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Deal Music & Arts Limited Registered Charity No: 1100003  
Registered Office: 49 Barton Mill Road, Canterbury CT1 1BP

## **SAFEGUARDING & CHILD PROTECTION POLICY**

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## **SAFEGUARDING POLICY**

Deal Music & Arts (DMA) is committed to safeguarding the well-being of young people and vulnerable adults who participate in our programmes. The purpose of this policy is to provide staff and volunteers with the overarching principles that guide our organisation's approach to safeguarding and child protection. The policy applies to all staff including the board of trustees, paid staff, volunteers or anyone working on behalf of Deal Music and Arts.

We recognise that:

- the welfare of children is paramount, as enshrined in the Children Act 1989
- all children, regardless of age, disability, gender, racial heritage, religious belief, sexual orientation or identity, have a right to equal protection from all types of harm or abuse
- some children are additionally vulnerable because of the impact previous experiences, their level of dependency, communication needs or other issues
- working in partnership with children, young people, their parents, carers and other agencies is essential in promoting young people's welfare

This policy recognises vulnerable people as:

- a. Children up to the age of 16, and young people aged 16 -18
- b. Adults aged over 18 defined as vulnerable by the Safeguarding Vulnerable Groups Act 2006; this will include adults with a learning or physical disability, a physical or mental illness, chronic or otherwise, including an addiction to alcohol or drugs, or reduced physical or mental capacity.

The policy aims to:

- a. Protect children, young people and vulnerable adults who are participate with, receive services from, or volunteer with Deal Music & Arts
- b. Ensure members, staff and volunteers working with children young people and vulnerable adults are carefully recruited and understand and accept responsibility for the safeguarding of those vulnerable individuals they are interacting with.

When Deal Music & Arts organises or manages an activity or event where they will be responsible for children, young people or vulnerable adults they will ensure that

- i. Planning is undertaken in line with this Policy and procedures
- ii. The event is staffed by the appropriate number of DBS checked adults in accordance with current OFSTED guidance
- iii. There will be a duty safeguarding contact available on the day who must be DBS checked.
- iv. The duty safeguarding contact must have access to emergency contact information and other relevant details (e.g. details of picking up arrangements for vulnerable participants)
- v. Where an activity or event takes place in a school and as part of the school's curriculum DMA staff and volunteers who are participating will be subject to the school's own safeguarding policy and procedures. When a vulnerable person wishes to take part in a DMA activity written permission (email is accepted) must be obtained from parents/ guardians in advance, where appropriate.

## **POLICY FOR DISCLOSURE AND BARRING SERVICE (DBS)**

If an existing or potential participant, staff member or volunteer will be working with young people or vulnerable adults in a Deal Music & Arts project or event, the appropriate DBS checking required will be decided by the Education Director in line with DBS rules regarding regulated activities. The results of such checks to inform a decision will be kept confidential to those involved. The DBS Certificate must be up to date at the commencement of the activity with Deal Music & Arts.

### **Frequency of Checks**

We expect all staff to sign up to the DBS update service. This is an online subscription service that enables certificate holders to keep standard and enhanced DBS certificates up-to-date. It also allows employers to check a certificate online, with consent. DMA will check the update service on an annual basis and record the results in the Single Central Record. If a member of staff does not subscribe to the update service, we will consider the certificate to have expired after a year; they will then need to pay the full fee for a new check to be carried out.

### **Recruitment of Staff**

When recruiting new staff, it will be made clear on the job description what level of check is required for the role and that any offer of employment will be made subject to this check being carried out. Should any spent convictions come to light, the job offer will be withdrawn if the convictions relate to children and vulnerable adults. Other types of unspent conviction will be considered individually. All job descriptions for jobs requiring an enhanced DBS check will carry the following wording:

*“This post is subject to an enhanced check through the Disclosure and Barring Service (DBS)”.*

Application forms for posts within the organisation will include the following question:

*“The amendments to the Exceptions Order 1975 (2013) provide that certain spent convictions and cautions are ‘protected’ and are not subject to disclosure to employers and cannot be taken into account. Do you have any convictions, cautions, reprimands or final warnings that are not “protected” as defined by the Rehabilitation of Offenders Act 1974 (Exceptions) Order 1975 (as amended in 2013)?”*

### **Working with Partners**

DMA works with a range of partners and will ensure through its partnership agreements that partners carry out enhanced DBS checks on people who fit within the requirements covered in this policy.

**ROLE OF THE DESIGNATED SAFEGUARDING LEAD (DSL)**

The DSL is the person appointed to take lead responsibility for child protection issues that may arise at DMA. The person fulfilling this role is the General Manager and the DSL role is set out in the post holder's job description. Furthermore, the Trustee holding the position of Chair of Education Committee will cover the role of the designated safeguarding lead when they are unavailable and to take on part of the role and work that arises. The lead responsibility for safeguarding and child protection remains with the DSL.

**Training**

The DSL, Chair of Education Committee and Duty Safeguarding Officers (Education Director and Project Coordinator) should attend appropriate training to enable them to carry out their role. This should be updated every two years as a minimum. In addition to formal training, the DSL will keep knowledge and skills up to date via online training, ebulletins, opportunities to network with other DSLs and attend any locally arranged briefings. Trustees will also undertake regular training appropriate to their role.

**The DSL should:**

- Work with staff and the Board of Trustees to ensure safeguarding is at the heart of the ethos of DMA and that all staff are supported in knowing how to recognise and respond to potential concerns
- Liaise with the Chair of Trustees and Chair of Education Committee to keep them informed of any safeguarding issues especially ongoing enquiries and police investigations
- As required, liaise with the local authority case manager (LA) or designated officer at the local authority (LADO) if a concern has arisen regarding a member of staff
- Liaise with staff on matters of safety and safeguarding when deciding whether to make a referral by liaising with relevant agencies
- Act as a source of support, advice and expertise for staff

**Management of referrals**

The DSL will:

- Refer cases of suspected abuse to Children's Social Care and support staff who have raised concerns about a child or have made a referral to Children's Social Care
- Refer cases to the Disclosure and Barring Service (DBS) where a member of staff has been dismissed following concerns they posed a risk to a child
- Refer cases to the police where a crime has been or may have been committed

**Raise Awareness**

The DSL's will ensure the Safeguarding Policy is reviewed and updated annually. It will be made available to all Staff and Trustees with regular briefings. Partners and parents will be made aware that the Policy is displayed on the website.

**Procedures for raising safeguarding concerns and incidents of abuse**

- i. If any participant, staff member or volunteer witnesses, suspects or is informed about a witnessed or suspected case of abuse they should immediately inform the duty safeguarding officer on duty.
- ii. Any incident or allegation whatsoever involving a young person aged under -18 must be reported to the police immediately.
- iii. If the Duty Safeguarding Officer is not available or is in some way involved in the incident they should report their concern to the Main Safeguarding Officer, Jane Billing at the very earliest opportunity.
- iv. If an individual wishes to report an incident of abuse against themselves they should report it to the Main Safeguarding Officer or to another individual who they trust.

**Procedures for dealing with concerns and incidents of abuse.**

The duty safeguarding officer will first make a decision based on the immediacy of the concern and the following factors:

- i. If the vulnerable person is in immediate danger or needs emergency medical attention the emergency services must be notified immediately.
- ii. If the person at the centre of the allegation is working with vulnerable people at that time they must be removed from the situation immediately.
- iii. If none of the above situations applies the Duty Safeguarding Officer will:
  1. Make a note of the concerns reported to them
  2. Advise the General Manager and Education Director immediately.

**Where an internal investigation takes place the General Manager will:**

1. Inform all parties involved of the reported abuse as soon as possible.
2. Inform the family/ guardians of the person reported as having been the victim of abuse.
3. Arrange separate meetings with both parties within 10 days of the reported incident. A joint meeting may be arranged, but only if appropriate.
  - a. Both parties will be permitted to bring a friend or representative to the meeting.
  - b. Meetings will be attended by the Main Safeguarding Officer and at least one other member of the Deal Music & Arts Board.
  - c. All parties will be invited to submit a written statement in advance of the meeting.
4. Once the meeting has taken place The General Manager and Safeguarding Officer and the Board member who attended will decide on the next steps and write to all parties within 5 days. They will be either:
  - a. Escalate the incident to an appropriate authority
  - b. Further investigation-with procedures and timelines designed to effect a resolution
  - c. A decision or resolution. If abuse is found to have taken place any final resolution or decision will be taken in the best interest of the person who has suffered the abuse.

5. Should either the victim (or their parents/ guardians) or Deal Music & Arts believe the case has not been resolved satisfactorily either party may request impartial binding arbitration. The General Manager and Safeguarding Officer will expedite this process as speedily as possible and will seek to appoint an appropriately qualified arbitrator acceptable to both parties.

### **Dealing with Disclosures and Concerns about a Child or Young Person**

If a young person confides abuse, it is important to know how to respond. Here are universal principles, regardless of the age of the young person.

#### **What to do**

- be welcoming even if time is not convenient for you – it will have taken courage to approach and they may not do it again
- find a quiet space where conversation won't be interrupted, and leave the door open
- follow the procedures of the organisation where you are having a one-to-one conversation with a child or young person to protect yourself from allegations
- stay calm and listen carefully
- allow the young person to tell you at their own pace
- ask questions for clarification only
- make notes using their own words as far as possible (distinguish between fact and opinion)
- reassure them and tell them that they were right to share this information with you and you will do all you can to help them. Tell them there are people in the organisation that can help and that you will have to let them know
- if emergency help is required, do not delay in getting it
- contact the Designated Safeguarding Lead (DSL) for DMA

#### **What to avoid**

- do not allow your surprise, shock, anger, distaste, dismay or any other emotions to show
- do not ask leading questions or request more information than is offered (following a referral, it is a safeguarding professional's role to investigate - you could compromise any subsequent investigations)
- do not make comments about the abuser or try to guess who s/he is
- do not promise to keep the conversation a secret Record

#### **Record**

- you should immediately record any disclosure of abuse AND any concerns you have about a child
- this should be done as far as possible using the child's own words
- you should distinguish between fact and opinion – try to make your account factual
- you should sign and date your account

- you must not include any photographs of the child but could use a body map to highlight any areas of the body that have caused you concern

**Barriers to Reporting Abuse and Concerns**

- denial/disbelief – recognition might be costly. It is very common to try to deny or explain away concerns or disclosures. You should be aware that this is a common reaction and ensure that you are guarding against this compulsion
- explaining away – finding another reason for the signs/behaviours/disclosure
- fear – what will the repercussions be for the child/for me?
- judgment – what if I have got it wrong?
- alliances to colleagues – this is my friend and I cannot report them/they would not have done it
- remember – you do not have to investigate or take responsibility for any judgments. You just have to pass it on



Trustees, employee, contractor volunteer identifies a concern about a child or young person



The person identifying the concern should record the issues in writing and report the matter as soon as possible to the Designated Safeguarding Lead for DMA



Records will be created and maintained by the Designated Safeguarding Lead



Designated Safeguarding Lead will refer to the KSCMP who will decide:

- internal DMA action only
- refer to school that the child or young person attends
- refer to children's social care
- strategy meeting

**REPORTING OF DISCLOSURES AND CONCERNS**

**CONFIDENTIAL** Once completed, this form must be given to DMA's Designated Safeguarding Lead

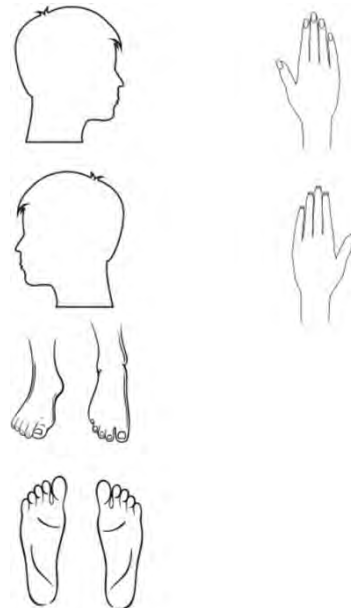
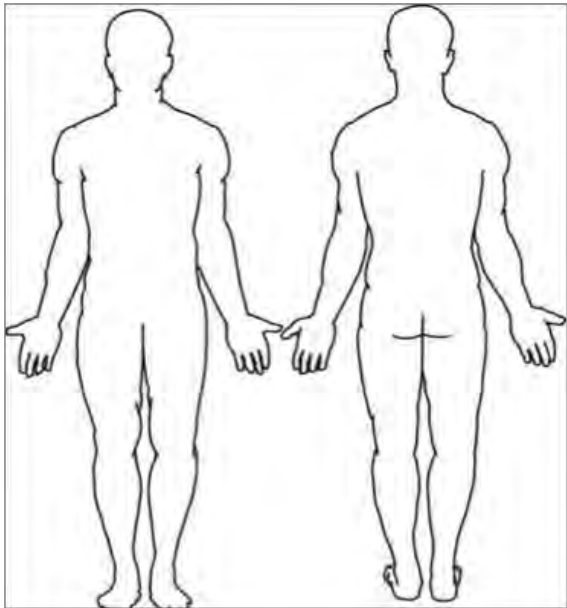
**Remember: Listen, Respond, Record, Report**

Name of child/young person:	Age of child/young person:
Name and position of person completing form (please print):	
Date of incident/concern DD/MM/YY	
Incident/concern (who, what, when)*	
Any other relevant information (witnesses, immediate action taken)*	
Signature of person completing this form:	Date form completed: (DD/MM/YY)
Action taken (including reasons for decisions) and Outcomes* (NB- this section is to be completed by DSL)	
Signature of DSL	Date (DD/MM/YY)
Signature of Lead DSL (if appropriate)	Date (DD/MM/YY)

\*Continue on a separate sheet if necessary

Please confirm that student has been made aware that their disclosure/conversation may need to be reported confidentially (tick box to confirm).

Please use the body map provided if useful



Continued from overleaf...

## **MANAGING ALLEGATIONS MADE AGAINST AN EMPLOYEE/VOLUNTEER**

This procedure outlines what should be done if a child protection allegation is made against an adult working for or involved with DMA.

The procedure aims to provide a clear direction to staff and trustees who are called upon to deal with such allegations and to manage investigations that may result from them.

The aims of this procedure are:

- to ensure that children who attend DMA events, and any other children who may come to our attention, are protected and supported following an allegation that they may have been abused by an adult from within DMA
- to ensure that there is a fair, consistent and robust response to any allegations made, so that the risk posed to other children by an abusive individual is managed effectively
- to facilitate an appropriate level of investigation into allegations, whether they are said to have taken place recently, at any time the person in question has been employed/volunteered with DMA, or prior to the person's involvement with DMA
- to ensure that DMA continues to fulfil its responsibilities towards members of staff, volunteers or trustees who may be subject to such investigations
- to ensure that individuals are able to continue in their role if they have been at the centre of allegations that are unfounded or deemed to be malicious in origin This procedure applies to:
  - I. any member of staff, volunteer or trustee to whom an allegation of abuse has been made, that involves another member of staff, volunteer or trustee
  - II. anyone in a managerial position (including the designated safeguarding lead for children, general manager and trustees) who may be required to deal with such allegations and manage investigations that result from them

### **Different types of abuse**

**Physical abuse** may involve hitting, shaking, throwing, poisoning, burning or scalding, drowning, suffocating, or otherwise causing physical harm to a child.

**Physical harm** may also be caused when a parent or carer fabricates the symptoms of, or deliberately induces, illness in a child.

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

**Sexual abuse** involved forcing or enticing a child or children to take part in sexual activities, not necessarily involving a high level of violence, whether or not the child is aware of what is happening. The activities may involve physical contact, including assault by penetration (for example rape or oral sex) or non-penetrative acts, such as masturbation, kissing, rubbing and touching outside of clothing. They may also include non-contact activities, such as involving children in looking at, or in the production of, pornographic material or watching sexual activities, or encouraging children to behave in sexually inappropriate ways, or grooming a child in preparation for abuse (including via the internet). Sexual abuse can be perpetrated by anyone: males, females, adults, and other children.

**Neglect** is the persistent failure to meet a child's basic physical and/or psychological needs, likely to result in the serious impairment of the child's health or development. Neglect may occur during pregnancy as a result of substance abuse. Once a child is born it may involve a parent or carer failing to provide adequate food, clothing, and shelter, including exclusion from home or abandonment; failure to protect a child from physical harm or danger, failure to ensure adequate supervision, including the use of adequate care takers; or the failure to ensure access to appropriate medical care or treatment. It may also include neglect of, or unresponsiveness to, a child's basic emotional needs.

#### **What to do if an allegation is made or information is received**

There are potentially two issues that need to be dealt with as a matter of urgency:

1. Is a child in immediate danger or does she/he need emergency medical attention?
  - if a child is in immediate danger and is with you, remain with him/her and call the police
  - if the child is elsewhere, contact the police and explain the situation to them
  - if the child needs emergency medical attention, call an ambulance and, while you are waiting for it to arrive, get help from your first aider
  - if the first aider is not available, use any first aid knowledge that you may have yourself to help the child. You also need to contact your General Manager or named person for child protection to let them know what is happening. The member of staff of manager should also inform that child's family if the child is in need of emergency medical attention, and arrange to meet them at the hospital or medical centre. The parents/carers should be informed that an incident has occurred, that the child has been injured and that immediate steps have been taken to get help.
2. Is the person at the centre of the allegation working with children now? If this is the case, the concern needs to be discussed immediately with the manager of the activity for DMA and the designated safeguarding lead for children. One of these (either the manager or designated safeguarding lead) should then, in a sensitive manner, remove the staff member involved in the allegation from direct contact with children.

It should be then explained to the person, in private, that there has been a complaint made against him/her, although the details of the complaint should not be given at this stage. The person should be informed that further information will be provided as soon as possible but that, until consultation has taken place with the relevant agencies and within the organisation, they should not be working with children. It may be best, under the circumstances, for the person to return home on the

understanding that the manager or designated safeguarding lead for children will telephone him/her later in the day.

The information provided to him/her at this stage will need to be very limited. This is because discussions need to take place first with other agencies who may need to be involved, such as the local authority children's social care department or the police.

If the person is a member of a trades union or a professional organisation, he/she should be advised to make contact with that body. Arrangements should also be made for the member of staff or volunteer to receive ongoing support in line with the responsibilities the organisation has towards his or her welfare.

### **Conducting an investigation**

Once any urgent necessary steps have been taken, attention can be given to dealing with the full implications of the allegations.

There are up to three possible lines of enquiry when an allegation is made:

1. a police investigation of a possible criminal offence
2. enquiries and an assessment by the local authority children's social care department about whether a child is in need of protection
3. investigation by an employer and possible disciplinary action being taken against the person in question. This includes implementing a plan to manage any risk posed by the individual to children and young people in the workplace until the outcome of the other investigations and enquiries is known. If the individual is a volunteer, then they are unlikely to be subject to the disciplinary procedure, but nonetheless the organisation will need to consider whether the person can continue in their role and, if so, what steps should be taken to manage any risk that they may pose.

### **Reporting an allegation or concern**

If the allegation is made by a child or family member to a member of staff, or if a member of staff observes concerning behaviour by a colleague at first hand, this should be reported immediately to the staff member's manager and the designated safeguarding lead for children.

If a staff member has received an allegation or observed something of concern about their own manager, the staff member should report the allegation or concern to the designated safeguarding lead. If the person who is the subject of the concern is a designated safeguarding lead for children, the matter should be reported to the Chair of Trustees.

Issues that will need to be taken into account are:

- the child's wishes and feelings
- the parent's right to know (unless this would place the child or someone else in danger, or would interfere with a criminal investigation)
- the impact of telling or not telling the parent
- the current assessment of risk to the child and the source of that risk
- any risk management plans that currently exist

Once any immediate danger or emergency medical needs have been dealt with, follow the steps set out in the flowchart on page 19 of this document.

### **When to involve the Local Authority Designated Officer (LADO)**

The organisation's designated safeguarding officer for children should report the allegation to the local authority designated officer within one working day if the alleged behaviour suggests that the person in question:

- may have behaved in a way that has harmed or may have harmed a child
- has possibly committed a criminal offence against or related to a child
- has behaved towards a child in a way that suggests that he/she may be unsuitable to work with children

This should also happen if the individual has volunteered the information him/herself.

The LADO or team may be told of the allegation from another source. If this is the case, then the information received by DMA may be when the Local Authority makes contact in order to explain the situation.

Whoever initiates the contact, there will be discussion between the LADO and DMA's designated safeguarding lead to share information about the nature and circumstances of the allegation. LADO will consider whether there is any evidence to suggest that it may be false or unfounded.

If there is any reason to suspect that a child has suffered, or be likely to suffer, significant harm and there are no obvious indications that the allegation is false, the LADO, in cooperation with DMA, will initiate a strategy discussion within the local authority children's social care department.

It should be asked from the outset that the children's social care department shares any information obtained during the course of their enquiries with DMA if it has any relevance to the person's employment.

### **When to involve the Charity Commission**

In addition to reporting allegations and suspected incidents to the relevant authorities, the DSL should ensure that a report is also sent to the Safeguarding Lead on the Board of Trustees.

Any actual or suspected incident must be reported promptly to the Charity Commission by the Designated Safeguarding Lead on the board of trustees. This will involve reporting on what action is being taken and which, if any, relevant authorities have been contacted e.g. LADO or the Local Authority Safeguarding Team and/or police.

If the Board decide that it is likely that there will be regular, multiple reports, a choice can be made to submit periodic 'bulk' reports, rather than separate, ('single') reports for each incident. If the DSL for the Board of Trustees decides that bulk reports will be submitted in this way, they should be confident that each incident is reportable and worthy of inclusion and where an incident is particularly serious or likely to attract significant media attention, this should be reported straight away and not saved for a bulk report.

More guidance can be found on the government web pages for Managing a Charity, at this link: <https://www.gov.uk/guidance/how-to-report-a-serious-incident-in-your-charity-23>

### **Dealing with a criminal offence**

If there is a reason to suspect that a criminal offence may have been committed (whether or not the threshold of 'significant harm' is reached), the LADO will contact the police and involve them in a similar strategy discussion, which will involve the DMA designated safeguarding lead.

The designated safeguarding lead and any other representative from DMA should cooperate fully with any discussion involving the police and should ask for similar cooperation from the police in terms of the sharing of information relevant to the person's employment.

Discussions with the police should also explore whether there are matters that can be acted on in a disciplinary process while the criminal investigation takes place, or whether disciplinary action must wait until the criminal process is completed.

### **Talking to parents about the allegation or concern**

If the child's parents/carers do not already know about the allegation, the designated safeguarding lead and the LADO need to discuss how they should be informed and by whom.

### **Talking to the person who is the subject of the allegation**

The person at the centre of the allegation should be informed as soon as possible after the initial consultation with the LADO. However, if a strategy discussion within the local authority children's social care team or the police is needed, this might have to take place before the person concerned can be spoken to in full. The police and children's social care department may have views on what information can be disclosed to the person.

Only limited information should be given to the person in question, unless the investigation authorities have indicated that they are happy for all information to be disclosed or unless there is no need for involvement from these statutory agencies.

The DSL will need to keep in close communication with the LADO and the other agencies involved in order to manage the disclosure of information appropriately.

### **Taking disciplinary action**

If the initial allegation does not involve a possible criminal offence, the DSL and manager of the person at the centre of the allegation should still consider whether formal disciplinary action is needed.

If the local authority children's social care department has undertaken any enquiries to determine whether a child or children are in need of protection, the DSL should take account of any relevant information from these enquiries when considering whether disciplinary action should be brought against the person at the centre of the allegations.

The following timings should be kept to wherever possible, depending on the nature of the investigation:

- if formal disciplinary action is not needed, other appropriate action should be taken within three working days
- if disciplinary action is required, and can be progressed without further investigation, this should take place within 15 days



- if DMA decides that further investigation is needed in order to make a decision about formal disciplinary action, the DSL should discuss with the LADO the possibility of this investigation being done by an independent person to ensure that the process is objective. Whether or not the investigation is handled internally or independently, the report should be presented to the DSL within 10 working days
- having received the report of the disciplinary investigation, the DSL should decide within 2 working days whether a disciplinary hearing is needed
- if a hearing is needed, it should be held within 15 working days
- the DSL should continue to liaise with the LADO during the course of any investigation or disciplinary proceedings, and should continue to use the LADO as a source of advice and support

If a criminal investigation is required, it may not have been possible to make decisions about initiating disciplinary proceedings or about the person's future work arrangements until this is concluded. The police are required to complete their work as soon as reasonably possible and to set review dates, so the DSL should either liaise with the police directly or via the LADO to check on the progress of the investigation and criminal process.

The police are also required to inform the employer straight away if the person is either convicted of an offence or acquitted or, alternatively, if a decision is made not to charge him/her with an offence or to administer a caution. In any eventuality, once the outcome is known, the DSL should contact the LADO to discuss the issue of disciplinary proceedings.

If the allegation is substantiated and if, once the case is concluded, DMA dismisses the person or ceases to use their services or the person ceases to provide his/her services, the DSL should consult with the LADO about referral of the incident to the Disclosure and Barring Service (DBS). This should take place within a month.

### **Keeping a record of the investigation**

All those involved in dealing with the allegation should keep clear notes of the allegations made, how they were followed up, and any actions and decisions taken, together with the reasons for these.

These notes should be compiled gradually as the situation unfolds, with each entry being made as soon as possible after the event it describes. The notes should be signed and dated by the person making them, and the person's name should be printed alongside.

The notes should be kept confidentially on the file of the person who is the subject of the allegation. Discussion should take place with the LADO to determine whether any aspects of the notes may not be shared with the person concerned. If there are no reasons not to do so, a copy of the records should be given to the individual.

The notes should be held on file for a 10-year period, whether or not the person remains with DMA for this period. It is advisable to keep such notes indefinitely.

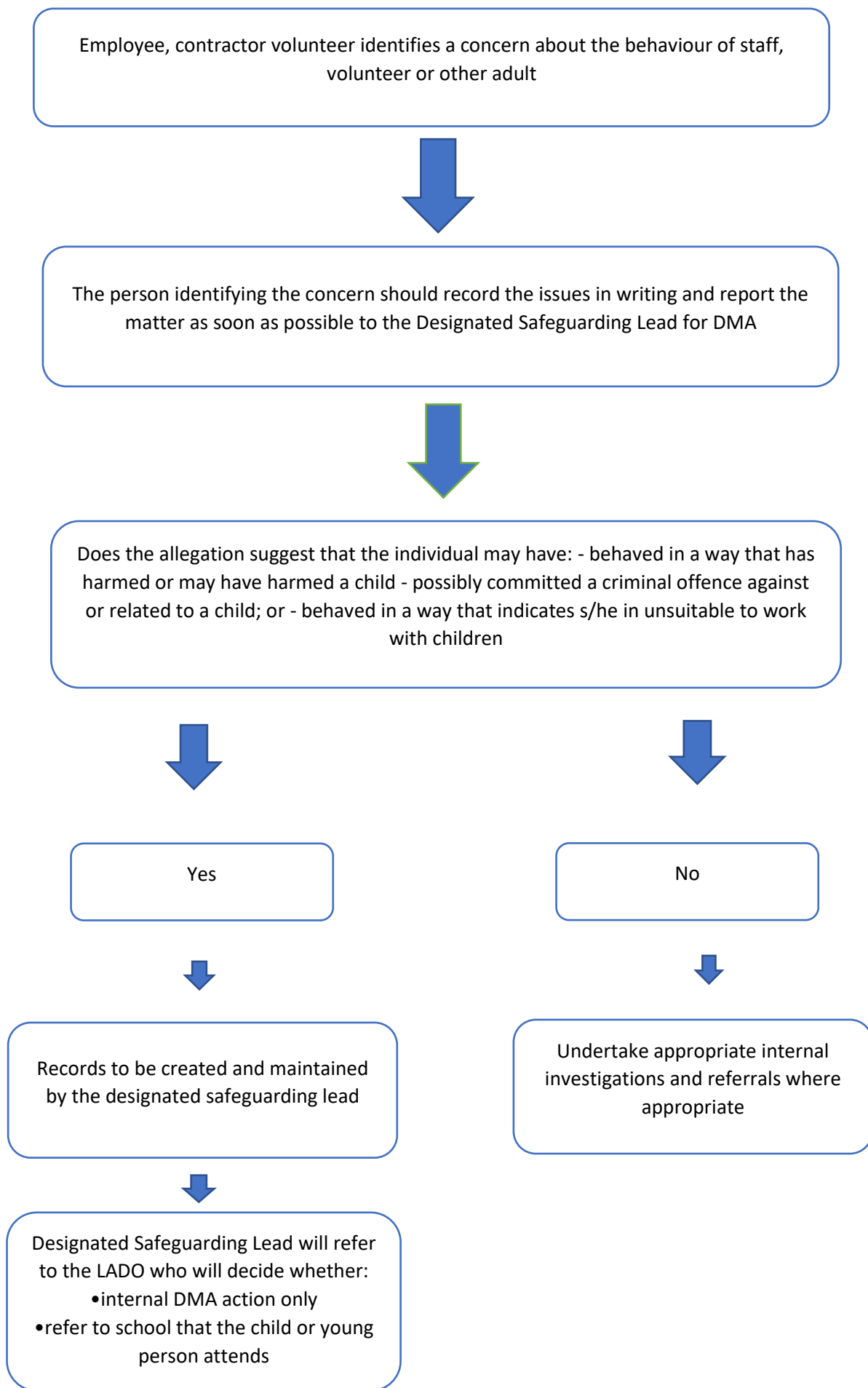
### **Bullying**

Whilst children will not be unsupervised whilst at a DMA event, it is important to recognise the signs of bullying which can include teasing or making fun of someone, excluding a child from games and conversations, pressurising other children not to be friends with someone, spreading hurtful rumours or

circulating inappropriate photographs/images/drawings, cyberbullying, shouting at or verbally abusing someone, stealing someone's possessions, making threats, or harassment on the basis of race, gender, sexuality or disability. The key issue is whether the behaviour is perceived as bullying by the victim.

**Dealing with allegations made against another child.**

If an allegation is made by a child against another child the same procedures for reporting and managing the allegation will apply.



## **CODE OF CONDUCT FOR ADULTS WORKING WITH CHILDREN AND YOUNG PEOPLE**

This code outlines the conduct we expect of all our staff and volunteers. It applies to all DMA employees engaged in activities with children, young people and vulnerable adults including staff, artists, volunteers and trustees,.

The code of conduct aims to help us protect children and young people from abuse and reduce the possibility of unfounded allegations being made.

When working with or for children and young people, you are acting in a position of trust. You are likely to be seen as a role model and must act accordingly.

### **RESPONSIBILITIES - you are responsible for:**

- following our principles, policies and procedures, including policies and procedures for safeguarding, whistleblowing and e-safety
- prioritising the welfare of children and young people
- providing a safe environment for children and young people
- staying within the law at all times
- modelling good behaviour for children and young people to follow
- challenging all unacceptable behaviour and reporting any breaches to the Designated Safeguarding Lead or Deputy
- reporting all allegations/suspicions of abuse following DMA's reporting procedures

### **RIGHTS - you should:**

- treat children and young people fairly and without prejudice or discrimination
- understand that children and young people are individuals with individual needs
- respect differences in gender, sexual orientation, culture, race, ethnicity, disability and religious belief systems between yourself and others, and appreciate that all participants bring something valuable and different to the group and organisation
- challenge discrimination and prejudice
- encourage young people and adults to speak out about attitudes or behaviour that make them uncomfortable

### **RELATIONSHIPS - you should:**

- promote relationships that are based on openness, honesty, trust and respect
- avoid favouritism
- be patient with others
- use special caution when you are discussing sensitive issues with children or young people
- ensure your contact with children and young people is appropriate and relevant to the work of the project you are involved in; avoid discussing your personal life

- ensure that whenever possible there is more than one adult present during activities with children and young people
- I. if this is not possible, ensure you are within sight or hearing of other adults
- II. if a child specifically asks for or needs some private time with you, ensure other staff or volunteers know where you and the child are

**RESPECT - you should:**

- listen to and respect children at all times
- value and take children's contributions seriously, actively involving them in planning activities wherever possible
- respect a young person's right to personal privacy as much as possible
- I. in some cases it may be necessary to break confidentiality in order to follow safeguarding procedures; if this is the case it is important to explain this to the child or young person at the earliest opportunity

**UNACCEPTABLE BEHAVIOUR - you must not:**

- allow concerns or allegations to go unreported
- take unnecessary risks
- smoke, consume alcohol or use illegal substances
- develop inappropriate relationships with children and young people
- make inappropriate promises to children and young people
- engage in behaviour that is in any way abusive  
this includes having any form of sexual contact with a child or young person
- let children and young people have your personal contact details (mobile number, email or address) or have contact with them via a personal social media account
- act in a way that can be perceived as threatening or intrusive
- patronise or belittle children and young people
- make sarcastic, insensitive, derogatory or sexually suggestive comments to or in front of children and young people

**UPHOLDING THIS CODE OF CONDUCT**

You should always follow this code of conduct and never rely on your reputation or that of DMA to protect you.

If you have behaved inappropriately you will be subject to our disciplinary procedures. Depending on the seriousness of the situation, you may be asked to leave DMA. We may also make a referral to statutory agencies such as the police and/or the local authority children's social care department.

If you become aware of any breaches of this code, you must report them to the DSL or Deputy DSL. To do this you should follow the whistle-blowing procedure or, if necessary, the safeguarding procedures.

**POLICY AND GUIDANCE ON WORKING ALONE WITH A CHILD**

When working alone with a child:

- Only carry out work that has been previously agreed and is taking place with the knowledge of DMA and the school that the child attends (if during school hours and on the premises)
- Make sure to sign in and out at the end of every working day
- If possible, choose a room that has windows or a door that has glass, allowing other students and professionals to see in without disturbing you
- Make sure that the child has clear access to the door and that you are not placed in between the door and the child
- Avoid touching the child where possible, unless for pedagogical purposes, in which case the context should be explained to the child before initiating contact (e.g. I am going to lift your elbow up to improve your hand position). Remember NSPCC: is it Necessary, Safe, Permitted, Clear, Contextual?
- If a child is not comfortable with being touched (either by telling you or by their actions) do not touch the child again and report any concerns to the Designated Safeguarding Lead
- Report any concerns as soon as possible to the Designated Safeguarding Lead at DMA and at the school you are working in (if the child attends that school)
- Never prevent the child from leaving the room, if they do leave, ensure that they are safe, either yourself, or by contacting another member of staff who can ensure the safety of the child
- Avoid confrontational behaviour or arguments with a child; it is always better to 'back down' and continue the discussion with other professionals and/or parents present

## **SAFER RECRUITMENT POLICY**

This policy applies to anyone responsible for recruiting and inducting staff and volunteers in DMA and all who participate in shortlisting and interview panels.

DMA is committed to promoting the welfare of children and young people and keeping them safe. We are also committed to equality, valuing diversity and working inclusively across all of our activities.

We aim to have a workforce that represents a variety of backgrounds and cultures and can provide the relevant knowledge, abilities and skills for our organisation.

This policy should be read in conjunction with the DMA Disclosure and Barring Service (DBS) policy which will provide full details on the types of DBS available, and which roles require which level of DBS check.

### **Statutory requirements**

The policy takes into the account the provisions of Working Together to Safeguard Children in Education (HM Government, July 2018) and Keeping Children Safe in Education (Department for Education, September 2020). DMA will ensure that the statutory requirements for the appointment of staff will be met.

Requirements will change from time to time and this policy will be updated accordingly.

### **The purpose of the policy**

- to recruit the best people available to join our workforce
- to take all reasonable steps to prevent unsuitable people from joining our organisation
- to recruit and manage our staff in a way that complies with legislation designed to combat inequality and discrimination
- to do all we can to achieve and maintain a diverse workforce
- to ensure that our recruitment and selection processes are consistent and transparent
- to ensure candidates are judged to be competent before we make them an offer of a job
- to ensure that new members of staff are given a proper induction.

### **DMA will ensure that:**

- it operates safe and fair recruitment and selection procedures which are regularly reviewed and updated to reflect any changes to legislation and statutory guidance
- all appropriate checks on staff and volunteers, including enhanced DBS checks, have been carried out on a regular basis
- a Single Central Record of permanent and temporary staff is kept
- it will promote the safety and well-being of children and young people at every stage of this process

### **The recruitment selection panel**

Selection panels will comprise a minimum of two people. Every selection panel will have at least one member who has undertaken safer recruitment training.

### **All advertisements for posts will include the following statements:**

*“Deal Music and Arts is committed to safeguarding and promoting the welfare of children and young people and requires all staff and volunteers to share and demonstrate this commitment”*

*“The successful candidate will need to meet the requirements of the person specification and will be subject to pre-employment checks including a health check, a relevant DBS check, and satisfactory references.”*

Advertisements will make clear that all applicants must complete an application form and that DMA is an equal opportunities employer

### **Information for applicants**

All applicants will be provided with:

- a job description, outlining the duties of the post, a person specification, an outline of terms of employment including salary and/or rate of pay, and the closing date for applications
- an application form will ask for personal contact details, present employment and reason for leaving, full employment history since leaving school, qualifications, two referees, personal statement, a signed declaration that all information is true
- the application form for teachers will ask candidates to self-disclose whether they have ever been convicted of any criminal offences

Prospective applicants must complete and return a signed application form in full. Incomplete application forms will be returned to the applicant where the deadline for completed forms has not passed. Candidates applying online will be asked to sign the form if invited for interview. A CV will not be accepted in place of a completed application form.

### **Shortlisting**

The selection panel will shortlist applicants against the person specification for the post. The criteria for selection will be consistently applied to all applicants. The selection panel will agree the applicants to be invited to interview. At least one member of the shortlisting and interview panel will have completed safer recruitment training.

### **Reference requests**

Two references, one of which must be from the candidate's current or most recent employer will be taken up. For roles which require an enhanced DBS, references will be requested after shortlisting so that any discrepancies may be probed during this stage of the selection process.



Written references will be sought directly from the referee and, where necessary, s/he will be contacted to clarify any anomalies or discrepancies. Where necessary, previous employers who have not been named as referees may be contacted to clarify any such anomalies or discrepancies.

Reference requests will ask the referee to confirm and comment on:

- the candidate's employment dates
- the candidate's current/most recent job title and salary
- the referee's relationship to the candidate
- the candidate's performance history and conduct
- the candidate's suitability for the post
- the candidate's suitability for working with children and young people
- whether the candidate has any disciplinary warnings, including time-elapsd warnings, that relate to the safeguarding of children

Employer testimonials i.e. those provided by the candidate and/or marked 'to whom it may concern' will not be accepted. References must be in writing and be specific to the job for which the candidate has applied.

Work related references are required wherever possible and personal references will only be acceptable for students or candidates without previous employment history.

### **Interviews**

Before the interview, the selection panel will agree on the interview format. Selection procedures will be determined by the nature and duties of the vacant post, but all vacancies will require an interview of short-listed candidates.

Candidates invited to interview will receive:

- a letter or email confirming the interview and any other selection procedures
- details of the interview day including details of the panel members
- details of any tasks to be undertaken as part of the interview process
- the opportunity to discuss the process prior to the interview

The questions asked will be aimed at obtaining evidence of how each candidate meets the requirement of the Job Description and the Person Specification and each candidate will be assessed against all criteria for the post. For teaching posts, candidates will be asked to perform a short vocal or instrumental piece and, where possible, lead a short demonstration lesson with a child or group of children. A member of the interview panel may stand in as a student if none are available. Administration posts may include a written or IT task.

The same areas of questioning will be covered for each applicant and no questions which would discriminate directly or indirectly on protected characteristics under the Equality Act will be asked.

For roles which require direct contact with children and young people, the selection process will include exploration of the candidate's understanding of child safeguarding issues.

**Candidates will be required to:**

- explain satisfactorily any gaps in employment
- explain satisfactorily any anomalies or discrepancies in the information available to the selection panel
- declare any information that is likely to appear on a DBS disclosure
- demonstrate their capacity to safeguard and protect the welfare of children and young people

The interview will also include a discussion of any convictions, cautions or pending prosecutions, other than those protected, that the candidate has declared and are relevant to the prospective employment. Candidates who declare any conflicts of interest and/or any family or personal connections with DMA, its staff members, stakeholders or Board members will be asked to discuss this in interview.

The recruitment documentation will be retained. Under the Data Protection Act, applicants have the right to request access to notes written about them during the recruitment process. After 6 months, all information about unsuccessful candidates will be securely destroyed.

**Pre-employment checks**

All appointments are subject to the receipt of at least two satisfactory references, DBS clearance and satisfactory completion of pre-employment checks. When appointing new staff, we will:

- verify a candidate's identity from current photo ID (originals), date of birth and proof of address (originals) except where, for exceptional reasons, none is available; advice will be sought if necessary
- obtain a certificate for an enhanced DBS check with a barred list information where the candidate will be engaging in regulated activity, or
- check online to view the status of an existing standard or enhanced DBS certificate where the candidate will be engaging in regulated activity
- ensure the candidate completes a staff self-declaration form (staff who require an enhanced DBS only)
- obtain occupational health advice regarding the candidate's mental and physical fitness to carry out their work responsibilities (a job applicant can be asked relevant questions about disability and health to establish whether they have the physical and mental capacity for the specific role)
- verify the candidate's right to work in the UK (if there is uncertainty about whether an individual needs permission to work in the UK, then we will follow advice on the GOV.UK website)
- verify professional qualifications (original certificates)
- make any further checks that we consider appropriate and in accordance with Department for Education recommendations
- carry out all relevant checks for internal staff members as if the person were a new member of staff if a person were moving from a post that involved non-regulated activity to one that involved regulated activity.

All checks will be:

- documented and retained on the personnel file
- recorded on DMA's Single Central Record
- followed up if they are unsatisfactory or if there are any discrepancies in the information received

### **Offer of employment by the selection panel**

The offer of employment by the selection panel and acceptance by the candidate is binding on both parties, subject to satisfactory completion of the pre-employment checks and satisfactory references and DBS clearance. The successful candidate will be informed, normally by offer letter, that the appointment is subject to satisfactory completion of these checks.

### **Personnel file and Single Central Record**

Recruitment and selection information for the successful candidate will be retained securely and confidentially for the duration of his/her employment with DMA including:

- application form – signed by the applicant
- interview notes – including explanation of any gaps in the employment history
- references – minimum of two
- proof of identity
- proof of right to work in the UK
- proof of relevant academic qualifications
- evidence of medical clearance from the Occupational Health service (if required)
- evidence of DBS clearance, and barred list (where applicable)
- offer of employment letter and signed contract of employment

### **Start of employment and induction**

The pre-employment checks listed above must be completed before the employee starts work. Exceptions will only be made in circumstances where a risk assessment has been undertaken.

All new employees will be provided with an induction programme which will cover all relevant matters of DMA policy including our expectations regarding acceptable conduct between adults and children, safeguarding and promoting the welfare of children, whistleblowing, line management and support, performance management arrangements, and guidance on safe working practices.

Safeguarding information and training provided in the induction session will be equivalent to Level 1 Safeguarding Training.

### **Persons working with children who are not employed directly by DMA.**

#### **Freelance staff**

We will carry out identity, professional recommendation and enhanced and barred list DBS checks for all staff engaged for teaching, leading and coaching in workshops, performances and projects, and piano accompaniment.

**Volunteers**

Volunteers who help on an occasional basis (e.g. trips, concert events, provision of refreshments) are supervised, in accordance with legislation. DMA managers will undertake a risk assessment and use their professional judgement and experience when deciding whether to obtain an enhanced DBS certificate for any volunteer.

**Students on work experience**

Students on work experience will always be supervised.

**Trustees**

Trustees complete a declaration that they have read and understood DMA's safeguarding policy and procedures.

**Monitoring and review**

We are committed to reviewing our policy, procedures and good practice annually.