adult males. Women can also commit acts of sexual abuse, as can other children</p>	<p>Again, appears to have been taken wholesale from the London Child Protection Procedures or an equivalent document.</p>
<p>Neglect is the persistent failure to meet a child's basic physical and/or psychological needs, likely to result in the serious impairment of the child's health or development. Neglect may occur during pregnancy as a result of maternal substance abuse. Once a child is born, neglect may involve a parent or carer failing to:</p> <ul style="list-style-type: none"> • provide adequate food, clothing and shelter (including exclusion from home or abandonment); • protect a child from physical and emotional harm or danger; • ensure adequate supervision (including the use of inadequate care-givers); or • ensure access to appropriate medical care or treatment. <p>It may also include neglect of, or unresponsiveness to, a child's basic emotional needs.</p>	<p>Again, appears to have been taken wholesale from the London Child Protection Procedures or an equivalent document.</p>

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<p>7. Vulnerability</p> <p>When working with children it is important to recognise that some children and young people may be more vulnerable to abuse by virtue of having a disability, parental and child mental health issues , experiencing bullying, parental or child substance misuse (drugs or alcohol), behavioural issues including exclusion from education, social isolation etc.,</p> <p>It is important that we ensure that the adults in the environment within which children engage with the BBC are knowledgeable and confident to report any concerns they may have for a child or have about the behaviour of an adult or other young person, towards a child. Some adults will try to groom children over a period of time while others may act opportunistically. It is therefore up to all who work within the BBC to assist in creating an environment where the potential to perpetrate abuse is prevented.</p>	<p>While this is good general guidance, there is no specific requirement to which any individual staff can be held accountable.</p> <p>What would enable a person to feel confident enough to override their self interests (Jobs, careers, reputation) to report abuse by a celebrity or senior figure in the BBC? It requires more than training/knowledge as Serious Case Reviews have repeatedly shown.</p> <p>If their superiors choose not to follow up the concerns, staff who attempt to report remain whistleblowers with limited legal protection, Just look at the consequences on Liz McKean, Meirion Jones, Tom Giles and Peter Horrocks relating to the production of Savile Newsnight programme - http://www.broadcastnow.co.uk/news/meirion-jones-bbc-journalists-behind-savile-scandal-squeezed-out/5091059.article</p>
<p>8. What do I do if I am concerned about a child?</p>	
<p>8.1 You may be concerned about the welfare of a child for a number of reasons. You may, for example, have observed an injury, witnessed or heard an interaction between children or between an adult and a child , you may be concerned regarding bullying or inappropriate use of mobile phones, you may know of someone who has been or is accessing or sharing child sex abuse images, a child may exhibit inappropriately sexualised behaviour or awareness, or look neglected or withdrawn in their behaviour or a they may have made a disclosure to you of abuse to themselves, or abuse of another, including domestic abuse.</p>	<p>This is a very brief summary of possible symptoms of the four categories of abuse described in 6.2 above. It could and should be expanded to provide a more detailed list of symptoms for each of the 4 categories, and should be supplemented by training for child-facing staff.</p>

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<p>8.2 Specifically if a child suggests they want to tell you a 'secret' or discloses information that may suggest they are at risk of, or have been abused, it is important that you tell them that you are unable to keep secrets and that, dependent upon what they tell you, you may have to tell someone else in order to keep them safe. In the majority of cases the child will disclose to you anyway as it is often the case that the child will have prepared themselves to make a disclosure.</p> <p>It is important that you:</p> <ul style="list-style-type: none"> • Remain calm and do not show shock or disbelief • Listen carefully to what is being said • Don't ask detailed, probing or leading questions • Tell them that you take what they are saying seriously • Tell them what you are going to do next and that you will only tell people on 'a need to know' basis • Tell them that when you have spoken to someone they will be told what is going to happen next. • In most situations the child is unlikely to be in immediate danger but if they are you must contact the police on 999 and once you have done that refer to your Child Protection Adviser/Commissioning Editor as soon as possible. If the parent is not aware of the disclosure, or they are the alleged abuser, it is better to wait until you've sought advice from your Child Protection Adviser/Commissioning Editor before saying anything as this situation would need to be handled sensitively. • In general it is better to wait for guidance from the police or Social Services who will be able to make the decision as to how much information should be shared 	<p>The first six bullets are a reasonably good description of how to behave when receiving a disclosure from a child.</p> <p>Bullet 7 is unclear. Do the references to "Child Protection Adviser/Commissioning Editor" mean that both should be contacted, or one of them?</p> <p>Bullet 7 also contains no guidance on what to do if the child is not in immediate danger, having raised the issue of what to do if the child is in danger.</p> <p>Bullet 7 should be made a separate paragraph below the list of bullets, and should describe clearly and unambiguously what the staff member must (not should) do after receiving a disclosure from a child. That procedure ought to be</p> <ul style="list-style-type: none"> • In an emergency where the child is in immediate danger, call 999 • Immediately after, and in all other circumstances, you must immediately contact the Child Protection Adviser • You must make a written record of the disclosure as soon as possible and provide it to the Child Protection Adviser

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<p>8.3 In each area of the BBC there are Child Protection Advisers who have all received child protection training and are available to you for advice and support in dealing with your concerns. Regardless of whether you are employed by the BBC on a permanent basis, as a contractor or freelance it is important that you know who your Child Protection Adviser is and how to contact them. For Independent Production Companies/Contractors (Indies) this role is undertaken by the Commissioning Editor.</p>	<p>No information is provided on how a member of staff might find out who his/her Child Protection Adviser is. Is there a central list of names and contact details available on the BBC website for instance? If so, where?</p> <p>Whose duty is it to ensure this information is provided and to review regularly to ensure effectively provided?</p>
<p>8.4 Whatever your concern, whether you have been told something by the child or another person or you've seen or heard something that has made you uncomfortable you must share it. This responsibility exists regardless of whether the concern is for a child involved in production or whether the concerns are for children external to the BBC.</p> <p>Do not ignore it and do nothing. You are not expected to decide what is significant or whether abuse has happened but you are expected to share information. Contact your Child Protection Adviser/Commissioning Editor immediately and share your concern for the child with them. They will be able to advise you on the next step. If you are unable to contact the Child Protection Adviser it important not to delay taking whatever action is necessary to safeguard the child.</p>	<p>It is good that this section says "you must share" rather than "you should share". However, Unless the assertion 'must' is engrossed into BBC employment contracts, i.e. delivers a sanction for failing to report, 'must' in these circumstances is meaningless and can have no reliance placed upon it. There is silence over consequences of not reporting.</p> <p>There should be a fallback position in incidents when the Child Protection Adviser is not available, for instance a central helpline within the BBC. The Child Protection adviser for a division might be on holiday for a fortnight. No indication is provided if the BBC has made arrangements to always have a Child Protection Advised on duty.</p>
<p>8.5 Any incident of suspected "grooming" online must be referred promptly to the Child Protection Adviser for on-line safety who will be responsible for reporting it to CEOP (Child Exploitation and Online Protection Centre)</p>	<p>Again, it is good that it says "must be reported" – however the same comments apply as above.</p>
<p>8.6 Dependent on the seriousness of your concern it may not be possible to maintain your anonymity. However, the reasons why will be discussed with you and you will be offered support throughout. Social workers will always consider how best to protect the referrer but ultimately such decisions have to be made in the best interests of the child and it is always possible that perpetrators can guess who made the referral.</p>	

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<p>8.7 When deciding what to do there are a number of things that need to be considered. The following is not exhaustive.</p> <ul style="list-style-type: none"> • Is the child in immediate danger? If yes, dial 999 and ask for the Police and then inform your Child Protection Adviser/Commissioning Editor • Is the child in need of urgent medical intervention? If yes, dial 999 and ask for an ambulance and then inform your Child Protection Adviser/Commissioning Editor. • If the level of urgency is not reflective of any of the above but you have concerns for a child or believe they may be at risk of harm you must contact your Child Protection Adviser/Commissioning Editor. They will discuss with you whether a referral to the NSPCC is appropriate and/or whether a referral to Senior Managers is required (in the case of concerns regarding the behaviour of a staff member). If they are unavailable you must seek advice from the Head of Child Protection and Safeguarding, BBC People. • Dependent on the severity of the concern, agreed outcomes and actions may vary. If the concern is not thought sufficiently serious enough to warrant a referral to the NSPCC consideration should be given as to whether the nature of the concern should be shared externally with professionals who may know the child and family better than you do i.e., Social Services, the child's GP, Health Visitor or School Nurse, the child's teacher or probation. The information you hold may be important in building a bigger picture and help to safeguard the child. • The Child Protection Adviser is responsible for taking the agreed actions. The only exception to this is in respect of Indies who will retain responsibility for taking action to safeguard but will be required to inform the Commissioning Editor within 24 hours. • The Child Protection Adviser/Commissioning Editor will record on 'myRisks Tools' what has been discussed, the action they have taken, who they contacted and what was agreed. • Consideration also needs to be given as to who will update the child and the parent (if safe to do so) regarding what is happening. If the child is in the care of a chaperone, consideration should be given to maintaining the child's confidentiality. • If the incident/disclosure has not warranted making a referral then particular consideration should be given to whether the chaperone can be informed ahead of the parent/carer. • In some circumstances children may present with injuries or behaviours which in isolation are not significant. It is advisable to maintain a record of when children present with unexplained injuries, behaviours etc., as, over a period of time, a picture may emerge that raises concern and this should be dealt with by following this policy. 	<p>This section is quite terrible. It does not engage with reality; who decides if it's urgent or a severe concern?</p> <p>First, it repeats some things already said in previous sections, such as about dialling 999, and individual members of staff contacting the Child Protection Adviser. Each part of the procedure should be documented <i>once only</i>, so that there is no scope for updates to the policy resulting in different sections contradicting each other. For instance, in this clause there is a mention of "Head of Child Protection and Safeguarding, BBC People" as a person to be contacted in the event of the unavailability of the Child Protection Adviser. This was not mentioned in section 8.4</p> <p>But the procedures as to what happens next are dreadfully vague.</p> <ul style="list-style-type: none"> • Concerns should be reported to the local children's services. It will be for them to inform other agencies as appropriate including the police, child's GP, Health Visitor or School Nurse, the child's teacher or probation. • The criteria for deciding whether "the concern should be shared externally with professionals" are unstated. In effect, according to this policy, this leaves it to the Child Protection Adviser's unfettered discretion as to whether a concern is passed on. That a Commissioning Editor could also be part of an opaque decision to refer a concern is extraordinary. This is not nearly good enough. • It is not stated who actually makes the decision as to "whether the nature of the concern should be shared". The fact that the actions have to be "agreed" suggests that the Child Protection Adviser is not free to make the decision on his or her own authority. • It is not enough to say that "it is advisable" to maintain a record when children present with unexplained injuries etc. it is necessary, but the policy does not say who is responsible for this. <p>Overall, the role and powers of the Child Protection Adviser are extremely unclear to a reader of this document, and the procedures to be followed by the Child Protection Adviser are similarly unclear.</p>

BBC Text	Analysis
<p>8.8 Regardless of the situation, whether you have heard a disclosure, or seen or heard something of concern you must record the events on the BBC on-line Child Protection Form (this can be found on Gateway), using the child's own words and terminology and within 24 hours, stating what you did and include the date, time and location. Indies will be required to utilise their own documentation.</p>	<p>Once again the word 'must' is used however as explained in 8.4 little reliance can be placed on its delivery until sanction is introduced via employment contract for example. However, nothing is stated as to who receives this information and what is subsequently done with it.</p>
<p>8.9 If a criminal offence has been committed or, during the course of a child protection investigation (conducted under Section 47, Children Act 1989 or similar in the devolved nations) information comes to light that the child has suffered 'significant harm' the information recorded on the BBC on-line Child Protection Form, Indies documentation and in 'myRisks Tools' may be required by the police as evidence. It is therefore important that they are accurate, factual, written as close to the event as possible and dated. In some circumstances the record may be required by the Local Authority should they be in a position of applying to the Family Court for a legal order in respect of the child.</p>	<p>This is a statement of fact rather than a procedure, but the information is helpful in providing 'guidance' as to what must be recorded.</p>
<p>8.10 Safeguarding Children Online For any online safeguarding concerns, whether related to online grooming or child abuse images these must be referred to the Head of Safeguarding & Child Protection (Childrens) immediately. Follow this link for further detailed information: http://explore.gateway.bbc.co.uk/GatewayCMS01Live/working_with_children/1_child_protection/online_safety.aspx</p>	<p>Is this (the Head of Safeguarding & Child Protection (Children's)) a new role that is different from "Head of Child Protection and Safeguarding, BBC People" because it has not been previously mentioned? If not a different role, then the job title should be consistently stated throughout the document to avoid confusion. If it is different, then we need justification for reporting of online grooming to take a different route from other child protection concerns. There appears to be no reason for it.</p>
<p>9. Dealing with concerns about an adult's contact with children</p>	
<p>9.1 An allegation may relate to a person who works with children who has:</p> <ul style="list-style-type: none"> • behaved in a way that has harmed a child, or may have harmed a child; • possibly committed a criminal offence against or related to a child; or • behaved towards a child or children in a way that indicates they may pose a risk of harm to children 	<p>This is a statement of fact, with no specific procedure</p>

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<p>9.2 Concerns may also arise if the behaviour of the individual compromises the reputation and ability of the BBC to safeguard children and young people. Some examples of such behaviour (not exhaustive) could be:</p> <ul style="list-style-type: none"> • contravening or continuing to contravene any safe practice guidance for working with children given by the BBC • exploiting or abusing a position of trust and/or power • consistently demonstrating a failure to understand or appreciate how their own actions could adversely impact upon the safety and well-being of a child • exhibiting an inability to make sound professional judgements which safeguard the welfare of children • failing to follow adequately BBC policy or procedures relating to safeguarding and promoting the welfare of children • failing to understand or recognise the need for clear personal and professional boundaries in their work • behaving in such a way that it seriously undermines the trust and confidence placed in them by the BBC. <p>There may be up to three strands in the consideration of an allegation:</p> <ol style="list-style-type: none"> 1. The police investigation of a possible criminal offence; 2. Enquiries and assessment by Social Services as to whether the child is in need of protection or in need of services; 3. Consideration by an employer of disciplinary action in respect of the individual 	<p>Again, a statement of fact with no specific procedure.</p>

BBC Text	Analysis
<p>9.3 Allegations may arise within the BBC through a variety of routes for example via internal processes such as the Whistleblowing policy or external contacts via BBC Investigations. However, regardless of how the allegation has arisen the following process should be followed. Any allegation or concern should be reported immediately to any of the following Senior Managers:</p> <ul style="list-style-type: none"> i. Head of Child Protection and Safeguarding, BBC People ii. Head of Risk and Assurance <p>Manager will be responsible for escalating the allegation to:</p> <ul style="list-style-type: none"> i. Head of Child Protection and Safeguarding, BBC People ii. Head of Risk and Assurance iii. HR Director, Employment iv. BBC Legal Department v. the employee's manager 	<p>This is wholly inadequate. Actions only "should" be done, not "must" be done. This applies both to the initial reporting of the concern and to the subsequent escalation. Moreover, the escalation does not involve informing local authority children's services.</p> <p>This procedure appears to contradict an earlier procedure in which initial reports are supposed to be made to the Child Protection Adviser/Commissioning Editor. Neither of these roles is mentioned as part of the reporting process here.</p> <p>This leaves for too much scope for reports not to be made (for instance out of fear of the alleged abuser's status or reputation), for reports not to be escalated (for instance out of disbelief at the initial report) and for reports not to be provided to the statutory authorities out of concern for the BBC's public reputation.</p> <p>With procedures as weak as this, it is quite possible for another Savile to be operating within the BBC even today and abuse going unreported.</p>

BBC Text	Analysis
<p>9.4 A planning meeting should be held within one working day of the allegation being made. The nature of the allegation will be discussed between the above parties and will consider the seriousness of the allegation, the evidence provided to support the allegation, whether a criminal offence may have been committed, the potential risk to the child or young person, whether a referral to the police, Social Services or the Local Authority Designated Officer (LADO, England only) should be made and what steps, from an employment perspective, should be taken to investigate the allegations and provide support to the employee. Where an allegation relates to on-line sexual abuse a referral to the Child Exploitation On-line Protection Centre (CEOP) will be necessary. They will also need to consider how the parents/carers of the child are to be informed and what support will be required for the child. Any referral to the police, Social Services or LADO should be made within one working day of the allegation.</p>	<p>No! This is what happened with Savile, everyone knew and no one did anything, that was a decision taken and repeated over decades.</p> <p>It is not for BBC staff (even senior staff) to make an assessment of the seriousness of the allegation. They simply do not have the experience or the training to be capable deciding not to refer to the local authority. . The evidence needs instead to be passed promptly to the local authority children's services, who are trained to make this assessment, to call in additional resources if necessary (e.g. the police) and to advise the BBC as to what action to take while the investigation proceeds.</p> <p>If the senior BBC staff decide there is insufficient evidence to support the allegation and choose not to forward it, then children's services and the police will be denied information that may help them build up a pattern of behaviour. That will reflect extremely badly on the BBC and its management if (and probably when) another abuser comes to light.</p>
<p>9.5 The management of allegations should maintain confidentiality of the alleged perpetrator, alleged victim and any alleged witnesses. Any publicity about the related incident/concern should uphold this confidentiality so it is important that the media response is planned carefully.</p>	
<p>9.6 Referral to the Police, Social Services or LADO does not preclude the BBC from instigating its disciplinary procedures but it is advisable to obtain guidance from the statutory agency so that any criminal or safeguarding investigation is not compromised.</p>	<p>This is a statement of fact with no specific procedure.</p>
<p>9.7 A record should be kept of the allegations made, how the allegations are to be followed up, the agreed actions, timescales and who will take the lead in the process.</p>	<p>It is not stated who should keep these records.</p>
<p>9.8 If, during the investigation or any subsequent disciplinary proceedings the employee decides to resign or cease to co-operate in the process it is important that the process continues to its conclusion.</p>	<p>Merely saying "it is important" is not a requirement that the process continues to its conclusion. The word "must" should have been used.</p>
<p>9.9 Once the process is concluded the BBC will review the case in order to consider any emerging lessons and actions to be taken.</p>	<p>Who in the BBC will review the case? If it is not stated, then nobody is accountable in the event that it does not happen.</p>

BBC Text	Analysis
10 The Local Authority Designated Officer (LADO) Role	
<p>10.1 The statutory guidance Working Together to Safeguard Children (Dept. of Education, 2013) states that organisations should have policies in place for dealing with allegations against people who work with children. Therefore all county, unitary, metropolitan and London local authorities have a Local Authority Designated Officer (LADO) whose role is to provide advice and guidance to employers and voluntary organisations, liaise with the police and other agencies and to monitor the progress of cases to ensure that they are dealt with as consistently and quickly as possible, through a thorough and fair process. In the devolved nations this activity is undertaken by the Local Children’s Services Departments</p>	<p>The 2013 version of Working Together to Safeguard Children has been superseded by the March 2015 version, though the 2013 version was probably still current at the time the policy was published.</p> <p>This section defines the role and actions of the LADO who is outside the control of the BBC. There is no point in trying to define what the LADO does, the LADO is operating under local authority and is not bound by anything written by the BBC. In any case, the term "LADO" no longer exists in the new guidance, and the equivalent new role is still not within the BBC’s power to define.</p> <p>Why is the NSPCC mentioned in clause 8.7 as a recipient of referrals when the BBC is providing this information on the LADO? The two clauses are covering the same territory with conflicting procedures.</p>
<p>10.2 Once contacted by an employer the LADO will be able to:</p> <ul style="list-style-type: none"> • obtain further details of the allegation and the circumstances in which it was made • advise on what, if anything, may be shared with the person who is the subject of an allegation, particularly in situations that may possibly lead to a criminal investigation. • Support a referral to the police or to Social Services if this hasn’t already happened. 	<p>This looks like text copied and pasted out of somebody else's document when it refers to "an employer" rather than "the BBC". In any case it is referring to procedures carried out by people not under the control of the BBC and therefore not subject to this policy. It is a statement of fact rather than a requirement.</p>
11. Referral to the Disclosure & Barring Service (DBS)	


BBC Text	Analysis
<p>11.1 If the BBC removes an employee from working with children (or would have, had the person not left first) because the person is believed to pose a risk of harm to children, the BBC must make a referral to the Disclosure and Barring Service/Disclosure Scotland.</p> <p>The relevant DBS Referral Form and guidance is available on-line – https://www.gov.uk/government/publications/dbs-referrals-form-and-guidance</p> <p>The relevant Disclosure Scotland Referral Form and guidance is available online (see Chapter 6): http://www.disclosurescotland.co.uk/guidance/index.html</p>	<p>Nothing is stated as to who shall carry out this action. Simply saying "the BBC" leaves no specific person accountable if it doesn't happen.</p>
<p>11.2 Employers have a legal duty to refer someone to the DBS/Disclosure Scotland if they:</p> <ul style="list-style-type: none"> • Dismissed them because they harmed a child • dismissed them or removed them from working in a regulated activity or (regulated work in Scotland) because they might have harmed a child or • was planning to dismiss them for either of these reasons, but the person resigned first OR information comes to light that, had it been known before, would have led to the person being removed from working in a regulated activity/work <p>The referral must take place within 3 months of the criteria being met and it is an offence not to do so.</p> <p>You can get advice from your divisional DBS lead, the Head of Child Protection and Safeguarding, BBC People, or call the DBS Referrals Helpline for advice on 01325 953795 and Disclosure Scotland help line on 0870 609 6006.</p>	<p>Nothing is stated as to who shall carry out this action. If the person responsible is not stated, then nobody is accountable if the action doesn't happen.</p>
<p>Safeguarding Children Guidance</p>	

BBC Text	Analysis
<p>12. Disclosure & Barring Service (England, Wales and Northern Ireland)/Protection of Vulnerable Groups Scheme (Scotland)</p> <p>The Disclosure & Barring Service (DBS) and Protection of Vulnerable Groups Scheme (PVGS) undertake criminal background checks on adults undertaking specific activities with children. A DBS/PVG check must be undertaken prior to an individual undertaking any employment that meets the criteria. Only in exceptional circumstances can someone be employed prior to a DBS/PVG check being undertaken. In these circumstances the individual should be on restricted duties until receipt of a positive DBS certificate.</p> <p>For more information go to: http://explore.gateway.bbc.co.uk/GatewayCMS01Live/working_with_children/2_staff_checks.aspx</p>	<p>Nothing is stated as to who shall carry out this action. If the person responsible is not stated, then nobody is accountable if the action doesn't happen.</p> <p>Also no clue is given as to what is meant by “the criteria”.</p>
<p>13. Risk Assessment</p> <p>Whenever BBC staff plan to undertake work with children, a risk assessment must be carried out which covers all of your considerations around safeguarding children and young people. A Child Protection Risk Assessment Template is available on http://www.bbc.co.uk/safety/resources/aztopics/children-and-young-people</p>	<p>Nothing is stated as to who shall carry out this action. If the person responsible is not stated, then nobody is accountable if the action doesn't happen.</p>

BBC Text	Analysis
<p>14. Consent Informed consent from the child and an individual or organisation with parental responsibility for the child must always be obtained in advance of working with children in any capacity and documented evidence of consent must always be kept. Young people, 16–17 year olds, can sign their own consent form if the project is not contentious (see BBC Editorial Guidelines). Further detailed information can be found at: http://downloads.bbc.co.uk/aboutthebbc/insidethebbc/howwework/policiesandguidelines/childprotection/pdf/bbc_guide_to_work_with_children.pdf http://www.bbc.co.uk/editorialguidelines/page/guidelines-children-practices</p>	<p>Nothing is stated as to who shall carry out this action. If the person responsible is not stated, then nobody is accountable if the action doesn't happen.</p>
<p>15. Child Performance Licenses A child or young people contributing to BBC content as an actor or performer may need a Child Performance License. These are granted by the Local Authority for the area where the child lives. Child performance licensing and activities legislation sets out the arrangements that must be made to safeguard children when they take part in certain types of performances, paid sport or paid modelling.</p>	<p>Nothing is stated as to who shall carry out this action. If the person responsible is not stated, then nobody is accountable if the action doesn't happen.</p>
<p>England The Children (Performances and Activities) (England) Regulations 2014 has superseded the Children (Performances) Regulations 1968 and came into force on 6th February 2015. Further information can be found at: http://www.bbc.co.uk/aboutthebbc/insidethebbc/howwework/policiesandguidelines/child_protection.html http://www.nncee.org.uk/news-latest-events/198-stat-instruments-3309</p>	

BBC Text	Analysis
<p>Scotland</p> <p>The relevant primary legislation is Part II of the Children & Young Persons Act 1963 (1963 Act) which provides for the current licensing system for child performances and other activities. Also, section 25 of the Children and Young Persons Act 1933 (1933 Act) makes provision for licences to perform or take part in activities abroad.</p> <p>The relevant secondary legislation is the Children (Performances and Activities) (Scotland) Regulations 2014 (2014 Regulations) which came into force on 20 February 2015. Also relevant is section 94 of the Children and Young People (Scotland) Act 2014, which was commenced on 1 August 2014.</p> <p>Further information can be found here: http://www.gov.scot/Topics/People/Young-People/families/young-performers</p>	

BBC Text	Analysis
<p>16. Chaperones</p> <p>The contribution of children and young people to our content is much valued by the BBC and we want to make sure that they enjoy the experience. Therefore, chaperones are employed in a professional capacity to act <i>in loco parentis</i> and to ensure the wellbeing of any child or young person whilst working on a production or visiting the BBC as a contributor. The role of a chaperone is to support us in ensuring that the best interests of the child is at the heart of everything we do. The chaperone must ensure no-one; cast, crew, directors, other children or tutors as well as the child themselves, does anything detrimental to their wellbeing, while remaining focused on the task at hand.</p> <p>The BBC promotes the use of professional chaperones whenever possible. That is not to say that parents cannot accompany their own child, particularly if they are under 5 years of age, but they will not be required to act as the child’s chaperone. If a parent is licensed by their Local Authority as a chaperone, they may be employed to chaperone other children, but not their own. This is to reduce any conflict of interest that may occur between what is best for the child and the needs of production.</p> <p>Further information on how and when to employ a chaperone can be found here: http://downloads.bbc.co.uk/aboutthebbc/insidethebbc/howwework/policiesandguidelines/childprotection/pdf/bbc_guide_to_work_with_children.pdf</p> <p>When employed by the BBC on any production it is important that the chaperone understands the BBC Child Protection Policy, Code of Conduct and their responsibilities. Therefore, at the time of employing a chaperone, production must provide the chaperone with the BBC Guidance for Chaperones documentation available on Rights, Legal & Business Affairs web page . The chaperone is required to read this prior to beginning employment.</p>	<p>Nothing is stated as to who shall carry out this action. If the person responsible is not stated, then nobody is accountable if the action doesn't happen.</p>
<p>Failure to follow this policy may result in disciplinary action being taken against you.</p>	<p>It is not clear whether this statement applies only to the use of chaperones or to the child protection policy as a whole.</p>

BBC Text	Analysis
<p data-bbox="280 236 1003 263">Dealing with concerns about an adult's contact with children</p>  <pre> graph TD A[Concern/ Allegation made to either of the following below] --> B[Head of Investigations] A --> C[Head Risk and Assurance] A --> D[Head of Child Protection and Safeguarding, BBC People] B --> E[Head of Child Protection and Safeguarding, BBC People] D --> E E --> F[Referral escalated to: Head of Child Protection and Safeguarding, BBC People] F --> G[Planning Meeting and actions agreed] G --> H[HR Director, Employment] G --> I[Head of Risk and Assurance] G --> J[BBC Legal Department] G --> K[Employee's Manager] G --> L[Local Authority Designated Officer] G --> M[Internal investigation] G --> N[External Referral NSPCC, Social Services, Police] G --> O[Disclosure & Barring Service] </pre>	<p data-bbox="1120 236 2027 335">This flowchart is contradictory. At one point, it appears that information is supposed to pass from the "Head of Child Protection and Safeguarding, BBC People" to himself.</p> <p data-bbox="1120 379 1982 518">In the event of a conflict between the flow chart and the wording of the text, it needs to be stated which takes priority; otherwise you have the same procedure described in two different ways, with confusion and inaction the inevitable consequence.</p> <p data-bbox="1120 563 2027 734">For instance, some boxes have several arrows coming from them. Does that mean alternative courses open to the relevant person to choose at his discretion, or does it mean that all the courses of action must be followed, or are the different arrows to be followed according to criteria not stated in the flow chart?</p> <p data-bbox="1120 778 2027 837">With this degree of ambiguity about the flow chart it is at best useless and at worst an active promoter of confusion. It should be deleted.</p>

BBC Text	Analysis
<p style="text-align: center;">Child Protection Policy Flow Chart Actions to be taken if you are concerned about a child</p> <pre> graph TD Start[Child Protection Concern] --> Left[Medical emergency or criminal offence alleged or taken place?] Start --> Middle[Contact Child Protection Adviser] Start --> Right[Concern relates to behaviour of an adult in contact with a child] Left --> Yes[Yes] Yes --> Dial999[Dial 999 immediately and ask for relevant service] Dial999 --> InformCPA1[Inform Child Protection Adviser] Middle --> NSPCC[Child protection concern remains - refer to NSPCC immediately] Right --> InformCPA2[Inform Child Protection Adviser] InformCPA2 --> InformHead[Immediately inform Head of Child Protection & Safeguarding, BBC People] InformCPA1 --> Record[Child Protection Advisers - Record the referral on MyRisks Tools] InformCPA2 --> Record InformHead --> Record </pre>	<p>Much the same comments apply to this flow chart.</p>