



**NATIONAL YOUTH  
HARP ORCHESTRA** of Great Britain

# SAFEGUARDING POLICY

MARCH 2018

## **POLICY STATEMENT**

The National Youth Harp Orchestra of Great Britain (herein referred to as NYHO) has a duty of care to safeguard from harm all children and young people with whom it interacts. We strongly believe that all children and young people have the right to be treated fairly, justly and have the right to freedom from abuse and harm.

This policy details the legal requirements, organisational procedures and best practice as applicable to all members and volunteers. This policy applies to all NYHO officials, including those who work on a volunteer and freelance basis as well as NYHO's Board of Trustees.

Our policy ensures that all our officials and volunteers are carefully selected and vetted, have the relevant qualifications and experience, and accept responsibility for helping to prevent the abuse of children and young people in their care.

All suspicions and allegations of abuse and poor practice will be taken seriously and responded to swiftly and appropriately.

We have procedures in place to address poor practice, and to help any child/young person who appears to be at risk, or who appears to be a victim of abuse. We will offer help and support when a child/young person tells us that they are affected by these issues. Where necessary we will work with external agencies such as the NSPCC and the police to ensure as far as possible that children and young people are protected.

The terms "child", "children", "girl" and "boy" are used to refer to anyone under the age of 18. The terms "young person", "young people", "young woman" and "young man" are used to refer to anyone between the ages of 18 and 25 years.

We will not tolerate bullying. Incidents of bullying will be investigated and treated seriously.

### **Management Committee**

Chairman: Jamie Cordell

Finance: Tom Ainsworth

Logistics: Kieron Munn

Administration: Suzannah Munn

### **Board of Trustees**

Ken Dulieu (Chairman)

Cliff Cavender

Phil Rawnsion

Richard Bond

## **ROLES & RESPONSIBILITIES**

### **The Designated Safeguarding Officer**

- Leading upon contact with Local Authority Social Services in the event that a child/young person is at risk of harm
- Acting as a "front-line" point of contact for any persons concerned about the welfare of a child/young person,
- Managing complaints about poor practice and allegations against officials/volunteers
- Referring relevant issues of safeguarding to the Board of Trustees for consideration
- Collecting monitoring data on all safeguarding activities across the organisation
- Contributing to the review and update of the safeguarding policy and procedures
- Keeping accurate records of concerns about children and young people and actions taken

### The Lead Trustee for Safeguarding

- Ensuring that policy and procedures are fully implemented and followed by all officials and volunteers
- Support the Designated Safeguarding Officer in carrying out roles and responsibilities where requested or required.
- Reporting to Trustees upon any observations and/or findings concerning safeguarding

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All officials and volunteers have a responsibility to safeguard children and young people from harm, including:

- Being vigilant of the signs that may indicate a child/young person is experiencing harm or is at risk of harm
- Report any disclosures or concerns, as soon as possible, to the Designated Safeguarding Officer or the Designated Safeguarding Trustee
- When taking a disclosure from a child/young person remembering not to ask any leading questions

### HEARING A DISCLOSURE

If a child/young person says or indicates that he or she is being abused, or information is obtained which gives concern that a child/young person is being abused, you should follow the below guidance:

#### **RECEIVE:**

- Listen to what is being said, without displaying shock or disbelief.
- Accept what is said and react calmly so as not to frighten the child/young person.
- Make a note of what has been said as soon as practicable.

#### **REASSURE:**

- Reassure the child/young person, but only so far as is honest and reliable.
- Tell the child/young person they are not to blame and that it was right to tell; I am glad you came to me.
- It is important that you do not promise to keep it a secret as your professional responsibilities may require you to report the matter. If you make this promise to a child/young person and then break it, you confirm to the child/young person yet again that adults are not to be trusted.

#### **REACT:**

- React to the child/young person only as far as is necessary for you to establish whether or not you need to refer this matter, but do not interrogate for full details.
- Take what the child/young person says seriously, recognising the difficulties inherent in interpreting what is said by a child/young person who has a speech disability and/or differences in language;
- Do not ask 'leading' questions, for example 'what did he/she do next?' (This assumes he/she did!), or 'did he/she touch your private parts?' Such questions may invalidate your evidence (and that of the child/young person) in any later prosecution in court.
- Explain what you **have** to do next and whom you have to talk to.

**RECORD:**

- Make some brief notes at the time on any paper which comes to hand.
- Do not destroy your original notes in case they are required by a court.
- Record the date, time, place, persons present and any noticeable non-verbal behaviour.
- Be specific when noting the words used by the child/young person.

**REMEMBER:**

- To share your concerns as soon as possible with the Designated Safeguarding Officer or the Designated Safeguarding Trustee who will may take the matter forward.

**REPORTING ALLEGATIONS, SUSPICIONS OR CONCERNS**

It is not the responsibility of anyone at NYHO to decide whether or not a child/young person is being abused or might be abused. However, there is a responsibility to act on concerns to protect children and young people in order that appropriate agencies can then make enquiries and take any necessary action to protect the child/person.

If you become aware of any issue or complaint relating to the welfare or wellbeing of children and young people then you should raise these with the Designated Safeguarding Officer or the Designated Safeguarding Trustee who will be responsible for documenting your concern. All concerns will be considered and a decision reached as to whether the concern should be referred to Social Services.

All Incident reports are securely stored.

**MAKING A REFERRAL TO SOCIAL SERVICES**

If a decision is made to raise a concern with Social Services it will be the responsibility of the Designated Safeguarding Officer to formally report this concern. If, for any reason, the Designated Safeguarding Officer is unable to lead on this process then the Designated Safeguarding Trustee will make the referral. Referrals should be made to:

**NSPCC Helpline****0808 800 5000**

NYHO will make all referrals within 24 hours of a serious concern or disclosure coming to light. When a referral is made, NYHO will record the name and role of the person to whom the concerns were passed, together with the time and date of the call/referral.

If a concern is allayed and a decision is made not to make a referral then NYHO will still be required to record details of the concern and details as to why a referral was not made. This information may become relevant later on if further concerns emerge.

**REPORTING TO THE CHARITY COMMISSION**

- All incidents will be reported to the Charity Commission, email [RSI@charitycommission.gsi.gov.uk](mailto:RSI@charitycommission.gsi.gov.uk)

You should report what happened and explain how you're dealing with it, even if you have already reported it to the police or another regulator.

The Commission does not itself investigate criminal offences, safeguarding or health and safety incidents - lead responsibility rests with other statutory agencies and regulators. However, the Commission may need to make contact with the police or other regulators and follow up on their investigations.

In the event of allegations being made against an official or volunteer NYHO has a dual responsibility in respect of both the child/young person and the official. The same person must not have responsibility for dealing with the welfare issues about children and young people and the official against whom the allegation is made.

Two separate procedures must be followed:

I. In respect of the child/young person the Designated Safeguarding Officer will lead the process related to the child/young person;

II. In respect of the official/volunteer against whom the allegation is made the Designated Safeguarding Trustee will lead the process related to the official/volunteer.

With regards to the child/young person, the aforementioned process will be followed. With regards to the staff member against whom the allegation is made, the below process will be followed:

1. NYHO will make formal contact with the NSPCC who is responsible for providing instruction in the event of an allegation of abuse or suspicious behaviour made against an official.

2. NYHO is legally required to alert the LADO (local authority designated officer) to all cases in which it is alleged that a person who works with children and young people has:

a.) Behaved in a way that has harmed, or may have harmed, a child/children and/or a young person/young people;

b.) Possibly committed a criminal offence against a child/children and/or a young person/young people;

c.) Behaved towards a child in a way that indicates s/he is unsuitable for such work.

3. The LADO will instruct NYHO on procedure and what information may be shared with the person who is the subject of an allegation. NYHO and LADO will decide, in consultation with the Police and/or any other relevant agencies, what may be shared in situations that may possibly lead to a criminal investigation.

4. Subject to advice from the LADO, and to any consequent restrictions on the information that can be shared, NYHO will, as soon as possible, inform the accused person about the nature of the allegation, how enquiries will be conducted and the possible outcome.

In all instances NYHO will seek to ensure that any official/volunteer is treated fairly and honestly and that they are supported to understand the concerns expressed and processes involved. They will be kept informed of the progress and outcome of any investigation and the implications for any disciplinary or related process.

NYHO's main rehearsal base is Surrey

Contact details for Surrey LADO is: Safeguarding Children Unit, Fairmount House, Bull Hill, Kingston Road, Leatherhead KT22 7AH Phone: 0300 200 1006 Select option 4 Safeguarding Children Unit

Select option 3 LADO

## **DISCLOSURE AND BARRING SERVICE (DBS) CHECKS**

### **CHECK LEVELS**

The Disclosure and Barring Service (DBS) exists to help organisations make safer recruitment decisions and prevent unsuitable people from working with vulnerable groups, including children and young people. A DBS check forms one part of the wider safeguarding process. It helps organisations to determine whether a person is a suitable candidate for a particular role by providing information about their criminal history.

Disclosure and Barring Service (DBS) disclosures are required for any official/volunteer (paid or unpaid) who will be working in a regulated activity. For most of the NYHO's work the only relevant regulated activity is unsupervised activities with children: to teach, train, instruct, care for or supervise children. This work is Regulated Activity only if done regularly or intensively, which means being carried out by the same person frequently (once and week or more often), or on 4 or more days in a 30-day period. A person who managed or supervises a regulated activity is also counted as undertaking a regulated activity. If the person is providing occasional or temporary services they are not in a regulated activity.

1. **Standard checks** reveal information relating to spent and unspent convictions, cautions, reprimands and final warnings from the Police National Computer (PNC). To be eligible for a Standard Check the position must be specified in the Exceptions Order to the Rehabilitation of Offenders Act 1974.

2. **Enhanced checks** reveal the same information as Standard Checks but also check against information held by local police forces (for instance, relevant on-going investigations). To be eligible for an Enhanced Check the position must be specified in the Exceptions Order to the Rehabilitation of Offenders Act 1974 AND regulations made under the Police Act 1997, which includes work with children.

## **CHILD PERFORMANCE LICENSING**

### **REQUIREMENT TO LICENCE**

All children who perform on stage or in television, films, commercials or who work as models, have their welfare and safety protected by the following *children in entertainment* legislation:

- Children & Young Persons Act 1933 & 1963
- Children (Performances) Regulations 1968
- The Children (Performance) (Miscellaneous Amendments) Regulations 1998(1)
- The Children (Performance) Amendment Regulations 2000
- The Children (Performance) (Amendment) (No.2) Regulations 2000
- Statutory Instruments: 1968 No. 1728, 1998 No. 1678, 2000 No. 10, & No. 2384

For the purposes of *children in entertainment* a child is a person aged from birth until the end of their compulsory schooling.

The aforementioned legislation requires licences to be issued by each Local Authority (LA) for children who take part in one of the following categories:

- **broadcast performances** (films, TV, video) covers performances that will be broadcast;
- **non-broadcast performances** (theatre, modelling) covers performance that are not broadcast.

It is the responsibility of NYHO to establish contact with the relevant local authority in which a child resides to obtain instructions as to whether a license is required. It should be noted that there will be occasions when a licence is not required, see EXEMPTION sections below.

The Children (Performances) Regulations 1968 only apply to actual performances and therefore the following information does not apply to rehearsals or regular workshops. Rehearsals are, however, affected by the Regulations, if they take place during the currency of a licence (between first and last performing day). Rehearsals are then subject to the same restrictions and conditions applicable to that licence i.e. time at place of performance, performing times and so forth. Rehearsals also count as a performance when calculating length of working week i.e. 5 days broadcast, 6 days theatre/other.

Appendix 5 shows the regulations of times and hours as required by The Children (Performances) Regulations 1968. All categories of children's entertainment licensing, including both licence exemptions, are subject to these times and hours.

## **10.2 CHAPERONES**

All licensed children need to be chaperoned in law while taking part in a performance. Chaperones act *in loco parentis* and should exercise the care which a good parent might be reasonably expected to give that child. Regulations require a ratio of 1 chaperone to 12 children.

A chaperone's first priority is always to the child and the chaperone must not take part in any activity that would prevent them from proper supervision and care of the children they are responsible for. A chaperone will have total charge of a child – unless the child is being chaperoned by his/her parent/carer – whilst the child is at the theatre/performance location, and is responsible for the child's care and control. If the child has completed his performance and is then handed into the care and control of his parent/guardian who is outside of the stage performance area, the chaperone will no longer have responsibility for the child.

Chaperones are required by law to keep a record for each child, per performance:

- It is a requirement under the Regulations that these records be kept and made available, together with each child's Licence, at every place of performance where a child is present, for inspection by an officer of the Local Authority in whose area the performance takes place.
- Upon completion of the production, the daily record sheet/s should be stored at the Licence Applicant's main company address for a period of not less than 6 months after the final performance date for which the Licence has been granted.

Licensed Chaperones are approved by Local Authorities and will be familiar with the law regarding *children in entertainment*.

## **CHILD PERFORMANCE LICENCE EXEMPTIONS**

### **EXEMPTION ONE - THE FOUR DAY RULE:**

The "four-day rule" is an exemption that can be considered for use by both professional and amateur companies. This exemption states that a licence is not required for a child if:

- they perform for only 4 days in any 6 month period; and
- they do not need time off from school to undertake the performance; and
- they do not receive any payment other than expenses.

Children who fall within the exemptions and do not need a licence are still covered by Regulations 21, 22, 33 and 34 of the Children (Performances) Regulations 1968 covering the number of days on which children may perform and permitted hours of performance .

NYHO will use the four-day rule where appropriate.

#### EXEMPTION TWO - BODY OF PERSONS LICENCE:

The Children & Young Persons Act 1963 gives a local authority under Section 37(3)(b) the power to issue a licence to a Body of Persons e.g. a group of responsible adults (youth organisations, amateur dramatics, etc) to enable them to engage children and young people in non-broadcast and recorded performances without the need to apply for separate licences for each child for each production. Where appropriate, NYHO will apply for a Body of Persons Licence.

The Body of Persons must then provide the Education Authority with the following information in advance:

- names, addresses and dates of birth of all the children who will be performing;
- venue and dates of performances;
- names and addresses of the adults forming the Body of Persons.

Approval can be granted providing:

- the child performers receive no payment other than expenses;
- the performance is for a stage production;
- the performances all take place within the local authority that is granting the Body of Persons licence;
- the child performers are supervised by the adults who form the Body of Persons or licensed chaperones;
- the organisation complies with the regulations on days and permitted hours of performance contained in the Children (Performance) Regulations 1968 (see section 7 of Good Practice);
- that the Child Employment Team agreed that the rehearsal/performance venue(s) are suitable places for children to perform;
- the organiser has ensured appropriate arrangements are in place to transport child performers to and from the venue and for them to be released into the care of an appropriate person;
- the organiser will not use the children in performances that may be dangerous;
- the organiser can demonstrate that it can meet any health, safety and welfare conditions set by the local authority;
- the Body of Persons ensure that arrangements are made to transport young performers to and from the venue;
- the Body of Persons does not use children in performances that maybe dangerous.

The holders of the licence must ensure that they keep records of each child's performance as required by Schedule 3 Children and Young Persons, The Children (Performances) Regulations 1968 Approval can only be granted for children who perform solely for the holder(s) of the Body of Persons Licence.

Although the law does not place a statutory obligation on organisations to ensure that chaperones are provided for unlicensed children, local authorities prefer that all children be provided with a chaperone as a condition of granting a Body of Persons licence.

NYHO will obtain a Body of Persons licence where appropriate and upon the advice of relevant Local Authority Education Welfare Teams.



Contact details:

<b>ROLE</b>	<b>POST HOLDER</b>	<b>EMAIL</b>
Chairman	Jamie Cordell	info@nyho.org.uk
Designated Safeguarding Officer	Katherine Jantzen	katherine.jantzen@me.com
Designated Safeguarding Trustee	Richard Bond	r.j.bond@btinternet.com
NSPCC helpline	Helpline 0808 800 5000	

This policy will be reviewed annually or where appropriate in line with Government legislation.

NYHO Safeguarding Policy March 2018

## Appendix 1: Types of Abuse and Neglect

**All officer/volunteers should be aware that abuse, neglect and safeguarding issues are rarely standalone events that can be covered by one definition or label. In most cases, multiple issues will overlap with one another.**

**Abuse:** a form of maltreatment of a child. Somebody may abuse or neglect a child by inflicting harm or by failing to act to prevent harm. Children may be abused in a family or in an institutional or community setting by those known to them or, more rarely, by others (e.g. via the internet). They may be abused by an adult or adults or by another child or children.

**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.

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

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

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

## Appendix 2: Indicators of Abuse

**NB. This guidance is provided as a useful reminder of the indicators of abuse but should be always be considered within the context of a comprehensive training programme and not as a substitute for more in-depth consideration**

There are four categories of abuse, which may result in a child becoming subject of a Child Protection Plan. They are:

Physical Abuse  
Emotional Abuse

Sexual Abuse including Child Sexual Exploitation  
Neglect

### **Possible indicators of Physical Abuse**

Unexplained injuries including burns, particularly if they are recurrent  
Improbably excuses given to explain injuries  
Refusal to discuss injuries  
Untreated injuries  
Admission of punishment which seems excessive  
Bald patches  
Withdrawal from physical contact  
Arms and legs covered, even in hot weather  
Fear of returning home  
Fear of medical help  
Self-destructive tendencies  
Aggression towards others  
Running away

### **Possible indicators of Emotional Abuse**

Physical and/or mental and/or emotional development lags  
Admission of punishment that appears excessive  
Over-reaction to mistakes  
Continual self-deprecation  
Sudden speech disorders  
Fear of new situations  
Inappropriate emotional responses to painful situations  
Neurotic behaviour e.g. thumb sucking, hair twisting, rocking  
Self-mutilation  
Fear of parents being contacted  
Extremes of passivity or aggression  
Drug/solvent abuse  
Running away  
Compulsive stealing or scavenging.

### **Possible indicators of Sexual Abuse**

Sudden changes in behaviour or in school performance  
Displays of affection in a sexual way, inappropriate to age. Tendency to cling or need reassurance  
Regression to younger behaviour e.g. thumb sucking, acting like a baby, playing with discarded toys  
Complaints of genital itching or pain, or anal pain  
Distrust of a familiar adult, or anxiety about being left with a relative, babysitter or lodger  
Unexplained gifts or money  
Depression and withdrawal  
Apparent secrecy  
Bedwetting, daytime wetting and/or soiling  
Sleep disturbances, nightmares  
Chronic illness, e.g. throat infection, venereal disease or other STD  
Anorexia, bulimia  
Unexplained pregnancy  
Fear of undressing, e.g. for sport  
Phobias or panic attacks

## **Possible indicators of Neglect**

Constant hunger  
Poor personal hygiene  
Constant tiredness  
Poor state of clothing  
Emaciation  
Frequent lateness or non-attendance at school  
Untreated medical problems  
Destructive tendencies  
Low self esteem  
Neurotic behaviour  
No social relationships  
Running away  
Compulsive stealing or scavenging

## **Further information on Child Sexual Exploitation and Female Genital Mutilation**

Child Sexual Exploitation (CSE) involves exploitative situations, contexts and relationships where young people receive something (for example food, accommodation, drugs, alcohol, gifts, money or in some cases simply affection) as a result of engaging in sexual activities. Sexual exploitation can take many forms ranging from the seemingly 'consensual' relationship where sex is exchanged for affection or gifts, to serious organised crime by gangs and groups. What marks out exploitation is an imbalance of power in the relationship. The perpetrator always holds some kind of power over the victim which increases as the exploitative relationship develops. Sexual exploitation involves varying degrees of coercion, intimidation or enticement, including unwanted pressure from peers to have sex, sexual bullying including cyberbullying and grooming. However, it also important to recognise that some young people who are being sexually exploited do not exhibit any external signs of this abuse.

Female Genital Mutilation (FGM): professionals in all agencies, and individuals and groups in relevant communities, need to be alert to the possibility of a girl being at risk of FGM, or already having suffered FGM. There is a range of potential indicators that a child or young person may be at risk of FGM, which individually may not indicate risk but if there are two or more indicators present this could signal a risk to the child or young person. Victims of FGM are likely to come from a community that is known to practise FGM. Professionals should note that girls at risk of FGM may not yet be aware of the practice or that it may be conducted on them, so sensitivity should always be shown when approaching the subject. Warning signs that FGM may be about to take place, or may have already taken place, can be found on pages 11-12 of the Multi-Agency Practice Guidelines referred to previously. Staff should activate local safeguarding procedures, using existing national and local protocols for multi-agency liaison with Police and Children's Social Care.

This document is available to download at: <http://www.gov.uk/government/publications>

### **Further reference:**

[Safeguarding is a key governance priority for all charities, regulator reminds trustees](#)

[Regulatory alert to charities - safeguarding,](#)

[Strategy for dealing with safeguarding issues in charities](#)

Department of Education document “Working Together to Safeguard Children (2015)”

<https://www.gov.uk/government/publications/working-together-to-safeguard-children--2>