



Issued:	1 September 2022
Review Date:	1 September 2023

## POLICIES AND GUIDANCE ON SAFEGUARDING AND CHILD PROTECTION

<a href="#">Contact details</a>	Page 2
<a href="#">Safeguarding policy</a>	Page 3
<a href="#">DBS policy</a>	Page 6
<a href="#">Role of the Designated Safeguarding Lead</a>	Page 10
<a href="#">Dealing with disclosures and concerns about a child or young person</a>	Page 13
<a href="#">Managing allegations made against an employee/volunteer</a>	Page 18
<a href="#">Procedure for dealing with allegations made against a child</a>	Page 26
<a href="#">Code of conduct for adults working with children and young people</a>	Page 33
<a href="#">Safer recruitment policy</a>	Page 35
<a href="#">Online safety policy and guidance</a>	Page 42
<a href="#">Anti-bullying policy and guidance</a>	Page 45
<a href="#">Working alone with a child policy and guidance</a>	Page 48



## CONTACT DETAILS

Dedicated Kent Music Safeguarding phone number: **01622 358432**

Designated Safeguarding Lead (DSL)

Trevor James: 01622 358431 [TJames@kent-music.com](mailto:TJames@kent-music.com)

Deputy Designated Safeguarding Leads

Richard Davies [RDavies@kent-music.com](mailto:RDavies@kent-music.com)

01622 691212

Local Police (non emergency)

101

Kent County Council Social Services

03000 41 11 11 (office hours)

03000 41 91 91 (out of hours emergency)

[social.services@kent.gov.uk](mailto:social.services@kent.gov.uk)

Kent County Council Local Authority Designated Officer (LADO)

03000 41 08 88

[kentchildrenslado@kent.gov.uk](mailto:kentchildrenslado@kent.gov.uk)

Medway LADO

01634 331 065 (admin)

NSPCC Helpline

0808 800 5000

[help@nspcc.org.uk](mailto:help@nspcc.org.uk)

Childline

0800 1111



Author:	Trevor James
Issued:	1 September 2022
Review Date:	1 September 2023

## **POLICY AND GUIDANCE ON SAFEGUARDING**

Our safeguarding policy
Purpose of policy
Legal framework
Recognition
How we will seek to keep children and young people safe



## **SAFEGUARDING POLICY**

### **Our safeguarding policy**

This policy applies to all staff, including senior managers and the board of trustees, paid staff, volunteers and sessional workers, agency staff, students or anyone working on behalf of Kent Music.

### **Purpose of policy**

- to protect children and young people who receive Kent Music's services
- to provide staff and volunteers with the overarching principles that guide our approach to safeguarding and child protection

Kent Music believes that a child or young person should never experience abuse of any kind. We have a responsibility to promote the welfare of all children and young people and to keep them safe. We are committed to practise in a way that protects them.

### **Inclusion Statement**

Kent Music is committed to being inclusive in all our activities and supporting all children and young people. We understand that some children and young people are more likely to face discrimination or barriers to access provision, for example those whose identity falls under a protected characteristic (Equality Act 2010), as well as forms of discrimination which fall outside this.

### **Legal Framework**

This policy has been drawn up on the basis of law and guidance that seeks to protect children, namely:

- Children Act 1989
- United Nations Convention of the Rights of the Child 1991
- Human Rights Act 1998
- Sexual Offences Act 2003
- Children Act 2004
- Safeguarding Vulnerable Groups Act 2006
- Equality Act 2010
- Protection of Freedoms Act 2012
- Children and Families Act 2014
- Special educational needs and disability (SEND) code of practice: 0 – 25 years, HM Government 2014
- Information sharing: Advice for practitioners providing safeguarding services to children, young people, parents and carers, HM Government 2018
- Data Protection Act 2018
- [Working Together to Safeguard Children](#), HM Government 2018
- [Keeping Children Safe in Education](#), Department for Education 2022

This policy should be read alongside our policies and procedures on:

- \*Joining our organisation
- Role of the Designated Safeguarding Lead

- Dealing with disclosures and concerns about a child or young person
- Managing allegations made against an employee or volunteer
- Safe recruitment
- Online safety
- Anti-bullying
- \*Whistleblowing
- \*Health and safety
- \*Training, supervision and support
- \*Lone working policy and procedure

\*see employee handbook

### **We recognise that:**

- the welfare of children is paramount, as enshrined in the Children Act 1989
- all children, 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
- some children are additionally vulnerable because of the impact of previous experiences, their level of dependency, communication needs, or other issues
- working in partnership with children, young people, their parents, carers and other agencies is essential in promoting young people's welfare

### **We will seek to keep children and young people safe by:**

- valuing them, listening to and respecting them
- appointing a Designated Safeguarding Lead (DSL) for children and young people, a deputy and a lead board member for safeguarding
- adopting child protection and safeguarding practices through procedures and a code of conduct for staff and volunteers
- developing and implementing an effective online safety policy and related procedures
- providing effective management for staff and volunteers through supervision, support, training and quality assurance measures
- recruiting staff and volunteers safely, ensuring all necessary checks are made
- recording and storing information professionally and securely, and sharing information about safeguarding and good practice with children, their families, staff and volunteers
- using our safeguarding procedures to share concerns and relevant information with agencies who need to know, and involving children, young people, parents, families and carers appropriately
- using our procedures to manage any allegations against staff and volunteers appropriately
- creating and maintaining an anti-bullying environment and ensuring that we have a policy and procedure to help us deal effectively with any bullying that does arise
- ensuring that we provide a safe physical environment for our children, young people, staff and volunteers, by applying health and safety measures in accordance with the law and regulatory guidance

### **Monitoring and review**

We are committed to reviewing our policy, procedures, and good practice annually



Authors:	Peter Bolton Trevor James
Issued:	1 September 2022
Review Date:	1 September 2023

## **POLICY FOR DISCLOSURE & BARRING SERVICE CHECKS**

Introduction
Types of DBS checks
Personnel who are required to undergo a DBS check
Frequency of checks
Handling of DBS certificate information
Recruitment of staff
Working with partners
Bursaries



## **POLICY FOR DISCLOSURE AND BARRING SERVICE (DBS) CHECKS**

### **Introduction**

Ensuring the welfare of young people is Kent Music's top priority. DBS checks of staff are part of our safer recruitment process, and Kent Music will pay the full fee for the first check. This policy outlines our approach to identifying what level of DBS checks members of staff are subject to, our procedure for carrying these out, how we hold information, and how we ensure that our policy is carried out effectively.

### **Types of DBS checks**

There are four types of check available from the service:

- **Basic:** will highlight any unspent convictions and conditional cautions
- **Standard:** provides information about convictions, cautions, reprimands and warnings held on the Police National Computer (PNC), regardless or not of whether they are spent under the Rehabilitation of Offenders Act 1974. The law allows for certain old and minor matters to be filtered out
- **Enhanced:** provides the same information as a standard check, plus any approved information held by the police which a chief officer reasonably believes to be relevant and considers ought to be disclosed
- **Enhanced with a barred list check:** only available for those individuals who are carrying out regulated activity, this allows an additional check to be made as to whether the person appears on the children's barred list.

### **Personnel who are required to undergo a DBS check**

Standard check:

- members of the resources team who attend locations where children and young people are present
- members of the administration staff who work on projects for children, young people and vulnerable adults

Enhanced check:

- trustees of the charity
- receptionists at music centres and teaching centres
- supervised staff and volunteers who work with children, young people and vulnerable adults
- managers and senior leaders who work infrequently with children, young people and vulnerable adults

Enhanced with a barred list check

- all teachers, tutors and other musicians working for Kent Music in regulated activity as employees or contractors
- supervisors and chaperones
- managers employed to run courses
- managers of staff who are required to have an enhanced with a barred list check

### **Frequency of Checks**

We expect all staff to sign up to the DBS update service. This is an online subscription service that lets certificate holders to keep standard and enhanced DBS certificates up-to-date. It also allows employers to

check a certificate online, with consent. Kent Music will check the update service on an annual basis and record the results in the Single Central Record.

If a member of staff does not subscribe to the update service, we will consider the certificate to have expired after three years; they will then need to pay the full fee for a new check to be carried out.

## **Handling of DBS certificate information**

### **1. General principles**

As an organisation using the Disclosure and Barring Service (DBS) checking service to help assess the suitability of applicants for positions of trust, Kent Music complies fully with the code of practice regarding the correct handling, use, storage, retention and disposal of certificates and certificate information.

It also complies fully with its obligations under the Data Protection Act 1998 and other relevant legislation pertaining to the safe handling, use, storage, retention and disposal of certificate information and has a written policy on these matters, which is available to those who wish to see it on request.

### **2. Handling**

In accordance with section 124 of the Police Act 1997, certificate information is only passed to those who are authorised to receive it in the course of their duties. It is a criminal offence to pass this information to anyone who is not entitled to receive it.

Disclosure information is only used for the specific purpose for which it was requested and for which the applicant's full consent has been given.

### **3. Usage**

Certificate information is only used for the specific purpose for which it was requested and for which the applicant's full consent has been given.

### **4. Retention**

Once a recruitment (or other relevant) decision has been made, the only information that is retained is the information held on the Central DBS Record (see 6 below).

Certificate information on the Central DBS Record is removed from the record when a person leaves the employment of Kent Music.

### **5. Single Central Record**

Kent Music will keep a central record of each member of staff who is required to have a DBS check. This record will show the name of the person, the date of their last certificate, their DBS number, and the date of their next check. This information is held for administrative purposes to enable us to run an effective system and also to be able to demonstrate to our auditors that we have robust systems in place.

## **Recruitment of Staff**

When recruiting new staff, it will be made clear on the job description what level of check is required for the role and make it clear that any offer of employment will be made subject to this check being carried out.



Should any spent convictions come to light, the job offer will be withdrawn if the convictions relate to children and vulnerable adults. Other types of unspent conviction will be considered individually. All job descriptions for jobs requiring an enhanced DBS check will carry the following wording:

*“This post is subject to an enhanced check through the Disclosure and Barring Service (DBS)”.*

Application forms for posts within the organisation will include the following question:

*“The amendments to the Exceptions Order 1975 (2013) provide that certain spent convictions and cautions are ‘protected’ and are not subject to disclosure to employers and cannot be taken into account. Do you have any convictions, cautions, reprimands or final warnings that are not “protected” as defined by the Rehabilitation of Offenders Act 1974 (Exceptions) Order 1975 (as amended in 2013)?”*

### **Working with Partners**

In its role as the lead partner for the Music Hub for Kent, Kent Music works with a range of partners. Kent Music will ensure through its partnership agreements that partners carry out enhanced DBS checks on people who fit within the requirements covered in this policy.

### **Bursaries**

In its role as the lead partner for the Music Hub for Kent, Kent Music offers bursaries to students who have lessons with teachers who are not employed by Kent Music. Before a bursary is awarded, a check will be carried out to ensure that the teacher has an enhanced DBS check. If they do not, the bursary will not be awarded.

### **Monitoring and review**

We are committed to reviewing our policy, procedures, and good practice annually.



Author:	Liz Samson
Issued:	1 September 2022
Review Date:	1 September 2023

## **ROLE OF THE DESIGNATED SAFEGUARDING LEAD**

What is a designated safeguarding lead?
Does Kent Music have to have a safeguarding lead?
What training does a designated safeguarding lead need?
What are the responsibilities of the designated safeguarding lead?
Useful contact details



## **ROLE OF THE DESIGNATED SAFEGUARDING LEAD**

### **What is a designated safeguarding lead (DSL)?**

The DSL is the person appointed to take lead responsibility for child protection issues that may arise at Kent Music. The person fulfilling this role must be a senior member of Kent Music's leadership team, and the DSL role must be set out in the post holder's job description.

It is good practice to nominate a deputy to cover the role of the designated safeguarding lead when they are unavailable and to take on part of the role and work that arises. The lead responsibility for safeguarding and child protection remains with the DSL.

### **Does Kent Music have to have a safeguarding lead?**

All organisations that work with children must have a designated safeguarding lead in place to deal with child protection concerns.

Kent Music has DSL, a deputy DSL, and a Safeguarding Lead on the Board of Trustees.

The DSL or deputy DSL should always be available during office hours for staff to discuss any safeguarding concerns.

### **What training does a designated safeguarding lead need?**

The DSL (and deputy) should attend training to enable them to carry out their role. This should be updated every two years as a minimum.

### **What are the responsibilities of the designated safeguarding lead?**

The responsibilities include:

#### Work with others:

The DSL should:

- work with the senior management team to ensure safeguarding is at the heart of the ethos of Kent Music and that all staff are supported in knowing how to recognise and respond to potential concerns
- liaise with the CEO to keep them informed of any safeguarding issues especially ongoing enquiries and police investigations
- as required, liaise with the local authority case manager (LA) or designated officer at the local authority (LADO) if a concern has arisen regarding a member of staff
- liaise with staff on matters of safety and safeguarding when deciding whether to make a referral by liaising with relevant agencies
- act as a source of support, advice and expertise for staff

#### Manage referrals

The DSL should:

- refer cases of suspected abuse to Children's Social Care and support staff who have raised concerns about a child or have made a referral to Children's Social Care

- refer cases to the Disclosure and Barring Service (DBS) where a member of staff has been dismissed following concerns they posed a risk to a child
- refer cases to the police where a crime has been or may have been committed

### Undertake training and develop knowledge

In addition to formal training, the DSL should keep knowledge and skills up to date via online training, e-bulletins, opportunities to network with other DSLs and attend any locally arranged briefings. These opportunities should be taken up at least once a year but more regularly if possible, so that the DSL:

- understands the referral and assessment process for early help and intervention
- knows about child protection case conferences and reviews and can contribute to these effectively if required
- ensures that all staff have access to and understand Kent Music's child protection policy
- is aware of the needs of any vulnerable children
- keeps detailed, accurate and secure records of concerns and referrals
- attends a refresher and other relevant training
- encourages a culture of listening to children and taking account of their wishes and feelings in terms of what Kent Music does to protect them

### Raise awareness

The DSL's role is to:

- ensure Kent Music's child protection policy is updated and renewed annually and that all members of staff have access to it and understand it
- provide briefings and updates at staff meetings to ensure that everyone is kept up to date on latest policy developments and reminded of their responsibilities
- ensure the child protection policy is available publicly and that parents/carers are aware of the policy and that Kent Music may make referrals to children's social care if there are concerns about abuse or neglect
- link with Kent Safeguarding Children Multi-agency Partnership (KSCMP) to keep up to date with training opportunities and the latest local policies

### Record keeping

It is also the DSL's responsibility to keep detailed, accurate and secure written records of safeguarding concerns. These records are confidential and should be kept separately from student records. They should include a chronology of concerns, referrals, meetings, phone calls and emails.

### Training of other staff

It is the role of the DSL, working with the Chief Executive, to ensure that all staff:

- have training covering child protection and an understanding of safeguarding issues when they join the organisation
- are able to identify the signs and indicators of abuse, respond to disclosures appropriately and respond effectively and in a timely fashion when they have concerns

It is good practice to invite board members to this training (not just the nominated trustee for child protection) so that they all have a basic awareness of child protection.



Author:	Trevor James
Issued:	1 September 2022
Review Date:	1 September 2023

## **DEALING WITH DISCLOSURES AND CONCERNS ABOUT A CHILD OR YOUNG PERSON**

What to do
What to avoid
Recording concerns
Barriers to reporting abuse and concerns
Flowchart
Reporting of disclosures and concerns form



## **DEALING WITH DISCLOSURES AND CONCERNS ABOUT A CHILD OR YOUNG PERSON**

You should be aware that children may not feel ready or know how to tell someone that they are being abused, exploited, or neglected, and/or they may not recognise their experiences as harmful. For example, children may feel embarrassed, humiliated, or being threatened. This could be due to their vulnerability, disability and/or sexual orientation or language barriers. If a young person confides abuse to you, it is important to know how to respond. Here are universal principles, regardless of the age of the young person.

### **What to do**

- be welcoming even if the time is not convenient for you – it will have taken courage to approach you and they may not do it again
- find a quiet space where conversation won't be interrupted, and leave the door open
- follow the procedures of the organisation where you are having a one-to-one conversation with a child or young person to protect yourself from allegations
- stay calm and listen carefully
- allow the young person to tell you at their own pace
- ask questions for clarification only
- make notes using their own words as far as possible (distinguish between fact and opinion)
- reassure them and tell them that they were right to share this information with you and you will do all you can to help them. Tell them there are people in the organisation that can help and that you will have to let them know
- if emergency help is required, do not delay in getting it
- contact the Designated Safeguarding Lead (DSL) for Kent Music

### **What to avoid**

- do not allow your surprise, shock, anger, distaste, dismay or any other emotions to show
- do not ask leading questions or request more information than is offered (following a referral, it is a safeguarding professional's role to investigate - you could compromise any subsequent investigations)
- do not make comments about the abuser or try to guess who s/he is
- do not promise to keep the conversation a secret

### **Record**

- you should immediately record any disclosure of abuse AND any concerns you have about a child
- this should be done as far as possible using the child's own words
- you should distinguish between fact and opinion – try to make your account factual
- you should sign and date your account
- you must not include any photographs of the child but could use a body map to highlight any areas of the body that have caused you concern

### **Barriers to Reporting Abuse and Concerns**

- denial/disbelief – recognition might be costly. It is very common to try to deny or explain away concerns or disclosures. You should be aware that this is a common reaction and ensure that you are guarding against this compulsion
- explaining away – finding another reason for the signs/behaviours/disclosure
- fear – what will the repercussions be for the child/for me?
- judgment – what if I have got it wrong?
- alliances to colleagues – this is my friend and I cannot report them/they would not have done it
- remember – you do not have to investigate or take responsibility for any judgments. You just have to pass it on

Trustees, employee, contractor volunteer identifies a concern about a child or young person



The person identifying the concern should record the issues in writing and report the matter as soon as possible to the Designated Safeguarding Lead for Kent Music



Records will be created and maintained by the Designated Safeguarding Lead



Designated Safeguarding Lead will refer to the KSCMP who will decide:

- internal Kent Music action only
- refer to school that the child or young person attends
- refer to children's social care
- strategy meeting



# REPORTING OF DISCLOSURES AND CONCERNS

**CONFIDENTIAL** Once completed this form must be given to Kent Music's Designated Safeguarding Lead

**Remember: Listen, Respond, Record, Report**

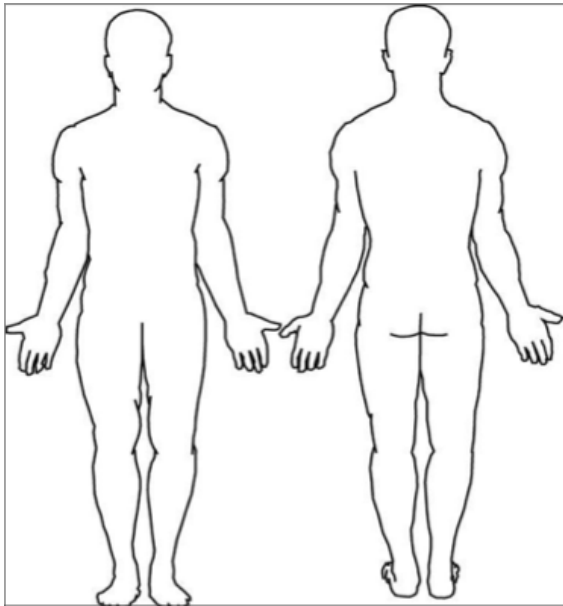
Name of child/young person:	Age of child/young person:
Name and position of person completing form (please print):	
Date of incident /concern: (DD MM YY)	
Incident / concern (who what where when)*	
Any other relevant information (witnesses, immediate action taken)*	
Signature of person completing this form:	Date form completed: (DD MM YY)
Action taken (including reasons for decisions) and Outcomes* (NB – this section is to be completed by DSL)	
Signature of DSL	Date: (DD MM YY)
Signature of Lead DSL (if appropriate)	Date: (DD MM YY)

\*Continue on a separate sheet or overleaf if necessary

Please confirm that student has been made aware that their disclosure/conversation may need to be reported confidentially (tick box to confirm)



Please use the body map provided if useful



Continued from overleaf...

Form Reference





Author:	Liz Samson
Issued:	1 September 2022
Review Date:	1 September 2023

## **POLICY AND GUIDANCE ON MANAGING ALLEGATIONS MADE AGAINST AN EMPLOYEE/VOLUNTEER**

Aims of this procedure
Who this procedure applies to
Different types of abuse
What to do if an allegation is made or information received
Conducting an investigation
Reporting an allegation or concern
When to involve the Local Authority Designated Officer (LADO)
When to involve the Charity Commission
Dealing with a criminal offence
Talking to parents about the allegation or concern
Taking disciplinary action
Keeping a record of the investigation
Information and action flow
Useful contact details



## MANAGING ALLEGATIONS MADE AGAINST AN EMPLOYEE/VOLUNTEER

This procedure outlines what you should do if a child protection allegation is made against an adult working for or involved in your group or organisation.

The procedure should provide a clear direction to staff and trustees who are called upon to deal with such allegations and to manage investigations that may result from them.

### The aims of this procedure are:

- to ensure that children who attend Kent Music, and any other children who may come to our attention, are protected and supported following an allegation that they may have been abused by an adult from within Kent Music
- to ensure that there is a fair, consistent and robust response to any allegations made, so that the risk posed to other children by an abusive individual is managed effectively
- to facilitate an appropriate level of investigation into allegations, whether they are said to have taken place recently, at any time the person in question has been employed/volunteered with Kent Music, or prior to the person's involvement with Kent Music
- to ensure that Kent Music continues to fulfil its responsibilities towards members of staff, volunteers or trustees who may be subject to such investigations
- to ensure that individuals are able to continue in their role if they have been at the centre of allegations that are unfounded or deemed to be malicious in origin

### This procedure applies to:

- any member of staff, volunteer or trustee to whom an allegation of abuse has been made, that involves another member of staff, volunteer or trustee
- anyone in a managerial position (including the designated safeguarding lead for children, line managers, supervisors and trustees) who may be required to deal with such allegations and manage investigations that result from them

### Different types of abuse

**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 also involve conveying to children that they are worthless and 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, '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** involved forcing or enticing a child or children 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, pornographic material or watching sexual activities, or encouraging children to behave in sexually inappropriate ways, or grooming a child in preparation for abuse (including via the internet). Sexual abuse can be perpetrated by anyone: males, females, adults, and 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 substance abuse. Once a child is born it may involve a parent or carer failing to provide adequate food, clothing, and shelter, including exclusion from home or abandonment; failure to protect a child from physical harm or danger, failure to ensure adequate supervision, including the use of adequate care takers; 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.

There are also other types and methods of child abuse, including:

- sexual exploitation
- female genital mutilation (FGM)
- trafficking of children in order to exploit them sexually, financially, via domestic servitude, or via the involvement in activity such as the production and sale of illegal drugs
- abuse linked to beliefs such as spirit possession or witchcraft
- radicalisation and the encouragement or coercion to become involved in terrorist activities
- abuse via online methods, for example from adults seeking to develop sexual relationships with children or to use sexual or abusive images of them
- domestic abuse, which may be a single incident or a pattern of incidents, which can be psychological, physical, sexual, financial, or emotional abuse. Children can be victims of domestic abuse. They may see, hear, or experience the effects of abuse at home and/or suffer domestic abuse in their own intimate relationships (teenage relationship abuse)

### **What to do if an allegation is made or information is received**

There are potentially two issues that need to be dealt with as a matter of urgency:

1. Is a child in immediate danger or does she/he need emergency medical attention?
  - if a child is in immediate danger and is with you, remain with him/her and call the police
  - if the child is elsewhere, contact the police and explain the situation to them
  - if the child needs emergency medical attention, call an ambulance and, while you are waiting for it to arrive, get help from your first aider
  - if the first aider is not available, use any first aid knowledge that you may have yourself to help the child. You also need to contact your supervisor/manager or named person for child protection to let them know what is happening

The member of staff of manager should also inform that child's family if the child is in need of emergency medical attention, and arrange to meet them at the hospital or medical centre. The parents/carers should be informed that an incident has occurred, that the child has been injured and that immediate steps have been taken to get help.

2. Is the person at the centre of the allegation working with children now?

If this is the case, the concern needs to be discussed immediately with the manager of the activity for Kent Music and the designated safeguarding lead. One of these (either the manager or designated safeguarding lead) should then, in a sensitive manner, remove the staff member involved in the allegation from direct contact with children.

It should be then explained to the person, in private, that there has been a complaint made against them, although the details of the complaint should not be given at this stage. The person should be informed that further information will be provided as soon as possible but that, until consultation has taken place with the relevant agencies and within the organisation, they should not be working with children. It may be best, under the circumstances, for the person to return home on the understanding that the manager or designated safeguarding lead will telephone him/her later in the day.

The information provided to them at this stage will need to be very limited. This is because discussions need to take place first with other agencies who may need to be involved, such as the local authority children's social care department or the police.

If the person is a member of a trade union or a professional organisation, they should be advised to make contact with that body. Arrangements should also be made for the member of staff or volunteer to receive ongoing support in line with the responsibilities the organisation has towards his or her welfare.

### **Conducting an investigation**

Once any urgent necessary steps have been taken, attention can be given to dealing with the full implications of the allegations.

There are up to three possible lines of enquiry when an allegation is made:

1. a police investigation of a possible criminal offence
2. enquiries and an assessment by the local authority children's social care department about whether a child is in need of protection
3. investigation by an employer and possible disciplinary action being taken against the person in question. This includes implementing a plan to manage any risk posed by the individual to children and young people in the workplace until the outcome of the other investigations and enquiries is known. If the individual is a volunteer, then they are unlikely to be subject to the disciplinary procedure, but nonetheless the organisation will need to consider whether the person can continue in their role and, if so, what steps should be taken to manage any risk that they may pose

### **Reporting an allegation or concern**

If the allegation is made by a child or family member to a member of staff, or if a member of staff observes concerning behaviour by a colleague at first hand, this should be reported immediately to the staff member's supervisor/manager and the designated safeguarding lead.

If a staff member has received an allegation or observed something of concern about their own manager, the staff member should report the allegation or concern to the person more senior to their manager.

If the person who is the subject of the concern is a designated safeguarding lead, the matter should be reported to the chief executive.

Issues that will need to be taken into account are:

- the child's wishes and feelings

- the parent’s right to know (unless this would place the child or someone else in danger, or would interfere with a criminal investigation)
- the impact of telling or not telling the parent
- the current assessment of risk to the child and the source of that risk
- any risk management plans that currently exist

Once any immediate danger or emergency medical needs have been dealt with, follow the steps set out in the flowchart at the top of this document.

### **When to involve the Local Authority Designated Officer (LADO)**

The designated safeguarding lead should report the allegation to the local authority designated officer within one working day if the alleged behaviour suggests that the person in question:

- may have behaved in a way that has harmed or may have harmed a child
- has possibly committed a criminal offence against or related to a child
- has behaved towards a child in a way that suggests that he/she may be unsuitable to work with children

This should also happen if the individual has volunteered the information him/herself.

The LADO may be told of the allegation from another source. If this is the case, then the information received by Kent Music may be when the Local Authority makes contact in order to explain the situation.

Whoever initiates the contact, there will be discussion between the LADO and Kent Music’s designated safeguarding lead to share information about the nature and circumstances of the allegation. The LADO will consider whether there is any evidence to suggest that it may be false or unfounded.

If there is any reason to suspect that a child has suffered, or be likely to suffer, significant harm and there are no obvious indications that the allegation is false, the LADO, in cooperation with Kent Music, will initiate a strategy discussion within the local authority children’s social care department.

It should be asked from the outset that the children’s social care department shares any information obtained during the course of their enquiries with Kent Music if it has any relevance to the person’s employment.

### **When to involve the Charity Commission**

In addition to reporting allegations and suspected incidents to the relevant authorities, the DSL should ensure that a report is also sent to the Safeguarding Lead on the Board of Trustees.

Any actual or suspected incident must be reported promptly to the Charity Commission by the Designated Safeguarding Lead on the board of trustees. This will involve reporting on what action is being taken and which, if any, relevant authorities have been contacted e.g. LADO or the Local Authority Safeguarding Team and/or police.

If the Board decide that it is likely that there will be regular, multiple reports, a choice can be made to submit periodic ‘bulk’ reports, rather than separate, (‘single’) reports for each incident. If the DSL for the Board of Trustees decides that bulk reports will be submitted in this way, they should be confident that each incident is reportable and worthy of inclusion and where an incident is particularly serious or likely to attract significant media attention, this should be reported straight away and not saved for a bulk report.

More guidance can be found on the government web pages for Managing a Charity, at this link:

<https://www.gov.uk/guidance/how-to-report-a-serious-incident-in-your-charity>

## **Dealing with a criminal offence**

If there is a reason to suspect that a criminal offence may have been committed (whether or not the threshold of 'significant harm' is reached), the LADO will contact the police and involve them in a similar strategy discussion, which will involve the Kent Music's designated safeguarding lead.

The designated safeguarding lead and any other representative from Kent Music should cooperate fully with any discussion involving the police and should ask for similar cooperation from the police in terms of the sharing of information relevant to the person's employment.

Discussions with the police should also explore whether there are matters that can be acted on in a disciplinary process while the criminal investigation takes place, or whether disciplinary action must wait until the criminal process is completed.

## **Talking to parents about the allegation or concern**

If the child's parents/carers do not already know about the allegation, the designated safeguarding lead and the LADO need to discuss how they should be informed and by whom.

## **Talking to the person who is the subject of the allegation**

The person at the centre of the allegation should be informed as soon as possible after the initial consultation with the LADO. However, if a strategy discussion within the local authority children's social care team or the police is needed, this might have to take place before the person concerned can be spoken to in full. The police and children's social care department may have views on what information can be disclosed to the person.

Only limited information should be given to the person in question, unless the investigation authorities have indicated that they are happy for all information to be disclosed or unless there is no need for involvement from these statutory agencies.

The DSL will need to keep in close communication with the LADO and the other agencies involved in order to manage the disclosure of information appropriately.

## **Taking disciplinary action**

If the initial allegation does not involve a possible criminal offence, the DSL and manager of the person at the centre of the allegation should still consider whether formal disciplinary action is needed.

If the local authority children's social care department has undertaken any enquiries to determine whether a child or children are in need of protection, the DSL should take account of any relevant information from these enquiries when considering whether disciplinary action should be brought against the person at the centre of the allegations.

The following timings should be kept to wherever possible, depending on the nature of the investigation:

- if formal disciplinary action is not needed, other appropriate action should be taken within three working days
- if disciplinary action is required, and can be progressed without further investigation, this should take place within 15 days
- if Kent Music decides that further investigation is needed in order to make a decision about formal disciplinary action, the DSL should discuss with the LADO the possibility of this investigation being done by an independent person to ensure that the process is objective. Whether or not the investigation is handled internally or independently, the report should be presented to the DSL within 10 working days

- having received the report of the disciplinary investigation, the DSL should decide within 2 working days whether a disciplinary hearing is needed
- if a hearing is needed, it should be held within 15 working days
- the DSL should continue to liaise with the LADO during the course of any investigation or disciplinary proceedings, and should continue to use the LADO as a source of advice and support

If a criminal investigation is required, it may not have been possible to make decisions about initiating disciplinary proceedings or about the person's future work arrangements until this is concluded. The police are required to complete their work as soon as reasonably possible and to set review dates, so the DSL should either liaise with the police directly or via the LADO to check on the progress of the investigation and criminal process.

The police are also required to inform the employer straight away if the person is either convicted of an offence or acquitted or, alternatively, if a decision is made not to charge him/her with an offence or to administer a caution. In any eventuality, once the outcome is known, the DSL should contact the LADO to discuss the issue of disciplinary proceedings.

If the allegation is substantiated and if, once the case is concluded, Kent Music dismisses the person or ceases to use their services or the person ceases to provide his/her services, the DSL should consult with the LADO about referral of the incident to the Disclosure and Barring Service (DBS). This should take place within a month.

### **Keeping a record of the investigation**

All those involved in dealing with the allegation should keep clear notes of the allegations made, how they were followed up, and any actions and decisions taken, together with the reasons for these.

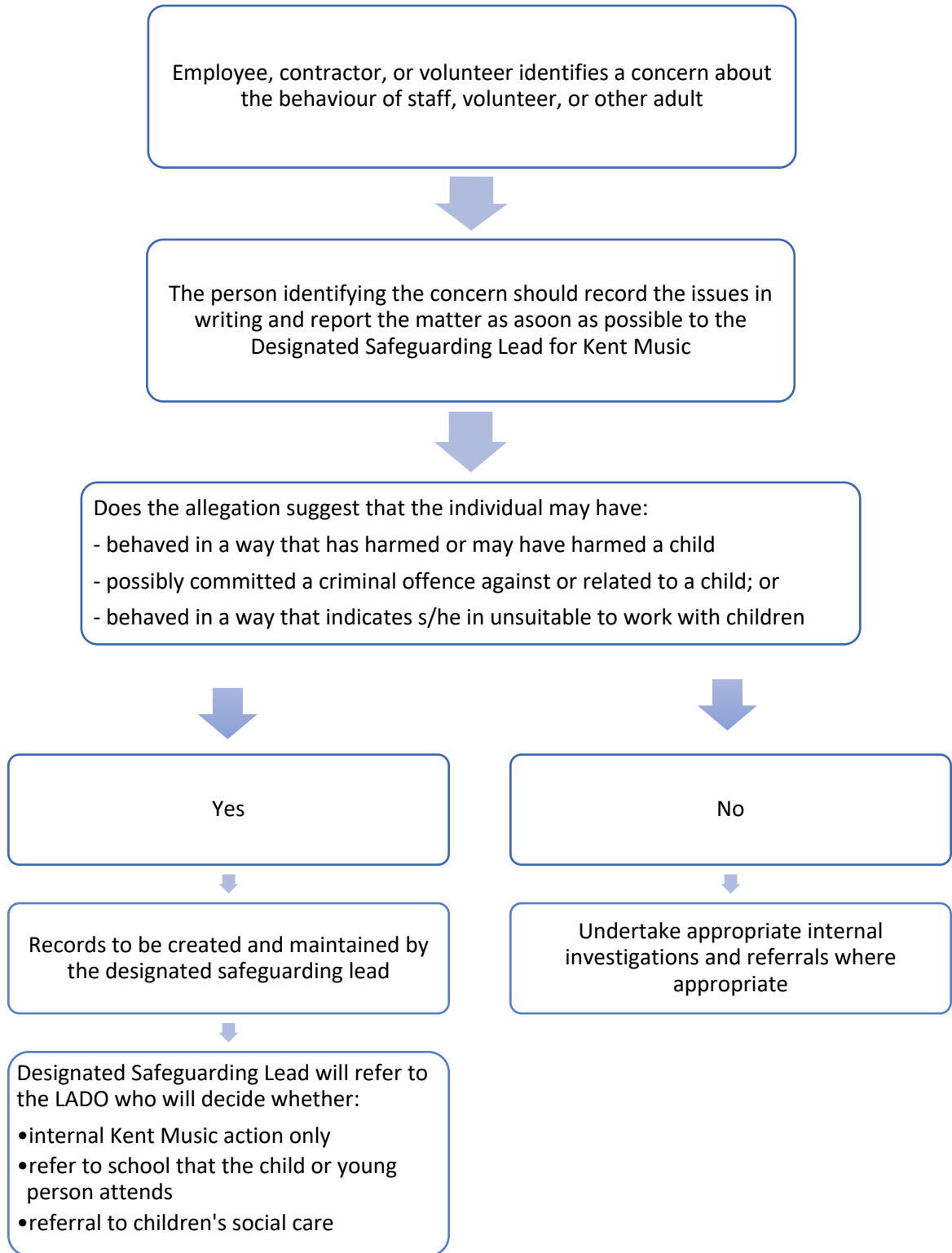
These notes should be compiled gradually as the situation unfolds, with each entry being made as soon as possible after the event it describes. The notes should be signed and dated by the person making them, and the person's name should be printed alongside.

The notes should be kept confidentially on the file of the person who is the subject of the allegation. Discussion should take place with the LADO to determine whether any aspects of the notes may not be shared with the person concerned. If there are no reasons not to do so, a copy of the records should be given to the individual.

The notes should be held on file for a 10-year period, whether or not the person remains with Kent Music for this period. It is advisable to keep such notes indefinitely.



**Information and action flow**





Author:	Liz Samson
Issued:	1 September 2022
Review Date:	1 September 2023

## PROCEDURE FOR DEALING WITH ALLEGATIONS MADE AGAINST A CHILD

Aims and purpose of procedure
Different types of abuse
Ways that allegations might be made against another child/young person involved with Kent Music
Child protection or bullying?
What to do if you have child protection concerns
What to say to a child who says he/she or another child is being abused by another child/young person
What to say to a child/young person who says that he/she has abused another child
Recording concerns



## DEALING WITH ALLEGATIONS MADE AGAINST ANOTHER CHILD

### Aims and purpose of procedure

The aims of this procedure are:

- to ensure that children who attend Kent Music, and any other children who may come to the attention of Kent Music are protected and supported following an allegation that they may have been abused by another child or young person involved with Kent Music
- to ensure that there is a fair, consistent and robust response to any allegations of this nature so that the risk posed to other children by the child/young person in question is managed effectively
- to facilitate an appropriate level of investigation into allegations, whether they relate to recent alleged activity, said to have taken place during the time that the child/young person in question has been involved with Kent Music, or whether they relate to abuse which allegedly took place prior to the child's/young person's involvement with Kent Music
- to ensure that Kent Music continues to fulfil its responsibilities towards children and young people who may be subject to such investigations and are in need of support, or to ensure that support is in place if they are no longer able to attend Kent Music activities
- to ensure that there is an appropriate response in situations where allegations are unfounded or deemed to be malicious in origin

The purpose of the procedure is to provide a clear direction to staff that are called upon to deal with such allegations and to manage investigations and care plans which may result from them.

This procedure applies to:

- any member of staff, volunteer or trustee to whom an allegation of abuse has been made which suggest that another child or young person is responsible
- anyone in a managerial position, including the DSL, line managers and supervisors, who may be required to deal with such allegations and manage investigations and care plans that result from them

**Different types of abuse** – these definitions are taken from the statutory guidance Working Together to Safeguard Children (2018).

**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 also involve conveying to children that they are worthless and 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, '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** involved forcing or enticing a child or children 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, pornographic material or watching sexual activities, or encouraging children to behave in sexually inappropriate ways, or grooming a child in preparation for abuse (including via the internet). Sexual abuse can be perpetrated by anyone: males, females, adults, and 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 substance abuse. Once a child is born it may involve a parent or carer failing to provide adequate food, clothing, and shelter, including exclusion from home or abandonment; failure to protect a child from physical harm or danger, failure to ensure adequate supervision, including the use of adequate care takers; 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.

There are also other types and methods of child abuse, including:

- sexual exploitation
- female genital mutilation (FGM)
- trafficking of children in order to exploit them sexually, financially, via domestic servitude, or via the involvement in activity such as the production and sale of illegal drugs
- abuse linked to beliefs such as spirit possession or witchcraft
- radicalisation and the encouragement or coercion to become involved in terrorist activities
- abuse via online methods eg from adults seeking to develop sexual relationships with children or to use sexual or abusive images of them
- domestic abuse, which may be a single incident or a pattern of incidents, which can be psychological, physical, sexual, financial, or emotional abuse. Children can be victims of domestic abuse. They may see, hear, or experience the effects of abuse at home and/or suffer domestic abuse in their own intimate relationships (teenage relationship abuse)

#### **Ways that allegations might be made against another child/young person involved with Kent Music**

- a child or parent/carer might make a direct allegation against another child or young person
- a child or parent/carer might express discomfort with the behaviour of another child or young person that falls short of a specific allegation
- another child, member of staff or volunteer may directly observe behaviour from one child/young person towards another that gives cause for concern
- Kent Music may be informed by a parent or by the police or another statutory authority that a child or young person is the subject of an investigation
- a child or young person may volunteer information to the organisation that he/she has harmed another child or is at risk of doing so, or has committed an offence against or related to a child

#### **Child protection or bullying?**

When faced with a situation of one child or young person behaving inappropriately towards another, a decision needs to be made about whether the problem constitutes bullying or a child protection concern. This is a decision that needs to be reached by the DSL (Designated Safeguarding Lead), in consultation with the staff member responsible for the child, the staff member's manager/supervisor and, if necessary, the local authority children's social care department.

If the conclusion is that the behaviour is an example of bullying, and if both children attend Kent Music, it needs to be dealt with under the anti-bullying policy and procedure.

If the behaviour could be described as child abuse and has led to the victim possibly suffering significant harm, then it must be dealt with under child protection procedures. This should include all incidents of sexual assault and all but the most minor incidents of physical assault.

This checklist can be used to help inform the decision:

### **Bullying**

- the difference of power between the bully and the person being bullied is relatively small
- the bullying behaviour may be from a number of children/young people acting in a group rather than from one child acting alone
- it may also, but not necessarily, be directed towards a group of other children rather than an individual child
- the behaviour involves teasing or making fun of someone, excluding a child from games and conversations, pressurising other children not to be friends with someone, spreading hurtful rumours or circulating inappropriate photographs/images/drawings, cyberbullying, shouting at or verbally abusing someone, stealing someone's possessions, making threats, or harassment on the basis of race, gender, sexuality or disability
- the behaviour has not previously been a concern and the bully or bullies may have been responding to group pressure
- the behaviour is perceived as bullying by the victim

**Please note:** physical assault, or forcing someone to do something embarrassing, harmful or dangerous is also included in the list of bullying behaviours in some instances, but are the most likely to constitute a child protection concern if the victim suffers significant harm as a result of the behaviour.

### **Child protection concerns**

- the difference of power between the child who is abusing and the person being abused is significant e.g. there is an age difference of more than two years, there is a significant difference in terms of size or level of ability, the abuser holds a position of power (such as being a helper, volunteer or informal leader) or the victim is significantly more vulnerable than the other child or young person
- the behaviour involves sexual assault
- the behaviour involves physical assault, other than minor physical assault
- the child who is the victim of the behaviour may have suffered significant harm
- the behaviour may not necessarily be perceived by the victim as abusive, particularly if it is sexual in nature
- the behaviour is not a one-off incident and is part of a pattern of concerning behaviour on the part of the child or young person who is abusing
- the behaviour, if sexual, is not part of normal experimentation that takes place between children and young people

### **Sexual abuse or normal experimentation**

All children and young people develop an interest in their own sexuality from a young age, and seek to learn about sex from their peers. It is important not to label normal, healthy behaviour as deviant or abusive. It is equally important not to allow sexually abusive behaviour perpetrated by one child or young person towards another to go unchecked, as this is harmful both for the victim and the perpetrator.

There are ways of assessing whether sexual behaviour between children and young people is abusive or not. Indicators of abusive behaviour include:

- there is a significant difference in age, dominance or understanding between the children/young people
- the behaviour was accompanied by the use of threats or bribes
- the behaviour was carried out in secret

For the purpose of this procedure however, it is enough to say that if there is any question that the behaviour could be abusive, the matter should be discussed with the local authority children's social care department.

This can initially take place without the names of the children or young people being disclosed, although such information will have to be provided if the view of the children's social care department is that the behaviour may constitute significant harm and that an investigation is needed.

### **What to do if you have child protection concerns**

Is the child who has been allegedly abused – or the child who has allegedly perpetrated the abuse – in immediate danger, or does either of them need emergency medical attention?

- if either child is in immediate danger and is with you, remain with him/her and call the police if you are unable to remove the danger yourself
- if the child is elsewhere, contact the police and explain the situation to them
- if a child needs emergency medical attention, call an ambulance and, while you are waiting for it to arrive, get help from your first aider
- if the first aider is not available, use any first aid knowledge that you may have yourself to help the child

You also need to contact your supervisor/manager and/or DSL to let them know what is happening.

A decision will need to be made about when to and who should inform the families of both the child who has been abused and the child who has allegedly perpetrated the abuse, as well as the local authority children's social care department.

If the child who is the alleged victim is not known to Kent Music, it is not our role to inform the child's family. Even if the child who is the alleged victim is known, the police and/or social care services should be part of the decision making process if they have been contacted.

The paramount consideration should always be the welfare of the children and young people involved. Issues that will need to be taken into account are:

- the children's wishes and feelings
- the parent's right to know (unless this would place the child who has allegedly perpetrated the abuse in danger, or would interfere with a criminal investigation)
- the impact of not telling or telling the parents
- the current assessment of the risk to the child who has been abused and the source of that risk
- the current assessment of any risk to the child who has allegedly perpetrated the abuse and the source of that risk
- any risk management plans that currently exist for either child

**Once any immediate danger or emergency medical need has been dealt with, the procedure set out below should be followed:**

1. The member of staff who has been informed of the allegation or who has the concern, should make notes of what he/she has been told or of his/her direct concerns using the reporting form, and should discuss these with the DSL or deputy ASAP and within 24 hours

2. If both children/young people are known to Kent Music and if their families do not already know about the allegation or concern, the member of staff, manager or DSL should discuss it with them unless:
  - the view is that someone (for example the child who has allegedly perpetrated the abuse) may be put in danger by the family being informed
  - informing the family might interfere with a criminal investigation

If any of these circumstances apply, discussion with the families should only take place after this has been agreed with the local authority (LA) children's social care department

3. If only the child who is alleged to have harmed another child is known to Kent Music, then, subject to the considerations set out in above, discussions with only this child's family should take place
4. The child who is the subject of the allegation should also be informed of what has been said about him/her. However, if the view is that the LA or police should be involved, the child should only be informed after discussion and agreement with these agencies. These agencies may have views about what information should be disclosed to the child/young person at this stage
5. If there is still uncertainty about whether the allegation or concern constitutes a child protection issue, the DSL or deputy should discuss with the LA without disclosing the identity of either child/family
6. If, having discussed the situation fully and taken any advice, the manager/supervisor and the DSL conclude that the alleged behaviour does not constitute a child protection issue, the consideration should be given to whether the anti-bullying policy and procedure should be used (if both children are known to the organisation) and whether either or both children should be referred for other services
7. If the view is that the behaviour does indeed amount to a child protection issue, the DSL should refer both children to the LA and confirm the referral in writing within 24 hours
8. Pending the outcome of the referral to the LA and the possible investigation or assessment that may follow from this, any risk that may be posed to other children by the child who has allegedly harmed another child will need to be carefully managed. This should be done on an inter-agency basis in accordance with the procedures developed by the local safeguarding partnership for children who display harmful behaviour towards others
9. The DSL should enquire of the LA whether these procedures are being used, and if so should ask to be involved in or at least kept informed of inter-agency decisions made in accordance with these procedures
10. If the procedures are not being used but Kent Music remains concerned that the child/young person could pose a risk to other children, then the DSL and manager should consider whether the child/young person can continue to be involved with Kent Music, and if so on what basis. This is a situation that needs to be kept under regular review as the investigations and assessment conducted by the statutory agencies is carried out and reaches a conclusion. It may also need to be reviewed regularly following the conclusion of the assessment process, as the child or young person may be receiving support that should, with time, reduce the level of risk that he/she presents
11. If the allegation is found to be without substance or fabricated, Kent Music will consider referring the child who has said to have been harmed to the LA for them to assess whether he/she is in need of services (for example, the child may have been abused by someone else)
12. If it is felt that there has been a malicious intent behind the allegation, Kent Music will discuss with the police whether there are grounds to pursue any action against the person responsible

**What should I say to a child who says that he/she or another child is being abused by another child/young person?**

- reassure the child that he/she has done the right thing by telling someone about it
- tell him/her that you now have to do what you can to keep him/her (or the child who is the subject of the allegation) safe
- let the child know what you are going to do next and who else needs to know about it
- let the child tell his/her story. Do not try to investigate or question the child, but make sure that you are clear as to what he/she is saying
- if possible, explain to the child's parent/carer what has happened. Do this first without the child there, and then summarise it again in front of the child so that it is an open subject between parent/carer and child. This may enable them to talk about it together more easily
- check what the child would like to happen as a result of what he/she has said, but do not make or infer promises you cannot keep
- give the child the Childline phone number
- make sure that the parent/carer has support too

**What should I say to a child/young person who says that he/she has abused another child?**

- reassure the child that he/she has done the right thing by telling someone about it
- tell him/her that you now have to do what you can to keep him/her and the child who has been abused safe
- let the child tell his/her whole story. Do not try to investigate or question the child, but make sure that you are clear as to what he/she is saying
- if there is no risk to the child from the child's parent/carer, then explain to the parent/carer what has happened. Do this firstly without the child there, and then summarise it again in front of the child so that it is an open subject between parent/carer and child. This may enable them to talk about it together more easily
- check what the child expects to happen as a result of what he/she has said. Offer reassurances where appropriate but do not make or infer promises you cannot keep
- reassure the child that, with help, the problem can be sorted out and that what has happened does not make him/her an abuser for life
- give the child the Childline phone number
- remember that the child who has behaved in this way is a child in need of support
- make sure that the parent/carer has support too

**Recording the concerns**

Use the reporting form to record the concern and how it is dealt with. The relevant section of the form should be completed and signed at each stage of the procedure. It can be used to forward information to the statutory child protection authorised body if a referral to them is needed.





Author:	Trevor James
Issued:	1 September 2022
Review Date:	1 September 2023

## **CODE OF CONDUCT FOR ADULTS WORKING WITH CHILDREN AND YOUNG PEOPLE**

This code outlines the conduct we expect of all our staff and volunteers. It applies to all Kent Music employees engaged in activities with children, young people and vulnerable adults including managers, teachers, trustees, supervisors and all relevant support staff.

The code of conduct aims to help us protect children and young people from abuse and reduce the possibility of unfounded allegations being made.

When working with or for children and young people, you are acting in a position of trust. You are likely to be seen as a role model and must act accordingly.

### **RESPONSIBILITIES - you are responsible for:**

- following our principles, policies and procedures, including policies and procedures for safeguarding, whistleblowing and online safety
- prioritising the welfare of children and young people
- providing a safe environment for children and young people
- staying within the law at all times
- modelling good behaviour for children and young people to follow
- challenging all unacceptable behaviour and reporting any breaches to the Designated Safeguarding Lead or Deputy
- reporting all allegations/suspicions of abuse following Kent Music's reporting procedures

### **RIGHTS - you should:**

- treat children and young people fairly and without prejudice or discrimination
- understand that children and young people are individuals with individual needs
- respect differences in gender, sexual orientation, culture, race, ethnicity, disability and religious belief systems between yourself and others, and appreciate that all participants bring something valuable and different to the group and organisation
- challenge discrimination and prejudice
- encourage young people and adults to speak out about attitudes or behaviour that makes them uncomfortable

### **RELATIONSHIPS - you should:**

- promote relationships that are based on openness, honesty, trust and respect
- avoid favouritism
- be patient with others
- use special caution when you are discussing sensitive issues with children or young people
- ensure your contact with children and young people is appropriate and relevant to the work of the project you are involved in; avoid discussing your personal life

- ensure that whenever possible there is more than one adult present during activities with children and young people
  - if this is not possible, ensure you are within sight or hearing of other adults
  - if a child specifically asks for or needs some private time with you, ensure other staff or volunteers know where you and the child are

#### **RESPECT - you should:**

- listen to and respect children at all times
- value and take children’s contributions seriously, actively involving them in planning activities wherever possible
- respect a young person’s right to personal privacy as much as possible
  - in some cases it may be necessary to break confidentiality in order to follow safeguarding procedures; if this is the case it is important to explain this to the child or young person at the earliest opportunity

#### **UNACCEPTABLE BEHAVIOUR - you must not:**

- allow concerns or allegations to go unreported
- take unnecessary risks
- smoke, consume alcohol or use illegal substances
- develop inappropriate relationships with children and young people
- make inappropriate promises to children and young people
- engage in behaviour that is in any way abusive
- have any form of sexual contact with a child or young person
- let children and young people have your personal contact details (mobile number, email, or address) or have contact with them via a personal social media account
- act in a way that can be perceived as threatening or intrusive
- patronise or belittle children and young people
- make sarcastic, insensitive, derogatory or sexually suggestive comments to or in front of children and young people

#### **UPHOLDING THIS CODE OF CONDUCT**

You should always follow this code of conduct and never rely on your reputation or that of Kent Music to protect you.

If you have behaved inappropriately, you will be subject to our disciplinary procedures. Depending on the seriousness of the situation, you may be asked to leave Kent Music. We may also make a referral to statutory agencies such as the police and/or the local authority children’s social care department.

If you become aware of any breaches of this code, you must report them to the DSL or Deputy DSL. To do this you should follow the whistle-blowing procedure or, if necessary, the safeguarding procedures.



Author:	Trevor James
Issued:	1 September 2022
Review Date:	1 September 2023

## **POLICY AND GUIDANCE ON SAFER RECRUITMENT**

Our safer recruitment policy
Statutory Requirements
The purpose of the policy
The recruitment selection panel
Advertising
Information for applicants
Shortlisting
Reference requests
Interviews
Pre-employment checks
Offer of employment by the selection panel
Personnel file and Single Central Record
Start of employment and induction
Persons working with children who are not employed directly by Kent Music
Monitoring and review



## **SAFER RECRUITMENT POLICY**

### **Our safer recruitment policy**

This policy applies to anyone responsible for recruiting and inducting staff and volunteers in Kent Music and all who participate in shortlisting and interview panels.

Kent Music is committed to promoting the welfare of children and young people and keeping them safe.

We are also committed to equality, valuing diversity and working inclusively across all of our activities.

We aim to have a workforce that represents a variety of backgrounds and cultures and can provide the relevant knowledge, abilities and skills for our organisation.

This policy should be read in conjunction with the Kent Music Disclosure and Barring Service (DBS) policy which will provide full details on the types of DBS available, and which roles require which level of DBS check.

### **Statutory requirements**

The policy takes into the account the provisions of Working Together to Safeguard Children in Education (HM Government, July 2018) and Keeping Children Safe in Education (Department for Education, September 2022). Kent Music will ensure that the statutory requirements for the appointment of staff will be met. Requirements will change from time to time and this policy will be updated accordingly.

### **The purpose of the policy**

- to recruit the best people available to join our workforce
- to take all reasonable steps to prevent unsuitable people from joining our organisation
- to recruit and manage our staff in a way that complies with legislation designed to combat inequality and discrimination
- to do all we can to achieve and maintain a diverse workforce
- to ensure that our recruitment and selection processes are consistent and transparent
- to ensure candidates are judged to be competent before we make them an offer of a job
- to ensure that new members of staff are given a proper induction

### **We recognise that:**

- our workforce is our most important resource
- unsuitable individuals sometimes seek out opportunities via employment or volunteering to have contact with children in order to harm them
- some groups face unfair discrimination in the workplace
- children, young people and families benefit from our efforts to recruit a skilled and committed workforce from a diverse range of backgrounds

- new staff and volunteers cannot perform their role effectively unless they are inducted properly and receive on-going support and supervision

#### **Kent Music will ensure that:**

- it operates safe and fair recruitment and selection procedures which are regularly reviewed and updated to reflect any changes to legislation and statutory guidance
- all appropriate checks on staff and volunteers, including enhanced DBS checks, have been carried out on a regular basis
- a Single Central Record of permanent and temporary staff is kept
- it will monitor any contractors' and agencies' compliance with this document
- it will promote the safety and well-being of children and young people at every stage of this process

#### **The recruitment selection panel**

Selection panels will comprise a minimum of two people. Every selection panel will have at least one member who has undertaken safer recruitment training.

#### **Advertising**

All vacant posts will be advertised to ensure equality of opportunity and encourage as wide a field of candidates as possible. This will normally mean placing an advertisement externally as well as on Kent Music's website. However, where there is a reasonable expectation that there are enough, suitably qualified internal candidates, or if members of staff are at risk of redundancy, vacancies may be advertised internally before an external advertisement is placed. Any internal recruitment process will follow the procedures set out in this policy.

All advertisements for posts will include the following statements:

*"Kent Music is committed to safeguarding and promoting the welfare of children and young people and requires all staff and volunteers to share and demonstrate this commitment"*

*"The successful candidate will need to meet the requirements of the person specification and will be subject to pre-employment checks including a health check, a relevant DBS check, and satisfactory references."*

Advertisements will make clear that all applicants must complete an application form and that Kent Music is an equal opportunities employer.

#### **Information for applicants**

All applicants will be provided with:

- a job description, outlining the duties of the post, a person specification, an outline of terms of employment including salary and/or rate of pay, and the closing date for applications
- an application form will ask for personal contact details, present employment and reason for leaving, full employment history since leaving school, qualifications, two referees, personal statement, a signed declaration that all information is true
- the application form for roles which require a DBS will ask candidates to self-disclose whether they have ever been convicted of any criminal offences

Prospective applicants must complete and return a signed application form in full. Incomplete application forms will be returned to the applicant where the deadline for completed forms has not passed. Candidates applying online will be asked to sign the form if invited for interview. A CV will not be accepted in place of a completed application form.

### **Shortlisting**

The selection panel will shortlist applicants against the person specification for the post. The criteria for selection will be consistently applied to all applicants. The selection panel will agree the applicants to be invited to interview. At least one member of the shortlisting and interview panel will have completed safer recruitment training.

### **Reference requests**

Two references, one of which must be from the candidate's current or most recent employer will be taken up. For teacher, ensemble leader, and music leader roles which require an enhanced DBS, references will be requested after shortlisting so that any discrepancies may be probed during this stage of the selection process.

Written references will be sought directly from the referee and, where necessary, s/he will be contacted to clarify any anomalies or discrepancies. Where necessary, previous employers who have not been named as referees may be contacted to clarify any such anomalies or discrepancies.

Reference requests will ask the referee to confirm and comment on:

- the candidate's employment dates
- the candidate's current/most recent job title and salary
- the referee's relationship to the candidate
- the candidate's performance history and conduct
- the candidate's suitability for the post
- the candidate's suitability for working with children and young people
- whether the candidate has candidate has any disciplinary warnings, including time-elapsd warnings, that relate to the safeguarding of children

Employer testimonials i.e. those provided by the candidate and/or marked 'to whom it may concern' will not be accepted. References must be in writing and be specific to the job for which the candidate has applied. Work related references are required wherever possible and personal references will only be acceptable for students or candidates without previous employment history.

### **Interviews**

Before the interview, the selection panel will agree on the interview format. Selection procedures will be determined by the nature and duties of the vacant post, but all vacancies will require an interview of short-listed candidates.

Candidates invited to interview will receive:

- a letter or email confirming the interview and any other selection procedures
- details of the interview day including details of the panel members
- details of any tasks to be undertaken as part of the interview process
- the opportunity to discuss the process prior to the interview

The questions asked will be aimed at obtaining evidence of how each candidate meets the requirement of the Job Description and the Person Specification and each candidate will be assessed against all criteria for the post. For teaching posts, candidates will be asked to perform a short vocal or instrumental piece and, where possible, lead a short demonstration lesson with a child or group of children. A member of the interview panel may stand in as a student if none are available. Administration posts may include a written or IT task.

The same areas of questioning will be covered for each applicant and no questions which would discriminate directly or indirectly on protected characteristics under the Equality Act will be asked.

For roles which require direct contact with children and young people, the selection process will include exploration of the candidate's understanding of child safeguarding issues.

Candidates will be required to:

- explain satisfactorily any gaps in employment
- explain satisfactorily any anomalies or discrepancies in the information available to the selection panel
- declare any information that is likely to appear on a DBS disclosure
- demonstrate their capacity to safeguard and protect the welfare of children and young people
- bring a musical instrument if appropriate to the application

The interview will also include a discussion of any convictions, cautions or pending prosecutions, other than those protected, that the candidate has declared and are relevant to the prospective employment. Candidates who declare any conflicts of interest and/or any family or personal connections with Kent Music, its staff members, stakeholders or Board members will be asked to discuss this in interview.

The recruitment documentation will be retained. Under the Data Protection Act, applicants have the right to request access to notes written about them during the recruitment process. After 6 months, all information about unsuccessful candidates will be securely destroyed.

### **Pre-employment checks**

All appointments are subject to the receipt of at least two satisfactory references, DBS clearance, and satisfactory completion of pre-employment checks. When appointing new staff, we will:

- verify a candidate's identity from current photo ID (originals), date of birth and proof of address (originals) except where, for exceptional reasons, none is available; the advice of the HR Manager will be sought if necessary
- obtain a certificate for an enhanced DBS check with barred list information where the candidate will be engaging in regulated activity, or
- check online to view the status of an existing standard or enhanced DBS certificate where the candidate will be engaging in regulated activity
- ensure the candidate completes a staff self-declaration form (staff who require an enhanced DBS only)
- obtain occupational health advice regarding the candidate's mental and physical fitness to carry out their work responsibilities (a job applicant can be asked relevant questions about disability and health to establish whether they have the physical and mental capacity for the specific role)
- verify the candidate's right to work in the UK (if there is uncertainty about whether an individual needs permission to work in the UK, then we will follow advice on the GOV.UK website)
- verify professional qualifications (original certificates)

- make any further checks that we consider appropriate and in accordance with Department for Education recommendations
- carry out all relevant checks for internal staff members as if the person were a new member of staff if they were moving from a post that involved non-regulated activity to one that involved regulated activity.

All checks will be:

- documented and retained on the personnel file
- recorded on Kent Music's Single Central Record
- followed up if they are unsatisfactory or if there are any discrepancies in the information received

### **Offer of employment by the selection panel**

The offer of employment by the selection panel and acceptance by the candidate is binding on both parties, subject to satisfactory completion of the pre-employment checks and satisfactory references and DBS clearance. The successful candidate will be informed, normally by offer letter, that the appointment is subject to satisfactory completion of these checks.

### **Personnel file and Single Central Record**

Recruitment and selection information for the successful candidate will be retained securely and confidentially for the duration of his/her employment with Kent Music including:

- application form – signed by the applicant
- interview notes – including explanation of any gaps in the employment history
- references – minimum of two
- proof of identity
- proof of right to work in the UK
- proof of relevant academic qualifications
- evidence of medical clearance from the Occupational Health service (if required)
- evidence of DBS clearance, and barred list (where applicable)
- offer of employment letter and signed contract of employment

### **Start of employment and induction**

The pre-employment checks listed above must be completed before the employee starts work. Exceptions will only be made in circumstances where a risk assessment has been undertaken.

All new employees will be provided with an induction programme which will cover all relevant matters of Kent Music policy including our expectations regarding acceptable conduct between adults and children, safeguarding and promoting the welfare of children, whistleblowing, line management and support, performance management arrangements, and guidance on safe working practices.

Safeguarding information and training provided in the induction session will be equivalent to Level 1 Safeguarding Training. New employees will be required to read the Staff Code of Conduct, the Staff Handbook, the Safeguarding Policy and Part 1 of Keeping Children Safe in Education (2018). Staff will need to sign a declaration that they have read and understood these documents.



## **Persons working with children who are not employed directly by Kent Music**

### Staff from external organisations

We will only use those agencies which operate a Safer Recruitment Policy and supply written confirmation that all relevant checks have been satisfactorily completed. We will carry out identity checks when a cover staff member arrives at a school or music centre.

### Freelance staff

We will carry out identity, professional recommendation and enhanced and barred list DBS checks for all staff engaged for teaching cover or other regulated short-term activities such as music teaching, leading and coaching in workshops, performances and projects, and piano accompaniment.

### Volunteers

Volunteers involved in regulated (unsupervised) activity require an enhanced DBS with barred list information and need to provide details of two referees. Volunteers who help on an occasional basis (e.g. trips, concert events, provision of refreshments) are supervised, in accordance with legislation. Kent Music managers will undertake a risk assessment and use their professional judgement and experience when deciding whether to obtain an enhanced DBS certificate for any volunteer not engaging in regulated activity.

### Students on placement

When students are working with Kent Music staff as part of a recognised training course (such as PGCE, NVQ etc.), references and completion of an application form will not be required. However, we will require proof of DBS enhanced clearance with barred list check and will carry out identity checks prior to any placement starting.

### Students on work experience

Students on work experience will always be supervised.

### Trustees

Trustees complete a declaration that they have read and understood Kent Music and Charity Commission safeguarding policies and procedures. An Enhanced DBS will be carried out for all trustees every three years.

## **Monitoring and review**

We are committed to reviewing our policy, procedures, and good practice annually.



Author:	Trevor James
Issued:	1 September 2022
Review Date:	1 September 2023

## **POLICY AND GUIDANCE ON ONLINE SAFETY**

Our online safety policy
Purpose of policy
Understanding online safety
What Kent Music will do
How we will seek to keep children and young people safe
If online abuse occurs



## **ONLINE SAFETY POLICY**

### **Our online safety policy**

This policy should be read alongside Kent Music's policies and procedures on:

- Whistleblowing
- Disciplinary action
- Complaints
- Anti-bullying
- Recording and information sharing
- Training, supervision and support
- Media Permissions
- Safeguarding

The policy and the procedures that it underpins apply to all staff, including senior managers and the board of trustees, paid staff, volunteers and sessional workers, agency staff, students and anyone working on behalf of Kent Music.

### **Purpose of policy**

- to ensure the safety and wellbeing of children and young people is paramount when adults, young people or children are using the internet, social media or mobile devices
- to provide staff and volunteers with the overarching principles that guide our approach to online safety
- to ensure that, as an organisation, we operate in line with our values and within the law in terms of how we use online devices

### **We recognise that:**

- the online world provides everyone with many opportunities; however, it can also present risks and challenges
- we have a duty to ensure that all children, young people and adults involved in our organisation are protected from potential harm online
- we have a responsibility to help keep children and young people safe online, whether or not they are using Kent Music's network and devices
- all children, regardless of age, disability, gender reassignment, race, religion or belief, sex or sexual orientation, have the right to equal protection from all types of harm or abuse
- working in partnership with children, young people, their parents, carers and other agencies is essential in promoting young people's welfare and in helping young people to be responsible in their approach to online safety.

### **We will seek to keep children and young people safe by:**

- appointing an online safety coordinator. This is the Designated Safeguarding Lead for Kent Music

- providing clear and specific directions to staff and volunteers on how to behave online through our behaviour code for adults
- supporting and encouraging the young people using our service to use the internet, social media and mobile phones in a way that keeps them safe and shows respect for others
- supporting and encouraging parents and carers to do what they can to keep their children safe online
- developing an online safety agreement for use with young people and their parents/carers
- developing clear and robust procedures to enable us to respond appropriately to any incidents of inappropriate online behaviour, whether by an adult or a child/young person
- reviewing and updating the security of our information systems regularly
- ensuring that usernames, logins, email accounts and passwords are used effectively
- ensuring personal information about the adults and children who are involved in our organisation is held securely and shared only as appropriate
- ensuring that images of children, young people and families are used only after their written permission has been obtained, and only for the purpose for which consent has been given
- providing supervision, support and training for staff and volunteers about online safety
- examining and risk assessing any social media platforms and new technologies before they are used within the organisation.

**If online abuse occurs, we will respond to it by:**

- having clear and robust safeguarding procedures in place for responding to abuse (including online abuse)
- providing support and training for all staff and volunteers on dealing with all forms of abuse, including bullying/cyberbullying, emotional abuse, sexting, sexual abuse and sexual exploitation
- making sure our response takes the needs of the person experiencing abuse, any bystanders and our organisation as a whole into account
- reviewing the plan developed to address online abuse at regular intervals, in order to ensure that any problems have been resolved in the long term.

**Monitoring and review**

We are committed to reviewing our policy, procedures, and good practice annually.



Author:	Liz Samson
Issued:	1 September 2022
Review Date:	1 September 2023

## **POLICY AND GUIDANCE ON ANTI BULLYING**



## **ANTI-BULLYING POLICY**

### **Purpose of policy**

- to prevent bullying from happening in our organisation, as much possible
- when bullying does happen, to make sure it is stopped as soon as possible and that those involved receive the support they need
- to provide information to all staff, volunteers, children and their families about what we should all do to prevent and deal with bullying

### **Legal framework**

- The Children Acts of 1989 and 2004
- The Protection from Harassment Act 1997
- The Human Rights Act 2000
- The Equality Act 2010
- Government guidance: Working Together to Safeguard Children 2018
- Government guidance on bullying

It should be read alongside our policies and procedures on:

- Dealing with disclosures and concerns about a child or young person
- Managing allegations against staff and volunteers
- Recording and information sharing
- Code of conduct for staff and volunteers
- Safer recruitment
- Online safety
- Complaints
- Equality and diversity

### **We recognise that:**

There is no legal definition of bullying. However, it is usually defined as behaviour that is:

- repeated
- intended to hurt someone either physically or emotionally
- often aimed at certain groups, e.g. because of race, religion, or sexual orientation
- one person or a group can bully others
- bullying can occur either face to face between individuals or groups or online, using information technology, such as computers or mobile phones
- [www.gov.uk/bullying-at-school/bullying-a-definition](http://www.gov.uk/bullying-at-school/bullying-a-definition)

### **Bullying can include:**

- teasing or making fun of someone
- excluding children from games and conversations
- pressurising other children not to be friends with the person who is being bullied
- spreading hurtful rumours or passing round inappropriate photographs/images/drawings

- shouting at or verbally abusing someone
- stealing or damaging someone's belongings
- making threats
- forcing someone to do something embarrassing, harmful or dangerous
- harassment on the basis of race, gender, sexuality or disability
- physical assault

Bullying causes real distress. It can affect a person's health and development and, at the extreme, can cause significant harm. People are often targeted by bullies because they appear different from others. We all have a role to play in preventing bullying and putting a stop to bullying

#### **We will seek to prevent bullying by:**

1. Developing a code of behaviour that sets out the "dos and do nots" in terms of how everyone involved in Kent Music is expected to behave, both in face-to-face contact and online
2. Developing a new members' welcome policy that will help Kent Music to attract members from diverse groups
3. Developing a plan that describes how we welcome new members and help them to settle in
4. Holding regular discussions with staff, volunteers, children, young people and families who use Kent Music to ensure that they understand our anti-bullying policy. These discussions will focus on:
  - a. group members responsibilities to look after one another and uphold the behaviour code
  - b. practising skills such as listening to each other
  - c. respecting the fact that we are all different
  - d. making sure no one is without friends
  - e. dealing with problems in a positive way
  - f. checking that the anti-bullying measures are working well
5. Developing a complaints policy and procedure
6. Making sure that staff, volunteers, children and young people, and parents and carers have clear information about our anti-bullying procedure

#### **When bullying occurs we will respond to it by:**

1. Having a clear anti-bullying procedure in place
2. Providing support and training for all staff and volunteers on dealing with all forms of bullying, including racial, sexist, homophobic and sexual bullying
3. Addressing the issue from the point of view of the person being bullied, the bully, any bystanders and Kent Music as a whole
4. Reviewing the plan developed to address the bullying, in order to ensure that the problem has been resolved
5. Avoiding any sanctions that make the individuals concerned seem small, or look or feel foolish in front of others

#### **Monitoring and review**

We are committed to reviewing our policy, procedures, and good practice annually



Author:	Liz Samson
Issued:	1 September 2022
Review Date:	1 September 2023

## **POLICY AND GUIDANCE ON WORKING ALONE WITH A CHILD**





## **POLICY AND GUIDANCE ON WORKING ALONE WITH A CHILD**

### **When working alone with a child:**

- only carry out work that has been previously agreed and is taking place with the knowledge of Kent Music and the school that the child attends (if during school hours and on the premises)
- make sure to sign in and out at the end of every working day
- if possible, choose a room that has windows or a door that has glass, allowing other students and professionals to see in without disturbing you
- make sure that the child has clear access to the door and that you are not placed in between the door and the child
- avoid touching the child where possible, unless for pedagogical purposes, in which case the context should be explained to the child before initiating contact (e.g. I am going to lift your elbow up to improve your hand position). Remember NSPCC: is it Necessary, Safe, Permitted, Clear, Contextual?
- if a child is not comfortable with being touched (either by telling you or by their actions) do not touch the child again and report any concerns to the Designated Safeguarding Lead
- report any concerns as soon as possible to the Designated Safeguarding Lead at Kent Music and at the school you are working in (if the child attends that school)
- never prevent the child from leaving the room; if they do leave, ensure that they are safe, either yourself, or by contacting another member of staff who can ensure the safety of the child
- avoid confrontational behaviour or arguments with a child; it is always better to 'back down' and continue the discussion with other professionals and/or parents present