



## **Nottingham Music Service Safeguarding Children and Young People Policy**

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<b>Current ratified version:</b>	(Changes to reflect updated KCSiE guidance Sept 2018)

**Notes:** This policy has been compiled with reference to the DCSF document 'Working together to Safeguard Children' 2018, the 'Nottinghamshire and Nottingham City Safeguarding Children Boards' Safeguarding Children Procedures' May 2014 and the Keeping Children Safe in Education September 2018 Guidance

Ratification of this policy and its subsequent revisions shall be recorded as including all appendices.

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**This policy applies to all Trustees and members of staff, secondees, volunteers and freelance workers contracted to Nottingham Music Service.**

### **Introduction**

Nottingham Music Service recognises that nothing is more important than children's welfare. Children who need help and protection deserve high quality and effective support as soon as a need is identified.

As a service we recognise that safeguarding and promoting the welfare of children is everyone's responsibility, including all those who work with children, young people and families; those who manage staff within this work; staff who work with mothers, fathers, carers and other adults who have contact with children; staff who have both direct and indirect contact with children, including administration, support and back office staff; volunteers, community groups and the general public. The complexity of the work relies upon effective inter-agency working between the partner agencies, which includes a high degree of co-operation and a commitment to a continual need to improve practitioner practice.

Working Together 2018 describes Safeguarding and Promoting Welfare as being:

- Protection of children from maltreatment
- Prevention of the impairment of children's health or development

- Ensuring that children are growing up in circumstances consistent with the provision of safe and effective
- Taking action to enable all children to have the best outcomes

Section 11 of The children Act 2004 requires a range of agencies to make arrangements for ensuring that their functions, and services provided on their behalf, are discharged with regard to the need to safeguard and promote the welfare of children.

Agencies have a responsibility to:

- Have appropriate procedures in place to safeguard and promote the welfare of children
- Provide or commission appropriate training for staff
- Appoint Designated Safeguarding Leads who can provide advice, support and guidance to colleagues and take a practitioner lead on promoting and safeguarding children's welfare.

### **Aims of Policy**

This policy recognises that safeguarding covers a range of issues that require careful consideration, especially when working in partnership with multiple organisations, including:

- Staff recruitment and training
- Project planning, risk assessment and health and safety
- Disclosure of abuse and reporting procedure
- Data protection and use of images

It sets out in clear terms how the procedures of Nottingham Music Service are designed to ensure the safety and protection of children, young people; and clarifies the role of the Nottingham Music Service and Partner Safeguarding Policies.

In the following pages the word "staff" should be taken to include those employed by Nottingham Music Service, secondees, self-employed freelance workers contracted to Nottingham Music Service, and volunteers of Nottingham Music Service including Trustees.

### **Procedures**

#### **Section 1: Staff**

##### **Designated Safeguarding Lead**

A senior member of Nottingham Music Service will be the Safeguarding Lead (SL) with regard to child protection. They will act as a contact between any staff member, volunteer or partner of Nottingham Music Service who has a concern and the appropriate service/agency who will deal with the issue. A designated Trustee has also been identified to support the SLs and report to the board on safeguarding matters.

The Safeguarding Lead (SL) will not be expected to be a child protection expert but will be a channel for information. They will not be expected to deal with any child protection issues on their own. The Safeguarding Lead will ensure that all staff and partners of Nottingham Music Service receive copies of policies and procedures in relation to the safety and protection of children and young people.

Deputy Safeguarding Lead – A second member of the senior management team should be nominated as a deputy safeguarding lead to ensure provision of cover if the SL is not available. They will be trained to the same standard as the SL and will assume their responsibilities in the SL's absence.

The Safeguarding Lead will establish and manage an incident file where they will record any reported incidents or breach of Safeguarding policies and procedures. This will be kept in a secure place and its contents will be confidential.

The safeguarding lead is also expected to:

- Refer cases of suspected abuse to the local authority children's social care as required;
- Support staff who make referrals to local authority children's social care;
- Refer cases to the Channel programme where there is a radicalisation concern as required;
- Support staff who make referrals to the Channel programme;

### **Recruitment of Staff**

The Safeguarding Vulnerable Groups Act 2006 provides the legislative framework for ensuring that staff who work within the children and adult workforces are suitable to do so. The Nottingham City Safeguarding Children Board dictates that all organisations must ensure they have in place safe recruitment policies and practices, including enhanced Disclosure and Barring Service (DBS) checks for all staff, including agency staff, students, freelance workers and volunteers, working with children. It is an offence knowingly to employ a person who has been barred by the DBS from working in posts which involve caring for or treating children.

The Designated Safeguarding Lead will ensure that anyone employed or contracted by Nottingham Music Service (including volunteers) who maintains frequent and intensive contact with children or young people as part of their work for Nottingham Music Service will be expected to agree to an enhanced level (DBS) disclosure; and provide two relevant references as part of adhering to the Nottingham Music Service Safeguarding Policy.

Teacher Prohibition – As part of the recruitment process all applicants are requested to declare if they have been subject to any disciplinary procedures. Teaching specific applications should include a declaration regarding any prohibition from teaching that the individual may be subject to.

All roles within Nottingham Music Service are considered exempt from the Rehabilitation of Offenders Act 1974; this does not mean necessarily that those with previous convictions cannot legally be offered roles working with people under 18.

When considering recruiting an individual with a criminal record a fair risk assessment will be carried out taking into account all the factors relating to the role, the criminal record and the level of risk associated with recruiting the individual concerned.

**Disqualification by Association** was updated in February 2015. Anyone who works with children under the age of 8 can be disqualified from their role if they share an address with someone who is on the Sex Offenders Register. Nottingham Music Service works primarily with children and young people aged 8+ and the decision was taken by the board that staff would not be required to declare this as this area of the law is not relevant to the children and young people we work with. The exception would be any staff who work on our early years projects would be subject to making a declaration under this ruling.

#### **Dissemination of information to staff**

The Designated Safeguarding Lead will ensure that anyone employed or contracted by Nottingham Music Service (including volunteers) will be informed of the Safeguarding Policy adopted by Nottingham Music Service and agree to undertake procedures within it. Staff will initially be made aware at interview and consequently be informed of any changes or additions to said policy and will be expected to fulfil any requirements (including participating in training where available and appropriate) made of them to ensure full compliance with the policy and related legislation.

Nottingham Music Service understands that individual staff have a responsibility (commensurate with the role of their organisation) to:

- Keep up to date with current research and evidence based practice
- Be alert to concerns for the welfare of children and signs of abuse
- Provide appropriate services within their own agencies
- Refer children for appropriate service to meet their needs.

The Nottingham City Safeguarding Children Board states that all agencies are responsible for ensuring that their staff have access to and undergo appropriate child protection / safeguarding children training. It is essential that everyone recognises their responsibility within the process and are committed and able to undertake this.

*'Safeguarding and promoting the welfare of children is everyone's responsibility. Everyone who comes into contact with children and their families and carers has a role to play in safeguarding children. In order to fulfil this responsibility effectively, all professionals should make sure their approach is child-centred. This means that they should consider, at all times, what is in the best interests of the child.'*

*Safeguarding and promoting the welfare of children is defined for the purposes of this guidance as: protecting children from maltreatment; preventing impairment of children's health or development; ensuring that children grow up in circumstances consistent with the provision of safe and effective care; and taking action to enable all children to have the best outcomes.'* – Keeping Children Safe in Education 2016

## **Section 2: Project planning and delivery**

### **2.1 Partner Delivered Projects (e.g. Commissioned Projects)**

Where activity is delivered or led by Nottingham Music Service partner organisations, it will be delivered in line with the partner's safeguarding procedure; which will be agreed with Nottingham Music Service in advance of the activity. The Designated Safeguarding Lead will ensure that a partnership agreement will also confirm that each partner is responsible for the DBS checking of all relevant staff to enhanced level; properly supervising activity; ensuring the relevant health and safety, risk assessment and insurance measures are taken; and gathering documentation such as parent/carer permission, emergency contacts, medical details and photography permission.

### **2.3 Nottingham Music Service Led Projects**

Activity managed and delivered centrally by Nottingham Music Service may involve a partner organisation (most usually a school) with responsibility for recruitment, welfare and supervision of the participants (the host). Where this is the case the Designated Safeguarding Lead will ensure that the partnership agreement specifies the requirement for the host partner to have in place a comprehensive Safeguarding Policy; are responsible for the DBS checking of their staff to enhanced level; properly supervising activity; ensuring the relevant health and safety, risk assessment and insurance measure are taken and gathering data such as parent/carer permission, emergency contacts, medical details and photography permission.

Where activity managed and delivered centrally by Nottingham Music Service does not include one central host/partner organisation (such as Music School, Area Bands, events and performances) the appropriate Team Leader will be responsible for properly supervising activity; ensuring the relevant health and safety, risk assessment measures are taken (see below); and gathering documentation such as parent/carer permission, emergency contacts, medical details and photography permission.

In both cases the Designated Safeguarding Lead will ensure that Nottingham Music Service staff involved will have enhanced level DBS disclosures and that appropriate staffing and insurance is in place.

### **DBS Disclosures**

Enhanced DBS disclosures will be obtained for all trustees, staff, and volunteers new to Nottingham Music Service; all DBS disclosures will be updated every 3 years.

Enhanced DBS disclosures will be obtained for all freelance workers who work on a regular basis, new to Nottingham Music Service, they will then be contractually obliged to pay the individual annual fee to maintain their records.

In the period of time where DBS disclosures are pending trustees, staff, volunteers and freelance workers will be allowed to work/volunteer with children and young people only with specific permission from the host partner (where appropriate) and if they are fully supervised

by a colleague with an up to date DBS disclosure. A risk assessment will be undertaken by Nottingham Music Service in this situation.

In line with guidance from the Disclosure and Barring Service trustees, staff, volunteers or freelance workers who have no regular or unsupervised contact with children and young people do not need a DBS disclosure.

### **Ongoing duty to disclose criminal activity**

Although enhanced DBS disclosures will be obtained every three years, as above, all staff will be required to immediately disclose any criminal activity to their line manager (or, in the case of trustees, to the chief executive) notwithstanding that that activity may fall in between DBS checks.

Further, all staff will be required to confirm on an annual basis and in writing, that they have not been involved in any criminal activity over the preceding year.

### **Code of Conduct**

All staff will be asked to sign up to a Staff Code of Conduct (see Appendix 8). This will be reviewed on an annual basis and staff will be asked to re-sign the document in event of any changes. This will form part of Nottingham Music Service's on-going safeguarding assessment and review.

As part of the new regulations for Keeping Children Safe in Education, all staff must read and understand Part One and the Annex of this document. Records must be kept of when staff have done so.

All staff must also have an annual safeguarding briefing to ensure they are aware of any changes in the law or practice. This is usually done in September as part of a team CPD day.

### **Safe use of Social Media – is explained in more detail within our staff/volunteer Code of Conduct in Appendix 8**

### **Health and Safety**

Nottingham Music Service believes that all activities should take place in a safe environment and that it is their responsibility to ensure that the rooms and equipment being used are appropriate. This includes safety, health and hygiene issues, fire evacuation and transport. Nottingham Music Service realises that music provision may present a particular risk around excess noise and hearing damage; lifting of equipment and use of electrical equipment. All such issues will be covered in individual activity/event risk assessments (see below) and relevant preventative measures taken such as hearing protection; appropriate noise levels maintained during activity; headphones provided; training provided in appropriate lifting techniques and safety when using electrical equipment adhered to.

Nottingham Music Service will ensure (where appropriate in negotiation with host partners) that a correctly stocked first aid box will be available at all times and staff will be trained to use it. The names of the first-aider will, where possible, be displayed prominently and all staff will be aware of who this is. An accident book will be kept by Nottingham Music Service or, where more appropriate, the 'host partner'. Where appropriate and relevant Nottingham Music Service will also support staff in gaining first aid qualifications.

### **Risk Assessment**

A full risk assessment will be carried out for each activity (where relevant in collaboration with the host partner). This will cover health and safety and safeguarding issues and clearly identify responsibility. All staff and volunteers involved in the project will be given copies of the risk assessment and made aware of any issues and their own responsibility. A template is provided in appendix 5).

## **Section 4: Disclosure of Abuse and Reporting Procedure**

### **Information Sharing - GDPR Implications**

Sharing information enables practitioners and agencies to identify and provide appropriate services that safeguard and promote the welfare of children. Below are common myths that may hinder effective information sharing.

#### **Data protection legislation is a barrier to sharing information -**

No – the Data Protection Act 2018 and GDPR do not prohibit the collection and sharing of personal information, but rather provide a framework to ensure that personal information is shared appropriately.

#### **Consent is always needed to share personal information -**

No – There may be some circumstances where it is not appropriate to seek consent, because the individual cannot give consent, or it is not reasonable to obtain consent, or because to gain consent would put a child's or young person's safety at risk.

#### **Personal information collected by one organisation/agency cannot be disclosed to another -**

No – this is not the case, unless the information is to be used for a purpose incompatible with the purpose for which it was originally collected. In the case of children in need, or children at risk of significant harm, it is difficult to foresee circumstances where information law would be a barrier to sharing personal information with other practitioners .

#### **The common law duty of confidence and the Human Rights Act 1998 prevent the sharing of personal information -**

No – this is not the case. In addition to the Data Protection Act 2018 and GDPR, practitioners need to balance the common law duty of confidence and the Human Rights Act 1998 against the effect on individuals or others of not sharing the information.

## **IT Systems are often a barrier to effective information sharing -**

No – IT systems, such as the Child Protection Information Sharing project (CP-IS), can be useful for information sharing. IT systems are most valuable when practitioners use the shared data to make more informed decisions about how to support and safeguard a child.

### **Procedure**

Although some activity delivered in partnership with a 'host' partner ensures that members of Nottingham Music Service staff do not take sole responsibility for well-being of participants. It is however recognised that the responsibility to be alert to concerns for the welfare of children and signs of abuse rests with all staff that are present.

### **Early Help**

Staff should always be aware of the potential need of a child who:

- Is disabled and has specific additional needs
- Has special educational needs (whether or not they have a statutory Education, Health and Care Plan)
- Is a young carer
- Is showing signs of being drawn into anti-social or criminal behaviour, including gang involvement and association with organised crime groups
- Is frequently missing/goes missing from care or from home<sup>7</sup>
- Is at risk of modern slavery, trafficking or exploitation
- Is at risk of being radicalised or exploited
- Is in a family circumstance presenting challenges for the child, such as drug and alcohol misuse, adult mental health issues and domestic abuse
- Is misusing drugs or alcohol themselves

NMS and agencies have a responsibility to identify emerging problems and potential unmet needs of individual children. In this case NMS should alert the Local authorities who will work with NMS and other relevant agencies to develop joined-up early help services based on a clear understanding of local needs.

The following Code of Practice must be followed in all cases of suspected abuse or inflicted injury however slight the suspicion, and also where there is suspected sexual abuse.

#### **Immediate Action of the Witness**

- Any person with concerns must immediately contact the Designated Safeguarding Lead to inform them of the matter and if necessary, to seek approval on any further action to be taken.
- Complete written notes for the Designated Safeguarding Lead on the e-form available on the team shared cloud drive

#### **Subsequent Action**



- The Designated Safeguarding Lead will then discuss whether a child protection referral needs to be made to the Emergency Duty Team. (See the telephone numbers and times in Appendix 1)
- If a referral is to be made, it is the responsibility of the Designated Safeguarding Lead for safeguarding to telephone the appropriate Team
- Under no circumstances attempt to carry out an investigation into the matter. This is the responsibility of the Children's Social Care.

**The Designated Safeguarding Lead will send copies of the referral pro-forma and any relevant reports to Social Care and to all parties identified on the Pro-forma within 24 hours and will create a confidential file for Nottingham Music Service. All such files will be kept at Nottingham Music Service and access to them will be strictly limited to the Designated Safeguarding Lead**

On the next working day the Designated Safeguarding Lead will notify the Designated Safeguarding Leader at the young person's school or college and then send them, under confidential cover, a copy of the referral pro-forma for their confidential file.

Once a referral has been made to the Nottingham Children's Social Care, the following processes will take place:

**S47 Enquiries:** - Following a Child Protection referral to Social Care the Designated Safeguarding Lead should be advised as to whether S47 enquiries are to be initiated. Dependent on the outcome of these, a decision to convene on Initial Child Protection Conference (ICPC) might result.

(S47 Children's Act 1989 - Significant Harm – S47 requires Local Authorities to make Child Protection enquiries if they have reasonable cause to suspect a child in their area is suffering or likely to suffer significant harm and for Local Authorities and other organisations to assist them with those enquiries if asked to do so.)

#### **Initial Child Protection Conference**

Once Children's Social Care decide to convene a Conference, this must take place within 15 days.

The witness, together with the Designated Safeguarding Lead will be expected to attend and to provide a written report for the Conference of their involvement. It is important that the report contains factual statements and not opinions.

**Action After the Conference** (Conference regulations should be distributed within 48 hours).

On receipt of the conference minutes, check them for accuracy immediately and inform the Children's Social Care of any amendments required.

If you are dissatisfied with the outcome of the Conference, discuss the matter with the Designated Safeguarding Lead who may consult the Chair of the Conference.

### **Support for Nottingham Music Service Staff**

Being involved in a child protection case can be a stressful experience. Make sure that you talk to someone in the Service about your feelings as soon as possible - this can be the Designated Safeguarding Lead or your line manager.

### **Recognising Abuse**

Recognising when a child is experiencing abuse or neglect can be complex. It is essential staff receive the appropriate level of training and support required for them to be able to identify and act on issues of possible abuse or neglect. See Appendix 4 for the definitions of abuse and neglect from Working Together 2013.

Child abuse occurs to children of both sexes and all ages, in all cultures, religions, and social classes and to children with and without disabilities. All staff should be alert to signs that a child may be at risk of significant harm, which includes consideration of:

- Identification of child abuse may be difficult. It normally requires both social and medical assessment.
- Previous suspicions or a previous record of abuse or a history of multi-generational abuse are significant indicators or current and future actions and must be taken into account.
- Always listen to the child - pay particular attention to any spontaneous statement. In the case of children without speech, or with limited language, pay attention to their signing or other means of expression, including behaviour and spontaneous play.
- Any delay in seeking medical assistance or indeed no medical assistance sought at all - could be an indicator of abuse.
- Beware if explanation of an 'incident' is vague, lacking detail, inconsistent with the injury or varies with each telling.
- Take a note of inappropriate responses from parents and carers.
- Observe the child's interaction with the parents - particularly wariness or fear or "frozen watchfulness" i.e. persistent anxious regard of an adult by a baby or young child.
- Any history or patterns of unexplained injury/illness requires the most careful scrutiny. (The fact that parent/carer appears to be highly attentive and concerned should not divert attention from the assessment of risk.)
- Beware if the injury is inconsistent with the child's development and mobility.

### **Female Genital Mutilation mandatory reporting duty**

All staff should speak to the designated safeguarding lead (or deputy) with regard to any concerns about female genital mutilation (FGM) If a NMS staff member, in the course of their work, discovers that an act of FGM appears to have been carried out on a girl under the age of 18, they must report this to the designated Safeguarding Lead/Deputy who **must** report this to the police.

### **So-called 'honour-based' violence**

So-called 'honour-based' violence (HBV) encompasses incidents or crimes which have been committed to protect or defend the honour of the family and/or the community, including female genital mutilation (FGM), forced marriage, and practices such as breast ironing. Abuse

committed in the context of preserving “honour” often involves a wider network of family or community pressure and can include multiple perpetrators. All forms of HBV are abuse (regardless of the motivation) and should be handled and escalated as such.

#### **Actions**

If staff have a concern regarding a child that might be at risk of HBV or who has suffered from HBV, they should speak to the designated safeguarding lead (or deputy). As appropriate, they will activate local safeguarding procedures, using existing national and local protocols for multi-agency liaison with police and children’s social care

If you are concerned about a child or young person, or if a child or young person expresses a wish to disclose their own concerns:

- Listen to anything they say
- Report your concerns to the Designated Safeguarding Lead at Nottingham Music Service
- Keep the whole matter confidential
- DO NOT interrogate the young person beyond normal friendly enquiries. The role of Nottingham Music Service staff is to refer concerns, not to investigate them.
- DO NOT promise the pupil confidentiality.

#### **Allegations Against Nottingham Music Service Staff**

In the event of any allegation of significant harm arising with respect to any member of Nottingham Music Service staff, immediate consultation must take place with the Designated Safeguarding Lead. This should take place, if possible, before discussing the concerns with the member of staff involved. If the allegation is against the Designated Safeguarding Lead then consultation should be with either the Deputy DSL or the Chair of the NMS Board.

Working Together 2018 requires a more robust, structured response to allegation/concerns that relate to people that work with children. The threshold for this process is an allegation that indicates an individual may have:

- Behaved in a way that has, or may have harmed a child
- Possibly committed a criminal offence against, or related to, a child; or
- Behaved in a way that indicates that s/he is not suitable to work with children

The Designated Safeguarding Lead will decide whether to initiate a Strategy Discussion with the Local Authority Designated Officer (LADO) and then whether to make a referral to Children’s Social Care. See reporting diagram in Appendix 3.

#### **Prevent Strategy**

One of the provisions of the Counter Terrorism and Security Act 2015 is to place a duty on certain organisations to prevent people from being drawn into terrorism. This duty is known as the 'Prevent Duty'

and as well as applying to schools, colleges, hospitals etc, it also applies to all Ofsted-registered childcare settings.

The Prevent Duty came into force on 1 July 2015 and will be included in Ofsted inspections.

### **Modern Slavery**

If practitioners have concerns that a child may be a potential victim of modern slavery or human trafficking then a referral should be made to the National Referral Mechanism, as soon as possible.

### ***Vulnerability to radicalisation or extreme view points***

Nottingham Music Service recognises its duty to protect our students from indoctrination into any form of extreme ideology which may lead to the harm of self or others. This is particularly important because of the open access to electronic information through the internet.

NMS vets all partners carefully and will take firm action if any individual or group is perceived to be attempting to influence members of our community, either physically or electronically.

Our definition of radical or extreme ideology is ‘a set of ideas which could justify vilification or violence against individuals, groups or self.’ Staff are vigilant for spotting signs of extremist view and behaviours and to always report anything which may suggest a student is expressing opinions which may cause concern.

Our core mission of diversity permeates all we do. We place a strong emphasis on the common values that all communities share such as self-respect, tolerance and the sanctity of life. We work hard to broaden our students' experience, to prepare them for life and work in contemporary Britain. We teach them to respect and value the diversity around them as well as understanding how to make safe, well-considered decisions.

### **Sexting or Youth Produced Sexual Imagery**

**We have updated our Safeguarding Policy to include information regarding Youth Produced Sexual Imagery. Staff need to be aware that as more young people have access to technology to create images and share them, that these incidents can and do occur. Advice from CEOP is to treat each case on an individual basis with the DSL and make a judgement based on the age, maturity of the young people involved, whether there was any criminal intent and the severity of the nature of their actions.**

Youth produced sexual imagery’ best describes the practice because:

- ‘Youth produced’ includes young people sharing images that they, or another young person, have created of themselves.
- ‘Sexual’ is clearer than ‘indecent.’ A judgement of whether something is ‘decent’ is both a value judgement and dependent on context.

- ‘Imagery’ covers both still photos and moving videos (and this is what is meant by reference to imagery throughout the document).

The types of incidents which this covers are:

- A person under the age of 18 creates and shares sexual imagery of themselves with a peer under the age of 18
  - A person under the age of 18 shares sexual imagery created by another person under the age of 18 with a peer under the age of 18 or an adult
- A person under the age of 18 is in possession of sexual imagery created by another person under the age of 18

This does not cover:

- The sharing of sexual imagery of people under 18 by adults as this constitutes child sexual abuse and schools should always inform the police.
- Young people under the age of 18 sharing adult pornography or exchanging sexual texts which don’t contain imagery.

Further Advice on how to deal with Youth Produced Sexual Imagery incidents is in Appendix 9 below.

### **Sexual violence and sexual harassment between children**

Sexual violence and sexual harassment can occur between two children of **any** age and sex. It can also occur through a group of children sexually assaulting or sexually harassing a single child or group of children.

Sexual violence and sexual harassment exist on a continuum and may overlap, they can occur online and offline (both physical and verbal) and are never acceptable. It is important that **all** victims are taken seriously and offered appropriate support. Staff should be aware that some groups are potentially more at risk. Evidence shows girls, children with SEND and LGBT children are at greater risk.

Staff should be aware of the importance of:

- making clear that sexual violence and sexual harassment is not acceptable, will never be tolerated and is not an inevitable part of growing up;
- not tolerating or dismissing sexual violence or sexual harassment as “banter”, “part of growing up”, “just having a laugh” or “boys being boys”; and challenging behaviours (potentially criminal in nature), such as: grabbing bottoms, breasts and genitalia, flicking bras and lifting up skirts. Dismissing or tolerating such behaviours risks normalising them.

### **Appendix 1: Contacts**

#### **Key Contacts**

Local Authority Designated Officer (LADO) - Rebecca Hullett Tel: 0115 876 4744

Also, please note that **all referrals for both Social Care and Early Intervention Services**, should now be made to the **Children and Families Direct Telephone number and e-mail address: 0115 876 4800**

[candfdirect@nottinghamcity.gcsx.gov.uk](mailto:candfdirect@nottinghamcity.gcsx.gov.uk)

NSPCC Helpline: 0808 800 5000

#### **Useful Contacts for Advice, Support and Counselling**

Nottingham Counselling Centre, Victoria Court, Tent Street Nottingham NG1 3LZ 0115 9501743

Samaritans, counselling for those in despair or suicidal - 18 Clarendon Street, Nottingham, 08457 909090

Women's Aid Integrated Services, services for women who are the victims of domestic violence, 0115 9475257

Roshni, Women's Aid Services, 0115 9881414

Umuada Refuge, Women's Aid Services, 0115 841771

Nottingham Rape Crisis, support and advice for women who have been raped, however long ago, 0115 9410440

Childline, Telephone helpline for children suffering abuse 0800 1111

Nottingham Domestic Violence Forum, 0115 9623237

Nottingham AGENDA , a group of men who want to change their violent or abusive behaviour, 0115 9691475

Child Exploitation Online Protection Centre, provides information on keeping children safe in the digital world. Child abuse can also be reported to CEOP where it relates to digital (Online) technologies. [www.ceop.gov.uk](http://www.ceop.gov.uk)

## **Appendix 2: Information and Action Flow – Concerns about a Child or Young Person**

<b>Referral Process for Nottingham Music Service Staff</b>
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Trustee, employee, contractor or 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 Service's Designated Safeguarding Lead for Child Protection.



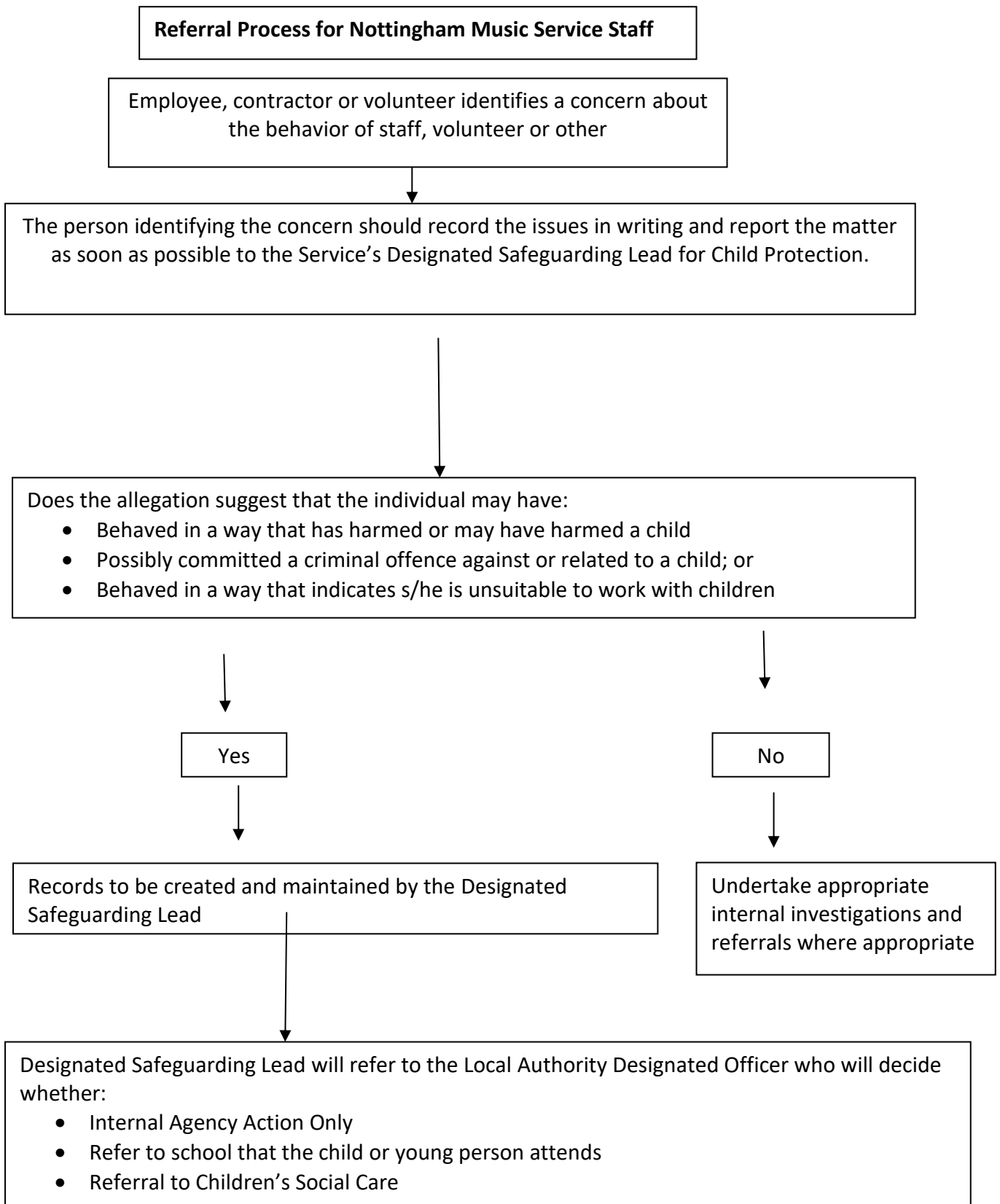
Records to be created and maintained by the Designated Safeguarding Lead



Designated Safeguarding Lead will refer to the NCSCB who will decide whether:

- Internal Agency Action Only
- Refer to school that the child or young person attends
- Referral to Children's Social Care
- Strategy Meeting

**Appendix 3: Information and Action Flow – Concerns about a member of Staff**





## Appendix 4

### Definitions of Abuse

#### What is abuse?

Taken from Keeping Children Safe in Education 2018 Statutory Guidance

- Physical abuse
- Emotional abuse
- Sexual abuse
- Neglect

#### Indicators of abuse and neglect

All staff should be aware that abuse, neglect and safeguarding issues are rarely standalone events that can be covered by one definition or label. In most cases, multiple issues will overlap with one another.

**Abuse:** a form of maltreatment of a child. Somebody may abuse or neglect a child by inflicting harm or by failing to act to prevent harm. Children may be abused in a family or in an institutional or community setting by those known to them or, more rarely, by others. Abuse can take place wholly online, or technology may be used to facilitate offline abuse. Children may be abused by an adult or adults or by another child or children.

**Physical abuse:** a form of abuse which 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:** the persistent emotional maltreatment of a child such as to cause severe and adverse effects on the child's emotional development. It may involve conveying to a child that they are worthless or unloved, inadequate, or valued only insofar as they meet the needs of another person. It may include not giving the child opportunities to express their views, deliberately silencing them or 'making fun' of what they say or how they communicate. It may feature age or developmentally inappropriate expectations being imposed on children. These may include interactions that are beyond a child's developmental capability as well as overprotection and limitation of exploration and learning, or preventing the child from participating in normal social interaction. It may involve seeing or hearing the ill-treatment of another. It may involve serious bullying (including cyberbullying), 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, although it may occur alone.

**Sexual abuse:** involves forcing or enticing a child or young person to take part in sexual activities, not necessarily involving a high level of violence, whether or not the child is aware of what is happening. The activities may involve physical contact, including assault by penetration

(for example rape or oral sex) or non-penetrative acts such as masturbation, kissing, rubbing and touching outside of clothing. They may also include non-contact activities, such as involving children in looking at, or in the production of, sexual images, watching sexual activities, encouraging children to behave in sexually inappropriate ways, or grooming a child in preparation for abuse. Sexual abuse can take place online, and technology can be used to facilitate offline abuse. Sexual abuse is not solely perpetrated by adult males. Women can also commit acts of sexual abuse, as can other children. The sexual abuse of children by other children (Peer on Peer Abuse) is a specific safeguarding issue in education (See Below).

**Neglect:** 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, for example, as a result of maternal substance abuse. Once a child is born, neglect may involve a parent or carer failing to: provide adequate food, clothing and shelter (including exclusion from home or abandonment); protect a child from physical and emotional harm or danger; ensure adequate supervision (including the use of inadequate care-givers); or ensure access to appropriate medical care or treatment. It may also include neglect of, or unresponsiveness to, a child's basic emotional needs.

#### **Peer on Peer Abuse**

All staff should be aware that safeguarding issues can manifest themselves via peer on peer abuse. This is most likely to include, but may not be limited to:

- Bullying (including cyberbullying);
- Physical abuse such as hitting, kicking, shaking, biting, hair pulling, or otherwise causing physical harm;
- Sexual violence and sexual harassment;
- Sexting (also known as youth produced sexual imagery); and
- Initiation/hazing type violence and rituals.

**Appendix 5: General Risk Assessment Form**

Note that revision of the following Risk Assessment Form should be carried out together with a review and revision of the Nottingham Music Service Health & Safety Policy

Task / premises:

**ASSESSMENT OF SPECIFIC SIGNIFICANT HAZARDS:**

HAZARD	RISK	PERSONS AT RISK	CONTROL MEASURES	COMMENTS ACTIONS	RESIDUAL RISK RATING	TICK IF ALL IN PLACE

Assessment carried out by: ..... Signed/Verified by:..... Date:.....

## Appendix 6: Image Consent Form



### Image Consent Form

Name of Child/Young Person

\_\_\_\_\_

Activity/Project attending:

\_\_\_\_\_

To help us comply with the Data Protection Act 1998 and our Safeguarding Policy, we would like your consent before we take your child's photo, use images, videos, recordings and quotes. These photos, video or audio recordings, and quotes may be sent out to the media with a press release, used in our publications, in exhibitions, on any social media sites (which include but are not limited to YouTube, Twitter and Facebook), and on our own and, partner website in connection with this activity. Please note that websites can be seen throughout the world, and not just in the United Kingdom, where UK law applies \*.

\*Legal information regarding the use of photographs can be found at [www.nottinghammusicclub.org.uk](http://www.nottinghammusicclub.org.uk)

**Please tick as appropriate:**

I do agree that photos, videos, recordings and quotes can be taken and used as detailed above.

I do not agree that photos, videos, recordings and quotes can be taken and used as detailed above

Signed: \_\_\_\_\_

Date:

\_\_\_\_\_

Full name (capitals): \_\_\_\_\_ Parent /

Guardian



DSL Comments:
Other Agencies Contacted: (name of person and agency)

Feedback by DSL to referrer completed

CEO/ Designated Safeguarding Leader

Date:

*A digital copy of this form is available for all staff to access through the shared Nottingham Music Service Google drive.*

## **Staff Code of Conduct**

The purpose of this code is to provide a clear framework within which employees of Nottingham Music Service are expected to conduct themselves. Nottingham Music Service strives to maintain a work environment for its employees and a learning environment for its students in which honesty, integrity and respect for fellow employees, and students are constantly reflected in personal behaviour and standards of conduct.

This code covers some of the most important issues relating to personal conduct, and gives a framework of standards and behaviour guidelines, but it is not intended to be exhaustive

In this document, “employee” includes seconded, contracted and freelance staff, and volunteers.

### **1. Basic principles**

- The welfare of the child always comes first.
- Staff are responsible for their own behaviour and should avoid any conduct, which would lead a reasonable person to question their motivation.
- Staff should work, and be seen to work, in an open and transparent way.
- Staff should discuss and/or take advice promptly from the Designated Person or another senior member of staff over any incident, which may give rise to concern.
- Records should be made of any such incident and of decisions made/further actions agreed.
- Staff should apply the same professional standards regardless of gender, ethnicity, disability, age or sexuality.
- All staff should know that the Operations Manager is their designated person for child protection, be familiar with Nottingham Music Service’s and their individual school’s child protection arrangements and understand their responsibilities to safeguard and protect children.
- Staff should be aware that breaches of the law and other professional guidelines could result in criminal or disciplinary action being taken against them.

### **2. Duty of Care**

All staff have an equal duty to keep students safe and to protect them from physical and emotional harm. This duty is, in part, exercised through the development of respectful, caring and professional relationships between staff and students and behaviour by staff that shows integrity, maturity and good judgement. It is important to note that there are times that staff are in loco parentis and have full responsibility for the care of students.

### **3. Exercise of Professional Judgement**

There may be times when staff have to make decisions or take action in the best interests of the child which could contravene this guidance or where no guidance exists. Staff are expected to make judgements about their behaviour which is in the best interests and welfare of the students in their charge and in so doing, will be seen to be acting reasonably.

#### **4. Power and Positions of Trust**

All adults working with students in the duties of Nottingham Music Service are in positions of authority and therefore are in positions of trust in relation to those students. A relationship between a member of staff and a pupil cannot be a relationship of equals. Staff have a responsibility to ensure that an unequal balance of power is not used for personal advantage or gratification.

#### **5. Confidentiality**

Staff must treat information they receive about students in a discreet and confidential manner. If staff are in doubt about sharing information they hold of which has been requested, they should seek advice from the Operations Manager or other senior staff. (If abuse is alleged or suspected, then staff have a duty to speak to the Operations Manager or Chief Executive). Where staff collect personal data (either electronically or in hard copy) appropriate care should be taken to ensure this data is confidentially stored in line with the Data Protection Act – please see the data protection policy or speak to the Operations Manager for more information.

#### **6. Propriety and Behaviour**

All staff have a responsibility to behave appropriately with students, colleagues and parents. Bullying behaviour will not be tolerated and professional standards should be maintained; particularly in regard to maintaining public confidence in our ability to safeguard the welfare and best interests of students.

#### **7. Dress and Appearance**

Staff's dress and appearance are matters of personal choice and self-expression. However staff should wear clothing which promotes a positive and professional image and is appropriate to their role. It is important to note that we work with a young, diverse and sometimes vulnerable group of people and particular consideration should be given to ensure no inadvertent offence is caused by inappropriate images or length (of shorts/skirts) and neck lines.

#### **8. Gifts**

There are occasions when students or parents wish to pass on small tokens of appreciation to staff, e.g. at the end of the school year and this is acceptable. It is unacceptable to receive gifts on a regular basis or of any significant value. Any gifts to individual students will be part of an agreed reward system. Gifts from staff to students will be given equally and will be of insignificant value.



## **9. Infatuations**

Staff should report any indications that a pupil may be infatuated with a member of staff.

## **10. Social Contact**

Staff should not try to establish social contact with students for the purpose of friendship or to strengthen a relationship. Staff should not give students their personal details (e.g. telephone numbers, Facebook etc). Staff should report and record any situation, which they feel, might compromise the Music Service or their own professional standing. Staff who use social networking sites on the internet should manage their accounts in such a way that personal information is not available to students or their families (see IT Policy for further information).

## **11. Physical Contact**

There are occasions (including supporting students with SEN) when it is entirely appropriate and proper for staff to have physical contact with students, but it is crucial that they only do so in ways appropriate for their professional role.

## **12. Students in Distress**

If a distressed pupil needs comfort and reassurance, then age-appropriate physical contact may be provided by staff but this contact must not be threatening, intrusive or subject to misinterpretation.

## **13. Behaviour Management**

All students have a right to be treated with respect and dignity. Force must never be used for punishment. Although humour can help to defuse a situation, sarcasm and demeaning or insensitive comments are never acceptable. Some students may have an Individual Physical Handling Plan.

## **14. Care, Control and Physical Intervention**

Each school Nottingham Music Service works in has a policy on physical intervention, which must be followed. Staff should always seek to defuse situations. If force is required (i.e. to prevent a child causing injury to him/her self or others) it must be minimum force for the shortest period necessary. Any physical intervention should be reported and recorded.

## **15. One to One Situations**

Staff should avoid situations, if at all possible, where they are alone and unobserved with individual children and all activity, as far as possible, should be publicly observed. Where staff are working in one to one situations with students they may be more vulnerable to allegations. Staff should recognise this possibility and plan and conduct such meetings accordingly. Every

attempt should be made to ensure that the safety and security needs of both staff and students are met.

## **16. Transporting Students**

The transporting of students in own vehicles is not advised, but if unavoidable only when permission has been obtained from a line manager. Wherever possible and practicable it is advisable that transport is undertaken with at least one additional adult to the driver. Staff should ensure that their behaviour is safe, that the vehicle is roadworthy/appropriately insured (with personal business use cover) and that the car is fitted with age-appropriate car seats if necessary.

## **17. Educational visits and after-school activities and clubs**

Staff should be fully aware of all the guidance contained within the service's Educational Visits Policy alongside LA and national guidance and requirements. The Educational Visits Co-ordinator is the Operations Manager and she should be consulted on all aspects of educational visits, including risk-assessments.

## **18. Photography, Videos and Other Creative Arts**

Staff should be clear about the purpose of any activity, which involves photography, or video of students. Staff must not take, display or distribute images of students unless they have consent to do so and only when directed for specific work related promotional activities. Where possible, staff should use Nottingham Music Service cameras and film recorders to photograph or film students. In the event that they use their own equipment, such images should not be stored for longer than is necessary but should be transferred to service memory-systems or deleted.

## **19. Whistleblowing**

Staff must report any behaviour by colleagues that raises concerns. The Service Whistle Blowing Policy is available in the Policy handbook.

## **20. Sharing Concerns and Recording Incidents**

All staff should be aware of the Music Service's Child Protection procedures, including procedures for dealing with allegations against staff. Staff who are the subject of allegations are advised to contact their professional associations if they are a member of one. Staff must take responsibility for recording and reporting any incident, which may result in being misinterpreted and/or an allegation being made.

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**We believe that safeguarding children is everyone's responsibility.**

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**At Nottingham Music Service we are committed to keeping our children and young people safe from harm. Graham Drummond is the Designated Person for safeguarding and child protection. If we have any concerns reported we will always take action to protect a child and inform the relevant agencies.**

**All staff must follow Nottingham Music Service's Safeguarding policies and procedures.**

**All staff have a duty to report any child protection concerns to a designated person.**

**Anyone who has concerns or is in doubt should refer to the Nottingham City Safeguarding Children Board document "*What To Do If You're Worried a Child is Being Abused*" and follow the guidance.**

## **21. Acceptable Internet and IT Use**

### ***While using computers or tablets issued by Nottingham Music Service:***

- My computer use will only be for activities necessary for carrying out the duties of my post and for responsible personal use as allowed by my employer.
- I will not use computers for personal use during directed teaching time.
- I will not attempt to download illegal material or attempt to access inappropriate sites, newsgroups or chat areas such as racist, pornographic or violent sites.
- I will respect the copyright of Internet and other resources.
- I will ensure that the content of emails I send will be professional and appropriate.
- I will not forward emails with inappropriate content.
- I am aware that the content of emails may be used in any disciplinary proceedings.
- I will log details of any inappropriate material I find on my computer or any inappropriate use of ICT facilities and pass these on to the Operations Manager
- I will not use any computer in such a way as would disrupt the computer use of others.
- I will not interfere with any computer or network security measures in place.
- I will keep secure any passwords or confidential information entrusted to me as part of my duties.
- I will respect copyright of downloaded materials.
- I will be aware of Data Protection issues and adhere to the guidelines issued by Nottingham Music Service
- I will not divulge any confidential information which I encounter as part of the duties of my post, except when inappropriate material or use has to be reported.
- I am aware that the breach of this policy may lead to disciplinary procedures.

**All of the above apply equally to the use of Nottingham Music Service computers or tablets being used out of working hours.**

Users should be aware that monitoring and random checks are made on all computer use and e-mail messages sent and received.

## Appendix 9: Youth Produced Sexual Imagery (Sexting)

**\*This advice is for school and college settings but can apply to NMS activity such as Music School or Area Bands.**

Sexting in schools and colleges, responding to incidents, and safeguarding young people, guidance from the UK Council for Child Internet Safety (UKCCIS)

In August 2016 the UK Council for Child Internet Safety (UKCCIS) published non-statutory guidance on managing incidents of sexting by under-18s. Over 200 organisations were involved in creating the guidance, including government and the DfE, children's charities, UK Safer Internet Centre, CEOP, Police, and teachers' groups.

The UKCCIS guidance is non-statutory, but should be read alongside 'Keeping children safe in education'. It should be followed unless there's a good reason not to do so.

There is no clear definition of 'sexting'. Instead, this document talks about 'youth-produced sexual imagery'. This is imagery that is being created by under 18s themselves and involves still photographs, video, and streaming. In the guidance, this content is described as sexual and not indecent. Indecent is subjective and has no specific definition in UK law.

Incidents covered by this guidance:

- \* Person under 18 creates a sexual image of themselves and shares it with another person under 18.
- \* A person under 18s shares an image of another under 18 with another person under 18 or an adult.
- \* A person under 18 is in possession of sexual imagery created by another person under 18.

Incidents not covered by this guidance:

- \* Under 18s sharing adult pornography.
- \* Under 18s sharing sexual texts without sexual imagery.
- \* Adults sharing sexual imagery of under 18s. (This is child sexual abuse and must always be reported to police.)

Response to incidents of youth produced sexual imagery

The response should be guided by the 'principle of proportionality'.

**'The primary concern at all times should be the welfare and protection of the young people involved.'**  
**(Sexting in schools and colleges: responding to incidents and safeguarding young people (page 8))**

The Law

Making, possessing, and distributing any imagery of someone under 18 which is indecent is illegal. This includes imagery of yourself if you're under 18.

Indecent is not definitively defined in law, but images are likely to be considered indecent if they depict:

- \* a naked young person
- \* a topless girl
- \* an image which displays genitals, and
- \* sex acts including masturbation.
- \* indecent images may also include overtly sexual images of young people in their underwear

**These laws weren't created to criminalise young people but to protect them.**

Although sharing sexual images of themselves is illegal and risky, it is often the result of curiosity and exploration. Young people need education, support, and safeguarding, not criminalisation.

The National Police Chiefs' Council (NPCC) is clear that "youth-produced sexual imagery should be primarily treated as a safeguarding issue."

Schools may respond to incidents without involving the police. (However, in some circumstances, the police must always be involved.)

### **Crime recording**

When the police are notified about youth-produced sexual imagery, they must record this as a crime. The incident is listed as a crime, and the young person is the suspect. This is, however, not the same as a criminal record.

Every crime reported to the police must have an outcome code. The NPCC, Home Office and the DBS have agreed a new outcome code for youth-produced sexual imagery.

Outcome 21: This outcome code allows the police discretion not to take further action if it is not in the public interest, even though there is enough evidence to prosecute.

Using this outcome code is likely to mean the offence would not appear on a future Enhanced DBS check, although not impossible, as that disclosure is a risk-based decision. Schools can be assured that the police have the discretion they need not to adversely impact young people in the future.

### **Handling incidents**

- \* Refer to the designated safeguarding lead
- \* DSL meets with the young people involved

- \* Do not view the image unless it is unavoidable
- \* Discuss with parents, unless there is an issue where that's not possible
- \* Any concern the young person is at risk of harm, contact social care or the police

**Always refer to the police or social care if incident involves:**

- \* an adult
- \* coercion, blackmail, or grooming
- \* concerns about capacity to consent, [e.g., SEN]
- \* images show atypical sexual behavior for the child's developmental stage
- \* violent acts are depicted
- \* image shows sex acts and includes a child under 13
- \* a young person at risk of immediate harm as a result of the disclosure (for example, self-harm or suicide)

Once DSL has enough information, the decision should be made to deal with the matter in school, refer it to the police or to social care. All information and decision-making should be recorded in line with school policy. If the incident has been dealt within school, a further review should be held to assess risks.

Assessing the risks once the images have been shared

- \* Has it been shared with the knowledge of the young person?
- \* Are adults involved in the sharing?
- \* Was there pressure to make the image?
- \* What is the impact on those involved?
- \* Does the child or children have additional vulnerabilities?
- \* Has the child taken part in producing sexual imagery before?

Viewing images

- \* Avoid viewing youth-produced sexual imagery. Instead, respond to what you have been told the image contains.
- \* If it is felt necessary to view, discuss with the head teacher first.

\* Never copy, print, or share the image (it's illegal)

\* View with another member of staff present

\* Record the fact that the images were videoed along with reasons and who was present. Sign and date.

Deleting images (from devices and social media)

If the school has decided that involving other agencies is not necessary, consideration should be given to deleting the images.

It is recommended that pupils are asked to delete the images themselves and confirm they have done so. This should be recorded, signed, and dated.

Any refusal to delete the images should be treated seriously, reminding the pupil that possession is unlawful.