MUSIC UNLIMITED/RE-ENGAGE

**Children and vulnerable adult safeguarding policy**

**Updated OCTOBER 2019**

PURPOSE: TO INFORM MUSIC UNLIMITED/RE-ENGAGE STAFF, SUB-CONTRACTORS AND VOLUNTEERS OF THEIR RESPONSIBILITIES WHEN WORKING WITH CHILDREN AND VULNERABLE ADULTS

RESPONSIBILITY FOR UPDATE: REBECCA LOCK

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APPLIES TO: MUSIC UNLIMITED STAFF, SUB CONTRACTORS AND VOLUNTEERS WHO WORK WITH CHILDREN AND VULNERABLE ADULTS

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PROPOSED DATE OF REVIEW: OCTOBER 2020

DISCLAIMER: MUSIC UNLIMITED IS COMMENCING THE PROCESS OF REBRANDING AS ‘RE-ENGAGE’, UNTIL THIS IS COMPLETED THE BUSNIESS SHALL BE REFERED TO AS MUSIC UNLIMITED THROUGHOUT THIS POLICY, BUT IT ULTIMATELY REFERS TO THE BUSINESS UNDER EITHER NAME

**OUTCOME STATEMENT:**

**THE WELFARE OF CHILDREN AND VULNERABLE ADULTS ARE PROTECTED FROM ABUSE, AND AN APPROPRIATE RESPONSE IS MADE TO ANY ALLEGATION OR SUSPICION OF ABUSE.**

„All children are entitled to a safe and happy childhood regardless of age, race, disability, culture or gender. This includes having the right to protection from all forms of abuse.‟

**CHILD AND VULNERABLE ADULT PROTECTION POLICY STATEMENT**:

Children and young people have a right to be safely cared for and parents and carers need to have confidence that the organisations to which they entrust their children and young people will provide safe care. Everyone shares responsibility for safeguarding and promoting the welfare of children and young people, irrespective of individual roles. Safeguarding legislation and government guidance says that safeguarding means: • Protecting children from maltreatment • Preventing impairment of children’s health or development • Ensuring that children are growing up in circumstances consistent with the provision of safe and effective care; and • Taking action to enable all children to have the best outcomes (Reference: Working Together to Safeguard Children, 2013)

It is Music Unlimited‟s aim that through this policy the welfare of children and vulnerable adults is promoted, that they are protected from abuse and that an appropriate response is made to any allegation or suspicion of abuse.

The welfare of young people and vulnerable adults is of primary concern. All young people and vulnerable adults, whatever their age, culture, disability, gender, language, racial origin, socio-economic status, religious belief and/or sexual identity have the right to safeguarding from abuse.

All staff, sub-contractors and volunteers working on behalf of Music Unlimited are required to familiarise themselves with the contents of this policy and strictly adhere to them. It is everyone‟s responsibility to report any concerns about abuse to the designated safeguarding officer (DSGO,) and the responsibility of the Social Services Department and the Police to conduct, where appropriate a joint investigation. Staff, sub-contractors and volunteers working on behalf of Music Unlimited must report and concerns, suspicions or allegations of significant harm relating to any child or young person receiving services from Music Unlimited.

Staff, subcontractors and volunteers working on behalf of Music Unlimited should report concerns to the designated safeguarding officer (DSGO) who is Rebecca Lock (contactable via Music Unlimited’s up to date contact details available on the website [www.musicunlimited.org.uk)](http://www.musicunlimited.org.uk/) or to his or her manager who will inform the DSGO, unless the cause of concern relates to the DSGO or manager, in which case the report must be made to the most senior member of Music Unlimited who is not implicated.

All incidents of alleged poor practice, misconduct and abuse will be taken seriously and responded to swiftly and appropriately.

This policy will be made available to any user of Music Unlimited’s service

CHILD PROTECTION POLICY

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REFRENCE POINTS

We also follow current DfE guidance ‘Keeping children safe in education’ (2016), ‘Working together to safeguard children’ (2015)1, HM Government advice ‘What to do if you’re worried a child is being abused’ (2015) and the Local Safeguarding Children Board’s policies, procedures, guidance and protocols.

CHILD PROTECTION POLICY

MUSIC UNLIMITED is committed to safeguarding and promoting the welfare of children and requires all staff to act in the best interests of our children at all times.

 REBECCA LOCK: OWNER- Designated Safeguarding Lead

REBECCA LOCK is the Designated Safeguarding Lead (DSL) with ultimate lead responsibility for safeguarding and child protection at MUSIC UNLIMITED. SHAUN LOCK, is the Deputy Designated Safeguarding Lead (DDSL) authorised to deputise in the absence of the DSL. The Deputy is the first point of contact in the absence of the DSL, to avoid any unnecessary delays in responding to a child’s needs.

MUSIC UNLIMITED adheres to the policies, procedures, guidance and protocols set out by Essex Safeguarding Children Board www.escb.co.uk

What is the Essex Safeguarding Children Board (ESCB)?

The Essex Safeguarding Children Board is a statutory body with responsibility for agreeing how organisations in Essex will cooperate to safeguarding and promote the welfare of children and ensure that this is effective. This group of people come from a wide range of public and voluntary services and other organisations and is committed to ensuring that the work done effectively brings about good outcomes for children. It is an organisation that draws on expertise and experience from a number of sources. The aim of the ESCB is to promote and develop effective cooperation across a wide range of agencies to provide co-ordinated services for children in order to safeguard them and help them achieve their maximum potential.

**Its members come from a variety of organisations including:**

The Local Authority, District Councils, Police, Probation, YOT, Strategic Health

Authority, Primary Care Trusts, NHS Acute Trusts, Connexions, Children and Families Court Advisory and Support Service (CAFCASS),Secure Training Centre, The Prison Service

1. Introduction

We will take immediate action where we believe an individual may be at risk, or it is alleged that a child is suspected of being abused. Our primary concern, at all times, is the welfare and safety of all users of our service including children, vulnerable adults, staff and visitors.

Failure to comply with this policy may result in disciplinary action which might include summary dismissal (and referral to the Disclosure and Barring Service where appropriate).

2. Definitions

Safeguarding and promoting the welfare of children is defined as:

• protecting children from maltreatment;

• preventing impairment of children’s health or development;

• ensuring that children are growing up in circumstances consistent with the provision of safe and effective care; and

• taking action to enable all children to have the best outcomes.

Child protection is a part of safeguarding and promoting welfare. This refers to the activity that is undertaken to protect specific children who are suffering, or are likely to suffer, significant harm.

Early Help is the support that can be provided for a child or family who may have additional needs that cannot be met by universal provision and there is perceived to be no risk of significant harm. An Early Help Assessment can be carried out with any child from pre-birth up to age 18 (up to the age of 25 if the person has a learning difficulty or disability).

Child: Anyone who has not yet reached their 18th birthday. The fact that a child has reached 16 years of age, is living independently or is in further education, is a member of the armed forces, is in hospital or in custody in the secure estate, does not change his/her status or entitlements to services or protection.

Staff: refers to all those working for or on behalf of Music Unlimited, full time or part time, temporary or permanent, in either a paid or voluntary capacity.

Client: a person, establishment or body that employs the services of Music Unlimited

Student, young person: a child who is looked after or cared for or the responsibility of the client.

Parent : refers to birth parents and other adults who are in a parenting role, for example stepparents, foster carers and adoptive parents.

* The Children Act 1989 states the legal definition of a child is “a person under the age of 18”.

* Section 115(4) of the Police Act 1997 states that a person can be considered to be vulnerable if they are “substantially dependent upon others in performing basic physical functions, or his ability to communicate with those providing services, or to communicate with others, is severely impaired, and, as a result, he would be incapable of protecting himself from assault or other physical abuse, or there is a potential danger that his will or moral well-being may be subverted or overpowered”.

* A Vulnerable Adult is a person aged 18 or over, "who is or may be in need of community care services by reason of mental or other disability, age or illness and

Who is, or maybe unable to take care of him or herself or unable to protect him or herself against significant harm or exploitation”

**“Law Commission Report, 1997”**

* **The Department of Health guidance** [**No Secrets**](http://www.dh.gov.uk/PublicationsAndStatistics/LettersAndCirculars/DearColleagueLetters/DearColleagueLettersArticle/fs/en?CONTENT_ID=4002849&chk=lZgyW5)**states that the starting point for a definition is:**

**"Abuse is a violation of an individual's human and civil rights by any other person or persons".**

Abuse may consist of a single act or repeated acts. It may be physical, verbal or psychological, it may be an act of neglect or an omission to act, or it may occur when a vulnerable person is persuaded to enter into a financial or sexual transaction to which he or she has not consented, or cannot consent. Abuse can occur in any relationship and may result in significant harm to, or exploitation of, the person subjected to it.

* Significant Harm Definition

The concept of „Significant harm‟ (Children Act 1989) is the threshold that justifies compulsory intervention in family life in the best interests of children and young people:

· „Harm‟ means ill-treatment or the impairment of heath or development (Including impairment suffered from seeing or hearing the ill treatment of another.)

· Whether the harm suffered by a child is „significant‟ is determined by comparison of the child‟s health and development with that which could reasonably be expected of a similar child.

· There are no absolute criteria in judging what constitutes significant harm – it may be the result of a single, traumatic event, or more often, of accumulation of significant events, both acute and long standing.

The Local Authority has a duty to make enquiries to decide whether action should be taken to safeguard or promote the welfare of a child or young person who is suffering, or likely to suffer, significant harm.

3. Recognition and categories of abuse

Abuse and neglect are forms of maltreatment of a child. Somebody may abuse or neglect a child by inflicting harm, or by failing to act to prevent harm. Children may be abused in a family or in an institutional or community setting, by those known to them or, more rarely, by others (e.g. via the internet). They may be abused by an adult or adults, or another child or children.

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.

Emotional abuse is the persistent emotional maltreatment of a child such as to cause severe and persistent adverse effects on the child’s emotional development. 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. It may feature age or developmentally inappropriate expectations being imposed on children. These may include interactions that are beyond the child’s developmental capability, as well as overprotection and limitation of exploration and learning, or preventing the child participating in normal social interaction. 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.

Sexual abuse involves forcing or enticing a child 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. The activities may involve physical contact, including assault by penetration (for example, rape or oral sex) or non-penetrative acts such as masturbation, kissing, rubbing and touching outside of clothing. They may also include 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.

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 provide adequate food, clothing and shelter (including exclusion from home or abandonment); failing to protect a child from physical and emotional harm or danger; failure to ensure adequate supervision (including the use of inadequate care-givers); or the failure to ensure access to appropriate medical care or treatment. It may also include neglect of, or unresponsiveness to a child’s basic emotional needs.

For further information on categories of abuse, including Female Genital Mutilation (FGM), Child Sexual Exploitation (CSE), Domestic violence and abuse, ‘Honour-based’ violence (HBV) and Private Fostering Arrangements see references at the end of this policy.

For further information on extremism and radicalisation see section 5, below.

For further information on recognising signs of abuse please refer to the NSPCC publication ‘Signs, symptoms and effects of child abuse and neglect’ at https://www.nspcc.org.uk/preventingabuse/signs-symptoms-effects/

4. Children who may be particularly vulnerable

Some children are more vulnerable to abuse and neglect than others. Several factors may contribute to that increased vulnerability such as societal attitudes and assumptions including prejudice and discrimination; child protection procedures that are inadequately responsive to children’s diverse circumstances; isolation; social exclusion; communication issues; a reluctance on the part of some adults to accept that abuse can occur; as well as an individual child’s personality, behaviour, disability and family circumstances.

To ensure that all of our students receive equal protection, we will give special consideration to individuals who are:

• disabled or have special educational needs • young carers • living in a domestic abuse situation • affected by parental substance misuse or mental health issues • asylum seekers • looked after by the Local Authority • returning home to their family, following a period of time in Local Authority care • otherwise living away from home • vulnerable to being bullied, or engaging in bullying behaviours • living in temporary accommodation • living transient lifestyles • living in chaotic and unsupportive home situations • vulnerable to discrimination and maltreatment on the grounds of gender, race, ethnicity, religion, disability or sexuality • engaged in anti-social or criminal behaviour • involved directly or indirectly in child sexual exploitation (CSE) • do not have English as a first language • at risk of female genital mutilation (FGM) or forced marriage or honour-based violence (HBV) • at risk of becoming radicalised, involved in gangs and/or violent extremism.

 This list provides examples of additionally vulnerable groups and is not exhaustive.

Particular vigilance will be exercised in respect of children who are subject to a child protection plan, when a client has made us aware of this, and any incidents or concerns involving these children will be escalated. It is a clients responsibility to ensure Music Unlimiteds staff are adequately informed of anything that relates to one of their students accessing our services.

5. Extremism and radicalisation

‘Extremism’ is defined in the 2011 Prevent strategy as vocal or active opposition to fundamental British values, including democracy, the rule of law, individual liberty and mutual respect and tolerance of different faiths and beliefs. We also include in our definition of extremism calls for the death of members of our armed forces, whether in this country or overseas.

‘Radicalisation’ refers to the process by which a person comes to support terrorism and extremist ideologies associated with terrorist groups.

We recognise that protecting children from the risk of radicalisation is similar in nature to protecting children from other harms (e.g. drugs, gangs, neglect, sexual exploitation); and are committed to building children’s resilience to radicalisation by promoting fundamental British values and enabling them to challenge extremist views.

If you have any concerns that a child (or member of staff) may be vulnerable to violent extremism or radicalisation, you must inform Rebecca Lock, Designated Safeguarding Lead (DSL) or the Registered Manager within 1 hour. If you feel that there is an immediate danger to the life of the individual or others then call 999.

Advice and guidance may also be sought from the designated Prevent Officer of the local Police Constabulary Telephone: 101

The Department for Education has a dedicated telephone helpline (020 7340 7264) to enable staff to raise concerns relating to extremism directly. Concerns can also be raised by email to counter.extremism@education.gsi.gov.uk. Please note that the helpline is not intended for use in emergency situations, such as a child being at immediate risk of harm or a security incident, in which case the normal emergency procedures should be followed.

In addition, Music Unlimited wish to make it clear that the promotion of extremist religious views and partisan political views will not be tolerated.

All members of staff must offer a balanced presentation of views and opinion to children, while they are accessing our service (including through the distribution of promotional materials).

Failure to observe the above could lead to disciplinary procedures being taken which might include summary dismissal.

For further information on extremism and radicalisation including Channel see additional information at the end of this policy

6. Roles and responsibilities

All members of staff (including agency staff, volunteers and students on placement) have a responsibility to provide a safe environment in which children can learn, they should be aware of systems which support safeguarding and must inform Rebecca Lock, Designated Safeguarding Lead (DSL) of any child protection concerns (i.e. concerns about welfare or safety) about a child or member of staff within 1 hour. It is also important that staff adhere to the safeguarding policy of the setting that they are working in. Any concerns should first and foremost be reported to the DSL at the clients premisis.

If, a child is in immediate danger or is at risk of harm a referral should be made to children’s social care and/or the police immediately.

All staff should be prepared to identify children who may benefit from early help. Early help means providing support as soon as a problem emerges at any point in a child’s life, from the foundation years through to the teenage years. In the first instance staff should discuss early help requirements with the clients DSL. In line woth their own safeguarding policy. Rebecca Lock, Designated Safeguarding Lead (DSL), should also be informed and kept up to date of incidents and developments so as to make a valid assessment of the situation.

THE ROLE OF THE DESIGNATED SAFEGUARDING OFFICER

* Ensure that the child protection procedures are in place and updated as appropriate.
* Ensure that all staff are aware of both the Essex Safeguarding children‟s boards, child protection procedures and Music Unlimited‟s own policy.
* Be available to provide advice and support to staff/volunteers and for confidential discussions about concerns
* Be available to provide support for the child/young person/vulnerable adult
* Liaise with the establishment where the child/young person/vulnerable adult is resident or accesses services from
* Liaise if required with the local authority
* Keep records of and concerns/suspected cases or abuse/referrals and store them securely
* Review the safeguarding policy and procedures on a regular basis

Reports can also be made to an officer of the local safeguarding board in whose area the person at risk is situated

7. Vetting of staff and volunteers

Recruitment of all staff and volunteers is undertaken in line with ‘Keeping children safe in education’ (2016).

# MUSIC UNLIMITED STAFF RECRIUTMENT

All staff working on behalf of music unlimited whether employed sub-contracted or volunteers will have their full references checked, including a request for disclosure of any concerns previous employers have had in regards to the staff member and safeguarding within any capacity.

Staff will not be permitted to work unattended in any environment unless a full DBS check has been completed and is presented with no logged concerns.

Safer recruitment, selection and vetting procedures that are in line with guidance from the Disclosure and Barring Service https://www.gov.uk/government/organisations/disclosure-and-barringservice https://www.gov.uk/government/publications/keeping-children-safe-ineducation

9. Working with parents and carers

 Music Unlimited staff must abide by the safeguarding policy adopted by the client’s establishment.

It is typical that the employees of the client and other professionals must work in partnership with parents and carers, by attempting to discuss any allegations and concerns with them as soon as possible, (where appropriate).

Where absolutely necessary and possible, due to disclosure from a client, permission should be sought by Rebecca Lock (DSL), from the person holding parental responsibility for the child, before discussing a referral about them with other agencies (unless by doing so would place a child at risk of significant harm or prejudice a criminal investigation). Children’s Social Care advice will be sought on the issue, as appropriate.

11. Multi-agency partnership

Music Unlimited works with a wide range of clients, from schools, CAMHS, therapeutic services and many others, this is not an exhaustive list.

It is entirely possible that within our working day that we may come into contact with persons from other agencies. Music unlimited is happy to work alongside these agencies and where possible provide them with factual evidence or recount of a working session. It is not the responsibility or remit of Music Unlimited staff to give opinion or interpretation of anything that is disclosed and displayed in behaviour to them by a student,

13. Allegations and concerns involving staff, including the owners

All staff members are advised to maintain an attitude of ‘it could happen here’ where safeguarding is concerned; and staff must always act in the best interests of the child when concerned about their welfare.

Any concerns that involve allegations against a member of staff (including members of the Leadership Team must be referred immediately to Rebecca Lock (DSL), or Shaun Lock if the DSL is not available; and nothing should be said to the colleague(s) involved.

Rebecca Lock (DSL) or Shaun Lock, will contact the Local Authority Designated Officer (LADO) within 24 hours to discuss and consider the nature, content, and context of the allegation and agree a course of action. If, for whatever reason, you are unable or unwilling to contact the Rebecca Lock (DSL) or Shaun Lock, you must refer your concerns directly to Children’s Social Care or the LADO 03330 139797.

Any concern or allegation regarding Rebecca Lock must be referred immediately Children’s Social Care or the LADO 03330 139797.

 if the person is deemed to be an immediate risk to children or there is evidence of a possible criminal offence, you must call the police immediately. Where there is no such evidence, you should discuss the allegation(s) with the LADO in order to help determine whether police involvement is necessary. Should you have an allegation concerning a DSL or the deputy, you may also refer this directly to:

The Local Authority Designated Officer (LADO):

Explaining that your concern is regarding an adult and not a child Essex Safeguarding Children’s Board. Tel: 03330 139797 www.escb.co.uk Or Essex Police Force our local authority liaison officers are Kelly Metcalfe and Barry Clough they can be contacted by calling 101 or emailed on kelly.metcalfe@essex.pm.police.uk

Position of Trust Offences

A position of trust, is a position or occupation that has power or authority over a child’s life and in some cases an influence on the future of that child and includes individuals working in schools and children’s homes.

The abuse of trust offences under the Sexual Offences Act 2003 occur when a child under 18 is involved.

The following offences are included under the Act: • Sexual activity with a child – this includes any kind of sexual touching • Causing or inciting a child to engage in sexual activity • Engaging in sexual activity in the presence of a child • Causing a child to watch a sexual act

Further Information on categories of abuse. For information on physical, emotional, sexual abuse and neglect see section 3, above.

Female Genital Mutilation (FGM) comprises all procedures involving partial or total removal of the external female genitalia or other injury to the female genital organs. It is illegal in the UK and a form of child abuse with long-lasting harmful consequences.

Section 5B of the Female Genital Mutilation Act 2003 (as inserted by section 74 of the Serious Crime Act 2015) places a statutory duty upon teachers along with regulated health and social care professionals in England and Wales, to report to the police where they discover (either through disclosure by the victim or visual evidence) that FGM appears to have been carried out on a girl under 18. Those failing to report such cases will face disciplinary sanctions. It will be rare for teachers to see visual evidence, and they should not be examining pupils, but the same definition of what is meant by “to discover that an act of FGM appears to have been carried out” is used for all professionals to whom this mandatory reporting duty applies. Information on when and how to make a report can be found at Mandatory reporting of female genital mutilation procedural information

Teachers must personally report to the police cases where they discover that an act of FGM appears to have been carried out. Unless the teacher has a good reason not to, they should also still consider and discuss any such case with the school’s designated safeguarding lead and involve children’s social care as appropriate. The duty does not apply in relation to at risk or suspected cases (i.e. where the teacher does not discover that an act of FGM appears to have been carried out, either through disclosure by the victim or visual evidence) or in cases where the woman is 18 or over. In these cases, teachers should follow local safeguarding procedures. The following is a useful summary of the FGM mandatory reporting duty: FGM Fact Sheet

For further information see HM Government (2016) ‘Multi-agency statutory guidance on female genital mutilation’

Child Sexual Exploitation (CSE) is a form of child sexual abuse. It occurs where an individual or group takes advantage of an imbalance of power to coerce, manipulate or deceive a child or young person under the age of 18 into sexual activity (a) in exchange for something the victim needs or wants, and/or (b) for the financial advantage or increased status of the perpetrator or facilitator. The victim may have been sexually exploited even if the sexual activity appears consensual. Child sexual exploitation does not always involve physical contact; it can also occur through the use of technology.

For further information see DfE (2017) ‘Child sexual exploitation: Definition and a guide for practitioners, local leaders and decision makers working to protect children from child sexual exploitation’

Domestic violence and abuse is any incident or pattern of incidents of controlling, coercive, threatening behaviour, violence or abuse between those aged 16 or over who are, or have been, intimate partners or family members regardless of gender or sexuality.

The abuse can encompass, but is not limited to: psychological, physical, sexual, financial, emotional behaviour.

Controlling behaviour is a range of acts designed to make a person subordinate and/or dependent by isolating them from sources of support, exploiting their resources and capacities for personal gain, depriving them of the means needed for independence, resistance and escape and regulating their everyday behaviour.

Coercive behaviour is an act or a pattern of acts of assault, threats, humiliation and intimidation or other abuse that is used to harm, punish, or frighten their victim.

For further information see Home Office (2015) ‘Guidance: Domestic violence and abuse’

Children in violent homes face three risks: the risk of observing traumatic events, the risk of being abused themselves, and the risk of being neglected. Research consistently shows that children living with domestic abuse have higher rates of depression, trauma symptoms, and behavioural/cognitive problems than other children. In 90% of incidents, children are in the same or next room to the violence. Evidence suggests that witnessing DV may be as harmful to children as suffering physical abuse).

Other specific safeguarding issues

‘Honour-based’ violence (HBV) So-called ‘honour-based’ violence encompasses crimes which have been committed to protect or defend the honour of the family and/or the community, including Female Genital Mutilation (FGM), forced marriage, and practices such as breast ironing. All forms of so called HBV are abuse (regardless of the motivation) and should be handled and escalated as such. If in any doubts staff should speak to the designated safeguarding lead. Professionals in all agencies, and individuals and groups in relevant communities, need to be alert to the possibility of a child being at risk of HBV, or already having suffered HBV.

Private Fostering Arrangements If you become aware, or believe that a resident is living in a private fostering arrangement, where a child under 16 years old (or 18 if disabled) is being provided with care and accommodation by someone to whom they are not related, in that person’s home, in the first instance you should check with the Designated Lead for Safeguarding (DSL). The DSL must notify the local authority(s) where the care and accommodation is taking place (and the local authority in which the child previously resided – if different) of the circumstances and the local authority will check that the arrangements are suitable and safe.

For further information see DfE (2005) ‘Statutory guidance: Children Act 1989: private fostering’

Trafficking The United Nations Convention against Transnational Organised Crime (the ‘Palermo Protocol’) describes trafficking as: “the recruitment, transportation, transfer, harbouring or receipt of persons, by means of the threat or use of force or other forms of coercion, of abduction, of fraud, of deception, of the abuse of power or of a position of vulnerability or of the giving or receiving of payments or benefits to achieve the consent of a person having control over another person, for the purpose of exploitation.

Exploitation shall include, at a minimum, the exploitation of the prostitution of others or other forms of sexual exploitation, forced labour or services, slavery or practices similar to slavery, servitude or the removal of organs.”

For further information see DfE and Home Office (2011) ‘Guidance: Safeguarding children who have been trafficked’

Expert and professional organisations are best placed to provide up-to-date guidance and practical support on specific safeguarding issues. For example information for schools and colleges can be found on the TES, MindEd and the NSPCC websites. Staff can access government guidance as required on the issues listed below via GOV.UK and other government websites:

• bullying including cyberbullying https://www.gov.uk/government/publications/preventing-and-tackling-bullying

• children missing education https://www.gov.uk/government/publications/children-missing-education

• child missing from home or care https://www.gov.uk/government/publications/children-who-run-away-or-go-missing-fromhome-or-care

• drugs https://www.gov.uk/government/publications/drugs-advice-for-schools

• fabricated or induced illness https://www.gov.uk/government/publications/safeguarding-children-in-whom-illness-isfabricated-or-induced

• faith abuse https://www.gov.uk/government/publications/national-action-plan-to-tackle-child-abuse-linkedto-faith-or-belief

• forced marriage https://www.gov.uk/guidance/forced-marriage

• gangs and youth violence https://www.gov.uk/government/publications/advice-to-schools-and-colleges-on-gangs-andyouth-violence

• gender-based violence/violence against women and girls (VAWG) https://www.gov.uk/government/policies/violence-against-women-and-girls

• hate http://educateagainsthate.com/

• mental health https://www.gov.uk/government/publications/mental-health-and-behaviour-in-schools--2

• missing children and adults strategy

https://www.gov.uk/government/publications/missing-children-and-adults-strategy

• relationship abuse https://www.disrespectnobody.co.uk/relationship-abuse/what-is-relationship-abuse/

• sexting https://www.disrespectnobody.co.uk/sexting/what-is-sexting/

Further information on extremism and radicalisation including Channel

Music Unlimigted acknowledges its duty under section 26 of the Counter-Terrorism and Security Act 2015, to have “due regard to the need to prevent people from being drawn into terrorism”. This duty is known as the Prevent duty. In meeting our obligations, we will:

• ensure all staff successfully complete appropriate training on Prevent, in accordance with their roles and responsibilities, that gives them the knowledge and confidence to identify children at risk of being drawn into terrorism, to challenge extremist ideas and know where and how to refer children for further help.

• abide by the safeguarding policy relating to Prevent adopted by our clients establishments and work alongside it.

• protect children from being drawn into terrorism by having robust safeguarding policies in place to identify children at risk, and intervene as appropriate. We will consider the level of risk to identify the most appropriate referral, which could include Channel or Children’s Social Care.

• promote the spiritual, moral, cultural, mental and physical development of children and prepare them for the opportunities, responsibilities and experiences of life. We also place strong emphasis on the the rule of law, individual liberty and mutual respect and tolerance of those with different faiths and beliefs.

• ensure our safeguarding arrangements take into account the policies and procedures of the Local Safeguarding Children Board (LSCB).

• ensure children are safe from terrorist and extremist material when accessing the internet in our sessions, including by establishing appropriate levels of filtering and monitoring.

For further information on Prevent duty guidance, please refer to: HM Government (July 2015) ‘Revised Prevent Duty Guidance: for England and Wales’

Department for Education (2015) ‘The Prevent duty: Departmental advice for schools and childcare providers’

Channel

Channel is a programme which focuses on providing support at an early stage to people who are identified as being vulnerable to being drawn into terrorism. The programme uses a multi-agency approach to protect vulnerable people by: • identifying individuals at risk; • assessing the nature and extent of that risk; and • developing the most appropriate support plan for the individuals concerned.

Channel may be appropriate for anyone who is vulnerable to being drawn into any form of terrorism. Channel is about ensuring that vulnerable children and adults of any faith, ethnicity or background receive support before their vulnerabilities are exploited by those that would want them to embrace terrorism, and before they become involved in criminal terrorist related activity.

The police co-ordinate Channel activity by requesting relevant information from panel partners about a referred individual. Depending on the nature of the referral, the partners may include, but are not limited to, representatives from the following groups: • NHS; • Social workers; • Schools, further education colleges and universities; • Youth offending services; • Directors of children’s and adult’s services; • Chairs of Local Safeguarding Children Boards and Safeguarding Adult Boards; • Local authority safeguarding managers (adult and/or children); • Local authority Troubled Families Teams; • Home Office Immigration (Immigration Enforcement, UK Visas & Immigration); • Border Force; • Housing; • Prisons; and • Probation.

The police will use this information to make an initial assessment of the nature and extent of the vulnerability which the person has. The information will then be presented to a panel which will include the Local Authority Chair and the police alongside other members (identified above), as determined by the nature of the referral and assessment.

Success of the programme is very much dependent on the co-operation and co-ordinated activity of partners. It works best when the individuals and their families fully engage with the programme and are supported in a consistent manner.

For further information on preventing radicalisation and Channel please refer to: https://www.gov.uk/government/publications/channel-guidance

The role of the Designated Safeguarding Lead (DSL) is to: • Maintain a working knowledge of relevant national guidance in respect of all specific safeguarding issues highlighted in DfE guidance ‘Keeping children safe in education’ (2016) and LSCB policies, procedures, guidance and protocols; • Ensure that child protection procedures and a written policy are in place and updated, as appropriate; • Ensure that all staff are aware of and follow both the Local Safeguarding Children Board’s policies, procedures, guidance and protocols and Music UNlimiteds policy; • Encourage a culture of listening to children and taking account of their wishes and feelings • Create an environment where staff feel able to challenge senior leaders over any safeguarding issue, raise concerns which they have about the own safety or the well-being of others, and feel supported in their safeguarding role; • Provide advice, guidance and support to staff involved in/affected by safeguarding and child protection issues; • Provide advice, guidance and support to children involved in/affected by safeguarding and child protection issues; • Notify Kedleston’s Group Safeguarding Lead about ALL child protection concerns which meet the threshold for referral to an external agency, without delay (and in any event within 24 hours of the concern being reported); • Maintain a record of all ‘cause for concern’ issues and child protection concerns; • Liaise and work with other services including Children’s Social Care in accordance with ‘Working together to safeguard children’ (2015) and LSCB policies, procedures, guidance and protocols; • • Keep records of any concerns/suspected cases of abuse/referrals on children’s child protection files, separate to the child’s main file, and stored securely;

Whilst the activities of the designated safeguarding lead can be delegated to appropriately trained deputies the ultimate lead responsibility for safeguarding and child protection, as set out above, remains with the designated safeguarding lead. This responsibility should not be delegated.

Working to safeguard vulnerable children is demanding and can be stressful and distressing. Music Unlimited is committed to ensuring that the Designated Safeguarding Lead (DSL) and other Designated Persons have sufficient authority, time, funding, resources, training, supervision and support to carry out their responsibilities safely and effectively.

If you are not satisfied with Rebecca Locks response, or if you are unwilling or unable to make a report to Rebecca Lock (DSL) for whatever reason, you should make a referral yourself by contacting:

Essex Social Services Colchester Business Park, Essex House, 200 The Crescent, Colchester, Essex. CO4 9YQ Tel: 0345 603 7630

Other possible contact points, which may be appropriate include:

• an officer of the National Society for the Prevention of Cruelty to Children (NSPCC).

If the child’s situation does not appear to be improving the staff member with concerns must press for re-consideration to ensure their concerns have been addressed and, most importantly, that the child’s situation improves. Concerns should always lead to help for the child at some point.

If early help is appropriate the Designated Safeguarding Lead should support the staff member in liaising with other agencies and setting up an inter-agency assessment, as appropriate.

If early help and or other support is appropriate the case should be kept under constant review and consideration given to a referral to children’s social care if the child’s situation doesn’t appear to be improving.

2.1. Recognising and responding to concerns It is important to remember that, for many reasons, children rarely talk about their own abuse, and staff need to be vigilant to physical, emotional, sexual, and behavioural signs which may suggest abuse.

For further information on recognising signs of abuse please refer to the NSPCC publication ‘Signs, symptoms and effects of child abuse and neglect’ at https://www.nspcc.org.uk/preventingabuse/signs-symptoms-effects/

If a child chooses to confide in you, disclosing any form of abuse, the most important thing to do is to listen attentively without asking any leading questions, otherwise later investigation may be compromised. The child must tell their own story in their own time. Even what seems to be an unbelievable story must be listened to and acted upon. If you make any notes, you must only use the child’s own actual words, or the words in which anyone else reports to you. You must not interrogate anyone or conduct your own investigation or make assumptions based on hearsay.

You must also consider any measure that may be necessary to protect the child involved in or affected by an allegation of abuse or neglect, which may include monitoring, discreet supervision and separation, where appropriate.

2.2. Recording of disclosures/concerns If note-taking is inappropriate or not possible at the time, you must record any key points in writing using the child’s own words and phrases, if possible. These notes must be kept as originals, timed, dated and signed, as they may be crucial to the protection of the well-being of the child, and could well be used as evidence in court. You must report the concern to Rebecca Lock (DSL) within 1 hour and submit any written documentation within 2 hours. You must also inform the DSL in the setting in which you are working immediately

Information disclosed by a child must not be discussed with any member of staff, other than Rebecca Lock (DSL) or, in their absence, another Designated Safeguarding Person.

2.3. Physical evidence If any physical injuries or bruising are noticed it is appropriate, as a caring adult, to ask the child how they sustained the bruise, graze scratch, bite or other mark on their body. All such marks or injuries, howsoever caused, must be recorded and the document handed to Rebecca Lock (DSL) and the DSL in the establishment in which you are working, with the child’s explanation attached within 2 hours. You must not challenge the child’s explanation, ask any leading questions, pressure them to respond to questions, examine a child beneath their clothing, or conduct any further investigations.

2.4. Issues of confidentiality If a child requests confidentiality they must be told that this cannot be promised, explain to the child (in a way that they will understand) that staff have a responsibility to share information with adults who will be able to help protect them from harm. The child should be reassured that only staff who need to know about it will be told. This could result in the child not continuing the conversation, in which case your enquiries must not be pursued but concerns recorded and forwarded directly to Rebecca Lock (DSL) and the DSL in the establishment in which you are working.

Staff must not discuss information given in confidence outside the appropriate professional contexts. All documentation regarding the disclosure must be treated and marked as STRICTLY CONFIDENTIAL, and must only be shared with others on a need to know basis.

2.5. Staff concerns about practice If you have any concerns about practices in a clients establishment, which you feel may put children at risk of abuse or serious harm you must raise these with a member of the Leadership Team (also see our Whistle Blowing Policy).

If you are not satisfied with the way in which they are dealing with the situation you can speak directly to any one of the following:

• the NSPCC whistleblowing helpline is available for staff who do not feel able to raise concerns regarding child protection failures internally. Telephone 0800 028 0285 (available 8.00 am to 8:00 pm, Monday to Friday) or email: help@nspcc.org.uk; or

The clients DSL in the establishment you are working in

2.6. Making a referral When Rebecca Lock (DSL) has been informed of a case of suspected abuse or of a child who may be at risk of abuse they must act in accordance with the Local Safeguarding Children Board’s policies, procedures, guidance and protocols.

For further information please refer to

Essex Safeguarding Children Board http://www.escb.co.uk/

If anyone other than the Designated Safeguarding Lead makes the referral they should inform Rebecca Lock (DSL), as soon as possible (unless by doing so would place a child at risk of significant harm or prejudice a criminal investigation).

Senior staff who are uncertain whether the threshold for referral is met must contact (only where this will not cause a delay in making a referral to Children’s Social Care or the LADO)

Where we are not satisfied with the response from either the local authority where the young person is situated or the placing authority, we will escalate our concerns by writing to the Director of Children’s Services in the local authority placing the child.

Where a decision is made to dismiss or remove an individual due to safeguarding concerns, or would have been had they not resigned, Rebecca Lock (DSL) must make a referral to the Disclosure and Barring Service as soon as possible.

This is a legal duty and failure to refer when the criteria are met is a criminal offence.

Where a teacher is dismissed or removed because of serious misconduct, or would have been had they not resigned, Rebecca Lock (DSL) must also consider whether to refer the matter to the National College for Teaching and Leadership (NCTL).

4.3 Contact with children outside of work Under no circumstances should staff make or agree arrangements to contact, communicate or meet current residents outside of Music Unlimited-related business or invite/permit a child to visit their own home or that of a family member, colleague or friend.

Staff must not give their personal contact details to children, including their landline/home or mobile number; or communicate with children through social networking sites.

Furthermore, staff must not invite/permit any ex-residents under the age of 18 to visit their own home or that of a family member, colleague or friend.

4.15. Complaints Children, staff, parents, carers authorities and clients are all able to complain to Music Unlimited if they are unhappy with any aspect of the education or service provided. All complaints are taken seriously and will be dealt with without delay. For further information see our ‘Compliments and Complaints Policy’.

4.16 Whistle Blowing Employees with any concerns about our work must come forward and voice those concerns. This also applies to concerns about the activities of staff, directors and external organisations and/or professionals in their dealings with the children’s home. For further information see our ‘Whistle Blowing Policy’.

Concerns involving a member of staff, including the owners

All staff members are advised to maintain an attitude of ‘it could happen here’ where safeguarding is concerned; and staff must always act in the best interests of the child when concerned about their welfare.

5.1. Support for staff subject to allegations Rebecca Lock (DSL) will inform any member of staff who is subject to an allegation about that allegation and likely course of action as soon as possible (providing them with as much information as possible at the time). However, they will have to follow directions from Children’s Social Care and/or the police as to what can be disclosed and when.

It is recognised that any allegation of abuse may cause the member of staff anxiety and distress. We will always consider carefully whether the circumstances of a case warrant a person being suspended or whether alternative arrangements can be put in place until the allegation or concern is resolved. Suspension must not be the automatic/default response. All options to avoid suspension will be considered prior to taking that step and an individual should only be suspended if there is no reasonable alternative. The following alternatives will be considered before suspending a member of staff:

redeployment within the client base we have, so that the individual does not have direct contact with the child or children concerned; • providing an assistant to be present when the individual has contact with children; ; or • temporarily redeploying the member of staff to another role in a different location.

All of which will be dependent on the nature of the allegation and an assessment of risk.

Rebecca Lock will provide effective support for anyone making an allegation and anyone facing an allegation and provide the latter with a named contact, irrespective of whether they are suspended or not. Advice will also be given as to alternative avenues of support from, for example, their trade union, professional association or specific colleagues.

Social contact with colleagues and friends should not be prevented unless there is evidence to suggest that such contact is likely to be prejudicial to the gathering and presentation of evidence.

The named contact must maintain regular communication with the staff member facing an allegation, to ensure they are kept informed of both the progress of their case and current work related issues. It is not acceptable to leave a person who has been suspended without any support.

Where it is decided on the conclusion of a case that a person who has been suspended can return to work, the line manager/supervisor must consider how best to facilitate this. Most people will benefit from some help and support to return to work after a stressful experience. Depending on the individual’s circumstances, a phased return and/or the provision of a mentor to provide assistance and support in the short term may be appropriate. The line manager/supervisor must also consider how the person’s contact with the child, or children, who made the allegation can best be managed if they are still a student.

5.2. Record keeping and retention Record keeping is an integral part of all safeguarding processes. Records which relate to the management of concerns and allegations need to document a complete picture of the events, discussions, decisions, actions and reasons for them. Records must be kept and maintained at every stage of the process.

We will keep a clear and comprehensive summary of the allegation, details of how the allegation was followed up and resolved, and a note of any action taken and decisions reached securely in a locked cabinet; and a reference document placed on the person’s confidential personnel file. Details of any referral to the Disclosure and Barring Service and/or National College for Teaching and Leadership (NCTL) will also be placed on the file, where appropriate.

Details of allegations that are found to have been malicious will be removed from personnel records. However, for all other allegations (substantiated, false and unsubstantiated), it is important that a clear and comprehensive summary is kept and a copy provided to the person concerned.

The purpose of the record is to enable accurate information to be given in response to any future request for a reference, where appropriate. It will provide clarification in cases where future DBS checks reveal information from the police about an allegation that did not result in a criminal conviction and it will help to prevent unnecessary re-investigation if, as sometimes happens, an allegation re-surfaces after a period of time. The record should be retained at least until the accused has reached normal pension age or for a period of 10 years from the date of the allegation if that is longer.

Cases in which an allegation was proven to be false, unsubstantiated or malicious should not be included in employer references. A history of repeated concerns or allegations which have all been found to be false, unsubstantiated or malicious should also not be included in any reference.

 Children with harmful or inappropriate behaviour (peer on peer abuse/allegations against other children) including sexting

We acknowledge that children who are affected by abuse may demonstrate their needs and distress through their words, actions, behaviour, demeanour, school work or other children. We have a strong commitment to safeguarding and will consider all coercive acts and inappropriate child-onchild behaviour including sexting and sexual activity within a child protection context.

Professionals working with children who abuse others, including those who sexually abuse/offend, should recognise that such children are likely to have considerable needs themselves and also that they may pose a significant risk of harm to other children.

Evidence suggests that children who abuse others may have suffered considerable disruption in their lives, been exposed to violence within the family, may have witnessed or been subject to physical or sexual abuse, have problems in their educational development and may have committed other offences. Such children are likely to be children in need, some will in addition be suffering or be at risk of suffering significant harm and may themselves be in need of protection.

Children who abuse others should be held responsible for the abusive behaviour, whilst being identified and responded to in a way which meets their needs as well as protecting others.

In deciding the most appropriate response, relevant considerations will include: • the nature and extent of the inappropriate/abusive behaviours. In respect of sexual abuse, it is necessary to distinguish between normal childhood sexual development and experimentation; and sexually inappropriate or aggressive behaviour; • the context of the abusive behaviours; • the child’s development, family and social circumstances; • the need for services, specifically focusing on the child’s harmful behaviour as well as other significant needs; and/or • the risks to self and others, including other children in the children’s home, school, household, extended family, peer group and wider social network.

# USEFUL CONTACTS

**Essex Safeguarding Children Board**

Room AG06

County Hall

Chelmsford CM1 1JZ

Telephone: 01245 435167

Fax: 01245 434 715

Email: escb@essex.gov.uk

Essex safeguarding adults board

**ESAB Support Team**

AG01, A Block

County Hall

Chelmsford

Essex, CM1 1QH

Email: ESAB@essex.gov.uk

Telephone: 01245 430085

Fax: 01245 550355