Dark Peak Music

**DARK PEAK MUSIC FOUNDATION**

# SAFEGUARDING AND CHILD PROTECTION POLICY

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## 1. Policy Statement

There is no greater priority than to ensure the safety of the children and young people involved in the Dark Peak Music Foundation ('the Foundation'). The Safeguarding and Child Protection Policy outlines how the Foundation deals with safeguarding and child protection concerns. It provides guidelines and procedures which the Foundation will follow at all times. All members of the DPMF Team have a legal and moral obligation to comply fully with this Policy.

**Our goal is to keep children and young people safe by:**

- Valuing, listening to and respecting children and young people.
- Adopting child protection practices through procedures and a code of conduct for all members of the DPMF Team.
- Providing support and/or training around safeguarding for members of the DPMF Team.
- Ensuring all necessary checks are made when recruiting Ensemble Directors.

- Sharing safeguarding concerns with agencies who need to know and involving parents and children appropriately.

At least two people at any one time will act as the Foundation's Safeguarding and Child Protection Leads ('Safeguarding Lead') to take responsibility for the implementation of the Policy and deal with safeguarding concerns. The current Safeguarding Leads are:

- Principal Music Director: Jeff Snowdon
- Deputy Music Director: Emma Dixon

In the event of the current Safeguarding Leads being unavailable, the contact is the Foundation's Chair: Andy Zuntz.

The Policy will be reviewed by the trustees annually, and after any serious incident involving safeguarding and/or child protection. The DPMF Team can learn from all safeguarding incidents, promoting on-going culture of safeguarding safety.

## 2. Statutory Guidance

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

- The Children Act 1989 (and amended 2004)
- Relevant government guidance on safeguarding:
  - Working Together to Safeguard Children (issued 2023) Working together to safeguard children - GOV.UK (www.gov.uk)
  - "Supervision of Activity with Children" https://www.gov.uk/government/publications/supervision-of-activity-with-children
- NSPCC guidance:
  - Example online safety policy statement | NSPCC Learning
- Keeping Children Safe in Education Part 1 (issued 2023)
- Derbyshire Music Hub Safeguarding information:
  - https://www.derbyshiremusichub.org.uk/about-the-hub/safeguarding/safeguarding-children-and-young-people.aspx
  - Derby and Derbyshire Safeguarding Children Partnership: https://www.ddscp.org.uk/

## 3. Safe Selection & Recruitment

All Ensemble Directors within the DPMF Team delivering teaching, training or instruction to children will be subject to selection and vetting by checks with the Disclosure and Barring Service (DBS). Individuals who provide support or ad hoc assistance, for example at the Foundation's performances, will be able to help without the need for a DBS check. However, these individuals will not take sole charge of, or be left alone with children or young people; they will be supported by at least one person from the Vetted List.

The Safeguarding Leads will personally view each DBS certificate and record the date of issue and the DBS number. They will keep a record of all DBS checks and update it when required (the 'Vetted List'). They will undertake to provide new DBS forms to individuals when they need to re-register every three years. This list will be circulated to trustees and Ensemble Directors.

In addition, Ensemble Directors will not be permitted to work for the Foundation until all of the following have been obtained:

- At least two satisfactory references
- Checks on gaps in work history

- Reasonable health checks to support their fitness to practice, or identify reasonable adjustments that will support effective practice

## 4. Undertaking Briefing and Training

This section defines how DPMF Team will be trained.

- All members of the DPMF Team must read, understand and comply with this policy. Ensemble Directors, Trustees, Safeguarding Leads and any volunteer on the Vetted list will be required to confirm this undertaking on a signed register. In the event of amendments made to this policy, the register must be re-signed.
- Ensemble Directors, Trustees and Safeguarding Leads will be briefed, within six weeks of taking up their role. Briefing will include familiarisation with ALL Foundation Policies. Specifically, they will be made aware of the Safeguarding Policy, how to recognise safeguarding concerns and how to raise concerns.
- The Dark Peak Music Foundation will organise either online or in-person safeguarding and/or child protection training periodically. All Trustees, Music Directors and Safeguarding Leads must attend a session at least once every three years. The Foundation will also support training for all volunteers on the Vetted list. The Safeguarding Leads must undergo appropriate training on an annual basis.
- Safeguarding Leads will share any updated safeguarding information with Trustees and Music Directors and facilitate the updating of the Safeguarding and associated Policies.

All Trustees, Music Directors and Safeguarding Leads should ensure they are aware of the 'Four Main Forms of Abuse' (Appendix A) and the guidance on 'Responding to a Child making an Allegation of Abuse' (Appendix B).

## 5. Code of Conduct

This section sets clear and concise boundaries for appropriate behaviour, which will promote an open and safe working environment. All members of the DMPF Team are required to follow this Code of Conduct.

**Obligations:**

- Treat all children and young people with respect.
- Demonstrate behaviour and attitudes that provide an example for others to follow.
- Plan activities so a minimum of one member on the Vetted List is present.
- Respect a child or young person's right to personal privacy.
- Respect the confidentiality of information relating to children and young people unless its disclosure is either required by law or is considered to be in the best interests of the particular child or young person.
- Provide access for children and young people to talk about any concerns they may have.
- Encourage children and young people to feel comfortable enough to point out behaviour they don't like.
- Remember that well intentioned actions may be misinterpreted by others.
- Recognise that special caution is required when discussing sensitive issues with children or young people.

**Prohibited Behaviour:**

- Exhibit any inappropriate physical or verbal contact with children.
- Make suggestive remarks or gestures, even in fun.
- Show favouritism to any individual.
- Be drawn into inappropriate attention seeking behaviour, such as tantrums or crushes.
- Make assumptions or conclusions about others without checking the facts.
- Allow allegations made by a child to go unchallenged, unrecorded, or not acted upon.

## 6. Safeguarding Children In Performance - BOPA

- Child performances and activities are regulated by The Children and Young Persons Acts 1933 and 1963 and the Children (Performance and Activities) (England) Regulations 2014
- Children who are to take part in a performance require a license from the local authority – Derbyshire County Council in the case of DPMF – in order to be able to do so. This is to ensure and protect their health and educational wellbeing.
- A Body of Persons Approval (BOPA) is a collective license, granted following application, to organisations responsible for performances involving multiple children.
- Dark Peak Music Foundation will submit an application annually to Derbyshire County council for a BOPA to cover all performances that are scheduled for that academic year. The Foundation will ensure that the requirements of the BOPA are met, by adhering to its local Policies, essentially the Chaperone Policy.
- https://www.derbyshire.gov.uk/education/attendance-missing-home-education/children-in-employment/children-in-entertainment/children-in-entertainment-and-activities.aspx
- https://www.nncee.org.uk/page/486/bopas
- https://assets.publishing.service.gov.uk/media/5a80d475e5274a2e87dbc0e2/Child_performance_and_activities_licensing_legislation_in_England_-_departmental_advice_-_final.pdf

## 7. What to do if Abuse is Suspected or Concerns are Raised

Anyone involved in the supervision or education of children has a legal duty to report any suspicion of abuse.

Concerns may be raised by children, young people, trustees, Ensemble Directors, volunteers, parents and carers or by third parties. The Safeguarding Leads are responsible for ensuring that the children and young people of the Foundation know about the Policy: who to speak to if they have any concerns and who to speak to if the Safeguarding Leads are unavailable.

**Within the school environment:**

Ensemble Directors work outside The Foundation in school settings; adherence to Safeguarding Policies remains essential and supports a safe governance reputation for the Dark Peak Music Foundation. If you have concerns regarding a child who you teach at a school during the school day, or in a rehearsal which has been arranged by the school, you should speak with the school who will then follow their policy and procedures for referring the incident. Any concerns should be made prior to leaving that school for the day. The school may require you to put this into writing. You should then discuss the concern with the Safeguarding Lead within the Foundation, and complete Safeguarding Incident/Record of Concern Form (Appendix C)

**Outside of the school environment:**

If you have concerns regarding a student who attends a lesson or ensemble that is at a venue that is not the school that the student attends, you should discuss the concern with a Safeguarding Lead, and you should complete the Safeguarding Incident/Record of Concern Form (Appendix C).

## 8. Recording Concerns

If a member of the DPMF Team has any concerns regarding safeguarding, records of this must be kept in writing by completing the "Safeguarding Incident/Record of Concern Form (Appendix C)

- The form should be completed within 48 hours of the concern arising

- Any information given by the child concerned should be recorded accurately using the exact language given by the child.
- The Designated Safeguarding and Child Protection Lead will meet with a Trustee(s), Ensemble Director(s) and /or other Safeguarding Lead to discuss, record and guide the way forward with this concern.
- The form will kept in a locked cabinet, or as a password protected file, saved in a restricted folder, to retain confidentiality.

Access will be limited to:

- The person who has completed the form
- The Safeguarding and Child Protection Leads (unless they are the subject of the concern).
- The Principal Musical Director (unless they are the subject of the concern).
- The Foundation's current Chair (unless they are the subject of the concern).

The record may be shown to the police or social services and could possibly be used in court, although this is rare. The child or young person concerned can be shown this record, but discretion should be used. The child or young person's permission should be obtained before showing to the parent or carer.

## 9. Responding to Concerns

Where a concern is raised, action must be taken without exception even if the information received is non-recent or from an anonymous source. It is not the role of the Foundation to decide whether a child has been abused or not. This is the legal responsibility of the child safeguarding team within Local Social Services to investigate and action appropriately.

- If someone is at immediate risk of harm, you should always call 999 and request the Police.
- Where required, an initial consultation should take place with a statutory child protection agency such as the local social services department or health board or the NSPCC and/or the Derby and Derbyshire Safeguarding Children Partnership, to test out any doubts or uncertainty about the concerns, and seek guidance on the correct procedure and process.
- Where the concern means a serious incident arises in relation to safeguarding and/or child protection the Charity Commission must be informed without delay

Wherever possible, we will aim to discuss concerns about children with their parents or carers and inform them if we intend to make a referral to the Derby and Derbyshire Safeguarding Children Partnership. There may be instances where it is deemed inappropriate to speak to a parent or carer – this would happen if this would potentially increase the risk to the child.

## 10. Allegations against a member of the DPMF Team

Any suspicion that a child or young person has been abused by a member of the DPMF Team must be reported to the designated Safeguarding Leads, who will take such steps as considered necessary to ensure the safety of the child or young person in question.

Where there is a complaint against a member of the DPMF Team may be various types of investigation.

- A disciplinary or misconduct investigation - conducted by the Foundation

Other investigation, outside of The Foundation could include:

- A criminal investigation.
- A child protection investigation.

If there is an immediate risk, then action should be taken to immediately suspend the individual or individuals who is/are the subject of the concern and/or suspend the activity (or planned activity) which is the subject of the concern, until it is satisfied that the risk of harm has been removed.

Where required, a referral should be made to the Disclosure and Barring Service to report the concern/ harm, for the Service to review the individuals DBS status. This includes any instances where the Foundation has to remove any member of the DPMF Team due to the individual posing a risk of harm to children or young people.

## 11. Professional Confidentiality

- A member of the Foundation must never guarantee confidentiality to a child/young person or vulnerable adult where there is a concern regarding safeguarding.
- Children can be reassured that only the people who "need to know" will be informed and that the information will not become common knowledge.
- The GDPR & The Data Protection Act 2018 does not prevent or limit the sharing of information for the purposes of keeping children and young people safe.

## 12. Useful Contact Information

- The Charity Commission guidance on reporting a serious incident: How to report a serious -incident in your charity - GOV.UK (www.gov.uk)
- "Call Derbyshire": 01629 533190 (Derbyshire County Council)
- NSPCC helpline: 0808 800 5000: https://www.nspcc.org.uk/keeping-children-safe/reporting-abuse/nspcc-helpline/
- Childline: 0800 1111

## Appendix A: The Four Main Forms of Abuse

**Neglect**

Neglect may result where adults persistently or severely fail to meet a child's basic physical and/or psychological needs. Neglect is likely to result in a serious impairment of the child's health or development. It may include failing to provide warm clothing or food, failure or refusal to give children love, affection and attention. Children may also be consistently left alone or unsupervised.

Physical signs may include:

- Running away
- Constant hunger, loss of weight including stealing food from other children
- Poor personal hygiene
- Inappropriate dress for the conditions
- Untreated medical problems
- Changes in behaviour, e.g aggression, or becoming clingy, withdrawn, anxious, depressed
- Complaining of being tired all of the time
- No social relationships, unable to make friends or engage in social activities (games, conversations)
- Low self-esteem
- Mentioning being left alone or unsupervised

**Physical Abuse**

Where adults physically hurt or injure children by hitting, shaking, squeezing, burning or biting, or by giving children alcohol or inappropriate drugs or poison.

Physical signs may include:

- Unexplained bruising, marks or injuries
- Bruises, which reflect hand marks or fingerprints
- Cigarette burns
- Bite marks
- Broken bones
- Scalds
- Running away

Changes in behaviour, which may also indicate physical abuse include:

- Fear of parents being approached for an explanation
- Aggressive behaviour or severe temper outbursts
- Flinching when approached or touched
- Reluctance to get changed, for example wearing long sleeves in hot weather
- Depression
- Withdrawn behaviour

**Sexual Abuse**

Girls and boys are abused by adults or other young people – both male and female – who use children of all ages to meet their own sexual needs. Sexual abuse involves forcing or enticing a child or young person to take part in sexual activities, whether or not the child is aware of, or consents to what is happening. The sexual activities may involve physical contact, including penetrative acts such as rape, anal or oral sex or non-penetrative acts such as fondling. Showing children pornographic material (books, videos, pictures) is also a form of sexual abuse.
Usually in cases of sexual abuse it is the child's behaviour that may cause you to be concerned.

Physical signs may include:

- Pain or itching in the genital/anal areas
- Bruising or bleeding near genital/anal areas
- Sexually transmitted disease
- Vaginal discharge or infection
- Stomach pains
- Pregnancy

Changes in behaviour, which can also indicate sexual abuse may include:

- Fear of being left with a specific person or group of people
- Sexual knowledge, which is beyond their age or development level
- Sexual drawings or language
- Self-harm or mutilation, sometimes leading to suicide attempts
- Substance or drug abuse
- Suddenly having unexplained sources of money
- Not being allowed to have friends (particularly in adolescence)
- Acting in a sexually explicit way towards adults
- Eating problems, such as anorexia or overeating
- Having nightmares
- Sudden or unexplained changes in behaviour

**Emotional Abuse**

Emotional abuse is the persistent and emotional ill treatment of a child, such as to cause severe and persistent effects on the child's emotional development. For example, persistent lack of love and affection, constantly shouting, threatening or taunting a child may make the child very nervous or withdrawn. It may also involve making the child feel or believe that they are worthless or inadequate. Emotional abuse may also occur when an adult places inappropriate expectations on a child, considering the child's age or development.

Bullying is a typical form of emotional abuse, which is often inflicted by other young people.
Some level of emotional abuse is involved in all types of ill treatment of a child, though it may occur alone.

Physical signs may include:

- A failure to thrive and grow
- Sudden speech disorders
- Development delay, either in terms of physical or emotional progress

Changes in behaviour, which can also indicate emotional abuse may include:

- Neurotic behaviour, e.g. hair twisting, rocking
- Being unable to play
- Fear of making mistakes

## Appendix B: Responding to a Child Making an Allegation of Abuse

How you react when a child discloses information of abuse is critical. If handled sensitively then the child will feel as comfortable as possible and false assumptions and an escalation of the problem can hopefully be avoided. If dealt with poorly, crucial information and possible evidence may be damaged. And importantly, the child may not disclose again.

It is essential that members of the DPMF Team read and understand the information contained in this policy and the links in section 2. Many adults find it hard to believe situations of abuse and will more often than not experience revulsion at the thought of someone deliberately harming a child. These are normal reactions, but it becomes serious if they prevent us from listening to a child and responding appropriately.

When dealing with suspected child abuse issues:

- Tell the child they are not to blame and that it was right to tell
- Do not show distaste, disgust or anger
- Don't ask direct questions – who, what where, when
- Don't put words into the child's mouth by suggesting what has happened and by whom
- Take what the child says seriously, recognising the difficulties inherent in interpreting what a child who has a speech disability and/or differences in language says
- Keep calm and, even if you find what they are saying difficult or painful, keep listening
- Reassure the child but do not make promises of confidentiality, which may not be feasible in the light of subsequent developments. Explain early on that the information will need to be shared and what you will do next (as simply as possible)
- Make a full record of what has been said, heard and/or seen as soon as possible using the child's own words – take as soon as possible to your Safeguarding and Child Protection Leads
- Do not contact or confront the individual who is alleged to be responsible

| Appendix C: Dark Peak Music Foundation Record of Incident/Concern | |
|---|---|
| Place, date and time of disclosure of incident(s) | |
| Name of child/ young person/adult making the disclosure | |
| Childs address and telephone number | |
| Name of children/young people affected by incident(s) | |
| Person to whom the disclosure has been passed. | |
| Name and contact details of person reporting the disclosure | |
| Nature of the disclosure (continue on extra sheet if required) | |
| Action taken by Dark Peak Music Foundation (agency and individual to whom reported, date and time) | |
| Name of person who took this action | |
| Further developments (feedback from agency or further approach from young person) | |
| Signed | |
| Date | |

Notes:
Do not ask specific questions about the incident or suggest answers to the young person, but report what happened as close to their own words as possible. Explain that you will have to share the information.
If possible include when and where the incident happened, who was involved, whether the young person shows any signs of physical violence or reluctance to return home and whether parents know about the incident.

## Appendix D: The Dark Peak Music Foundations Organisation Team ('DPMF Team')

The Dark Peak Music Foundation is made-up of different groups of individuals. In this Policy, they are collectively termed the DPMF Team.

This includes:

- Ensemble Directors
- Trustees
- All supporting helpers/ volunteers, known as Friends of the Dark Peak