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**This policy applies to all Directors and members of staff, volunteers and freelance workers contracted to East Midlands Jazz CIC (hereinafter called EMJAZZ).**

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### **Introduction**

EMJAZZ recognises its legal duty under the Children Act 1989 to work with other agencies and organisations across the East Midlands in order to protect children and vulnerable adults from “significant harm” to their health and development.

### **Aims of Policy**

This policy recognises that safeguarding covers a range of issues that require careful consideration, especially when working in partnership with multiple organisations, including:

- Staff recruitment and training
- Project planning, risk assessment and health and safety
- Disclosure of abuse and reporting procedure
- Data protection and use of images

It sets out in clear terms how the procedures of East Midlands Jazz is designed to ensure the safety and protection of children, young people and vulnerable adults; and clarifies the role of the Partner Safeguarding Policies.

Sections 1, 3 and 4 of this policy are applicable only to EMJAZZ staff, Trustees, volunteers and contracted music leaders, trainees, consultants and project managers. Not to partner organisations or their staff whose procedures are dictated by their own safeguarding policies – as detailed in section 2.

In the following pages the word “staff” should be taken to include those employed by EMJAZZ, self employed freelance workers contracted to EMJAZZ, and volunteers of EMJAZZ including Trustees.

### **Procedures**

#### **Section 1: Staff, Freelancers and Volunteers**

##### **Safeguarding Officer**

The Development Officer of EMJAZZ is the designated Safeguarding Officer. The Development Officer will act as a contact between any staff member, volunteer or partner of EMJAZZ who has a concern and the appropriate service/agency who will deal with the problem.

The Safeguarding Officer will not be expected to be a child protection expert, but will be a channel for information. They will not be expected to deal with any child protection issues on their own. The Safeguarding Officer will ensure that all staff, volunteers and partners of EMJAZZ receive copies of policies and procedures in relation to the safety and protection of children, young people and vulnerable adults.

The Safeguarding Officer will establish an incident book where they will record any reported incidents or breach of Safeguarding policies and procedures. This will be kept in a secure place and its contents will be confidential.

### **Recruitment of Staff**

The Safeguarding Officer will ensure that anyone employed or contracted by EMJAZZ (including music leader/trainees/consultants/project managers/volunteers etc) who maintains frequent and intensive contact with children or young people as part of their work for EMJAZZ will be required to agree to an enhanced level disclosure; and provide two relevant references as part of adhering to the EMJAZZ Safeguarding Policy.

Agreements and contracts between freelance music leaders, staff, volunteers and EMJAZZ will include confirmation that the individual has read, understood and agreed with the EMJAZZ Safeguarding Policy and agrees to follow the guidelines and procedures within it. Where necessary any training and support will be available from EMJAZZ staff and partners, including LSIS (Learning & Skills Improvement Service) online training as well as research and guidance from the ISA (Independent Safeguarding Authority).

All roles within EMJAZZ are considered exempt from the Rehabilitation of Offenders Act 1974; this does not mean that those with previous convictions cannot legally be offered roles working with people under 18, unless their names are listed on the Protection of Children List.

When considering recruiting an individual with a criminal record a fair risk assessment will be carried out taking into account all the factors relating to the role, the criminal record and the level of risk associated with recruiting the individual concerned.

### **Dissemination of information to staff**

The Safeguarding Officer will ensure that anyone employed or contracted by EMJAZZ (including music leader/trainees/consultants/project managers/volunteers etc) will be informed of the Safeguarding Policy adopted by EMJAZZ and agree to undertake procedures within it. Staff will initially be made aware at interview and consequently be informed of any changes or additions to said policy and will be expected to fulfil any requirements made of them to ensure full compliance with the policy and related legislation.

## **Section 2: Project planning and delivery**

### **2.1 Partner Delivered Projects (e.g. Commissioned Projects)**

Where projects are delivered by EMJAZZ partner organisations, they will be

delivered in line with the partner's safeguarding procedure; which will be agreed with EMJAZZ, in the person of the Safeguarding Officer in advance of the project. The Safeguarding Officer will ensure that a project agreement will also confirm that each partner is responsible for the CRB checking of all music leaders to enhanced level; properly supervising activity; ensuring the relevant health and safety, risk assessment and insurance measures are taken; and gathering documentation such as parent/carer permission, emergency contacts, medical details and photography permission.

## **2.2 Partnership Projects**

Where EMJAZZ is a management, but not lead partner of a project, that project will be delivered in line with the lead partner's safeguarding procedure; which will be agreed with EMJAZZ in the person of the Safeguarding Officer in advance of the project. The Safeguarding Officer will ensure that a project agreement will also confirm that the lead partner and/or delivery partner will be responsible for the CRB checking of all music leaders to enhanced level; properly supervising activity; ensuring the relevant health and safety, risk assessment and insurance measures are taken; and gathering documentation such as parent/carer permission, emergency contacts, medical details and photography permission.

## **2.3 EMJAZZ Led Projects**

Projects managed and delivered centrally by EMJAZZ will involve a partner organisation with responsibility for recruitment and supervision of the participants (a 'host partner'; such as a school, youth centre, venue, early years setting etc). The Safeguarding Officer will ensure that a project agreement specifies the requirement for the host partner to have in place a comprehensive Safeguarding Policy.

The Safeguarding Officer will ensure that all music leaders involved will have enhanced level CRB disclosures; that activity will be properly supervised by EMJAZZ and 'host partner' staff and the proper risk assessment and health and safety measures will be undertaken (as detailed below). At the start of each project it will be agreed that either EMJAZZ or the 'host partner' will be responsible for the gathering of documentation such as parent/carer permission, emergency contacts, medical details and photography permission. Where the 'host partner' has this responsibility evidence of such will be provided to EMJAZZ to be filed.

The project leader or responsible adult at each site of any EMJAZZ project will maintain an incident book for the purposes of injury or other significant incident. Where relevant, the incident book will be passed to EMJAZZ immediately following the cessation of the project.

### **CRB Disclosures**

New CRB disclosures will be obtained for all trustees, staff, volunteers and freelance workers new to EMJAZZ. In the period of time where CRB disclosures are pending trustees, staff, volunteers and freelance workers will be allowed to work/volunteer with children, young people and vulnerable adults if they are fully supervised by a colleague with an up to date CRB disclosure. Volunteers or freelancers who will have limited or no contact with children, young people or vulnerable adults do not need a

CRB disclosure. This is subject to Independent Safeguarding Authority guidance on regulated activity and definitions of frequency and intensity.

### **Health and Safety**

EMJAZZ believes that all activities should take place in a safe environment and that it is their responsibility to ensure that the rooms and equipment being used are appropriate. This includes safety, health and hygiene issues, fire evacuation and transport. EMJAZZ realises that music projects may be particularly at risk regarding issues around excess noise and hearing damage; lifting of equipment and use of electrical equipment. All such issues will be covered in individual project risk assessments (see below) and relevant preventative measures taken such as hearing protection; appropriate noise levels maintained during activity; headphones provided; training provided in appropriate lifting techniques and safety when using electrical equipment adhered to.

EMJAZZ will ensure (where appropriate in negotiation with 'host partners') that a correctly stocked first aid box will be available at all times and staff will be trained to use it. The name of the first-aider will, where possible, be displayed prominently and all music leaders will be aware of who this is. An accident book will be kept by EMJAZZ or, where more appropriate, the 'host partner'. Where a venue is identified as having no first aid box the relevant Music Leader (or other support staff) will be responsible for providing a fully stocked first aid box (cost of purchasing and re-stocking to be met by EMJAZZ). Where appropriate, EMJAZZ will support staff in gaining first aid qualifications.

### **Risk Assessment**

A full risk assessment will be carried out in collaboration with the 'host partner'. This will cover health and safety and safeguarding issues and clearly identify responsibility for all issues. All staff and volunteers involved in the project will be given copies of the risk assessment and made aware of any issues and their own responsibility. A template is provided in appendix 3.

## **Section 3: Good Practice**

### **Personal Conduct**

All projects co-ordinated by EMJAZZ will involve a partner organisation with responsibility for recruitment and supervision of the participants (host partner). In the interest of good practice and proper supervision at least one member of staff from the 'host partner' should always be present during activity.

All children, young people and vulnerable adults involved in EMJAZZ projects will be treated equally and with respect and dignity. Where unacceptable behaviour is present adults will not shout or use physical punishment or threatening behaviour. Any behaviour problems will be handled in a developmentally appropriate manner by the 'host partner'. The welfare of all participants will be put first allowing the development of mutual trust and respect and enabling a genuinely enjoyable and creative atmosphere.

All EMJAZZ staff recognise that they are prohibited by law from administering any form of corporal punishment to a child or young person. This includes any form of hitting, slapping, shaking or other degrading treatment. If it is necessary to use physical restraint to protect a child from harming themselves or others, this must be the minimum necessary in the situation. All such incidents must be reported immediately to the relevant line manager and a written record kept. Parents/carers must be immediately informed of any incident by the line manager, in writing.

Staff should rarely be in a one-to-one situation with children or young people as 'host partner' staff should always be present. However staff must keep their personal contact with children under constant review and seek to minimise any situation arising that may lead to misunderstanding. Where at times staff need to physically touch a pupil in order to demonstrate (drum technique for example) pupils should be asked: "Is it alright if I move your hand into the correct position on the drum?" etc – before any physical contact takes place. Where possible – demonstrate by using your own instrument.

Where staff are working with children or young people known to have a history of disruption, challenging behaviour or violence, they should discuss the matter with the 'host partner' and/or their line manager if they have any concerns.

Staff should avoid situations where they are alone and unobserved with individual children and all activity, as far as possible, should be publicly observed. Where possible a male and female worker should supervise mixed activities and staffing ratios should be appropriate to the age and specific needs of the children or young people involved.

### **Data Protection**

Where information of a personal nature from participants or staff is required it will be treated confidentially and securely stored for the duration necessary only. Where such information is collected the need will be clearly communicated and only shared with partners as agreed by the parties involved.

### **Mobile Phones, Email and Social Networking**

Members of EMJAZZ staff should only possess mobile phone numbers and/or email addresses for children and young people with the knowledge and permission of the parents.

Should it be necessary to contact a pupil on their own personal mobile or by email, then this should be only for professional purposes e.g. – to make a single call to inform a participant that their workshop time the next day has been changed by half an hour is acceptable.

It is NOT acceptable to make multiple calls or send numerous messages to pupils or to make calls/send emails that are unconnected with professional duties.

Similarly, members of staff should only give their phone numbers/email addresses to children and young people with the knowledge and permission of the pupil's parents. Any necessary contact in respect of making arrangements (for workshops, performances etc) should normally be with the parents.

It is understood that the establishing of a MySpace, Facebook or Twitter type group, or a WIKI to publicise, document, celebrate and administer a project may be beneficial. It is however expressly forbidden for a member of staff to exchange private messages with children and young people via social networking sites, or internet messaging services such as MSN or Yahoo. Where a child or young person initiates such contact the member of staff must inform them that they are prohibited from corresponding privately. All communication with children and young people must be open and public.

For the purpose of transparency, accountability and personal safety any use of social networking in support of a project must be authorised by the Safeguarding Officer and such authorisation must be documented.

All EMJAZZ staff should be aware that the offence of “grooming” has been in force since 1 May 2004.

### **Giving Children and Young People A Lift By Car**

Staff should recognise that this is a sensitive area and that in normal circumstances staff should not offer a lift in their car to participants.

There are occasions, however, when a responsible member of staff may feel it to be in the interest of the safety of the child/young person to give them a lift rather than to leave them alone in a vulnerable situation. In this circumstance, every effort must be made to contact the person with parental responsibility to seek their approval. If this is not possible, then the participant should be taken directly to their destination and the parent contacted as soon as reasonably possible to report the situation.

### **Transporting A Number Of Children Or Young People By Car**

On occasion, it may be necessary for a member of staff to transport a number of participants by car – for example, from a school to a performance/rehearsal. In these circumstances, written permission must be sought from the parents beforehand and the journey should be made with the full knowledge of the ‘host partner’. Staff are reminded that they must have business use and comprehensive car insurance and ensure that the children/young people are wearing seat belts.

### **Use of Participant Images**

Photography and video of projects and performances may be used for documentation, celebration and publicity. While EMJAZZ is keen to maximise and enable children and young people the opportunity to have their achievements recorded, we also have a duty to ensure safety and that images are not misused.

This is a delicate balancing act over which we do not have total control but all staff should follow current advice:

Photographs and videos may only be taken of children and young people for whom EMJAZZ has written permission from parents (person with parental responsibility). Written permission must be obtained by an “opt-in” return slip in order to provide evidence that parents had sufficient opportunity to make an informed decision.

Permission should be broken down into the following categories, reflecting the different level of risk:

- Permission to use photography and video in internal evaluation, accreditation and training,
- Permission to use photography and video in marketing, publicity and press
- Permission to use photographs and video on the EMJAZZ website
- Permission to use photographs and video on other public websites (such as MySpace)

Different levels of protection should also be taken dependent on the risk of different situations:

- Photographs in Press, Print or on any website
  - The appropriate parental permission should be obtained
  - No name should accompany the photograph
- Photographs or video on the EMJAZZ Website
  - The appropriate parental permission should be obtained
  - No name should accompany the image
  - No identifying details that allow a young person to be tracked down – i.e. regular venue either by caption or on the image itself
- Photographs or video images on a Public Web Platform
  - The appropriate parental permission should be obtained
  - No name should accompany the image
  - No identifying details that allow a young person to be tracked down – i.e. regular venue either by caption or on the image itself.
  - If possible a 'Private Profile' should be selected which means those wanting to access the site have to request permission to be 'friends' first.

### **Storage Of Images**

Photographs taken centrally by EMJAZZ will be stored securely in both hard and electronic copy alongside clear details of the permission level for each image.

## **Section 4: Disclosure Of Abuse And Reporting Procedure**

### **Procedure**

Throughout all projects a member of staff from the 'host partner' should be present thus ensuring that members of EMJAZZ staff do not take sole responsibility for well-

being of participants. It is however recognised that this responsibility rests with all workers that are present.

If any member of EMJAZZ staff is concerned that a child may be suffering or is at risk of significant harm they must report their concerns immediately to the 'host partner' and the designated Safeguarding Officer for EMJAZZ

The designated Safeguarding Officer and 'host partner' will then decide whether or not to make a referral to the appropriate agencies. EMJAZZ staff may be asked to provide a written account of any incident/disclosure to the designated officer within two days and any incident will always be documented and securely stored.

The Safeguarding Officer will ensure that members of staff have access to the following guidance at all times

If you are concerned about a child or young person, or if a child or young person expresses a wish to disclose their own concerns:

- Listen to anything they say
- Report your concerns to the designated Safeguarding Officer at EMJAZZ and the 'host partner'
- Keep the whole matter confidential
- DO NOT interrogate the young person beyond normal friendly enquiries. The role of EMJAZZ staff is to refer concerns, not to investigate them.
- DO NOT promise the pupil confidentiality.

### **Allegations Against EMJAZZ Staff**

In the event of any allegation of significant harm arising with respect to any member of EMJAZZ staff, immediate consultation must take place with the Designated Safeguarding Officer. This should take place, if possible, before discussing the concerns with the member of staff involved.

The Safeguarding Officer will decide whether to initiate a strategy meeting under the Area Safeguarding Committee complex abuse procedures, to which the appropriate line manager will be invited and at which decisions will be made on an inter-agency basis regarding the conduct of any further investigation. Any complaints made to the police or social services which are made about any member of EMJAZZ staff and that raise child protection concerns, will be dealt with under these same procedures. All complaints, allegations and the subsequent decisions and actions taken by the Safeguarding Officer shall be recorded and kept on file. Irrespective of any investigation by social workers or the Police, EMJAZZ disciplinary procedures will be followed. This means in each individual case a decision will be made on the extent to which each individual can continue their current role.

### **Monitoring, Reporting and Review**

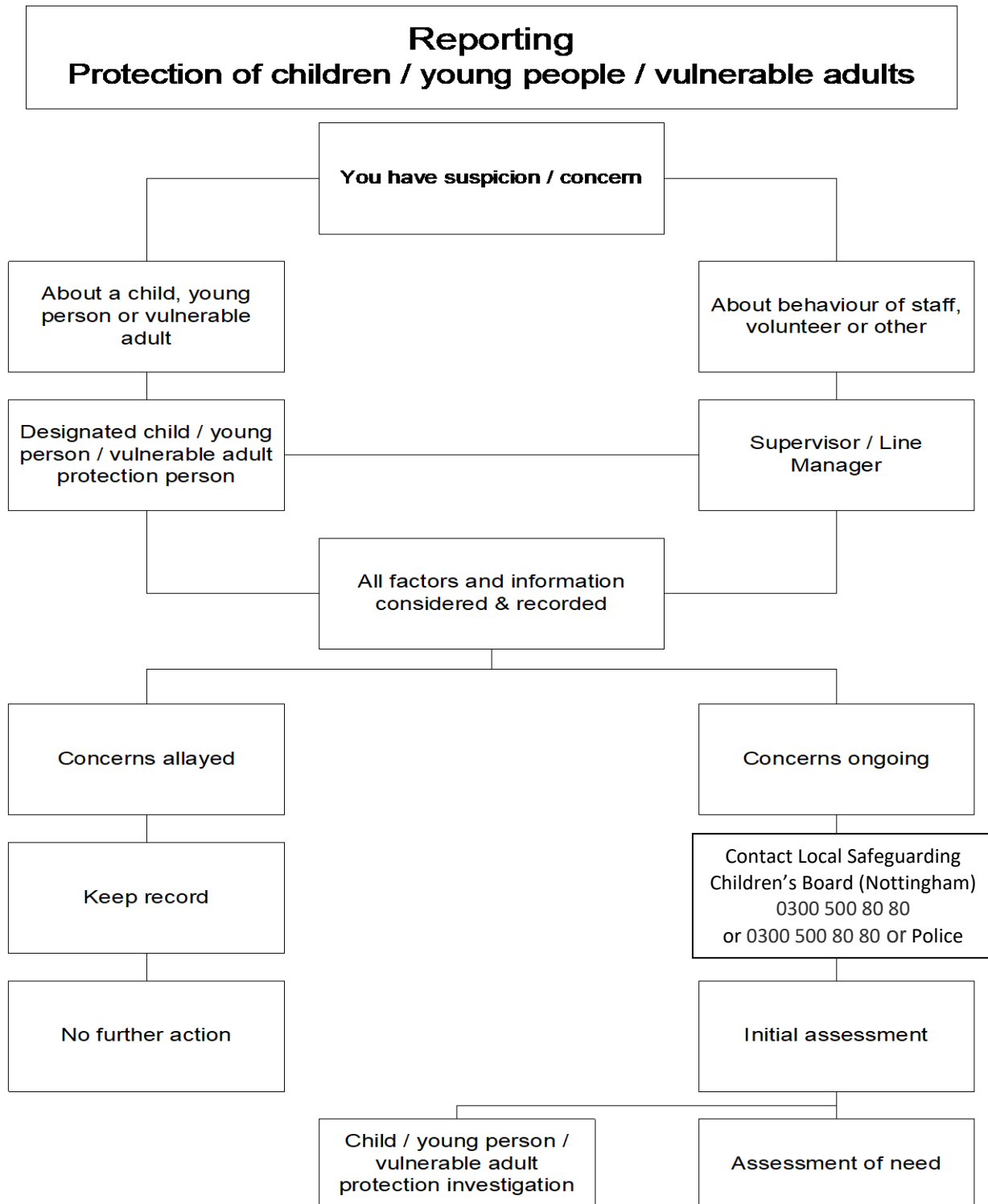
The Development Officer will ensure that EMJAZZ monitors the effectiveness of this



policy through the collection and analysis of monitoring data using the tools featured in the following appendices. This data shall provide the basis of scheduled Safeguarding reports to the Board of Directors and subsequent reviews of this policy.

## Appendix 1: Information and Action Flow

Ratification of this policy and its subsequent revisions shall be recorded as including this appendix.



## **Appendix 2**

Ratification of this policy and its subsequent revisions shall be recorded as including this appendix.

### **Definitions of Abuse and Neglect**

#### **What is abuse?**

The government guidance, *Working Together to Safeguard Children*, categorises abuse as:

- Physical abuse
- Emotional abuse
- Sexual abuse
- Neglect

These categories are expanded upon in the definitions below, which are largely taken from the (2006) NSPCC document, *Firstcheck* and reflected in the most recent *Safe Networks' Positively Safe* guidance. Remember that in all forms of abuse there are elements of emotional abuse and that it is possible to be subjected to abuse in more than one way at a time. These four categorisations and the definitions below do not minimise other forms of maltreatment.

Safe Networks highlights that there are other sources of stress for children and families such as, domestic violence, the mental illness of a parent or carer, or drug or alcohol misuse. All these may have a negative impact on a child's health and development and may be noticed by an organisation caring for a child. If it is felt that a child's well being is being damaged by any of these areas, the same procedures as for abuse should be followed.

Vulnerable adults may also be subject to other types of abuse as well as to the four types of abuse listed above. They may be manipulated financially or discriminated against because of a disability or other factor that makes them vulnerable. Further information is in the Department of Health and Home Office guidance on protecting vulnerable adults *No Secrets*.

#### **What is physical abuse?**

Physical abuse includes hitting, shaking, throwing, poisoning or misuse of medications, burning or scalding, drowning, suffocating or otherwise causing physical harm. Physical harm may also be caused when a parent or carer feigns the symptoms of or deliberately causes ill health to a child whom they are looking after.

#### **What is emotional abuse?**

Emotional abuse is the persistent emotional ill treatment of a person such as to cause severe and persistent adverse effects on that person's emotional development. It may involve making the individual feel or believe that they are

worthless or unloved, inadequate. It may also involve causing the person to feel often frightened or in danger. It may involve exploitation or corruption.

**What is sexual abuse?**

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

Sexual abuse of vulnerable adults can be rape and sexual assault or sexual acts to which the person does not consent or cannot consent or is pressured into consenting.

Sexual abuse may be same-sex or opposite sex, may be by other children, young people or adults. People from all walks of life may be sexual abusers.

**What is neglect?**

Neglect is the persistent failure to meet a child's, young person's or vulnerable adult's basic physical and/or psychological needs, likely to result in the severe impairment of the person's health or development. It may involve a parent or carer failing to provide adequate food, shelter and clothing, failure to protect a child, young person or vulnerable adult from physical harm or danger, or the failure to ensure access to appropriate medical care or treatment.

It may also include neglect of a child's, young person's or vulnerable adult's basic emotional needs.

### **Appendix 3: General Risk Assessment Form and Guidance Notes**

Ratification of this policy and its subsequent revisions shall be recorded as including this appendix.