



Department
for Culture,
Media & Sport

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[redacted]

Our Ref: TO2025/10341/dm

Dear Sir or Madam,

Thank you for your correspondence of 23 October, to the Secretary of State for Culture, Media and Sport, the Rt Hon Lisa Nandy MP and the Minister for Creative Industries, Media and Arts, the Rt Hon Ian Murray MP about safeguarding within publicly funded arts organisations. I am replying as a member of the Ministerial Support Team.

I understand that, since this letter was sent, you have written to the Secretary of State (9 November). I want to assure you that we take your emails seriously. Given the sensitive nature of the topics raised, we wanted to take further advice to ensure that the department is doing everything that it can before responding to you.

You are asking for Arts Council England (ACE) funded organisations to be mandated to publish their safeguarding policies. ACE does currently require funded organisations, individuals and projects that work with children and young people or adults at risk of abuse to have safeguarding policies and procedures in place as part of its funding agreements. Details of this can be found on its [website](#).

The terms and conditions of funding clearly stipulate that organisations must comply with the safeguarding policy requirement even if they are not compelled to do so under child protection or care standards legislation. This requirement stands, regardless of whether the work is formal, informal, voluntary or salaried. For organisations funded via the National Portfolio, ACE is explicit about the importance of undertaking Disclosing and Barring Service (DBS) checks, which can be seen in section 6.6.6 of ACEs Terms and Conditions of funding: "*The organisation will follow best practice in having appropriate policies and procedures in place to ensure the protection of children, young people and vulnerable adults and in complying with those procedures, which will include procedures to check backgrounds and disclosures of all employees.*"

It is important to note that ACE is not a regulatory body and cannot make legal assessments of policies put in place by the organisations and individuals it funds. Assessing each policy individually would require significant additional resources and expertise and therefore requires careful consideration (alongside any other actions being considered to further hold funded organisations to account) before being implemented.

ACE also publishes regularly updated [Raise a Concern guidance](#) that provides advice about how to raise issues about any of its funded organisations. If you raised a concern using this service that you feel was not considered with due care from ACE, the department encourages you to raise this with ACE directly. You may wish to take a look at [ACE's complaints procedure](#).

Regarding the suggested 'safeguarding loophole' for arts organisations which provide programmes outside of formal educational settings, due to them being outside the remit of the office for standards in education, there are several legal powers in place to protect children in out-of-school settings (such as in local theatre venues). Where children are taking part in certain types of performance (professional or amateur), legislation states that a licence must be obtained from the local authority. This licensing system is designed to check that those responsible for activities make suitable arrangements to



safeguard the children involved. Local authorities are legally responsible for safeguarding and promoting the welfare of all children in their area, and organisations which work with children must adopt relevant policies and procedures to ensure that safeguarding is upheld. This is a legal obligation, and failure to do so could result in ACE payments being suspended or grants being withdrawn.

More broadly, the government published its update on tackling child sexual abuse in April 2025, setting out its response to the 20 recommendations from the final report of the Independent Inquiry into Child Sexual Abuse. Work is underway about several key recommendations, including legislating for mandatory reporting of child sexual abuse and establishing a child protection authority (with a consultation set to be published before the end of 2025). This will make the child protection system clearer, more coherent and ensure continuous improvement through effective evidence-based support.

I hope that this information is helpful and that this assures you that regulations and policies are in place to protect children and young adults in arts and education, and that there are clear routes for raising concerns with ACE.

Yours sincerely,

Dempster Marples
Ministerial Support Team