

SAFEGUARDING POLICY

Reviewed April 2023

Safeguarding Children Policy

1. CMS Policy Statement

CMS is committed to ensuring that their functions are carried out with a view to safeguarding and promoting the welfare of children.

CMS is committed to providing a caring, positive safe and stimulating environment, which promotes the creative, social, physical and moral development of the individual child.

CMS recognise that all staff working with children including peripatetic teachers have a full and active part to play in protecting our pupils from harm.

The CMS is committed to the standards as given in Keeping Children Safe in Education September 2019

CMS is committed to following Local Safeguarding Children's board (LSCB) procedures.

In order to achieve these aims CMS will:

- ◆ Provide safe recruitment procedures
- ◆ Provide Safeguarding Children training for all CMS teachers
- ◆ Provide written guidelines for safeguarding children and safe practice/ working places for all teachers.
- ◆ Identify instances in which there are grounds for concern about a child's welfare, and take appropriate action to keep them safe;
- ◆ Contribute to effective partnership working between all those involved with providing services for children.

CMS will review this policy statement annually and update, modify or amend it, as it considers necessary to provide an effective and enforceable policy.

2. Responsibilities

ORGANISATIONAL

The Local Authority

S 47 Children Act 1989 requires Local Education Authorities (now named Local Authorities) to make child protection enquiries if they have reasonable cause to suspect a child in their area is suffering or is likely to suffer significant harm and for LEAs and other organisations to assist them with their enquiries if asked to do so.

The DSL is responsible for ensuring:

- ◆ a safeguarding children policy and procedures for handling suspected cases of abuse are in place
- ◆ procedures are in place for dealing with allegations against staff/volunteers that comply with LSCB procedures and balance the need to protect children and protect staff and volunteers from false or unfounded accusations
- ◆ CMS contributes to effective partnerships working between those involved with providing services for children
- ◆ safe recruitment procedures and appropriate checks are carried out
- ◆ the safeguarding policy is made available to all staff
- ◆ there is a designated person responsible for Safeguarding/ Child Protection (see appendix 1)
- ◆ the designated person and all staff receive safeguarding training as appropriate
- ◆ staff or volunteers feel able to raise concerns about poor or unsafe practice in accordance with LA whistle blowing policy
- ◆ all procedure are reviewed annually

The designated person is responsible for:

- ◆ adhering to the LSCB, LA and CMS procedures with regard to referring cases of suspected abuse and allegations against staff or volunteers to the relevant investigating agencies
- ◆ acting as a source of support, advice and expertise within CMS when deciding whether to make a referral
- ◆ ensure training is delivered to all new teachers on induction (See appendix 1)
- ◆ liaising with the relevant agencies
- ◆ liaising with the Head of CMS regarding any issues and on-going investigations
- ◆ keeping detailed accurate secure written records of referrals/concerns separate from pupil records
- ◆ reviewing CMS safeguarding policy and procedures annually

The designated person should undergo basic safeguarding children training when first appointed, including training in inter-agency procedures and refresher training every 2 years. (see [appendix1 for training details](#))

A deputy will be appointed in the absence of the designated person

All employees

All members of staff have a duty to safeguard and promote the welfare of the children within their establishment. All staff should be alert to signs of abuse and know to whom they should report any concerns or suspicions.

3. Definitions

Significant Harm

The threshold justifying compulsory intervention in family life in the best interests of children - A local authority is under a duty to make enquiries, or cause enquiries to be made, where it has reasonable cause to suspect that a child is suffering, or likely to suffer significant harm (section 47 Children Act 1989)

THERE ARE FOUR CATEGORIES OF ABUSE

Physical Abuse

May involve hitting, shaking, throwing, poisoning, burning or scalding, drowning, suffocating, or otherwise causing physical harm to a child and includes fabricating illness to a child.

Emotional Abuse

Persistent emotional ill-treatment of a child such as to cause severe and persistent adverse effects on the child's emotional development. It may involve conveying to children that they are worthless or unloved, inadequate, or valued only insofar as they meet the needs of another person. It may feature age or developmentally inappropriate expectations being imposed on children. It may involve causing children frequently to feel frightened or in danger, or the exploitation or corruption of children.

Sexual Abuse

Forcing or enticing a child or young person to take part in sexual activities, whether or not the child is aware of what is happening, which may involve physical contact or non-contact activities such as looking at or involvement in the production of pornographic material.

Neglect

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. It may involve a parent or carer failing to provide adequate food, shelter and clothing, failing to protect a child from physical harm, or the failure to ensure access to appropriate medical care or treatment. It may include neglect of, or unresponsiveness to, a child's basic emotional needs.

Other areas of abuse are:

- Domestic Violence
- Other intra-familial offending behaviour
- Female Genital Mutilation
- Faith-based abuse
- Forced Marriage

- Human Trafficking
- Children in Need

Vulnerable children who are unlikely to reach or maintain a satisfactory level of health or development, or their health and development will be significantly impaired, without the provision of services (section 17 Children Act 1989).

SPECIFIC TYPES OF ABUSE

Education staff should also be alert to the more specific types of abuse that exist which may also provide an explanation for the signs and symptoms that give rise to concerns.

Bullying

Bullying is defined as deliberately hurtful behaviour, usually repeated over a period of time and where it is difficult for victims to defend themselves. Bullying can take many forms, but the three main types are:

- ◆ Physical e.g. hitting and kicking
- ◆ Verbal e.g. racist or homophobic remarks, threats or name calling
- ◆ Emotional e.g. isolating a child from social groups

It is important for LAs and schools to have a policy against bullying in which it is acknowledged that in some cases, bullying may cause significant harm to a child and will be dealt with under child protection procedures.

Racial and Religious Abuse

Racial and religious harassment can cause a child to feel emotionally abused and place them at risk of significant harm. Any concern identified or disclosed that a child is either directly or indirectly affected by racial or religious harassment, whether inside or outside the family environment, should be considered under child protection procedures.

Any complaints of bullying by another pupil or member of staff, involving racial or religious harassment, which place a child at risk of harm, should similarly be considered under child protection procedures

Physical Intervention

Our policy on physical intervention by staff is set out in a separate policy and acknowledges that staff must only ever use physical intervention as a last resort, and that at all times it must be the minimal force necessary to prevent injury to another person. (See Council 'Positive Handling' guidance).

We understand that physical intervention of a nature which causes injury or distress to a child may be considered under child protection or disciplinary procedures.

Child Pregnancy

The legal age for consent to sexual intercourse is 16. Assumptions should not be made that teenage pregnancies are as a result of consensual sexual intercourse. In all cases of a child's

pregnancy becoming apparent to school staff, consideration should be given to referring the matter to Social Services in accordance with the referral procedures stated above.

Education staff who have regular contact with pregnant teenagers have a responsibility to consider the welfare of both the prospective mother and her baby.

4. Recognising Concern

A person may abuse or neglect a child by inflicting harm, or by failing to act to prevent harm. Through their day-to-day contact with individual children, teachers and other staff in the education service are particularly well placed to observe and should be alert to, outward signs of abuse, changes in behaviour or failure to develop.

Possible indicators of physical neglect, such as inadequate clothing, poor growth, hunger or apparently deficient nutrition, and of emotional abuse, such as excessive dependence or attention-seeking, may be noticeable. Sexual abuse may exhibit physical signs, or lead to a substantial behavioural change including precocity or withdrawal.

Self-harm, either through substance misuse, physical self-harm, or by threats of suicide or other self-harming gestures, including serious eating disorders, may be another indicator of abuse, although there may be many reasons for such extreme behaviour.

It is important to note that these signs and others can do no more than give rise to suspicion – they are not in themselves proof that abuse has occurred.

Any concerns about a child's welfare should be brought to the attention of the designated safeguarding children person within the establishment and where appropriate, shared with the statutory agencies and designated professionals responsible for safeguarding.

Supporting Children

We recognise that a child who is abused or witnesses violence may find it difficult to develop and maintain a sense of self-worth. We recognise that a child in these circumstances may feel helpless and humiliated. We recognise that a child may feel self-blame.

We recognise that the school may provide the only stability in the lives of children who have been abused or who are at risk of harm.

We accept that research shows that the behaviour of a child in these circumstances may range from that which is perceived to be normal to aggressive or withdrawn.

We will support all children by:

Encouraging self-esteem and self-assertiveness whilst not condoning aggression or bullying.

Promoting a caring, safe and positive environment whilst they attending Community Music Service activities.

5. Procedures for any Concern/Disclosure

Procedures for safeguarding children will be in line with LA and LSBC procedures and will ensure that:

- ◆ We have a designated member of staff who undertakes regular training.
- ◆ We have a member of staff who will act in the designated teacher's absence.
- ◆ All members of staff develop their understanding of the signs and indicators of abuse.
- ◆ All members of staff know how to respond to a pupil who discloses abuse.
- ◆ All parents/carers are made aware of the responsibilities of staff members with regard to safeguarding children procedures.
- ◆ Procedures are in place for dealing with allegations against staff/volunteers and that these balance the need to protect children and protect staff and volunteers from false or unfounded accusations.

ACTION WITHIN THE SCHOOL/INSTITUTION

Action by person initially identifying/receiving a concern

- ◆ The first priority for any member of staff receiving a concern / allegation is to establish whether any child is in need of medical attention and/or protection.
- ◆ If urgent action is required, medical assistance should be obtained. An ambulance should be called in an emergency. An immediate referral should be made to social services and/or the police.
- ◆ If a child is in need of protection, staff should note that police can initiate a police protection order (PPO) in cases of emergency, whilst social services can apply to a court for an emergency protection order (EPO). The law also allows staff to take all reasonable steps to offer immediate protection to a child at risk of harm e.g. from a violent or incapacitated parent.

Disclosure

It is possible that a child who has suffered abuse will confide in a teacher or member of staff. This is called a disclosure and is something all staff should be prepared for and must handle carefully. The following guidelines apply:

- ◆ Remain calm and act with tact and sympathy.
- ◆ Listen carefully to what is being said and treat the person seriously.
- ◆ Allow the person to tell you at their own pace, try not to interrupt and ask questions only for clarification.
- ◆ Do not ask 'leading' questions that suggest a particular answer. e.g. 'Did they do to you?' Open questions should only be used e.g. 'What happened?'
- ◆ Do not promise to 'keep it a secret.' Tell the person that you will need to share the information with others. Make it clear that you will only tell the people who need to know and should be able to help.
- ◆ Reassure the person 'they did the right thing' by telling someone.
- ◆ Tell the person what you are going to do next.

- ◆ If the child appears to be in need of immediate medical treatment, resulting from a suspected child abuse incident, notify the designated member of staff in the school and follow school H & S procedures.
- ◆ As soon as possible make a full record of what has been said using the person's own words. Distinguish clearly between fact, observation, allegation and opinion. Note the date, time and names that were involved or mentioned and who you are passing the information on to. Date and sign the record.
- ◆ Contact the CMS designated Safeguarding Children officer and the member of staff at the school designated to deal with Safeguarding Children as soon as possible.

Staff should be aware that the way in which they talk to a child could have an effect on the evidence, which is put forward if there are subsequent criminal proceedings.

Therefore:

- ◆ Don't make assumptions or interpretations or make suggestions or offer alternative explanations. This could be construed as 'coaching'.
- ◆ Staff should be aware that the notes they make may be disclosable in any subsequent prosecution. Staff may also be called to give evidence in court proceedings and may be asked to refer to their notes.
- ◆ Do not attempt to investigate any suspicion of abuse. It is not your responsibility to decide whether a person is being abused but we are asking you to act on your concerns immediately.
- ◆ Respect confidentiality, and only pass information on to those who 'need to know'.

6. Procedures for allegations against staff

Given their daily contact with children in a variety of situations, including the wider caring role, staff are vulnerable to accusations of abuse by pupils and parents. Those allegations may be false, malicious or misplaced but may also be well-founded.

The Community Music Service will follow the LA and LSCB procedures for managing allegations against staff, a copy of which will be available in the CMS office.

Safe Working Practices

Schools and other educational establishments are recommended to produce guidelines for staff working with children and young people, to help minimise the risk of unfounded allegations being made. Volunteers who work with children and young people are also expected to maintain standards of conduct comparable to those prescribed for colleagues in paid employment. (Guidelines for music teachers are in the 'CMS staff Handbook')

Supporting Staff

'Schools and other educational establishments should recognise the traumatic impact that an investigation of alleged abuse can have on staff and their colleagues. Consideration must be given to how such staff can be supported and how they can be prepared in advance for such an eventuality.

We will support such staff by providing an opportunity to talk through their anxieties with the designated teacher and to seek further support as appropriate.

In order to minimise this negative impact, it is important that allegations are dealt with as speedily as possible. Every effort should be made to recognise and assess trivial allegations at the outset and deal with them accordingly.

The procedures are intended to ensure that where an allegation is made or concern identified, the child is protected and that a thorough and objective investigation is carried out in the interest of both the member of staff and the child. The response should reflect the principle that the welfare of the child is paramount and that a child or young person's allegation will be taken seriously.'

(LONDON CHILD PROTECTION COMMITTEE LCPC DRAFT SEPT 04)

FOR FULL PROCEDURES SEE LCPC DOCUMENT.

7. Photography/Internet

Staff need to be aware that the taking of images, including photographs have the potential of being misused for pornographic or grooming purposes. Staff should also be sensitive to any children who appear uncomfortable and should recognise the potential for misinterpretation
Therefore:

- ◆ Age appropriate consent must be sought from the individual concerned and their legal guardians.
- ◆ Images should not be displayed on web sites, in publications or in a public place (including where school visitors have access) without such consent.
- ◆ Pupils names should not be used
- ◆ The images should be securely stored and used only by those authorised.

Internet

Due to the unpredictable and insecure nature of the Internet staff should avoid recommending web sites to pupils or parents. If they do, they must always use the red book and write that this must be done under parental supervision.

Staff use of the Internet

The internet is provided for staff to conduct research and communicate with others.

Individual users of the internet are responsible for their behaviour and communications over the network. It is presumed that users will comply with Community Music Service standards and will abide by the agreement they sign (see Staff Handbook).

The following are not permitted:

- Sending or displaying of offensive messages or pictures.
- Using obscene language
- Downloading of and / or forwarding of offensive, obscene or inappropriate images or materials.
- Harassing, or attacking others
- Using others' passwords
- Trespassing in others' folders, work or files

8. Abuse of Trust

All education staff need to know that inappropriate behaviour with or towards children is unacceptable. In particular, under the Sexual Offences Act 2003 it is an offence for a person over 18 (e.g. teacher, youth worker) to have a sexual relationship with a child under 18 where that person is in a position of trust in respect of that child, even if the relationship is consensual. This applies where the child is in full-time education and the person works in the same establishment as the child, even if he/she does not teach the child.

9. Whistleblowing

Staff should be aware that children will feel unable to express concerns in an environment where staff fail to do so. All staff should therefore feel free to voice concern about the attitude or actions of their colleagues in accordance with the council's whistle blowing policy.

See Barking and Dagenham Whistleblowing policy

10. Staff Handbook: Code of Conduct/Practice

The CMS Staff Handbook contains information and guidelines regarding safeguarding children, code of conduct and safe working practises and places.

11. Record Keeping/Confidentiality

CMS recognise that all matters relating to Safeguarding Children are confidential.

The Head of service or Designated Teacher will disclose any information about a pupil to other members of staff on a need know basis only.

All staff must be aware that they have a professional responsibility to share information with other agencies in order to safeguard children.

All staff must be aware that they cannot promise a child to keep secrets.

12. Recruitment/Volunteers

CMS will endeavour to operate safe recruitment and ensure appropriate checks are carried out on new staff and volunteers. To this aim we:

- ◆ ask a safeguarding children question at all CMS interviews to raise awareness
- ◆ have the following pre appointment checks as requested on application form: Identity, academic qualifications, previous employment history, references and a CRB check
- ◆ deliver CP training to all newly appointed staff, and log attendance.

In the case of volunteers without unsupervised access to children the Head of Service will use their professional judgement to decide whether the risk justifies a police check. (see LCPC supplementary guidance Sept. 2004, 6.4.5.)

13. Training

All staff who will work with children, should, when starting work, receive:

- ◆ Induction which includes information on Safeguarding Children and safe working practices and places
- ◆ a copy of the 'Staff Handbook' which includes Safeguarding Children guidelines and the name and contact details of the designated person at CMS

The designated person should undergo basic child protection training when first appointed, including training in inter-agency procedures and refresher training every 2 years. (see appendix1 for training details)

14. Educational Visits/Trips

The duty of care means that any leader of a trip must act in the same way that a reasonably careful parent would, irrespective of how many people they have in their care. This means they must act in a professional manner and take all reasonable measures to make sure that the pupils in their care are safe and protected from unacceptable risks.

The duty of care remains throughout a trip and is not confined to particular hours or situations and support staff must 'support' the leader in undertaking this care for their pupils.

During visits there may be the opportunity for a number of safeguarding children matters to arise: disclosures of abuse, allegations against school or centre staff or other pupils, and even stranger abuse. Staff must be aware of how to deal with each of these circumstances, for example they should be familiar with techniques for listening to disclosures of abuse and know who they should report this to.

Before undertaking any school trips all staff should familiarise themselves with the school and LA guidance on activities away from the school premises.

15. Prevention

We recognise that the Community Music Service plays a significant part in the prevention of harm to our pupils by providing pupils with good lines of communication with trusted adults, supportive friends and an ethos of protection.

The Community Music Service will therefore:

- ◆ Establish and maintain an ethos where children feel secure and are encouraged to talk and are always listened to.
- ◆ Ensure that all children know there is an adult in the school whom they can approach if they are worried or in difficulty.

16. Mainstreaming Policies

The Safeguarding children policy also encompasses issues relating to pupil Health and Safety and Equalities. See the separate Equalities and Health and Safety Policies for further information.

17. Designated Safeguarding Lead

The Designated Safeguarding Lead (DSL) is Digby Hunt, 0208 270 6692 digby.hunt@lbbd.gov.uk

The Deputy DSL is Elizabeth Kitto elizabeth.kitto@lbbd.gov.uk 020 8270 6690