

Milton Keynes City Orchestra

Policy and procedures for the protection of children and vulnerable adults

Revised August 2007

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Policy for the Protection of Children and Vulnerable Adults

Protection Policy Statement

The welfare of children and vulnerable adults should remain of paramount importance at all times.

Milton Keynes City Orchestra is committed to good practice and a duty of care which protects children and vulnerable adults, involved in its activities, from harm. The Orchestra's staff and trustees recognise their responsibility to ensure that they and the Orchestra's personnel - including other professionals engaged by them, volunteers, project leaders, orchestral staff and musicians, and others who may work on activities where contact with children or vulnerable adults is anticipated and which are supported or promoted by the Orchestra - ensure that these activities take place in an environment that promotes the safety of children and vulnerable adults.

All children and vulnerable adults have a right to protection, and the needs of disabled children and others who may be particularly vulnerable must be taken into account. The Orchestra will endeavour to enable the safety and protection of all children involved in its activities through adherence to the Child Protection guidelines adopted by the Orchestra and its Board of Directors.

Policy Aims

In line with the Children Act 1989, Milton Keynes City Orchestra aims to provide safe participatory and creative opportunities for all children and vulnerable adults who engage with the Orchestra. The safety and welfare of the children and vulnerable adults for whom we provide services is paramount and will over-ride other considerations. This includes all children and vulnerable adults, whatever their age, culture, disability, gender, language, racial origin, religious beliefs and / or sexual identity.

The aim of Milton Keynes City Orchestra's Child Protection Policy is to promote good practice:

- Providing children and vulnerable adults with appropriate safety and protection whilst working with and alongside representatives of the Orchestra.
- Allowing all individuals engaged with the Orchestra – professionals and volunteers – to make informed and confident responses to specific protection issues.

Status of the Policy

This policy statement forms part of Milton Keynes City Orchestra's overall business planning. Copies will be provided to the Orchestra's project partners where projects involve children and vulnerable adults.

All of the Orchestra's policy statements are reviewed periodically by the Board, as appropriate.

Definitions

Children are defined as being young people under the age of eighteen years.

Vulnerable adults are those over the age of eighteen who may need protection by virtue of age or disability.

Role of Milton Keynes City Orchestra

Milton Keynes City Orchestra acts as a project facilitator and partner in devising and organising events and activities, some of which have as participants groups of children and / or adults who can be considered vulnerable by virtue of age or disability. The Orchestra works alongside performance venues, schools, community and family centres, music services, local authorities and other partner organisations on these projects. In most cases the Orchestra engages the professional musicians, other artists and other people who work directly with the participants. However, in the majority of situations it is these partner organisations that are the lead organisations with “in loco parentis” responsibilities for the implementation of policy and practice for the safeguarding of the participants - children and vulnerable adults – who are in their care on an ongoing basis beyond the scope of discrete activities involving the Orchestra.

The Orchestra and its representatives act as facilitators, using their specialist knowledge to contribute to planning and delivery and ensure that the objectives of projects are met and the charity’s funds are used effectively for the intended purposes.

Protection Measures

It is the Orchestra’s policy to take reasonable practicable steps for the protection of children and vulnerable adults. All Orchestra personnel will have regard to the importance that the Orchestra attaches to the proper management control of all protection measures for all children and vulnerable adults on the Orchestra’s premises, or who may be affected by the activities of the Orchestra.

All Orchestra personnel engaged in working with children and vulnerable adults should be sufficiently aware of the contents of these guidelines so that in the event of an unexpected incident all those involved are aware of the action they should take. It is the responsibility of every representative of the Orchestra’s personnel to take reasonable care for the protection of children or vulnerable adults who may be affected by the Orchestra’s work. In carrying out his or her duties every representative will have regard to this policy and to appropriate protection codes of practice.

Where freelance and temporary contract staff, engaged for specific projects, will or may have contact with children or vulnerable adults, Milton Keynes City Orchestra requires them to obtain appropriate clearances and a Disclosure and to supply the Disclosure Number, a copy of the Disclosure and sight of the original Disclosure to the Orchestra’s Education and Outreach Officer, or General Manager, as a condition of their engagement. Any Disclosure provided must be dated less than two years from the date of the commencement of the project working for which the individual is engaged.

Although the Orchestra’s staff rarely have direct contact with vulnerable groups, it reviews the need to obtain clearances or disclosures for these staff on an individual basis and requires them to be obtained as necessary and appropriate – for example the Orchestra’s General Manager and Education and Outreach Officer maintain valid Disclosures.

The Orchestra’s General Manager has responsibility for the operation and implementation of the Orchestra’s policies and procedures for the protection of children and vulnerable adults. Overall

responsibility for the policy relies with the Board. All Orchestra personnel are required to comply with the policy and to act in accordance with its objectives so as to ensure the protection of children and vulnerable adults. Any failure to comply with the terms of the policy will result in disciplinary action.

As a condition of its partnership engagement in the delivery of projects involving children and vulnerable adults, the Orchestra requires confirmation by partner organisations of the projects and organisations which contract personnel working with participants that all necessary clearances and disclosures have been or will be obtained by the time the work takes place.

Duty of Care

It is expected that all personnel working with young people exercise a Duty of Care. This means that all personnel must take the same care that a reasonable, prudent and careful parent would take in the same circumstances.

In exercising the Duty of Care and interpreting the meaning of "reasonable, prudent and careful", common sense should be applied. In doing so, those personnel involved should:

- Try to think as a guardian might think in similar circumstances.
- Consider whether they would be able to justify what is proposed to professional colleagues whose judgment they respect and, ultimately, a court of law.
- If they are in doubt they should not go ahead until they have sufficient further information and advice to remove the doubt.

The principle of "in loco parentis" applies to all who take responsibility for the children of others but the law would be likely to expect a higher standard of care from professionals because of their training and experience.

Promoting Good Practice Guidelines for Working with Children and Vulnerable Adults

The Orchestra encourages all personnel to demonstrate exemplary behaviour in order to protect themselves from false allegations. The following are common sense examples of how to create a positive culture and climate for working.

Good practice means:

- Always working in an open environment avoiding private or unobserved situations and encouraging open communication.
- Treating all children and vulnerable adults equally with respect and dignity.
- Always putting the welfare of each child or vulnerable adult first.
- Maintaining a safe and appropriate distance with participants.
- Building balanced relationships based on mutual trust and empowering children to share in decision making.
- Making music and arts activities fun, enjoyable and promoting access and inclusion for all.
- Being mindful of how and where you touch children. Ensure that if any form of tactile / physical support is required, it should be provided openly and according to these guidelines. If it is difficult to maintain hand positions when the child is constantly moving, young people should always be consulted and their agreement gained. Some parents are becoming increasingly sensitive about tactile support and their views should always be carefully considered.
- Keeping up to date with technical skills, qualifications and insurance.
- Involving parents/carers wherever possible. For example, encouraging them to take responsibility for their children in the waiting and public areas. If groups have to be supervised in these areas, always ensure that Orchestra personnel and their colleagues work in pairs.
- Ensuring that if supporting a group visit, children and vulnerable adults should always be accompanied by both a male and female member of staff.
- Being an excellent role model – this includes not smoking or drinking alcohol in the company of children and vulnerable adults.
- Giving enthusiastic and constructive feedback rather than negative criticism.
- Recognising the developmental needs and capacity of children and vulnerable adults – avoiding excessive practice, examination, or competition and not pushing them against their will.
- Securing parental consent in writing, should the possibility of the need arise, to act “in loco parentis”. This consent is essential should the need arise to administer emergency first aid and/or other medical treatment.
- Keeping a written record of any injury that occurs, along with the details of any treatment given.
- Requesting written parental consent if representatives are required to transport young people in their cars.
- Being vigilant about children leaving the premises, at which they are working with you, unattended. If, for any reason, children have to leave the premises temporarily, try to ensure they are accompanied.

Practices to be avoided

The following should be avoided except in emergencies. If a case arises where these situations are unavoidable (e.g. the child sustains an injury and needs to go to hospital, or a parent fails to arrive to pick a child up at the end of a session), it should be with the full knowledge and consent of a member of the Orchestra's management team – the Education and Outreach Officer or General Manager - or the child's parents.

Otherwise, avoid:

- Spending excessive amounts of time alone with children away from others.
- Taking or dropping off a child to an event.
- Taking children singly to the toilet. If possible take other children with you.

The safety of children is paramount and they should not be left unattended until their parent / guardian arrives. Children should not be handed over to a friend or neighbour to take home or allowed to leave on their own unless you have been authorised by the parent. Where possible, a password should be given to the adult collecting the child or written consent should be provided by the parent / guardian if the child is allowed to go home. No children under 8 should ever be allowed to leave on their own. Children over 8 should only be allowed to leave on their own where the responsible member of staff assesses the child is of sufficient maturity and competence to ensure their safety.

Practices never to be sanctioned

The following should never be sanctioned. You should never:

- Use corporal punishment or excessive force in handling a child.
- Take children in your car alone.
- Take children to your home.
- Engage in rough physical or sexually provocative games, or similar.
- Share a room with a child.
- Allow or engage in any form of inappropriate touching.
- Allow children to use inappropriate language unchallenged.
- Make sexually suggestive comments to a child, even in fun.
- Reduce a child to tears as a form of control.
- Allow allegations made by a child to go unchallenged, unrecorded or not acted upon.
- Do things of a personal nature for children or vulnerable adults that they can do for themselves.
- Invite or allow children to stay with you at your home unsupervised.

It may, rarely, be necessary for personnel to do things of a personal nature for children, particularly if they are young or are disabled. These tasks should only be carried out with the full understanding and consent of parents and the individuals involved. There is a need to be responsive to a person's reactions. If a person is fully dependent on you, talk with him/her about what you are doing and give choices where possible. This is particularly so if you are involved in

a situation where there is physical contact. Avoid taking on the responsibility for tasks for which you are not appropriately trained.

Incidents that must be reported/recorded

If any of the following occur you should report this immediately to the Orchestra's project manager - Education and Outreach Officer or General Manager - and record the incident. You should also ensure the parents of the child are informed:

- if you accidentally hurt an individual.
- If he/she seems distressed in any manner.
- if an individual appears to be sexually aroused by your actions.
- if an individual misunderstands or misinterprets something you have done.

If a child touches you in an inappropriate place, make a record of what happened and ensure that the Orchestra's project manager – Education and Outreach Officer or General Manager - also knows. As it could be a totally innocent touch, do not make the child feel like a criminal. Remember, ignoring this or allowing it to go on may place you in an untenable situation. To ignore this or to allow it to go on may place the child or vulnerable adult in a vulnerable position, as the next person may take advantage and then say that the child instigated it.

If strangers appear suspicious you should report them to your project manager – usually the Orchestra's Education and Outreach Officer or General Manager - or, if you are working independently, to the police. You should not approach any stranger alone – ensure you have a colleague with you. If a child reports any indecent exposure or any other threatening behaviour, the police or Social Services should be called immediately.

Use of Photographic/Filming Equipment

There is evidence that some people have used arts and performance events as an opportunity to take inappropriate photographs or film footage of children in vulnerable positions. All organisations should be vigilant and any concerns should be reported to the Orchestra's Education and Outreach Officer or General Manager.

- All representatives of the Orchestra should adhere to the photo / internet / video consent form detailed in Appendix one. In an Orchestra enabled setting this will usually be provided by the project manager – Education and Outreach Officer or General Manager.
- If the Orchestra would like to use the photo again at a later date, the appropriate member of staff – Education and Outreach Officer or General Manager – will need to contact the parent / guardian, of all those included in the image, to obtain permission for further usage. This is because children's lives and circumstances can change, and a photo used inappropriately could generate very bad publicity for the Orchestra and cause distress to the child, family or guardian. If working with vulnerable or disadvantaged participants, permission should be sought with sensitivity to this background. All participants and parents / guardians will be given the option of not being photographed and their images not being used in future publications, via the consent form.
- If commissioning a professional photographer or inviting the press to an activity or event it is important to ensure that they are clear about the expectations of them in relation to child protection. They should be provided with a clear brief about what is considered appropriate in terms of content and behaviour. They should also be issued with identification, which must be worn at all times. Whilst copyright lies with the photographer, the Orchestra will ensure, at the time the commission is confirmed, that photographs will only be used for purposes of which we are aware and approve.
- Participants and parents / carers / guardians must be informed that a photographer will be in attendance at an event and ensure they consent to both the taking and publication of films or photographs.
- Unsupervised access to participants or one-to-one photo sessions should not be allowed.
- Photo sessions outside events or at a participant's home should not be allowed.
- There is no intention to prevent the use of video equipment as a legitimate aid to practice, training or project working. However, children and vulnerable adults and their parents/careers should be made aware that this is part of the project and such films should be stored safely, via the Orchestra's office.

Unsupervised Children

The way in which Orchestra personnel deal with unaccompanied children should be based both on an awareness of the responsibility of the parent or the “in loco parentis” carer, and the Orchestra’s duty of care towards children and vulnerable adults. Children are the legal responsibility of their parents and carers, or of an “in loco parentis” carer – for example a school teacher has legal responsibility for a child in their care at school or on school visits.

There may be occasions when participants visit facilities and take part in activities unaccompanied. While not wishing to discourage children and vulnerable adults from participating, reasonable steps should be taken to ensure their safety and to inform parents / carers of their responsibilities.

- No children under 8 should ever be allowed to leave on their own.
- Children over 8 should only be allowed to leave where the responsible member of Orchestra personnel assesses the child is of sufficient maturity and competence to ensure their safety and if permission has been given by the parent.

A good practice response to discovering a child alone

If you discover an unsupervised child, in a school or education setting, speak to the person with designated responsibility for the protection of children and vulnerable adults, otherwise:

- Try to avoid being left alone with a child. Try to ensure colleagues are present when you are dealing with unsupervised children.
- Establish whether the child is allowed by the parent / carer to come and go alone. If you are satisfied that this is so, then allow the child to leave. If you gather this information only from the child then you will need to use your judgement to ascertain whether the child, if aged 8 or over, is competent to leave alone.

Relevant factors may be:

- Whether the child exhibits signs of nervousness.
- Whether the child appears to clearly understand your questions.
- Whether the child seems to be physically or mentally capable.
- Whether the child appears to know clearly and readily where he or she lives.
- How far the journey is.
- Whether you know of any particular hazards on the journey.

If you are in doubt, encourage the child to remain on the premises until you, or a colleague, have been able to contact a parent or carer, or the Social Services team, or the police. Remember, children under 8 should not be allowed to leave alone.

- Ask the child if they are expecting to be collected by an adult. Even if the child is expecting to be collected soon, do not wait until the venue is due to close before taking the next step.
- Try to contact the parent or carer; see if the child can give you an address or telephone number; check booking details or confirmation / registration details with the venue / project leaders to see if the child or a parent / carer’s details are recorded.
- If attempts to contact the parent / carer fail, see if the child can give you the details of a relative or a close family friend to contact. However, do not release a child into the care of

someone (other than police or Social Services) unless you are sure that they are the parent or carer or that the parent/ carer has given permission.

- If attempts fail, contact your local area Social Services Duty Team; if you cannot, contact your local police station.
- Under no circumstances should a child be escorted home by Orchestra personnel.
- The incident should be reported to the relevant member of the Orchestra's management team at the earliest opportunity.

Guidance on Responding to Suspected Abuse

It is not the responsibility of anyone working with the Orchestra, in a paid or unpaid capacity, to decide whether or not abuse has taken place. However, there is a responsibility to act on any concerns.

Child abuse, particularly sexual abuse, can arouse strong emotions in those facing such a situation. It is important to understand these feelings and not allow them to interfere with your judgement about the appropriate action to take.

Abuse can occur within many situations including the home, school and community environments. Some individuals will actively seek employment or voluntary work with young people in order to harm them. An animateur, instructor, teacher, or volunteer will have regular contact with young people and be an important link in identifying cases where they need protection. All suspicious cases of poor practice should be reported following the guidelines in this document.

When a child enters into the Orchestra's activities having been subjected to child abuse outside participation in arts and musical activities, this environment can play a crucial role in improving the child's self-esteem. In such instances the arts providers must work with the appropriate agencies to ensure the child receives the required support.

You should invoke the procedures whenever a concern is raised that a child may be harmed.

The Orchestra assures all personnel that it will fully support and protect anyone who, in good faith, reports his/her concern that a colleague is, or may be, abusing a child.

What to do when you have a concern

- Listen – never ask direct or leading questions.
- Seek the support of the Orchestra's project manager – the Education and Outreach Officer or General Manager - to witness the situation if possible.
- Record the incident using the Incident Report Form – see Appendix two. In the event of an injury to a child, accidental or otherwise, make sure it is recorded and witnessed by another adult, no matter how trivial the injury may seem.
- Take any immediate action required to assist the child – e.g. emergency medical treatment.
- Create a safe environment for the child to talk. Be clear about what the child has said, record what is said using the Incident Report Form and maintain confidentiality. If possible have a witness present.
- If in a school or educational setting, speak immediately to the person who has designated responsibility for the protection of children or vulnerable adults. (This is likely to be the Head Teacher for a school or the director of the youth or care setting.) It is that person's responsibility to liaise with the relevant authorities, usually Social Services.
- If in another venue, inform the project manager – the Education and Outreach Officer or General Manager, as above - who will advise whether Social Services need to be informed.

When a situation is reported to Social Services they will liaise with the relevant organisations and individuals on a “need-to-know” basis and will, if appropriate, inform the police. It is the responsibility of these authorities to determine whether abuse has occurred.

- Keep records of any false allegations a child or vulnerable adult makes against you and tell the project manager – Education and Outreach Officer or General Manager. This should include everything from “you are always picking on me” to “you hit me” or comments such as “don’t touch me”.
- Never keep suspicions of child abuse by a colleague to yourself. Although it is particularly difficult to report colleagues your primary duty is to protect children and you personally could be implicated by silence.

What to say to parents / carers

In most situations we should be completely honest to parents about what has happened to their child. In some situations it may not be appropriate to discuss the matter with the parent / carer if the child has asked you not to inform them or if the parent/carer has been named or is expected to be the perpetrator of the abuse.

Always ensure that you enlist the support of a more senior member of staff (e.g. the Education and Outreach Officer or General Manager).

Who to contact for advice within the Orchestra

Contact the Education and Outreach Officer and / or the General Manager. If they are not available contact the Social Services.

Responsibility for passing concerns on to social services

The person who completes the Incident Report Form should inform Social Services, after consulting with the General Manager.

Timescale for passing on concerns:

Concerns should be passed on by telephone or in person to the Education and Outreach Officer and / or General Manager on the same working day if possible. This should be followed up in writing by using the Incident Report Form within 24hrs if possible.

Making a Referral

If a referral to Social Services is required, the person who completes the incident form should contact the local Social Services Office depending on the area where you are based and where the child lives, after consultation with the Education and Outreach Officer and / or General Manager.

There should be an Emergency Duty Team for Out of Hours calls, and a local Police Child Protection Team.

See Appendix nine for all appropriate Milton Keynes contacts.

When to be concerned

- When a child has frequent or untypical injuries, not normally associated with the explanation offered.
- When a child exhibits untypical behaviour.
- When his or her progress at school alters dramatically.
- When his or her attitude changes.
- When a child indulges in sexual behaviour, either verbal or non-verbal, that is unusually explicit or inappropriate to his her age/stage.

Dealing with a disclosure

If a child discloses that he or she has been abused, the adult representative must:

- Listen to what the child says – do not interrupt
- Try not to display shock or disbelief you may feel
- Accept what is being said and allow the child to talk freely
- Take what they say seriously
- Reassure the child that they have done the right thing in telling you.
- Do not make promises which may not be possible to keep - do not promise confidentiality. It may well be necessary to tell other agencies
- Reassure the child that it is not his/her fault.
- Listen – do not ask direct or leading questions.
- Do not criticise the perpetrator – the child may well still love him or her.
- Explain what you have to do next.
- Make notes at the time and write them up afterwards, keeping both sets just in case.
- Verbally report the matter to the Education and Outreach Officer and / or General Manager as soon as possible, and certainly within 24hrs.

When abuse is disclosed or suspected the adult representative should:

- Make brief notes as soon as possible giving quotes if they can be recalled. Dates and times should be recorded. These notes must not be destroyed, even if a more detailed report is written later. They may be needed in any resulting court situation.
- Draw a diagram to indicate any marks or injuries observed. Never photograph.
- Use the Incident Report Form, as in Appendix one, for recording information. Appendix two provides advice and guidance on recording physical injuries.

Recording Information

To ensure that this information is as helpful as possible, a detailed record should always be made at the time of the disclosure/concern, which should include the following:

- The child's name, age and date of birth.
- The child's home address and telephone number.

- Whether or not the person making the report is expressing their own concerns or those of someone else.
- The nature of the allegation. Include dates, times, any special factors and other relevant information.
- Make a clear distinction between what is fact, opinion or hearsay.
- A description of any visible bruising or other injuries. Also any indirect signs, such as behavioural changes (See Appendix two for further guidance).
- Details of witnesses to the incidents.
- The child's account, if it can be given, of what has happened and how any bruising or other injuries occurred.
- Have the parents been contacted?
- If so, what has been said?
- Has anyone else been consulted? If so, record details.
- If the child was not the person who reported the incident, has the child been spoken to? If so, what was said?
- Has anyone been alleged to be the abuser? Record details.
- A referral to the police or Social Services should be followed up and confirmed in writing within 24 hours and the name of the contact who took the referral should be recorded.

Allegations involving another representative

Where an allegation is made against a colleague, immediate advice must be sought from the Orchestra's Education and Outreach Officer or General Manager, or, if the allegation is made about the General Manager, from the designated member of the Board.

Where there is a complaint against Orchestra personnel, this may lead to one of three types of investigation:

- a criminal investigation
- a child protection investigation
- a disciplinary or misconduct investigation.

The results of the police and child protection investigation may well influence the disciplinary investigation, but not necessarily.

Confidentiality

At all times every effort should be made to ensure that confidentiality is maintained for all concerned. Information should be handled and disseminated on a need to know basis only.

This includes sharing of details and information by the following people:

- the General Manager
- the Education and Outreach Officer
- the parents of the person who is alleged to have been abused
- the person making the allegation

- social services/police
- the Orchestra's Chairman and / or Board of Directors
- the alleged abuser (and parents if the alleged abuser is a child).

Social Services should advise on who should approach the alleged abuser.

Information should be stored in a secure place with limited access to designated people, in line with data protection laws (e.g. that information is accurate, regularly updated, relevant and secure), within or via the Orchestra's office.

If you are worried about sharing concerns about abuse with a senior colleague, you can contact social services or the police direct, or the **NSPCC Child Protection** Helpline on **0808 800 5000**, or **Childline** on **0800 1111**.

Actions - which may be taken

Concerns about suspected abuse

- Any suspicion that a child has been abused by a representative of the Orchestra or a colleague working on the project should be reported to the Education and Outreach Officer or General Manager, who will take such steps as considered necessary to ensure the safety of the child in question and any other child who may be at risk.
- The allegation will be referred to the Social Services department which may involve the police, or go directly to the police if out-of-hours.
- The parents or carers of the child will be contacted as soon as possible following advice from the Social Services department.
- The General Manager should also notify the designated Board member that an incident has occurred, who in turn will inform the Orchestra's Board of Directors. The General Manager will deal with any media enquiries.
- If the General Manager is the subject of the suspicion/allegation, the report must be made to the Orchestra's designated Board member who will refer the allegation to Social Services.

Allegations of previous abuse

Allegations of abuse may be made some time after the event (e.g. by an adult who was abused as a child or by a member of staff who is still currently working with children).

Where such an allegation is made, the procedures should still be followed, as detailed, and reported to the social services or the police. This is because other children may be at risk from this person. Anyone who has a previous criminal conviction for offences related to abuse is automatically excluded from working with children. This is reinforced by the details of the Protection of Children Act 1999.

Concerns outside the immediate music and arts project environment (e.g. a parent or carer):

- Report your concerns to the Education and Outreach Officer or General Manager, or if in a school or education setting to the person with designated responsibility for child protection, who should contact Social Services, or the police, as soon as possible.
- If the person with designated responsibility for the protection of children or vulnerable adults – the Education and Outreach Officer or General Manager - is not available, the person being told of, or discovering, the abuse should contact Social Services and / or the police immediately.
- Social services will decide and advise on how to involve the parents/carers.
- The General Manager should also report the incident to the Board of Directors. The Board should ascertain whether or not the person(s) involved in the incident play a role in the Orchestra and act accordingly.
- Maintain confidentiality on a "need-to-know" basis only.

Internal enquiries and suspension

- The Orchestra's General Manager will make an immediate decision about whether any individual accused of abuse should be temporarily suspended pending further police and Social Services enquiries.
- Irrespective of the findings of the Social Services or police enquiries the Orchestra's Board of Directors, with the General Manager, will assess all individual cases to decide whether a representative can be reinstated and how this can be sensitively handled. This may be a difficult decision, particularly where there is insufficient evidence to uphold any action by the police. In such cases, the Orchestra's Board must reach a decision based upon the available information, which could suggest that, on a balance of probability, it is more likely than not that the allegation is true. **The welfare of the child should remain of paramount importance throughout.**

Support to deal with the aftermath of abuse

- Consideration should be given to the kind of support that children, parents and members of staff may need. Use of helplines, support groups and open sessions will assist in maintaining an open culture and help the healing process. The British Association for Counselling Directory is available from The British Association for Counselling, 1 Regent Place, Rugby CV21 2PJ, Tel: 01788 550899, Fax: 01788 562189, Email: bac@bacp.co.uk, Internet: www.bacp.co.uk
- Consideration should be given to what kind of support may be appropriate for the alleged perpetrator.

Guidance on Recognising Suspected Abuse

Abuse is a violation of an individual's human and civil rights by any other person or persons. It may be intentional or unintentional and perpetrated knowingly or unknowingly.

Child abuse is a term used to describe ways in which children are harmed by someone often in a position of power. It may not be our responsibility to decide whether child abuse is occurring but we have a duty of care to act on any concerns and report appropriately. The health, safety and protection of a child are paramount. Any child and / or vulnerable adult could be subjected to such abuse.

The following guidance is to provide a broad overview on recognising suspected abuse, for information:

Physical Abuse

Can include hitting, shaking, throwing, poisoning, burning, scalding, suffocating or causing any form of 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 or vulnerable adult.

Possible signs include:

- Unexplained injuries or burns
- Refusal to discuss injuries
- Improbable explanations of injuries
- Untreated injuries or lingering illness
- Admission of punishment which appears excessive
- Shrinking from physical contact
- Fear of returning home or parents being contacted
- Fear of undressing
- Fear of medical help
- Aggression/ bullying
- Over compliant behaviour
- Running away
- Significant changes in behaviour
- Deterioration in work
- Unexplained pattern of absences

Emotional Abuse

This is persistent emotional ill treatment of a child such as to cause severe and persistent adverse effects on a 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 feature age or developmentally inappropriate expectations being imposed on children. These may include interactions that are beyond the child's developmental capability, as well as overprotection and limitation of exploration and learning, or preventing the child / young person participating in normal social interaction. It may involve seeing or hearing the ill-treatment of another. It may involve witnessing domestic violence. It may involve serious bullying, causing children frequently to feel frightened or in danger, or the exploitation or corruption of children. Some level of emotional abuse is involved in all types of maltreatment of a child, although it may occur alone.

Possible signs of emotional abuse include:

- Continual self-deprecation.
- Fear of new situations.
- Inappropriate emotional responses to painful situations.
- Self-harm or mutilation.
- Compulsive stealing/ scrounging.
- Drug/ solvent abuse.
- 'Neurotic' behaviour – obsessive rocking, thumb-sucking.
- Air of detachment, 'don't care' attitude.
- Social isolation.
- Attention-seeking behaviour.
- Eating problems.
- Depression, withdrawal.

Sexual Abuse

Sexual abuse involves forcing or enticing a child or young person to take part in sexual activities, including prostitution, whether or not the child is aware of what is happening. The activities may involve physical contact, including penetrative or non-penetrative acts. They can include non-contact activities such as involving children in looking at, or in the production of, pornographic material or watching sexual activities, or encouraging children to behave in sexually inappropriate ways. Possible signs include:

- Bruises, scratches, burns or bite marks.
- Scratches, abrasions or persistent infection in the anal or genital regions.
- Pregnancy.
- Sexual awareness inappropriate to the child's age.
- Frequent public masturbation.
- Attempts to teach other children about sexual activity.
- Refusing to stay with certain people or go to certain places.
- Aggressiveness, anger, anxiety, tearfulness.
- Withdrawal from friends.

Neglect

Neglect is also a form of abuse. It is the persistent failure to meet a child's basic physical and / or psychological needs and can affect the child's health and development. It might include failure to provide adequate food, shelter and clothing, failure to protect a child from physical harm or danger, failure to ensure adequate supervision, failure to ensure appropriate access to medical care and treatment, neglect or unresponsiveness to basic emotional needs. Possible signs include:

- Constant hunger.
- Poor personal hygiene.
- Inappropriate clothing.
- Frequent lateness or non-attendance.
- Untreated medical problems.
- Low self-esteem.
- Poor social relationships.

- Compulsive stealing or scrounging.
- Constant tiredness.

Self Harm

If it comes to the attention of a representative that a child is self-harming, they should alert the designated “in loco parentis” carer, Education and Outreach Officer or General Manager.

Institutional Abuse

Institutional abuse can be described as abuse by an organisation imposing rigid and insensitive routines, as well as by individuals within any building where care is provided. Examples include lack of flexibility and choice, lack of consultation, public discussion of personal matters, inadequate or delayed responses, staff overly controlled in service users’ relationships and activities.

Discriminatory Abuse

Discriminatory abuse includes racist, sexist and homophobic abuse, or abuse based on a person’s disability or age and occurs in situations when the victim perceives abuse to have been discriminatory in its intent.

Children with a Disability

Evidence suggests that children and young people with a disability are at increased risk of abuse, and that the presence of multiple disabilities appears to increase the risk of both abuse and neglect. Children with a disability may be especially vulnerable to abuse for a number of reasons:

- They may have fewer outside contacts than other children
- They may receive intimate personal care
- They may have impaired capacity to resist or avoid abuse
- They may have communication difficulties which make it difficult to tell others what is happening
- They may be too inhibited to complain for fear of losing services
- They may be especially vulnerable to bullying and / or intimidation
- May be more vulnerable than other children to abuse by their peers.

Safeguards for children with a disability are essentially the same as for children without a disability. All concerns should be acted upon in accordance with the policy and the same thresholds for action apply.

Bullying

Bullying can be defined as using deliberately hurtful behavior, usually over a period of time, where it is difficult for those bullied to defend themselves. The three main types of bullying are:

- Physical
- Verbal
- Emotional

All incidents of bullying should be dealt with by the person(s) responsible for the participants – e.g. class teacher - in the first instance

Guidance on action to help the victim and prevent bullying:

- Take all signs of bullying very seriously.
- Encourage all children to speak and share their concerns (It is believed that up to 12 children per year commit suicide as a result of bullying, so if anyone talks about or threatens suicide, seek professional help immediately). Help the victim to speak out and tell the person in charge or someone in authority.
- Investigate all allegations and take action to ensure the victim is safe. Speak with the victim and the bully(ies) separately.
- Reassure the victim that you can be trusted and will help them, although you cannot promise to tell no one else.
- Keep records of what is said (what happened, by whom, when).
- Report any concerns to the designated “in loco parentis” carer, (e.g. school) wherever the bullying is occurring, or to the project manager – the Orchestra’s Education and Outreach Officer or General Manager

Guidance on action towards the bully(ies):

- Talk with the bully(ies), explain the situation, and try to get the bully(ies) to understand the consequences of their behaviour. Seek an apology to the victim(s).
- Inform the bully(ies)’s parents.
- Insist on the return of 'borrowed' items.
- Provide support for those working with the victim.
- Impose sanctions as necessary.
- Encourage and support the bully(ies) to change behaviour.
- Hold meetings with the families to report on progress.
- Inform all representatives of partner organisations of action taken.
- Keep a written record of action taken.

Recruitment and Selection Procedures

The nature of work involved in the delivery of the Orchestra's education and outreach activity – Music for Life - means that these roles are exempt from the provision of Section 4 (ii) of the Rehabilitation of Offenders Act 1974. This means that all individuals working as Orchestra personnel must declare information about all criminal convictions, cautions and bind-overs by completing a declaration. Those individuals who have substantial access to children will also be asked to complete a Criminal Records Disclosure and have the information checked with the Criminal Records Bureau. It is important to recognise that recruitment and selection procedures do not in themselves prevent abusers from being employed, but having careful procedures is one way of reducing the risk.

Where freelance and temporary contract personnel, engaged for specific projects, will or may have contact with children or vulnerable adults, Milton Keynes City Orchestra requires them to obtain appropriate clearances and a Disclosure and to supply the Disclosure Number, a copy of the Disclosure and sight of the original Disclosure to the Orchestra as a condition of their employment. Any Disclosure provided must be dated less than two years from the date of the commencement of the project working for which the individual is employed.

Although the Orchestra's administrative and management staff rarely have direct contact with vulnerable groups, it reviews the need to obtain clearances or disclosures for these staff on an individual basis and requires them to be obtained as necessary and appropriate. All individuals engaged as representatives of the Orchestra are covered by these procedures.

The Orchestra recognises that anyone may have the potential to abuse children in some way and all reasonable steps are taken to ensure unsuitable people are prevented from working with children.

Pre-employment checks

For individuals engaged in the Orchestra's education and outreach delivery, pre-employment checks may include the following:

- A Disclosure Number, copy of the Disclosure and sight of the original Disclosure document must be provided in all cases.
- Consent obtained from the individual to seek confirmation and / or information from the Criminal Records Bureau, as appropriate.
- Completion of an information form. This form will elicit information about an applicant's past and a self-disclosure about any criminal record.
- Up to two confidential references may be requested, including one regarding previous work with children. These references should be taken up and confirmed through telephone contact.
- Evidence of identity may be requested (e.g. passport or driving licence with photo).

Appendix four provides a sample statement of policy about relevant offences, Appendix five is a sample Declaration Form for use in requesting details of convictions, and Appendix six provides guidance on the relevance of convictions.

Discussion and preparation

All those involved with education and outreach delivery and similar will be required to engage in appropriate face-to-face dialogue in advance of their engagement. These individuals should participate in planning and preparation which includes:

- A check should be made that the required information has been supplied (including appropriate disclosures).
- Roles and responsibilities should be clarified.
- Child protection procedures are explained and documents provided.
- A signed confirmation that these guidelines on Protection of Children and Vulnerable Adults have been read, understood, and will be put into practice, should be obtained. A sample Declaration Form, for this purpose, is included as Appendix seven.

Confidentiality

All information received concerning individuals must remain confidential to the relevant Orchestra management staff – the Education and Outreach Officer and General Manager - on a “need-to-know” basis.

Ongoing training and evaluation

The safeguarding process includes on-going training and evaluation, as part of on-going project management, to help representatives to:

- Analyse their own practice against established good practice, and to ensure their practice is likely to protect them from false allegations.
- Recognise their responsibilities and report any concerns about suspected poor practice or possible abuse.
- Respond to concerns expressed by a child or young person.
- Work safely and effectively with children.

Declaration

On behalf of Milton Keynes City Orchestra we, the undersigned, will oversee the implementation of the Child Protection Policy and take all necessary steps to ensure it is adhered to.

Signed:

Signed:

Name:

Name:

Position:

Position:

Date:

Date:

**Appendix two
Milton Keynes City Orchestra
Protection of Children and Vulnerable Adults
Incident Report Form**

Date of incident:

Time of incident:

Location of incident:

Address of premises and contact details:

Names and contact details of individuals involved:

What happened?

What was said?

What did you, or any other individuals say?

Record contact details – names, addresses and telephone numbers

What else did you observe, if anything?

Name:

Signature:

Position:

Date:

Management reported to:

Name:

Signature:

Position:

Date:

Appendix three

Recording physical injuries

When you notice an injury to an individual, which needs to be recorded, do this as soon as possible and make a note of when the injury was first seen. Try to record the following information in respect of each mark:

- Exact position of injury on the body – e.g. upper outer arm / left cheek.
- Size of injury – in approximate centimetres or inches (use indicators e.g. size of a one pence coin).
- Approximate shape of injury e.g. round, square, or straight line.
- Colour of injury.
- Whether the skin is broken.
- Whether there is any swelling at the site of the injury or elsewhere.
- Whether there is a scab, any blistering, any bleeding.
- Whether the injury is clean or dirty.
- Whether mobility is restricted as a result of the injury.
- Whether the site of the injury feels hot, by asking the child.
- Whether the child feels hot.
- Whether the child feels pain.

Do not attempt to guess at things beyond your own field of expertise e.g. age of the injury.

Draw a diagram to indicate any marks or injuries observed. Never photograph.

Appendix four

Statement of policy about relevant offences

This statement may be provided to potential employees with an engagement letter and, where appropriate appendix five and appendix six.

The attached form relates to the Rehabilitation of Offenders Act 1974 which states that the work for which you have expressed an interest is exempt from the provisions of the Act.

Due to the nature of the work of Milton Keynes City Orchestra's education and outreach activity – Music for Life – individuals engaged in its delivery are exempt from the provisions of Section 4 (ii) of the rehabilitation of Offenders Act 1974 (exemptions) Order 1975 and are therefore not entitled to withhold information about convictions which, for other purposes, are “spent” under the provisions of the Act. This means you need to tell us about all convictions, whether “spent” or not, no matter how long ago the offence took place, and any cautions or bind-overs whatever the nature of the offence. You must declare everything.

The disclosure of a criminal record, or any information, will not debar you from employment unless it is considered that the conviction renders you unsuitable for employment. In making this decision the Orchestra will consider the nature of the offence, how long ago and what age you were when it was committed and any other factors which may be relevant.

If you are being considered for a role that involves substantial opportunity for access to children or vulnerable adults the Orchestra is also entitled, under arrangements introduced for the protection of children, to check with the Criminal Records Bureau for the existence and content of any criminal record of the individuals concerned. You will be asked to provide the Reference number and a copy of a Criminal Records Bureau Disclosure, and provide sight of the original document to the Education and Outreach Officer or General Manager. The Disclosure must have been undertaken within two years of the project start day from which you may be employed. If you are unable to do so you will be offered support and advice to enable you to apply for such a Disclosure. Information received from the police, as contained in such a Disclosure, will be kept in strict confidence and will be destroyed when the process is completed.

If we find from the Criminal Record Disclosure that you have a conviction that you have not declared we will have no alternative but to cancel your employment. The cancellation will be due to the fact that you have been dishonest in the information you have supplied and we must be sure that our representatives' honesty and integrity is beyond reproach.

If you would like to discuss what effect any conviction you have might have on your employment you may telephone the Orchestra's General Manager, on 01908 558311, in confidence, for advice.

**Appendix five
Milton Keynes City Orchestra
Declaration Form**

**Rehabilitation of Offenders Act 1974
(Exemptions) Order 1975
(Exceptions) (Amendment) Order 1986**

Because of the nature of the work for which you are being considered you are required to disclose any criminal convictions. By virtue of the Rehabilitation of Offenders Act 1974 (Exceptions) Order 1975 and the Rehabilitation of Offenders Act 1974 (Exceptions) (Amendment) Order 1986 this role is exempt from provision of Section 4 (2) of the Rehabilitation of Offenders Act 1974.

You are therefore not entitled to withhold information about convictions which for other purposes are "spent" under the provisions of the Act, or any bind-overs or cautions. If you are offered employment, any failure to disclose such convictions could result in dismissal or disciplinary action by the Orchestra.

Any information given will be completely confidential and will be considered only in relation to positions to which an order applies. Under the provisions of the Rehabilitation of Offenders Act 1974 (exceptions) (Amendments) Order 1986 you may, however, be asked questions about any offences and the authority is empowered to make enquiries of the police as to the existence of a criminal record for any application for the role for which you are being considered.

Details of convictions (including "spent" convictions, bind-overs and cautions are as follows: Enter "none" if applicable.

I confirm that the information given by me is correct and that: (please tick boxes)

- I have had a Criminal Records Disclosure within two years of the project start date.

The Reference number is:.....
and I enclose a copy.

- I am prepared to undertake a Criminal Records Disclosure
Please provide me with details as to how to obtain a Criminal Records Disclosure.

I understand that if I do not enable this check my possible employment for the delivery of education and outreach activity is unlikely to be considered further.

Signature:

Print name: Date:

Appendix six

Relevance of Convictions – Guidelines

A Criminal Record does not automatically render an individual unsuitable for work with children. Research has shown that one adult male in three will have a criminal conviction (excluding motoring offences) by the time he is thirty.

In deciding the relevance of the convictions the following points should be considered:

What is the nature of the offence?

In general, convictions for sexual, violent or drug offences will be particularly strong contra-indications for work with children.

What is the nature of the appointment?

Often the nature of the appointment will help to assess the relevance of the conviction e.g. serious sexual, violent, drug or drink offences would give rise to particular concern. Drink-driving offences would be relevant only in situations involving transport of children.

When did the offence occur?

Offences which took place many years in the past may often have less relevance than recent offences. However, convictions for serious violent or sexual offences or serious offences involving substance abuse are more likely to give cause for concern than an isolated case of dishonesty committed when the person was young. The chance for rehabilitation must be weighed against the need to protect children.

Similarly, a series of offences over a period of time is more likely to give cause for concern than an isolated minor conviction.

Appendix seven

Milton Keynes City Orchestra

Policy for the Protection of Children and Vulnerable Adults

Employee and Volunteer Declaration Form

I confirm that I have read and understood the guidelines on Protection of Children and Vulnerable Adults and that I agree to put them into practice.

Name:

Position:

Address:

Contact telephone number:

Signature:

Date:

Appendix eight Key Documents for Reference

Firstcheck – a step by step guide for organisations to safeguard children. NSPCC.

Keeping Arts Safe - protection of children, young people and vulnerable adults involved in arts activities. Arts Council England, written in collaboration with the NSPCC. 2003 and revised 2005.

Stopcheck – a step by step guide for organisations to safeguard children. NSPCC Consultancy.

The Protection of Children Act 1999 – A Practical Guide to the Act for all Organisations Working with Children. Department of Health, NHS Executive.
www.doh.gov.uk/scg/childprotect

Appendix nine Contacts

Milton Keynes City Orchestra

Office: 01908 558311, fax 01908 558312, e-mail info@mkco.org
3 Theatre Walk, Central Milton Keynes, MK9 3PX

General Manager: Anna J Denny, e-mail anna.denny@mkco.org

In an emergency contact on 0788 1821882

Education and Outreach Officer: Jackie Allen, e-mail jackie.allen@mkco.org

Out of hours contact on 07766 661420

Chairman of the Board: Simon Cuthbertson

Telephone 07860 759176, e-mail simon.cuthbertson@mkco.org

Social Services (Milton Keynes Council)

Children's Services Team

Can be contacted for advice on young people who need help or who are at risk on 01908 253169 / 253170.

Social Service for Adults

Talk to one of the Customer Liaison Officers on 01908 253772 / 253773 or e-mail ascats@milton-keynes.gov.uk

Emergency Social Work Team

This support team provides a social work service for urgent situations that arise outside normal office hours and which cannot wait until the next working day. The Experienced Social Workers provide advice and act on behalf of both Adult Social Care and Children's Services. They can be contacted on 01908 265545, fax 01908 265543 or e-mail eswt@milton-keynes.gov.uk

Write to the above at: Milton Keynes Council, Civic Offices, 1 Saxon Gate East, Central Milton Keynes, MK9 3EJ

Education Welfare Service

This service enables CRB checks and issues chaperones licenses for Milton Keynes residents working with children in the arts and entertainment. It also provides information and deals with licenses for young people in entertainment. They can be contacted on 01908 657800, fax 01908 373337, e-mail educationwelfareservice@milton-keynes.gov.uk or in writing to Education Welfare Service, Holne Chase Centre, Buckingham Road, Bletchley, Milton Keynes, MK3 5HP.

Police (Thames Valley)

In an emergency always dial 999

It is an emergency if a crime is being committed, there is a risk of injury or a risk of serious damage to property.

To contact Thames Valley Police

If you are reporting a non-emergency crime, or would like to give information to Thames Valley Police, please call 0845 8 505 505.

The **Child Abuse Investigation Unity (CAIU)** and **Adult Protection Co-ordinator** can be instructed / contacted through these contacts, as appropriate.

Other useful sources of support

The British Association for Counselling, 1 Regent Place, Rugby CV21 2PJ, Tel: 01788 550899, Fax: 01788 562189, Email: bac@bacp.co.uk, Internet: www.bacp.co.uk

Childline on **0800 1111**.

Criminal Records Bureau

PO Box 91, Liverpool, L69 2UH

Help line 0870 90 90 811

www.crb.gov.uk

Child Protection Helpline on **0808 800 5000**

NSPCC (National Society for the Prevention of Cruelty to Children)

Weston House, 42 Curtain Road, London, EC2A 3NH

www.nspcc.org.uk