



## SAFEGUARDING CHILDREN POLICY

December 2015

Maldon Youth Orchestra (MYO) believes that children have the right to be completely secure from both the fear and reality of abuse, and we are committed to protecting all children from harm.

We all have a duty to:

- Protect children and young people from maltreatment;
- Prevent impairment of children's health or development;
- Ensure that children and young people are growing up in circumstances consistent with the provision of safe and effective care; and
- Undertake that role so as to enable those children to have optimum life chances and to enter adulthood successfully.

*We all share a responsibility for safeguarding and promoting the welfare of children and young people. All members of the community can help to safeguard and promote the welfare of children and young people if they are mindful of their needs, and willing and able to act if they have concerns about a child's welfare.*

MYO is committed to ensuring that all Management Committee Members, volunteers and parents are aware of the duty to act on their concerns and follow local safeguarding procedures approved by the Local Safeguarding Children's Board (LSCB).

We comply with local safeguarding procedures approved by the Local Safeguarding Children Board and ensure that all adults working and looking after children are able to put the procedures into practice.

We have a clear procedure and guidelines that we are required to follow to safeguard and protect children, based on the Safeguarding Children Board procedures, the Department of Health booklet 'What to Do if You're Worried A Child Is Being Abused' (DoH 2006) and Working Together to Safeguard Children – A guide to inter-agency working to safeguard and promote the welfare of children, DfE 2013.

We also act in accordance with:

- The Children Act 1989
- The Children Act 2004
- Disability Discrimination Act 1995
- Equality Act 2010
- Human Rights Act 1998
- Data Protection Act 1998
- Safeguarding Vulnerable Groups Act 2006
- Childcare Act 2006
- UN Convention on the rights of the child 1989
- Protection of Freedoms Act 2012

## DEFINITION OF CHILD: UNDER 18 YEARS OF AGE

This policy and all procedures apply to all children and young people regardless of gender, ethnicity, disability, sexuality or religion.

Local authorities have a statutory duty to investigate where they have 'reasonable cause to suspect that a child is suffering, or is likely to suffer significant harm'. Children's Services carry these responsibilities on behalf of the local authority, so MYO has a duty to report or seek advice from the Local Authority Designated Officer (LADO) in Children's Services if we have any concerns about child abuse, or if any allegations of abuse are made about children or adults at MYO.

One member of the Management Committee is the designated Safeguarding Officer – Joanna Reyes (07590 505841) – and they will have received Safeguarding Children training and are responsible for liaison with Children's Services, the Safeguarding Children Board and OFSTED in any child protection situation. If the designated person is unavailable, Julia Chilver – MYO Musical Director (07907 819147) or Ben Markham - MYO Chair (07497 390363).

## CONCERNS

Management Committee Members, Volunteers and Parents should treat any concerns seriously:

Where there is suspected or actual abuse, report your concern to your Safeguarding Officer or designated persons named above without delay. This includes:

- significant changes in children's behaviour;
- deterioration in children's general well-being;
- unexplained bruising, marks or signs of possible abuse or neglect;
- children's comments which give cause for concern;
- any reasons to suspect neglect or abuse outside the setting, for example in the child's home; and/or
- inappropriate behaviour displayed by any person working with the children. For example, inappropriate sexual comments; excessive one-to-one attention beyond the requirements of their usual role and responsibilities; or inappropriate sharing of images.

**Trust your own judgment:** if you are concerned about a child, other professionals will almost certainly be concerned also.

**Report earlier rather than later:** most serious incidents of child abuse started with comparatively minor incidents that were not noticed or not reported.

**Reassure and comfort the child concerned:** If we have evidence that leads us to suspect a child at MYO is at risk of potential or significant harm the procedure states the following:-

## IMMEDIATE ACTION

All suspicions and allegations of child abuse **MUST** be immediately referred by the designated person to the LADO on the following number: **0845 6037627**. They will also advise you as to other professionals who will be likely to be involved in each case.

We work with parents/carers in partnership whenever possible, however child protection issues will take precedence over working in partnership as the interests of the child are paramount.

Depending on the nature and extent of concern Children's Services has the legal duty and responsibility in all these matters to decide whether they are to investigate further.

## TRAINING

All Management Committee Members and volunteers with regular contact with MYO Members receive training in safeguarding children to Local Authority recommended level 1. The appointed Safeguarding Officer is trained to level 2 in accordance with Local Authority requirements. We work to safeguard children by:

- sharing information about safeguarding and good practice with children, parents/carers and carers, and staff
- sharing information about concerns with agencies who need to know, and involving parents/carers and children appropriately
- following careful procedures for recruitment of staff, including enhanced DBS checks for all adult volunteers
- providing effective training, supervision and management of adult volunteers
- a complaints procedure

All Management Committee Members and volunteers must complete the Level 1 Safeguarding Children training within their first month of engaging with MYO. It is also advised that all undertake refresher sessions and safeguarding training is updated bi-annually unless there have been any significant changes in legislation or policy that require individuals to update their knowledge earlier.

As a Management Committee Member or volunteer, when concerns are brought to your attention you should:

- Maintain full factual records which must be kept confidential (in a sealed envelope, locked in a drawer or filing cabinet), dated, and signed.
- Ensure the records are accurate, complete and include:
  - any injuries/concerns/issues observed
  - the alleged abuse
  - the explanations offered
  - messages received and given, by whom, dated and in what circumstances
  - child's full details
  - family details
- Make any referrals needed following the agreed referral procedure
- Follow up on referrals is to be undertaken by the Safeguarding Officer to make sure that children are protected.
- Ensure that concerns are kept confidential, following the guidelines in 'What to Do if You're Worried A Child Is Being Abused'.

## ALLEGATIONS AGAINST ADULTS

Allegations against adults include Management Committee Members, volunteers, MYO Members over the age of 18 and parents.

If an allegation is made against an adult, the designated Safeguarding Officer – Joanna Reyes (07590 505841). If the designated person is unavailable they should contact, Julia Chilver – MYO Musical Director on 07907 819147 or Ben Markham - MYO Chair 07497 390363. Ofsted and the LADO will also be informed by the Head of Children and Family Services.

If an allegation is made against the Safeguarding Officer, it must be reported directly to Julia Chilver – MYO Musical Director or Ben Markham - MYO Chair 07497 390363.

### **All Allegations**

The adult being reported must be immediately suspended from participating in MYO activities pending further investigation following statutory procedures. The Local Authority Designated Officer will be contacted on 0845 6037627 for advice in these matters.

### **POLICY AWARENESS AND TRAINING**

The Management Committee is responsible for ensuring that:

- there is a Safeguarding Officer who has attended a child protection training course and is responsible for liaison with child protection agencies in any child protection situation at MYO
- all Management Committee Members, volunteers, MYO Members over the age of 18 and parents are aware of the Safeguarding Policy within their first week of contact with MYO
- OFSTED and the LADO are informed of any allegations of abuse by a Management Committee Member of staff or volunteer or any abuse which is alleged to have taken place on the premises

We are committed to reviewing the Safeguarding Children policy and practice at regular intervals.

### **CONSENT**

It has been shown that keeping children safe from harm requires professionals to share information. However, such information sharing must take place within a framework of both common and statute law.

The Common law duty of confidence requires that personal information kept by professionals and agencies should not be disclosed without the consent of the subject unless disclosure is necessary to safeguard a child. Disclosure should be justified in each case.

The Data Protection Act 1998 requires that information is kept secure and only disclosed without the consent of the subject in certain conditions which include the prevention or detection of a crime. MYO is registered with the Information Commissioner's Office as a Charity agreeing to compliance with the Data Protection Act 1998, such commitment being renewed annually.

The Human Rights Act 1998 includes the right to respect for private and family life and an infringement of this right is only acceptable in certain circumstances, one of which is the prevention of the rights and freedoms of others.

As a result of the above legislation, professionals should only share information without the consent of parent/carers if seeking permission would place the child at risk of significant harm.

### **WORKING WITH CHILDREN & FAMILIES**

MYO will ensure that at first contact families will be made aware that MYO has a Safeguarding Children policy to protect all children from harm and is therefore required by law to inform the LADO/Local Safeguarding Children Board of any suspicion of abuse.

At all times during the process of safeguarding children, practice should involve minimising distress to the child and ensuring that families are treated with sensitivity and respect.

It is LADO/Local Safeguarding Children Board duty coordinate ongoing care and investigations, and MYO is aware that it's duties and responsibilities in this regard are limited to assisting the authorities at their request, keeping them appraised in a timely manner of any additional instances or issues of concern in relation to a case, and ensuring sensitivity in dealing with ongoing contact with the child and family.

Anybody who believes that a child is suffering significant harm should always refer their concerns to the Local Authority Designated Officer. The definitions of child abuse in 'Working Together to Safeguard Children (DfE 2013)' are set out as follows and may help in deciding whether a referral is needed.

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'.

### **DBS Checks & Referrals**

MYO ensures that all Management Committee Members and volunteers with member contact have been selected and vetted appropriately. All members of the MYO Management Committee with regular contact with MYO Members and any teaching staff engaged by MYO are required to complete a DBS check and should receive clearance at an enhanced level before they are allowed to have any unsupervised access to children. A note of the DBS registered numbers and dates of issue must be kept by the appointed Safe Guarding Officer. Online DBS clearance will be checked every three years.

### **Monitoring and reviewing our policies and procedures**

We are committed to reviewing the Safeguarding Children Policy and associated practice annually; however it will be reviewed earlier if there are changes to legislation and guidance. If amendments are required which require changes to existing practices all member of the Management Committee are to be informed as soon as the changes are to be implemented.

### **Local Children's Services & police contact names and telephone numbers:**

Local Authority Designated Officer: 0845 603 7627

Local Safeguarding Children Board contact: 0345 603 7627

Out of hours: 0345 606 1212/0300 1230 779

Local police team: 999 (emergency) / 0300 333 4444 (Maldon)

NSPCC helpline: 0808 800 5000

Childline: 0800 1111

### **Data, photography and video footage**

One of the key ways that staff support children's development and engage parents in children's learning is through photographs that record their activities and achievements. Still and moving images (i.e. photographs and video footage) of children will only be taken by MYO staff following formal written parental consent of the child/children being photographed. Parents and carers are to be provided with a consent form as part of the MYO welcome pack.

Parents and other family and friends attending are requested to ensure safe and responsible use of any photographs taken during public events or rehearsals.

All images and video footage captured by MYO and retained for archive or publicity are to be stored in a password protected environment. If at any time a parent or carer requests for images of their child to be removed from archive, MYO must comply with this request.

Legislation informing this section of the policy:

The Children Act 1989

Local Government Act 2000

Freedom of Information Act 2000

Protection of Freedoms Act 2012

MYO is aware of their obligations with regard to the storing and sharing of information under the Data Protection Act 1998, and is committed to complying with its regulations and guidance.

Information on the Act can be found at <http://www.ico.gov.uk>

This policy aims to minimise the risk of inappropriate use and distribution of personal data relating to those children, parents and families that use Children's Centres.

### **Definitions**

The following definitions will be used:

**Personal data:** MYO hold general information relating to Parents / Carers and children that can be accessed MYO Management Committee Members. Personal data is information which relates to living individuals and by which that individual can be identified.

**Sensitive information:** Some information initially collected may include *sensitive personal data*. Information that is collected and used by Childcare Provisions that falls into this category includes:

- Details of any special health issues (including special educational needs).
- Appropriate records of children's progress and achievements.
- Any other information relating to the child, deemed by MYO Management Committee or parents / carers, to be relevant and significant.

### **Staff & Child Information**

Details relating to MYO Management Committee and volunteers are also kept on record, in addition to up to date records of all those volunteering at MYO, including their name, their position and DBS check.

Additionally, the following records and information may be stored by MYO:

- The volunteer attendance registers and visitors logs;
- Records of the activities planned and implemented, including any off-site visits and outings;
- A record of the risk assessments on buildings, sessions, activities and visits clearly stating, when they were carried out, by whom, date of review, and any action following;
- Completed Accident and Incident forms.

## Data & Image Management & Processing

MYO is committed to the policy of openness with parents and carers in respect to this policy and its provisions, and to the information that the organisation holds regarding them and their child(ren).

In the spirit of the Information Commissioner's Office's principle of 'Fair Processing' and under Schedule 2 of The Act, we only collect personal information for which there is a legitimate use and do not use the information in any way that has unjustifiable adverse effects upon the individuals concerned or use the data in any way that is unlawful. We expect all of our staff to be open and honest about the intended use of the information we collect and handle the information in ways that they would reasonably expect.

MYO has an accessible Fair Processing Notice available to all parents and carers and takes the form of a statement issued to parents as a part of the process for collecting information, particularly, but not exclusively, when completing Registration forms.

**Information Requests:** Records and information will be made available to parents and carers unless this is subject to any exemptions. Exemptions would include where the sharing of an individual's information compromises the integrity of information held on a third party who can be identified from that information. If for any reason a request for access to information is refused, the decision, including a full explanation of the reasons for the refusal, will be communicated, in writing, to the parents or carers concerned within ten working days.

Ordinarily, information kept on a child and parent / carer will include:

- Birth name (along with any other name the child is known by).
- Date of birth
- Gender
- Home address and telephone number(s)
- Parents and carers names and addresses
- Family doctor's name, address and telephone number
- Health visitor or G.P's name
- Details of any special health issues (including a special educational needs or physical disability statement)
- Appropriate records of children's progress and achievements.
- Any other information relating to the child deemed by staff or parents / carers to be relevant and significant.