



Safeguarding Children and Adults at Risk Policy

The Gurkha Museum Trust

Registered Charity No 1169920

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Gurkha Museum Trust**

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THE GURKHA MUSEUM TRUST

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Safeguarding Children and Adults at Risk Policy

Introduction

The Gurkha Museum is committed to protecting children and adults at risk against all forms of abuse and recognises its duty to ensure that appropriate action is taken where a child or adult is identified as experiencing, or at the risk of experiencing, abuse.

This policy sets out the Museum's safeguarding arrangements and has regard to the Children Acts 1989 and 2004, the Safeguarding Vulnerable Groups Act 2006, the Care Act 2014, the Mental Capacity Act 2005, the Data Protection Act 2018 and UK GDPR, Working Together to Safeguard Children 2026, relevant local safeguarding partnership procedures and Charity Commission guidance. It applies throughout recruitment, employment, volunteering, contracting and the delivery of Museum activities.

It is mandatory for everyone working at the Museum to abide by the Museum's safeguarding policy, procedures and guidance. Any employee found not to have followed it may be subject to disciplinary action or alternative appropriate action if they are not an employee.

This policy will be published and made readily available to trustees, staff, volunteers, contractors, group leaders, teachers, visitors and relevant authorities. Personal contact details that should not be made public may be provided separately.

The designated safeguarding lead is the Director of The Gurkha Museum Trust.

Definitions

Child

A child, as defined in the Children's Acts 1989 and 2004, is anyone *who has not yet reached their 18th birthday*. 'Children' therefore means 'children and young people' throughout.

Adult at Risk

An "Adult at Risk" is a person aged 18 or over who has needs for care and support, whether or not the local authority is meeting those needs; is experiencing, or is at risk of, abuse or neglect; and, as a result of those needs, is unable to protect themselves from the abuse or neglect or the risk of it.

Abuse and neglect may include physical, sexual, psychological or emotional abuse; domestic abuse; financial or material abuse; discriminatory abuse; organisational abuse; neglect and acts of omission; self-neglect; modern slavery; exploitation; online abuse; and any other conduct causing or creating a risk of harm. A person may experience more than one form of harm at the same time.

For the purposes of this policy both definitions will cover not only those who visit the Museum but all such persons with whom Museum staff and volunteers may come into contact in the course of carrying out the Museum's business and activities.

Scope and Associated Policies

This policy applies to trustees, employees, contractors, temporary and casual workers, volunteers and anyone acting on behalf of the Museum. It applies to activities at the Museum, outreach and off-site activities, online or digital engagement undertaken on behalf of the Museum, and any other situation in which Museum representatives come into contact with children or adults at risk through Museum business.

The Museum will assess the actual duties of every trustee, employee and volunteer role to determine whether a basic, standard, enhanced, or enhanced check including the relevant barred list is lawful and appropriate. A DBS check will not be requested merely because of a job title or general contact with visitors. The Chair, senior staff and those supporting Education and Outreach activities will receive the level of check for which their specific duties are legally eligible. DBS checks form only one part of safer recruitment and will be supported by proportionate identity, reference, employment-history, qualification and suitability checks, induction and supervision.

The Safeguarding Children and Adults at Risk policy should be read in conjunction with the following policies: *Privacy Policy and Volunteer Management Policy*.

This policy and the associated guidance will be reviewed annually or sooner if required by changes in legislation or procedure, or following any relevant incident.

Aims

The Gurkha Museum Trust aims to:

1. Respect the rights of all children and adults at risk.
2. Provide an environment (including museum-led activities off-site) which is safe and welcoming, and which protects children and adults from all forms of abuse
3. Ensure that everyone working at the Museum is aware of the need to protect children and adults at risk and knows how to reduce the risks to them.
4. Provide procedures and guidance for everyone working at the Museum for their own protection.

Commitment

The Gurkha Museum Trust and everyone who works within it endeavours to safeguard children and adults at risk by:

1. Adopting safeguarding procedures for all which minimise any opportunity for abuse and establish appropriate treatment of children and adults at risk.
2. Ensuring individuals working with children/ adults at risk are fully aware of and trained to follow the Museum's procedures, guidance and Code of Practice.
3. Sharing information about the principles of safeguarding and good practice with staff, volunteers and visitors.

4. Providing effective management through supervision, support and training.
5. Ensuring any accompanying individuals (parents, carers, teachers etc.) are aware of their own responsibilities in relation to safeguarding.
6. Sharing necessary and proportionate information with safeguarding partners and other agencies. Data protection law does not prevent safeguarding information from being shared where there is an appropriate lawful basis. Consent is not required in every case and should not be sought where doing so may increase risk, prejudice an investigation or lead to evidence being lost or destroyed. Parents, carers and the adult concerned should be involved where appropriate and safe.
7. Following robust procedures for the recruitment and selection of staff and volunteers and ensuring that individuals who are working with children/adults at risk have the appropriate DBS checks in place.
8. Informing staff that not adhering to the policy and guidelines will lead to formal disciplinary action as outlined in the Staff Manual.
9. Designating a member of staff to lead on safeguarding issues, who shall be the Museum Director. The Deputy will be the Engagement lead.
10. Reviewing the policy and practice on an annual basis and as follow up to any legislative/policy change or a relevant incident.
11. Ensuring safeguarding policies and procedures are regularly updated in accordance with current Government legislation and best practice.
12. Taking allegations seriously and responding fairly, swiftly and appropriately to allegations of abuse.

Code of Practice

Everyone working at the Museum has a responsibility to ensure that children and adults at risk visiting the Museum, or engaging in its activities, are protected from abuse. It is each individual's responsibility to ensure that:

13. Their behaviour is appropriate at all times.
14. They observe the rules established for the safety and security of young and/or vulnerable people and understand the consequences of not adhering to these rules.
15. They recognise the position of trust in which they have been placed and seek to protect themselves.

All those who are involved in an activity with children or adults at risk at the Museum, or during its off-site events, are required to understand and adhere to the code of behaviour as follows:

1. Always ensure that other members of staff/volunteers are informed about where they are undertaking an activity with children and what that activity is.
2. Avoid spending time with children or vulnerable adults alone and unobserved. Ensure that when they are with children or vulnerable adults that another member of

staff/volunteer is present if at all possible or at least that other adults are present in the vicinity.

3. Colleagues should remain vigilant to safeguarding risks. Any concern about a colleague's conduct, including a low-level concern, must be reported to the Designated Safeguarding Lead.
4. Do not have, or be perceived to have, favourites amongst children or vulnerable adults you come into contact with.
5. Do not develop social relationships with children or adults at risk. If coming into contact with those who have been at work in a social situation, you should maintain a professional distance.
6. Do not arrange meetings with children or adults at risk outside of work context.
7. Be aware of physical-contact boundaries. Physical contact with a child or adult at risk must occur only where necessary and appropriate, for example to prevent immediate harm, and must be proportionate, explained where possible and recorded if significant.
8. Do not engage in inappropriate behaviour, speech or contact.
9. Never make suggestive remarks or threats or use any other inappropriate language.
10. Do not give out personal gifts of any kind and report any gifts received to the line manager.
11. Take any allegations or concerns about abuse seriously and refer concerns immediately following the Museum's procedures.
12. Do not do things of a personal nature which a child or adult at risk can do for themselves or have done by an appropriate care-giver.
13. Do not take photographs or recordings of any child or adult at risk for personal use. Images taken for Museum purposes must follow the Museum's approved process, including confirmation of who has authority to agree, appropriate consideration of the individual's age and understanding, a valid data-protection basis, clear information about the intended use, secure storage and respect for any refusal or withdrawal where applicable. A teacher or group leader must not be assumed to have authority to consent on behalf of every child.

Responding to a Disclosure

Remain calm, listen carefully and take the person seriously. Do not express disbelief, ask leading questions, investigate the allegation or confront the person alleged to have caused harm. Explain that the information must be shared with people who can help and do not promise to keep it secret. Record what was said as soon as possible, distinguishing clearly between fact, observation and opinion, and report the disclosure immediately in accordance with this policy.

Online and Electronic Communication

Museum representatives must use approved Museum systems and accounts for work-related communication with children or adults at risk. They must not use personal social media accounts, personal messaging services or private online contact for Museum business. Online activities must be planned and supervised in the same way as in-person activities, with appropriate privacy settings, consent arrangements and records. Any concerning online contact, content or behaviour must be reported under this policy.

Anyone with concerns about the procedures, checks or Code of Practice should contact the Designated Safeguarding Lead, the deputy, a trustee or an appropriate external authority using the escalation routes in this policy.

Trustees are responsible for safeguarding even if certain aspects of the work are delegated to staff. Trustees therefore make this clear commitment, will publish this policy and hereby state that failure to follow it will be dealt with as a very serious matter.

Adult Safeguarding, Wishes and Capacity

Adult safeguarding will be person-led and outcome-focused. The Museum will consider the adult's wishes, wellbeing and desired outcomes and will presume capacity unless there is reason to doubt it. Decisions about capacity will be made for the particular decision and at the relevant time in accordance with the Mental Capacity Act 2005. A request for confidentiality will be respected so far as possible but will not prevent proportionate action where there is a risk to the adult or another person, a possible criminal offence, a public-interest concern or doubt about capacity. The need for advocacy or other communication support will be considered.

Reporting a Safeguarding Concern

Anyone who sees, hears or receives information that may indicate abuse, neglect or exploitation must report it immediately to the Designated Safeguarding Lead. If the Lead is unavailable, the concern must be reported to the deputy safeguarding lead or Chair of Trustees. If the concern relates to the Lead, it must be reported to the Chair; if it relates to the Chair, it must be reported to another trustee nominated for safeguarding. The reporter may contact children's social care, adult social care, the police or another appropriate authority directly and must not delay because a Museum contact is unavailable or because the concern has not been accepted internally. Where a person is in immediate danger or a crime is in progress, call 999. Non-emergency criminal concerns should be reported to the police on 101.

Concerns about a person who works or volunteers with children must also be referred promptly through the relevant local-authority allegations-management process, including the Local Authority Designated Officer where applicable. The current local-authority, out-of-hours and escalation contact details must be maintained in a separate safeguarding contacts sheet available to all personnel and displayed where activities are managed. The person receiving the concern must make a factual written record as soon as possible, using the individual's own words where relevant, and must not investigate, question witnesses or promise confidentiality.

The Lead will assess the information, take immediate protective action, preserve evidence and make or support referrals without delay.

Whistleblowing, Low-Level Concerns and Non-Retaliation

Conduct that causes unease or appears inconsistent with this policy must be reported even if it does not appear to meet the threshold for a formal allegation. Concerns may be raised through the Museum's whistleblowing arrangements or directly with an external safeguarding authority. No person will suffer retaliation for raising a genuine concern in good faith. Where a concern is not acted upon, the reporter must escalate it to the Chair, another trustee or the relevant external authority.

Records, Training and Governance

Safeguarding records must be factual, dated, securely stored, access-restricted, retained in accordance with an approved retention schedule and shared only where necessary and lawful. All personnel will receive safeguarding induction and role-appropriate refresher training; the Lead, deputy and trustees will receive enhanced training suitable to their responsibilities. Contractors and partner organisations must demonstrate suitable safeguarding arrangements. Trustees retain overall accountability and will consider promptly whether an incident must be reported to the Charity Commission as a serious incident, as well as to the police, local authority, DBS, insurers or another regulator. The Chair or nominated trustee will oversee that decision and record the reasons.

Disclosure and Barring Service

DBS checks are one part of safer recruitment. Before requesting any check, the Museum will assess the actual activities, workforce, frequency and circumstances of the role and confirm the lawful level of check using current DBS eligibility guidance. A barred-list check will be requested only where the role is regulated activity. From 1 September 2026, the supervision exemption for specified activities with children was removed: teaching, training, instructing, caring for or supervising children may be regulated activity even when supervised if carried out frequently, on more than three days in a 30-day period, or overnight. It is a criminal offence for a barred person to engage in regulated activity and for an organisation knowingly to permit this. The Museum will consider its statutory duty to refer a person to the DBS whenever the referral conditions are met.

There are two levels of enhanced checks:

1. Enhanced

Eligibility for an enhanced DBS check depends on the role being included in the Rehabilitation of Offenders Act 1974 (Exceptions) Order 1975 and the Police Act 1997 regulations. Eligibility must be assessed against current official guidance. An enhanced check does not automatically include barred-list information.

Role assessment	Required action
The role falls within the Exceptions Order but is not regulated activity.	Request only the level of standard or enhanced check for which the role is legally eligible; no barred-list information.
The role involves regulated activity with children or adults.	Request an enhanced check including the relevant barred-list information and do not permit a barred person to perform the activity.
The role is not eligible for a standard or enhanced check.	Use a basic check only where proportionate, together with the Museum's wider safer-recruitment controls.

2. Enhanced with Adults and/or Children's Barred List Check(s)

To be eligible to request a check of the children's or adults' barred lists the position must meet the DBS definition of 'regulated activity'. It is important to understand this definition. It is expected that extremely few museum roles would fall into this category.

Every person whose duties are eligible will be required to obtain the appropriate level of check before undertaking unsupervised or regulated duties, subject to a documented risk assessment and any lawful interim arrangements. If duties amount to regulated activity, the check must include the relevant barred list. Advice must be sought from the Designated Safeguarding Lead if eligibility is unclear.

The Museum may use a certificate issued for another role only where the individual is subscribed to the DBS Update Service, the original certificate and identity are checked, consent is obtained for the status check, and the certificate is of the same workforce, level and barred-list status required for the Museum role. A new application will be required where these conditions are not met or the status check indicates new information.

Update Service

Where a person is subscribed to the DBS Update Service, the Museum will obtain their permission, inspect the original certificate, verify identity and confirm that the certificate matches the workforce, level and barred-list status required for the role before completing an online status check. Refusal to permit a necessary check, or an unsuitable or unmatched certificate, may mean that the person cannot undertake the relevant duties. The decision and any risk assessment will be recorded.

Signed:  Dated: 15/10/2026

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Appendix 1

What is 'regulated activity'?

Regulated activity is work that a barred person must not do.

Since September 2012 the definition of regulated activity has changed. There are now different definitions of regulated activity depending on whether working with a child or a vulnerable adult.

Activities that may place a person in regulated activity with children include

1. Teaching, training, instructing, caring for or supervising children, providing advice or guidance wholly or mainly for children relating to their physical, emotional or educational wellbeing, or driving a vehicle used only for children, where the statutory frequency or overnight condition is met. From 1 September 2026 these activities may be regulated activity even where the person is supervised.
2. Relevant work in specified establishments where the statutory conditions are met.
3. Certain healthcare, personal care, childminding, foster care and other activities that are regulated activity regardless of frequency, as defined in current legislation and official DBS guidance.

Museum premises are not treated as a specified establishment merely because children visit. However, each Museum role and activity must be assessed on its facts, including what the person does, for whom, how often, where and whether any overnight activity occurs.

The former supervision exemption no longer applies from 1 September 2026. Supervision by a teacher, employee or other person does not by itself prevent relevant work with children from being regulated activity. The applicable frequency or overnight condition must still be considered.

Illustrative example: A member of staff or volunteer who regularly teaches school groups at the Museum may be in regulated activity with children even where a teacher or another checked adult remains present. The Museum must assess the duties and frequency and, where the role is regulated activity, obtain an enhanced DBS check including children's barred-list information before the activity is undertaken.

Points to note: The activity must be specifically for children. If it is merely incidental to activity with adults then it is not considered regulated activity. For example, if a child comes to a training event put on for adults then the trainer would not be engaging in regulated activity.

Activities that place a postholder in Regulated Activity with a vulnerable adult (a person aged 18 years or over) are:

1. Healthcare for adults provided by, or under the direction or supervision of a regulated health care professional (members of peer support groups and first-aiders are excluded).
2. Personal care for adults involving hands-on physical assistance with washing and dressing, eating, drinking and toileting, oral care or care of the skin, hair and nails

(excluding only hair-cutting), prompting and supervising an adult with any of these tasks because of their age, illness or disability or teaching someone to do one of these tasks.

3. Social work – provision by a social care worker of social work which is required in connection with any health services or social services.
4. Assistance with and managing an adult's cash, paying an adult's bills or shopping because of their age, illness or disability.
5. Assisting in the conduct of an adult's own affairs under a formal appointment.
6. Conveying adults for reasons of age, illness or disability to, from, or between places, where they receive healthcare, personal care or social work.

Points to note: For vulnerable adults these remain regulated activities even if they are conducted under the supervision of someone in a regulated activity. An adult is considered vulnerable at the point of receiving any of the activities outlined above. The settings in which the activities take place and the characteristics of the adult receiving them are not relevant in deciding whether an adult is vulnerable.

Appendix 2

Further Information

The Government guidance for DBS eligibility can be found here:

<https://www.gov.uk/government/collections/dbs-eligibility-guidance>

Detailed guidance by the Government on the Disclosure and Barring Service can be found here: <https://www.gov.uk/government/collections/dbs-checking-service-guidance-2>

Appendix 3

Record of October 2026 amendments

1. **Legal framework:** added Working Together to Safeguard Children 2026, the Mental Capacity Act 2005, data-protection legislation, local procedures and current Charity Commission guidance so the policy reflects the principal framework relevant to the Museum.
2. **Adult at risk:** replaced the former community-care and significant-harm wording with the section 42 Care Act 2014 test.
3. **Forms of harm:** added a non-exhaustive description including domestic abuse, self-neglect, organisational abuse, modern slavery, discriminatory abuse, exploitation and online harm.
4. **Reporting and escalation:** added deputy and trustee routes, direct external reporting, emergency and non-emergency police routes, local-authority allegations management, a maintained contacts sheet and an express requirement not to delay.
5. **Adult safeguarding practice:** added person-led decision-making, wishes, wellbeing, mental capacity, confidentiality limits and consideration of advocacy.
6. **Information sharing:** clarified that data protection law permits necessary and proportionate safeguarding sharing and that consent is not always required.
7. **Governance:** added whistleblowing, low-level concerns, protection from retaliation, secure records, training, contractor assurance and trustees' consideration of Charity Commission serious-incident reporting.
8. **Safer recruitment and DBS:** made checks role-based, corrected the Rehabilitation of Offenders Act 1974 reference, clarified barred-list eligibility, Update Service conditions, the offence relating to barred persons and potential DBS referral duties.
9. **Regulated activity:** removed the obsolete supervision exemption and revised the appendix to reflect the change effective from 1 September 2026.
10. **Images and publication:** removed the assumption that a teacher can always consent for a child and strengthened publication, authority, lawful-basis and secure-storage requirements.
11. **Document control:** corrected the review month to October 2026 and the next review to October 2027.