



City of Birmingham
Symphony Orchestra

**PROCEDURES FOR THE SAFEGUARDING OF CHILDREN
AND VULNERABLE ADULTS**

Written following NSPCC Guidelines

Last updated June 2016

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1. INTRODUCTION

These procedures have been drawn up to ensure the safety and protection of all children, young people and vulnerable adults involved in the City of Birmingham Symphony Orchestra's (CBSO) activities through adherence to the guidelines outlined in this document. They fit with the basic principles outlined in the CBSO *Policy for the Safeguarding of Children, Young People and vulnerable adults*

These procedures apply to all those who work for the CBSO, in paid or unpaid roles, and are intended to ensure that all CBSO activities are conducted in safe, secure environments and that there will be a fast, appropriate and effective response for dealing with concerns about the safety and welfare of children and vulnerable adults with whom we work.

For the purpose of this policy the term 'child' refers to anyone under the age of 18 years.

A vulnerable adult is a person aged 18 years or over who is a person who is unable to take care of themselves, or unable to protect themselves against significant harm or exploitation. The person may be elderly or frail, have learning disabilities, suffer from a mental illness, have a physical disability, be a substance misuser, be homeless and/or experiencing poverty, have social or emotional problems or be in an abusive relationship.

This policy is not contractual but sets out the way in which the City of Birmingham Symphony Orchestra (CBSO) will deal with absence from work. Employees and appropriate Unions will be consulted on any changes to the substantive terms in this policy.

2. DBS POLICY

All musicians, staff, volunteers and chaperones who work with, or regularly come into contact with, children and vulnerable adults as part of their duties are required to undergo a DBS check to ensure that they are suitable and appropriate people to be working with children or vulnerable adults

The CBSO will undertake an Enhanced DBS check for all staff, and will carry out additional Barred List Checks for musicians, staff, volunteers and chaperones who are undertaking Regulated Activity as defined in *Keeping Children Safe in Education* (HM Government, Department for Education, March 2015).

The CBSO will administer these checks through the MENCAP online DBS checking process. Musicians and staff have a responsibility to provide the CBSO with a copy of their DBS check once this has been received, and prior to them undertaking regular activities with children and vulnerable adults.

All DBS checks will be renewed every 3 years.

3. IMPLEMENTATION, MONITORING AND REVIEW OF THIS POLICY

This policy will take effect from xxxxx.

Human Resources have overall responsibility for implementing and monitoring this policy, which will be reviewed on a regular basis following its implementation and may be changed from time to time.

Any queries or comments about this policy should be addressed to your line manager or HR in the first instance.

This policy will be reviewed regularly to see if it needs to be updated and to ensure compliance with statutory requirements as set out in *Working Together to Safeguard Children* (HM Government, March 2015), *Keeping Children Safe in Education* (HM Government, Department for Education, March 2015) and *The Children's Act 2004*

4. DEFINITIONS OF ABUSE

Child abuse is the term used when an adult harms a child or young person under the age of 18.

The following definitions are based on those from *Keeping children safe in education* (HM Government, Department for Education, March 2015).

4.1 Physical Abuse: a form of abuse which 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 or vulnerable adult.

4.2 Emotional Abuse: the persistent emotional maltreatment such as to cause severe and adverse effects on the individual's emotional development. It may involve conveying to a child or vulnerable adult that they are worthless or unloved, inadequate or valued only insofar as they meet the needs of another person. It may include not giving the child or vulnerable adult opportunities to express their views, deliberately silencing them or '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 or vulnerable adult's developmental capability, as well as overprotection and limitation of exploration and learning, or preventing participation in normal social interaction. It may involve seeing or hearing the ill-treatment of another. It may involve serious bullying (including cyberbullying), causing an individual frequently to feel frightened or in danger, or the exploitation or corruption of children or vulnerable adults. Some level of emotional abuse is involved in all types of ill-treatment, though it may occur alone.

4.3 Sexual Abuse: involves forcing or enticing a child or vulnerable adult to take part in sexual activities, not necessarily involving a high level of violence, whether or not the individual is aware of what is happening. The activities may involve physical contact, including penetrative (for example rape or oral sex) or non-penetrative acts such as masturbation, kissing, rubbing and touching outside of clothing. They may include non-contact activities, such as involving children in looking at, or in the production of sexual images, watching sexual activities, encouraging children to behave in sexually inappropriate ways, or grooming a child or vulnerable adult in preparation for abuse (including via the internet). Sexual abuse is not solely perpetrated by adult males. Women can also commit acts of sexual abuse, as can other children.

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

It is accepted that in all forms of abuse there are elements of emotional abuse, and that some children are subjected to more than one form of abuse at any one time. These four definitions do not minimise the other forms of maltreatment.

Most types of abuse can take one or several of these forms, for example bullying and domestic violence are often both physical and emotional forms of abuse.

5. RECOGNISING ABUSE

The following definitions do not provide a definitive guide to the signs of abuse, but are there to assist CBSO musicians, staff, Trustees and volunteers to be more alert to the possible signs of abuse

It is important to be aware that many children and vulnerable adults will exhibit some of these indicators at some time, and the presence of one or more should not be taken as proof that abuse is occurring.

There may well be other reasons for changes in behaviour, such as the birth of a new baby or a death in the family, relationship problems between their parents/carers etc.

5.1 Physical Abuse

Most people will collect cuts and bruises in their daily life. These are likely to be in places where there are bony parts of their body, like elbows, knees and shins. Some children and vulnerable adults, however, will have bruising which can almost only have been caused non-accidentally. An important indicator of physical abuse is where bruises or injuries are unexplained or the explanation does not fit the injury. A delay in seeking medical treatment for an individual when it is obviously necessary is also a cause for concern. Bruising may be more or less noticeable on people with different skin tones or from different racial groups and specialist advice may need to be taken.

5.1.1 Patterns of bruising that are suggestive of physical abuse include:

- Bruising in children or vulnerable adults who are not independently mobile
- Bruising in babies
- Bruises that are seen away from bony prominences
- Bruises to the face, back, stomach, arms, buttocks, ears and hands
- Multiple bruises in clusters
- Multiple bruises of uniform shape
- Bruises that carry the imprint of an implement used, hand marks or fingertips
- Although bruising is the commonest injury in physical abuse, fatal non-accidental head injury and non-accidental fractures can occur without bruising. Any child or vulnerable adult who has unexplained signs of pain or illness should be seen promptly by a doctor.

5.1.2 Other signs of abuse may include:

- Cigarette burns
- Adult bite marks
- Broken bones
- Scalds

5.1.3 Changes in behaviour which can also indicate physical abuse:

- Fear of parents being approached for an explanation
- Aggressive behaviour or severe temper outbursts
- Flinching when approached or touched

- Reluctance to get changed, for example wearing long sleeves in hot weather
- Depression
- Withdrawn behaviour

5.2 Emotional Abuse

Emotional abuse can be difficult to measure, and often children who appear well cared for may be emotionally abused by being taunted, put down or belittled. They may receive little or no love, affection or attention from their parents or carers. Emotional abuse can also take the form of children not being allowed to mix/play with other children.

5.2.1 The physical signs of emotional abuse may include:

- A failure to thrive or grow, particularly if the child puts on weight in other circumstances, eg, in hospital or away from their parents' care
- Sudden speech disorders
- Developmental delay, either in terms of physical or emotional progress

5.2.2 Changes in behaviour which can also indicate emotional abuse include:

- Neurotic behaviour, eg, sulking, hair twisting, rocking
- Being unable to play
- Fear of making mistakes
- Self harm
- Fear of parent being approached regarding their behaviour

5.3 Sexual Abuse

Usually, in cases of sexual abuse it is the child's behaviour which may cause you to become concerned, although physical signs can also be present. In all cases, children who talk about sexual abuse do so because they want it to stop. It is important, therefore, that they are listened to and taken seriously.

5.3.1 The physical signs of sexual abuse may include:

- Pain or itching in the genital/anal areas
- Bruising or bleeding near genital/anal areas
- Sexually transmitted diseases
- Vaginal discharge or infection
- Stomach pains
- Discomfort when walking or sitting down
- Pregnancy

5.3.2 Changes in behaviour which can also indicate sexual abuse include:

- Sudden or unexplained changes in behaviour, eg, becoming aggressive or withdrawn
- Fear of being left with a specific person or group of people
- Having nightmares
- Running away from home
- Sexual knowledge which is beyond their age or developmental level
- Sexual drawings or language
- Bedwetting

- Eating problems such as overeating or anorexia
- Self harm or mutilation, sometimes leading to suicide attempts
- Saying they have secrets that they can't tell anyone about
- Substance or drug abuse
- Suddenly having unexplained sources of money
- Not allowed to have friends (particularly in adolescence)
- Children acting in a sexually explicit way towards adults

5.4 Neglect

Neglect can be a difficult form of abuse to recognise, yet has some of the most lasting and damaging effects on children, as well as an enormous impact on vulnerable adults.

5.4.1 The physical signs of neglect may include:

- Constant hunger, sometimes stealing food from others
- Constantly dirty or smelly
- Loss of weight, or being constantly underweight
- Inappropriate dress for the conditions

5.4.2 Changes in behaviour which can also indicate neglect include:

- Complaining of being tired all the time
- Not requesting medical assistance and/or failing to attend appointments
- Having few friends
- Mentioning being left alone or unsupervised

5.5 How abuse might come to a worker's attention

As well as the possible signs and indicators listed above, abuse may come to your attention via a disclosure from the child or vulnerable adult concerned, via another child or vulnerable adult, or via a member of staff or concerned adult. For guidance on how to respond to disclosure of possible abuse please refer to sections 8 of this document and the *Code of Conduct* document issued to all CBSO musicians, staff, Trustees and volunteers as part of their induction process. In addition a *Safeguarding Code of Conduct* will be issued to every musician and freelance worker who is delivering activities with and for children and vulnerable adults at the same time they receive their contract for delivering the work.

6 RESPONDING TO SIGNS OF ABUSE

It is important that everyone in the organisation is aware that the person who first encounters a case of alleged or suspected abuse is not responsible for deciding whether or not abuse has occurred. That is a task for the professional child protection agencies following a referral to them of concern about a child.

6.1 Reporting allegations or suspicions of abuse

Any concerns that CBSO musicians, staff, Trustees and volunteers have about a child should be reported as soon as possible to the CBSO's Designated Safeguarding Officer (See Appendix D for detailed description and roles and responsibilities of this person), Lucy Galliard on 0121 6166517 or 07793 009700 (mobile only outside office hours).

In the absence of the Designated Safeguarding Officer concerns should be reported to Angela Barge, CBSO HR Manager, on 0121 616 6515 (during office hours).

Should the concerns involve both the Designated Safeguarding Officer and the HR Manager, the report should be made directly to the Children's Social Care Unit in the local authority where the alleged abuse took place.

If the allegation or suspicion of abuse relates to a vulnerable adult contact should be made with Social Services or the Adult Safeguarding Board in the local authority where the alleged abuse took place.

If there is a clear and immediate threat to a child, young person or vulnerable adult West Midlands Police should be contacted on 999.

Suspensions must not be discussed with anyone other than those nominated above. A written record of any concerns must be made as soon as possible using the *CBSO Safeguarding Report Form* (See Appendix A for a copy of this document). This written record will be updated through any resulting investigation, with a detailed chronology of events and the contact details for the lead person in the relevant agencies (social care, police etc.)

The CBSO's Senior Management Team and Trustees will support the Designated Safeguarding Officer in their role, and accept that any information they may have in their possession will be shared in a strictly limited way on a need to know basis

The role of the Designated Safeguarding Officer and Human Resources is to collate and clarify the precise details of the allegation or suspicion and pass this information on to the relevant Social Services Department. It is Social Services role to investigate the matter

6.2 Referring the concerns to the relevant agencies

The Designated Safeguarding Officer making the referral to Children's Social Care or the relevant Safeguarding Adults Board will:

- Clearly identify themselves, their agency and give details of where they can be contacted
- Provide as much basic information as possible including the name of the child or vulnerable adult, the age and date of birth if a child, ethnicity, any specific communication needs, any disability issues, the parents/carers names, the child or vulnerable adult's current address and any known previous addresses
- State what has prompted the concerns, including details of any specific incidents or disclosure by the child or vulnerable adult
- State any physical, behavioural or indirect signs which support the concern and suggest that the child or vulnerable adult is at risk of, or suffering significant harm
- Give details of any conversations with the child or vulnerable adult relating to the concern
- Give details of any contact and conversations with the child's parents/carers or vulnerable adult's family/carers relating to the concern
- Give details of any contact and conversations with the alleged abuser
- Give details of any other agencies or individuals consulted in relation to the concern
- Ensure that an accurate and detailed record is made of the concern and the referral using the *CBSO Safeguarding Report Form* (See Appendix A)

- Follow up the referral in writing to the Children’s Social Care Unit or relevant Safeguarding Adults Board within 48 hours
- Maintain the record of the concern with information on the development of the investigation and ultimate outcome

Contact Details

CBSO Designated Safeguarding Officer

Lucy Galliard, Director of Learning & Engagement
 Tel: 0121 616 6517 Out of Office hours: 07793 009700

CBSO HR Manager

Angela Barge, HR Manager
 Tel: 0121 616 6515

NSPCC Child Protection Helpline

Tel: 0800 800 5000

Birmingham City Council – Social Services

The Multi-Agency Safeguarding Hub (MASH) provides a single point of contact to those wanting to seek support or raise concerns about a child.
 Monday to Thursday Office Hours: 0121 3031888
 Out of Office Hours: 0121 675 4806

Birmingham Adult Safeguarding Board

The Adults & Communities Access Point (ACAP) on 0121 303 1234 and press option 1 if you want to report a concern about abuse of a vulnerable adult.
 In all cases if you believe that a child or vulnerable adult is at risk of immediate or severe danger please call the police on 999.

7. RESPONDING TO ALLEGATIONS OF ABUSE AGAINST A CBSO MUSICIAN, MEMBER OF STAFF, TRUSTEE OR VOLUNTEER

This includes anyone working with children or vulnerable adults in a paid or voluntary capacity on behalf of the CBSO. Abuse can and does occur outside the family setting. Although it is a sensitive and difficult issue, abuse of children and vulnerable adults has occurred within institutions and may occur within other settings. Recent inquiries indicate that abuse that takes place within a public setting is rarely a one-off event. It is crucial that those involved in CBSO activities are aware of this possibility and that all allegations are taken seriously and appropriate action is taken. It is important that any concerns for the welfare of the child or vulnerable adult arising from abuse or harassment by a member of staff or volunteer is reported immediately.

7.1 Support for the Reporter of suspected abuse

It is acknowledged that feelings generated by the discovery that a CBSO musician, member of staff, Trustee or volunteer is, or may be, abusing a child or vulnerable adult, will raise concerns amongst other staff and volunteers. This includes the difficulties inherent in reporting such matters.

The CBSO will fully support and protect anyone who, in good faith and without malicious intent, reports his or her concern about a colleague’s practice or the possibility that a child or vulnerable adult may be being abused.

In any instance of alleged or suspected abuse by another member of staff, musician, Trustee or volunteer the CBSO’s Designated Safeguarding Officer must be informed,

they will then contact the Local Authority Designated Officer (LADO) on 0121 464 2612. The manner in which the matter is handled will be determined with the advice and support of the LADO.

7.2 Types of investigation

Where there is a complaint of abuse against a CBSO musician, member of staff, Trustee or volunteer, there may be up to three strands in the consideration of an allegation:

- A police investigation of a possible criminal offence
- Enquiries and assessment by children's social care or adult safeguarding board about whether a child or vulnerable adult is in need of protection or in need of services
- Consideration by an employer of disciplinary action in respect of the individual

Civil proceedings may also be initiated by the person/family of the person who alleged the abuse.

The results of the police and social services investigation may well influence the internal CBSO disciplinary investigation.

A detailed summary of the process for managing allegations against people who work with children is included in Appendix B.

7.3 Action if there are concerns

The following action will be taken if there are genuine concerns about a member of staff or volunteer's behaviour:

7.3.1 Poor Practice

- If, following consideration, the allegation is clearly about poor practice, the Designated Safeguarding Officer and Human Resources will deal with it as a misconduct issue.
- If the allegation is about poor practice by the Designated Safeguarding Officer or Human Resources, or the matter has been handled inadequately and the concerns remain, it should be referred to the CBSO's Board of Trustees. They will decide how to deal with the allegation and whether or not to initiate disciplinary proceedings.

7.3.2 Suspected Abuse

- Any suspicion that a child or vulnerable adult has been abused by a CBSO musician, member of staff, Trustee or volunteer should be reported to the Designated Safeguarding Officer at the earliest opportunity
- The Designated Safeguarding Officer will refer the allegation to Local Authority Designated Officer of the relevant local authority who may involve the police, or will go directly to the police if the allegation is made out-of-hours
- The parents, family or carers of the child or vulnerable adult will be contacted as soon as possible following advice from the social services department
- If the Designated Safeguarding Officer is the subject of the suspicion/allegation, the report must be made directly to Human Resources who is then responsible for taking the action outlined above

7.4 Confidentiality

The legal principle that the welfare of the child or vulnerable adult is paramount means that the considerations of confidentiality which might apply to other situations in the organisation should not be allowed to override the right of children or vulnerable adults to be protected from harm. However, every effort should be made to ensure that confidentiality is maintained for all concerned when an allegation has been made and is being investigated.

Information will be handled and disseminated on a need to know basis only. This includes the following people:

- The Designated Safeguarding Officer
- Human Resources
- The parents, family or carers of the person who is alleged to have been abused
- The person making the allegation
- Social Services and/or police
- The alleged abuser

Information will 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).

7.5 Internal Enquiries and Suspension

The CBSO will make an immediate decision about whether any individual accused of abuse should be temporarily suspended from delivering CBSO work or acting as a volunteer or Trustee of the organisation pending further police and social services inquiries.

7.6 Support following the inquiry

Consideration should be given to what support may be appropriate to children, vulnerable adults, parents and members of staff. Use of helplines, support groups and open meetings will maintain an open culture and help the healing process. The CBSO will support the children, parents, vulnerable adults and CBSO staff by providing details and information about these services.

Consideration should be given about what support may be appropriate to the alleged perpetrator of the abuse.

8. RESPONDING TO A CHILD MAKING AN ALLEGATION OF ABUSE

The following guidelines are to support CBSO musicians, members of staff, Trustees and volunteers if a child makes a disclosure to them. All CBSO musicians, members of staff, Trustees and volunteers will receive induction and support in this area and details are also provided in the CBSO's *Code of Conduct* documentation for staff (See Appendix C for copies of this document).

- Stay Calm
- Listen carefully to what is being said
- Find an appropriate early opportunity to explain that it is likely that the information will need to be shared with others – **do not promise to keep secrets**
- Allow the child or vulnerable adult to continue at her/his own pace

- Ask questions for clarification only, and at all times avoid asking questions that suggest a particular answer
- Reassure the child or vulnerable adult that they have done the right thing in telling you
- Tell them what you will do next and with whom the information will be shared
- Record in writing what was said using the child or vulnerable adult's own words as soon as possible – note date, time, any names mentioned, to whom the information was given and ensure that you have signed and dated the written record
- Contact the CBSO Designated Safeguarding Officer at the earliest opportunity

8.1 Barriers to reporting abuse

The CBSO recognises that there are a number of significant barriers that can prevent children and vulnerable adults reporting their concerns, and that CBSO musicians, members of staff, Trustees and volunteers who have a disclosure made to them may face barriers in reporting or sharing their concerns with the Designated Safeguarding Officer.

8.2 Barriers which may prevent children and vulnerable adults sharing concerns:

- Feeling there is no-one to talk to (who will listen and can be trusted)
- Fear of not being listened to, understood, taken seriously or being believed
- A belief in self-reliance
- A sense of futility about sharing problems and belief that nothing will change
- Embarrassment

The CBSO recognises that some of the children and vulnerable adults with whom we work may face additional barriers to sharing concerns due to disabilities. Research has demonstrated that disabled children are particularly vulnerable to abuse for several different reasons depending on their impairment. These reasons include:

- A dependency on others for their primary needs such as feeding, clothing and intimate care may make a young person feel powerless to report abusive treatment and might mask abusive behaviour
- Different communication methods or lack of appropriate vocabulary might provide a barrier for a child wanting to communicate about their concerns
- Isolation within a residential setting
- A fear of retribution

8.3 Barriers which may prevent adults reporting abuse

- Not wanting to burden others
- Fear of getting oneself or someone else into trouble
- Other adults trivialising or over-reacting and making matters worse
- Fear of lack of control
- Limited knowledge of formal helping services and what they do
- Stigma of involvement with formal agencies

The CBSO is aware of these barriers and will ensure that all CBSO musicians, members of staff, Trustees and volunteers have had sufficient training and information to enable them to overcome these barriers.

8.4 Other possible barriers to reporting abuse

8.4.1 Barriers to reporting concerns to the Designated Safeguarding Officer

- Fear you may be wrong
- Doubts about the young person's truthfulness
- Your own anger and distress
- Young person's attempts to bind you to secrecy
- Uncertainty of procedures and consequences
- There may be other reasons for the young person's behaviour
- Not wanting to interfere in family life

REMEMBER:

It is important that everyone in the organisation is aware that the person who first encounters a case of alleged or suspected abuse is not responsible for deciding whether or not abuse has occurred. That is a task for the professional agencies following a referral to them of concern about a child or vulnerable adult.

9 RECORDING INFORMATION

9.1 What information should be recorded and by whom?

Every concern must be recorded in writing, whether this is observational or a child has made a verbal disclosure, within 48 hours. This written report should include details of reasons for concern if observational. If the report is being written following a disclosure from a child or vulnerable adult the report needs to be a true and accurate report of what was said, by whom, when and where. All reports need to be signed and dated along with the name and job title of the CBSO musician, member of staff, Trustee or volunteer writing the report.

It is essential that the report contains only fact, if stating a personal opinion this needs be clearly indicated e.g. *'There were burns on the child's arms which, in my opinion, could have been caused by a cigarette'*.

Practice issues to consider when recording suspected abuse

- Be Specific** – what is the exact nature of the concern and which category of abuse does it suggest in your opinion
- Show the evidence** – what did you see, hear? Who said what, when, how?
- Be Precise** with time words – what does always, frequent, never mean?

A reporting template and checklist for providing a good record are enclosed in Appendix A.

9.2 Information Sharing - the Designated Safeguarding Officer's responsibility

The Designated Safeguarding Officer will:

- always explain to children, vulnerable adults and families at the outset, openly and honestly, what and how information will, or could be shared and why, and

seek their agreement. The exception to this is where doing so would put that child, or others at increased risk of significant harm or an adult at risk of serious harm, or if it would undermine the prevention, detection or prosecution of a series crime including where seeking consent might lead to interference with any potential investigation.

- always consider the safety and welfare of a child or vulnerable adult when making decisions on whether to share information about them. Where there is concern that the child or vulnerable adult may be suffering or is at risk of suffering significant harm, the child or vulnerable adult's safety and welfare must be the overriding consideration.
- where possible, respect the wishes of children, vulnerable adults or families who do not consent to share confidential information, however, may still share information if, in their judgement on the facts of the case, there is sufficient need to override that lack of consent.
- always seek advice when in doubt, especially when the doubt relates to a concern about possible significant harm to a child, vulnerable adult or serious harm to others.
- ensure that the information shared is accurate and up to date, necessary for the purpose for which they are sharing it, shared only with those people who need to see it, and shared securely
- always record the reasons for their decision – whether it is to share information or not.

A full description of the Designated Safeguarding Officer's Roles and Responsibilities can be found in Appendix D.

APPENDIX A

CBSO Safeguarding Report Form

REPORTING ALLEGATIONS OR SUSPICIONS OF ABUSE

The Designated Safeguarding Officer should be informed immediately of any concerns about a child or vulnerable adult, or any disclosures made by a child or vulnerable adult. The Designated Safeguarding Officer's contact details are as follows:

Name: Lucy Galliard
Job/Role/Title: CBSO Director of Learning & Engagement
Address: CBSO Centre, Berkley Street, Birmingham, B1 2LF
Telephone: 0121 616 6517
Mobile: 07793 009700

If the Designated Safeguarding Officer is unavailable then the HR Manager should be informed using the following contact details:

Name: Angela Barge
Job/Role/Title: CBSO HR Manager
Address: CBSO Centre, Berkley Street, Birmingham, B1 2LF
Telephone: 0121 616 6515

Relevant local contacts:

Birmingham City Council – Social Services

The Multi-Agency Safeguarding Hub (MASH) provides a single point of contact to those wanting to seek support or raise concerns about a child.

Monday to Thursday Office Hours: 0121 3031888

Out of Office Hours: 0121 675 4806

Birmingham Adult Safeguarding Board

The Adults & Communities Access Point (ACAP) on 0121 303 1234 and press option 1 if you want to report a concern about abuse of a vulnerable adult.

West Midlands Police **999**

If there is a clear and immediate threat to a child

NSPCC Child Protection Helpline 0808 800 5000

For adults concerned about a child

ChildLine 0800 1111

For children and young people

CBSO SAFEGUARDING REPORT FORM

Child, Young Person or Vulnerable Adult's details

Name	
Address	
Contact Telephone Numbers	
Ethnicity	
Details of any disability	
School name & address <i>(where applicable)</i>	
Person with parental or caring responsibility	

Details of person reporting suspected or reported abuse

Name	
Job Title and Organisation	
Contact Phone Number (Work, Mobile, Other)	
Email address	

Are you reporting your own concerns or passing on those of someone else (please give details)?

Details of the incident or concerns:
Include other relevant information, such as description of any injuries and whether you are recording this incident as fact, opinion or hearsay. Remember to include any dates, time and specific factors.

Vulnerable adult or child/young person's account *Please detail the individual's account of what happened. How did they describe the situation, what was their explanation for any injury?*

Witness details and account
Please provide the name, address and any contact numbers for any witnesses to the allegation, and specify the relationship to the vulnerable adult, child or young person

Name	
Address	
Contact phone numbers (work, mobile, other)	
Relationship to the vulnerable adult, child or young person	

Please give details of the witness' account of what happened

Your signature	
Your name (print)	
Date	

Any suspected or reported abuse must be reported immediately to the Designated Safeguarding Officer, Lucy Galliard on 0121 6166517 or 07793 009700 or in her absence Angela Barge on 0121 616 6515

If the concern or allegation arises outside normal office hours, and it is clear that abuse has occurred, contact should be made directly with the Multi-Agency Safeguarding Hub (MASH) on 0121 675 4806

APPENDIX B

Overview of the Procedures for managing allegations against people who work with children

1. Introduction and Criteria

All allegations of abuse of children by those who work with children must be taken seriously. Allegations against any person who works with children, whether in a paid or unpaid capacity, cover a wide range of circumstances.

This procedure should be applied when there is such an allegation or concern that a person who works with children, has:

- Behaved in a way that has harmed a child, or may have harmed a child;
- Possibly committed a criminal offence against or related to a child;
- Behaved towards a child or children in a way that indicates he or she may pose a risk of harm to children.

These behaviours should be considered within the context of the four categories of abuse (i.e. physical, sexual and emotional abuse and neglect). These include, but are not limited to, concerns relating to inappropriate relationships between members of staff and children or young people, for example:

- Having a sexual relationship with a child under 18 if in a position of trust in respect of that child, even if consensual (see ss16-19 Sexual Offences Act 2003);
- 'Grooming', i.e. meeting a child under 16 with intent to commit a relevant offence (see s15 Sexual Offences Act 2003);
- Other 'grooming' behaviour giving rise to concerns of a broader child protection nature (e.g. inappropriate text / e-mail messages or images, gifts, socialising etc);
- Possession of indecent photographs / pseudo-photographs of children;
- Excessive use of force in restraining a child/young person;
- Inappropriate use of isolation/restriction.

If concerns arise about the person's behaviour to her/his own children, the police and/or children's social care must consider informing the employer / organisation in order to assess whether there may be implications for children with whom the person has contact at work / in the organisation, in which case this procedure will apply.

Allegations of historical abuse should be responded to in the same way as contemporary concerns. In such cases, it is important to find out whether the person against whom the allegation is made is still working with children and if so, to inform the person's current employer or voluntary organisation or refer their family for assessment.

2. Roles and Responsibilities

The CBSO's Designated Safeguarding Officer has overall responsibility for:

- Ensuring that the organisation deals with allegations in accordance with this procedure;
- Making decisions in complex cases about whether any allegation or suspicion relating to a person in a position of trust requires referral to children's social care or the police; Resolving any inter-agency issues;
- Liaising with the Local Authority Designated Officer (LADO) on the subject.

Birmingham City Council have assigned a Local Authority Designated Officer (LADO) to:

- Receive reports about allegations and to be involved in the management and oversight of individual cases;
- Provide advice and guidance to employers and voluntary organisations;
- Liaise with the police and other agencies;
- Monitor the progress of cases to ensure that they are dealt with as quickly as possible consistent with a thorough and fair process;
- Provide advice and guidance to employers in relation to making referrals to the Disclosure and Barring Service (DBS) and regulatory bodies such as Ofsted, the GMC etc. and
- Chair strategy meetings where there is concern about a person in a position of trust.

The LADO is the Head of Child Protection and Review in the Directorate for People, who is supported by the LADO Team (Tel: 0121 675 1669).

3. General Considerations Relating to Allegations Against Staff

Persons to be notified

The CBSO must inform the LADO team within **one working day** when an allegation is made and prior to any further investigation taking place.

The LADO team will advise the CBSO whether or not informing the parents of the child/ren involved will impede the disciplinary or investigative processes. Acting on this advice, if it is agreed that the information can be fully or partially shared, the CBSO should inform the parent/s. In some circumstances, however, the parent/s

may need to be told straight away (e.g. if a child is injured and requires medical treatment).

The parent/s and the child, if sufficiently mature, should be helped to understand the processes involved and be kept informed about the progress of the case and of the outcome where there is no criminal prosecution. This will include the outcome of any disciplinary process, but not the deliberations of, or the information used in, a hearing.

The CBSO should seek advice from the LADO team, the police and / or children's social care about how much information should be disclosed to the suspected person.

Subject to restrictions on the information that can be shared, the CBSO should, as soon as possible, inform the suspected person about the nature of any allegation, how enquiries will be conducted and the possible outcome (e.g. disciplinary action, or referral to the DBS and/or a regulatory body).

The suspected member of staff should:

- Be treated fairly and honestly and helped to understand the concerns expressed and processes involved;
- Be kept informed of the progress and outcome of any investigation and the implications for any disciplinary or related process;
- If suspended, be kept up to date about events in the workplace.

Confidentiality

Every effort will be made to maintain confidentiality and guard against publicity while an allegation is being investigated or considered. Apart from keeping the child, parents and suspected person (where this would not place the child at further risk) up to date with progress of the case, information will be restricted to those who have a need to know in order to protect children, facilitate enquiries, manage related disciplinary or suitability processes.

The police should not provide identifying information to the press or media, unless and until a person is charged, except in exceptional circumstances (e.g. an appeal to trace a suspect). In such cases, the reasons should be documented and partner agencies consulted beforehand.

Support

The CBSO, together with children's social care and / or police, where they are involved, should consider the impact on the child concerned and provide support as appropriate. Liaison between the agencies should take place in order to ensure that the child's needs are addressed.

As soon as possible after an allegation has been received, the suspected member of staff will be advised to contact their union or professional association. Human resources will be consulted at the earliest opportunity in order that appropriate

support can be provided via the organisation's occupational health or employee welfare arrangements.

Suspension

Suspension is a neutral act and it should not be automatic. It should be considered in any case where:

- There is cause to suspect a child is at risk of significant harm; or
- The allegation warrants investigation by the police; or
- The allegation is so serious that it might be grounds for dismissal.

The possible risk of harm to children should be evaluated and managed in respect of the child/ren involved and any other children in the accused member of staff's home, work or community life.

If a strategy meeting / discussion is to be held or if children's social care or the police are to make enquiries, the LADO team should canvass their views on suspension and inform the CBSO. Only the CBSO, however, has the power to suspend an accused employee and they cannot be required to do so by a local authority or police.

If the suspension is lifted and the person is to return to work, the CBSO will consider what help and support might be appropriate (e.g. a phased return to work and/or provision of a mentor), and also how best to manage the member of staff's contact with the child concerned, if still in the workplace.

Organised abuse

Investigators should be alert to signs of organised or widespread abuse and/or the involvement of other perpetrators or institutions. They should consider whether the matter should be dealt with in accordance with complex abuse procedures which, if applicable, will take priority.

Whistle-blowing

All staff should be made aware of their organisation's whistle-blowing policy and feel confident to voice concerns about the attitude or actions of colleagues.

If a member of staff believes that a reported allegation or concern is not being dealt with appropriately by their organisation, they should report the matter to the LADO team.

Timescales

It is in everyone's interest for cases to be dealt with expeditiously, fairly and thoroughly and for unnecessary delays to be avoided. The target timescales provided in the flowchart at the end of this appendix are realistic in most cases, but some cases will take longer because of their specific nature or complexity.

4. Initial Response to an Allegation or Concern

An allegation against a member of staff may arise from a number of sources (e.g. a report from a child, a concern raised by another adult in the organisation, or a complaint by a parent). It may also arise in the context of the member of staff and their life outside work or at home.

Initial action by person receiving or identifying an allegation or concern

The person to whom an allegation or concern is first reported should treat the matter seriously and keep an open mind.

They should not:

- Investigate or ask leading questions if seeking clarification;
- Make assumptions or offer alternative explanations;
- Promise confidentiality, but give assurance that the information will only be shared on a 'need to know' basis.

They should:

- Make a written record of the information (where possible in the child / adult's own words), including the time, date and place of incident/s, persons present and what was said;
- Sign and date the written record;
- Immediately discuss the issue with the designated senior manager, or where the designated senior manager is absent or is the subject of the allegation, with the deputy or other appropriate senior manager.

Initial action by the designated senior manager

Discussion with the CBSO Designated Safeguarding Officer should lead to one or more of the following outcomes:

- Outcome: Referral to children's social care - person in position of trust referral.
There are grounds to suspect that the person in a position of trust may have abused that position putting one or more children at risk of significant harm. In all such cases an immediate referral must be made to the LADO Team;
- Outcome: Referral to children's social care of a child who may be at risk of significant harm.
There are grounds to suspect that the child has been abused but there is no reason to suspect that this is as a result of the actions of a person in a

position of trust. In all such cases an immediate referral must be made to children's social care. Children's social care will carry out an assessment and decide whether to initiate s47 enquiries;

- Outcome: Inform the regulatory body relevant to the role of the person in a position of trust.
For example Ofsted or the Care Quality Commission;
- Outcome: No further action.
The person in a position of trust acted appropriately and therefore no further action is to be taken under these procedures;
- Outcome: Review of internal policy & procedures.
The person in a position of trust has acted inappropriately but it is not a child protection issue: the action taken lay within the bounds of agency policy and procedures and there is therefore a need to review these policies and procedures. The decision that this outcome is, or is not, appropriate may depend on the level of knowledge and experience of the person in a position of trust;
- Outcome: Disciplinary/training
The person in a position of trust has acted inappropriately but it is not a child protection issue; the action taken was in breach of accepted agency policies and procedures and disciplinary action and/or training may be needed;
- Outcome: False allegation
The person in a position of trust is the subject of an unfounded allegation;
- Outcome: Requires LADO advice
If the named senior manager has any doubt about whether the matter should be referred on, they should discuss the issues with the LADO team;
- Outcome: Inform but not refer
In some cases the named senior manager may decide that a referral to children's social care is not required, but that it is likely that another person will report the matter to one of the statutory agencies. In this situation it is best practice for the named senior manager to contact children's social care and the police and inform them of the circumstances.

The CBSO Designated Safeguarding Officer will record discussions about the child and/or member of staff, any decisions made, and the reasons for those decisions.

If the CBSO Designated Safeguarding Officer concludes that a professional may have put a child at risk of significant harm, s/he must report the allegation to the LADO team (Tel: 0121 675 1669) and discuss the decision in relation to the agreed threshold criteria in within **one working day**. Referrals should not be delayed in order to gather information and a failure to report an allegation or concern in accordance with procedures is a potential disciplinary matter.

If an allegation requires immediate attention, but is received outside normal office hours, the CBSO Designated Safeguarding Officer should consult the children's social care emergency duty team (Tel: 0121 675 4806) or local police and inform the LADO team as soon as possible.

Initial consideration by the designated senior manager and the LADO team

There are up to three strands in the consideration of an allegation:

- A police investigation of a possible criminal offence;
- Children's social care enquiries and/or assessment about whether a child is in need of protection or services;
- Consideration by an employer of disciplinary action.

A principal officer in the LADO team and the designated senior manager should consider first whether further details are needed and whether there is evidence or information that establishes that the allegation is false or unfounded. Care should be taken to ensure that the child is not confused as to dates, times, locations or identity of the member of staff.

If the allegation is not demonstrably false and there is cause to suspect that a child is suffering or is likely to suffer significant harm, the LADO team should refer to children's social care and ask them to convene an immediate strategy meeting / discussion:

- If a child is not believed to have suffered, or to be likely to suffer Significant Harm but a police investigation will continue, the principal officer should conduct this discussion with the police, the designated senior manager and any other agencies involved to evaluate the allegation and decide how it should be dealt with;
- This Evaluation discussion should take place within one working day and must consider how to take matters forward in a criminal process parallel with a disciplinary process or whether any disciplinary action will need to await the completion of the police enquiries and/or prosecution. The progress should be reviewed by the police no later than four weeks after the initial evaluation meeting and thereafter at fortnightly or monthly intervals.

Strategy meeting / discussion

Wherever possible, a strategy meeting / discussion should take the form of a meeting. However, on occasions a telephone discussion may be justified. The following is a list of possible participants:

- The LADO team;
- Social care manager to chair (if a Strategy Meeting);

- Relevant social worker and their manager;
- Detective sergeant;
- The Designated and/or named Safeguarding Children Health Professional (CCG); and always when an allegation concerns a health agency worker /professional;
- Consultant paediatrician;
- Designated senior manager for the employer concerned;
- Human resources representative;
- Legal adviser where appropriate;
- Senior representative of the employment agency or voluntary organisation if applicable;
- Manager from the fostering service provider when an allegation is made against a foster carer;
- Supervising social worker when an allegation is made against a foster carer;
- Those responsible for regulation and inspection where applicable (e.g. CQC, GMC or Ofsted);
- Where a child is placed or resident in the area of another authority, representative/s of relevant agencies in that area;
(The LADO responsible for coordinating investigations is the LADO for the area in which any alleged incident took place, but the agencies that have direct contact with the child may be in another area)
- Complaints officer if the concern has arisen from a complaint.

The strategy meeting / discussion should:

- Decide whether there should be a Section 47 Enquiry and / or police investigation and consider the implications;
- Consider whether any parallel disciplinary process can take place and agree protocols for sharing information;
- Consider the current allegation in the context of any previous allegations or concerns;
- Where appropriate, take account of any entitlement by staff to use reasonable force to control or restrain children (e.g. section 93, Education and Inspections Act 2006 in respect of teachers and authorised staff);

- Consider whether a complex abuse investigation is applicable; see Organised and Complex Abuse Procedure;
- Plan enquiries if needed, allocate tasks and set timescales;
- Decide what information can be shared, with whom and when.

The strategy meeting / discussion should also:

- Ensure that arrangements are made to protect the child/ren involved and any other child/ren affected, including taking emergency action where needed;
- Consider what support should be provided to all children who may be affected;
- Consider what support should be provided to the member of staff and others who may be affected and how they will be kept up to date with the progress of the investigation;
- Ensure that investigations are sufficiently independent;
- Make recommendations where appropriate regarding suspension, or alternatives to suspension;
- Identify a lead contact manager within each agency;
- Agree protocols for reviewing investigations and monitoring progress by the LADO, having regard to the target timescales;
- Consider issues for the attention of senior management (e.g. media interest, resource implications);
- Consider reports for consideration of barring;
- Consider risk assessments to inform the employer's safeguarding arrangements;
- Agree dates for future strategy meetings / discussions.

A final strategy meeting / discussion should be held to ensure that all tasks have been completed, including any referrals to the DBS if appropriate, and, where appropriate, agree an action plan for future practice based on lessons learnt.

The strategy meeting / discussion should take in to account the following definitions when determining the outcome of allegation investigations:

1. **Substantiated:** there is sufficient identifiable evidence to prove the allegation;
2. **False:** there is sufficient evidence to disprove the allegation;
3. **Malicious:** there is sufficient evidence to disprove the allegation and there has been a deliberate act to deceive;

4. **Unsubstantiated:** this is not the same as a false allegation. It means that there is insufficient evidence to either prove or disprove the allegation; the term therefore does not imply guilt or innocence.

Allegations against staff in their personal lives

If an allegation or concern arises about a member of staff, outside of their work with children, and this may present a risk of harm to child/ren for whom the member of staff is responsible, the general principles outlined in these procedures will still apply.

The strategy meeting / discussion should decide whether the concern justifies:

- Approaching the member of staff's employer for further information, in order to assess the level of risk of harm; and / or
- Inviting the employer to a further strategy meeting / discussion about dealing with the possible risk of harm.

If the member of staff lives in a different authority area to that which covers their workplace, liaison should take place between the relevant agencies in both areas and a joint strategy meeting / discussion convened.

In some cases, an allegation of abuse against someone closely associated with a member of staff (e.g. partner, member of the family or other household member) may present a risk of harm to child/ren for whom the member of staff is responsible. In these circumstances, a strategy meeting / discussion should be convened to consider:

- The ability and/or willingness of the member of staff to adequately protect the children;
- Whether measures need to be put in place to ensure their protection;
- Whether the role of the member of staff is compromised.

5. Disciplinary Process

Disciplinary or suitability process and investigations

The LADO and the designated senior manager should discuss whether disciplinary action is appropriate in all cases where:

- It is clear at the outset or decided by a strategy meeting / discussion that a police investigation or LA children's social care enquiry is not necessary; or
- The employer or LADO is informed by the police or the Crown Prosecution Service that a criminal investigation and any subsequent trial is complete, or that an investigation is to be closed without charge, or a prosecution discontinued.

If disciplinary action is taken it will follow the disciplinary procedure of the person's employer.

Sharing information for disciplinary purposes

Wherever possible, police and children's social care should, during the course of their investigations and enquiries, obtain the consent of the person who is the subject of the investigation to provide the employer and/or regulatory body with statements and evidence for disciplinary purposes. If consent is not given the employer should be notified quickly so that preparations can be made to obtain this information at the end of the criminal process.

If the police or CPS decide not to charge, or decide to administer a caution, or the person is acquitted, the police should pass all relevant information to the employer without delay.

If the person is convicted, the police should inform the employer and the LADO straight away so that appropriate action can be taken.

6. Record Keeping and Monitoring Progress

Record keeping

The CBSO will keep a clear and comprehensive summary of the case record on a person's confidential personnel file and give a copy to the individual. The record should include details of how the allegation was followed up and resolved, the decisions reached and the action taken. It should be kept at least until the person reaches normal retirement age or for ten years if longer.

The purpose of the record is to enable accurate information to be given in response to any future request for a reference if the person has moved on. It will provide clarification where a future DBS request reveals non convicted information, and will help to prevent unnecessary reinvestigation if an allegation re-surfaces after a period of time. In this sense it may serve as a protector to the individual themselves, as well as in cases where substantiated allegations need to be known about to safeguard future children.

Details of allegations that are found to be malicious should be removed from personnel records.

Monitoring progress

The LADO should monitor and record the progress of each case, either fortnightly or monthly depending on its complexity. This could be by way of review strategy meetings / discussions / initial evaluations or direct liaison with the police, Children's social care, or employer, as appropriate. Where the target timescales cannot be met, the LADO should record the reasons.

The LADO should keep comprehensive records in order to ensure that each case is being dealt with efficiently and that there are no undue delays. The records will also assist Birmingham Safeguarding Children Board to monitor and evaluate the

effectiveness of the procedures for managing allegations and provide statistical information to the Department for Education (DfE) as required.

If a police investigation is to be conducted, the police should set a date for reviewing its progress and consulting the CPS about continuing or closing the investigation or charging the individual. Wherever possible, this should be no later than four weeks after the strategy meeting / discussion / initial evaluation. Dates for further reviews should also be agreed, either fortnightly or monthly depending on the complexity of the investigation.

7. Unsubstantiated and False Allegations

Where it is concluded that there is insufficient evidence to substantiate an allegation, the Chair of the strategy meeting / discussion or initial evaluation should prepare a separate report of the enquiry and forward this to the designated senior manager of the employer to enable them to consider what further action, if any, should be taken.

False allegations are rare and may be a strong indicator of abuse elsewhere which requires further exploration. If an allegation is demonstrably false, the employer, in consultation with the LADO, should refer the matter to Children's social care to determine whether the child is in need of services, or might have been abused by someone else.

If it is established that an allegation has been deliberately invented, the police should be asked to consider what action may be appropriate.

8. Substantiated Allegations and Referral to the DBS

Substantiated allegations

The Disclosure and Barring Service (DBS) was established under the Protection of Freedoms Act 2012 and merges the functions previously carried out by the Criminal Records Bureau (CRB) and Independent Safeguarding Authority (ISA). The relevant legislation is set out in the Protection of Freedoms Act 2012.

If an allegation is substantiated and the person is dismissed or the employer ceases to use the person's service or the person resigns or otherwise ceases to provide his/her services, the LADO should discuss with the employer whether a referral should be made to the Disclosure and Barring Service (DBS).

If a referral is to be made; it should be submitted within one month of the allegation being substantiated.

Bodies with a legal duty to refer

The following groups have a **legal duty to refer** information to the DBS:

- Regulated Activity suppliers (employers and volunteer managers);

- Personnel suppliers;
- Groups with a power to refer.

Bodies with the power to refer

The following groups have a **power to refer** information to the DBS:

- Local authorities (safeguarding role);
- Health and Social care (HSC) trusts (NI);
- Education and Library Boards;
- Keepers of registers e.g. General Medical Council, Nursing and Midwifery Council;
- Supervisory authorities e.g. Care Quality Commission, Ofsted.

If the person being referred to the DBS is a teacher in England they should also be referred to the National College for Teaching and Leadership.

9. Learning Lessons

The CBSO and the LADO should review the circumstances of the case to determine whether there are any improvements to be made to the organisation's procedures or practice.

APPENDIX C

Code of Conduct & Good Practice

Code of Conduct & Good Practice when working with children, young people and vulnerable adults

To ensure the safety and wellbeing of all those involved in CBSO activities, the CBSO expects standards of behaviour and professionalism from its staff, musicians, volunteers and Trustees.

All CBSO staff, musicians, volunteers and Trustees are in a position of responsibility and trust, and it is important to always consider how actions are perceived or interpreted by others, no matter how well they are intended.

The following Code of Conduct and Good Practice guidance is intended to reduce the likelihood of misunderstandings or misinterpretations.

All CBSO staff, musicians, volunteers and Trustees must:

- Treat all children, young people and vulnerable adults with respect and dignity
- Ensure that there is at least one adult who is not affiliated with the CBSO present during activities with children, young people or vulnerable adults in external venues e.g. schools, community settings, care homes and day centres
- Respect an individual's right to personal privacy, and be responsive to their particular requirements e.g. religious, cultural or ethnic considerations or special needs.
- Ensure that their dress, behaviour and language is appropriate for participants, taking into account age, gender, cultural background etc.
- Avoid making physical contact with participants and never use physical force
- Be aware that any physical contact with a child, young person or vulnerable adult may be misinterpreted
- Operate within the organisation's principles and guidance on working with young people
- Challenge unacceptable behaviour and report all allegations, suspicions or disclosures of abuse
- Inform a member of CBSO or venue staff (if working in an external venue), parent, or chaperone if a private conversation with a young person or vulnerable adult is absolutely necessary and tell them where and how long you will be
- Ensure that one-to-one tuition for children and vulnerable adults taking place at the CBSO centre only occurs in Studio 1, 2 or 3 all of which have glass panels in the door.

All CBSO musicians, members of staff, Trustees and volunteers must not:

- Have inappropriate physical or verbal contact with children or young people
- Engage in sexually provocative or rough physical games
- Allow yourself to be drawn into inappropriate attention-seeking behaviour
- Make suggestive or derogatory remarks or gestures in front of children or young people
- Jump to conclusions about others without checking facts
- Either exaggerate or trivialise child abuse issues
- Show favouritism to any individual
- Rely on your good name or that of the CBSO to protect you

- Believe 'it could never happen to me'
- Take a chance when common sense, policy or practice suggests a more prudent approach
- Meet with children, young people or vulnerable adults who are participating in CBSO activities outside these organised activities
- Do things of a personal nature for a child or young person which they can do themselves or if they have a specific carer or support worker who is responsible for intimate care
- Let allegations made by a child go without being addressed and recorded
- Deter children from making allegations through fear of not being believed
- Use social media to engage with or befriend young people under the age of 18 who are participants in CBSO activities, or members of CBSO Youth Ensembles.
- Share personal contact details (e.g. phone number, email address) with young people under the age of 18 who are participants in CBSO activities, or members of CBSO Youth Ensembles.
- Be under the influence of alcohol or any illegal substance when working with children, young people or vulnerable adults

APPENDIX D

Children & Young People as performers

Context

The CBSO provides a range of opportunities for young performers through our three youth choirs – CBSO Children’s Chorus, CBSO Youth Chorus and CBSO Young Voices - the CBSO Youth Orchestra, out of school hours projects and end of project performances by school groups. The majority of these activities take place in Birmingham, however, we do also give concerts at other venues throughout the UK, and occasionally undertake international engagements.

As the young people we work with are taking part in performances, the CBSO has a legal obligation to apply for a child performance or activities licence. This system is designed to provide a check that suitable and sufficient arrangements have been made to safeguard the child and children involved in activity.

When Licences are required

Child performance legislation, as stated in *The Children and Young Persons Act 1933 and 1963 and the Children (Performance) (England) Regulations 2014* sets out when a licence is required. This is supplemented by advice produced by the Department for Education.

The 1963 Act states that a licence must be obtained before a child can take part in certain types of performance and activities in Great Britain, This includes:

- Any performance for which a charge is made, whether for admission or otherwise;
- Performances on premises licensed to sell alcohol, for example in a hotel or theatre;
- Any live broadcast performance, for example a television or radio broadcast, or internet streaming;
- Any performance recorded with a view to its use in a broadcast or such service or in a film intended for public exhibition.

Licensing requirements apply only to children under the upper limit of compulsory school age (as defined by section 8(3) of the Education Act 1996) (i.e as a general rule up to the last Friday in June in the school year in which they have their 16th birthday).

The CBSO’s Responsibility

Performances by children and young people outside school hours

The majority of the CBSO’s young performers participate in evening or weekend concerts, therefore are not required to be absent from school to take part as performers and do not need individual licences to enable them to perform. However, all the CBSO’s performers who are under the upper limit of compulsory school age are included on a Body of Person’s Agreement, issued by the local authority in whose area the performance takes place.

The Body of Person’s Agreement (BOPA) is issued to the CBSO for a specific period of time as set out in the approval, to enable us to put on performances involving children. The granting of a BOPA to the CBSO replaces the need to apply for individual licences from each child’s home local authority during the period of approval unless activity requires children to be absent from school in which case individual licences will be sought.

The CBSO has a duty of care to all our young performers, and in addition to meeting the legal requirements of our BOPA, we also undertake the following procedures to ensure the wellbeing and security of these individuals:

- Local authority approved chaperones, in addition to CBSO responsible adults, are present at every performance, for rehearsals on the day of each performance, and at any additional rehearsals for which they are required as set out in *The Children (Performances and Activities) (England) Regulations 2014*.
- Chaperones will be responsible for a maximum of 12 children or young people at any one time, unless the young people are staying away overnight or working abroad in which case chaperones will be responsible for a maximum of 8 young people at any one time.
- The appropriate personal and medical information for each individual performer is held securely according to data protection requirements and is available to chaperones and key staff for every rehearsal and performance should it be required;
- Working hours for young performers are adhered to, including traveling, rehearsal and performing hours as set out in *The Children (Performances and Activities) (England) Regulations 2014*
- Adequate changing facilities will be provided for performers at all venues, including separate changing rooms for girls and boys, and where required additional separate changing rooms for under and over 16 year old girls and boys;
- Designated toilet facilities will be provided for exclusive use by members of our youth ensembles at all venues;
- Children and young people will only be released to parents/guardians at the end of every rehearsal and concert, unless the CBSO has a formal written letter from the parents/guardians to advise the CBSO of alternative arrangements;
- All music staff and CBSO staff involved with each ensemble will be DBS checked, and will adhere to the CBSO Code of Conduct when working with children and young people

Performances by children and young people during school hours

In the rare event that the CBSO requires children and young people to take part in a performance which requires them to be absent from school the CBSO will apply to the local authority where the child lives for an individual performance licence.

The CBSO ensures that the legal obligation associated with each licence is met in full, in addition to maintaining the additional procedures to ensure the wellbeing and security of these individuals as set out above.

APPENDIX E

Designated Safeguarding Officer role and responsibilities

The Designated Safeguarding Officer

General

The CBSO's Designated Safeguarding Officer is Lucy Galliard, Director of Learning & Engagement. The Designated Safeguarding Officer is responsible for dealing with any concerns about the protection of children. In the absence of Lucy Galliard, the CBSO's HR Manager, Angela Barge, will act as the Deputy Safeguarding Officer.

Role

The role of the designated person is to:

- Provide information and advice on child protection within the CBSO
- Ensure that the CBSO's child protection policy and procedures are implemented and followed and particularly to inform social services/health board of relevant concerns about individual children
- Be aware of the Local Area Child Protection Committee (ACPC/LSCB) and be familiar with procedures
- Ensure that appropriate information is available at the time of the referral and that the referral is confirmed in writing, under confidential cover as quickly as possible (eg, within a working day)
- Liaise with children's service authorities and other agencies, as appropriate
- Keep relevant people within the CBSO, particularly the Executive Director and board of the CBSO informed about any action taken and any further action required, for example, disciplinary action against a CBSO musician, member of staff, Trustee or volunteer.
- Ensure that an individual case record is maintained of the action taken by the CBSO, the liaison with other agencies and the outcome
- Advise the CBSO of child protection training needs
- Deal with the aftermath of an incident within the CBSO

Responsibility

The Designated Safeguarding Officer is responsible for acting as a source of advice on child protection matters, for co-ordinating action within the CBSO and for liaising with health, children's services and other agencies about suspected or actual cases of child abuse. The Designated Safeguarding Officer is also responsible for implementing child protection training within the CBSO.