



NYJO Safeguarding Policy (incorporating Child Protection Policy)

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Policy Statement

The National Youth Jazz Orchestra (NYJO) is a charitable organisation established for the benefit of jazz performance and education. In the course of our business we work with thousands of children and young people in venues around the country. In addition our work may occasionally include contact with vulnerable adults. This Policy Statement sets out Good Practice Guidelines for all NYJO staff, including freelance artists and workshop leaders working with us.

NYJO will endeavour to safeguard children and vulnerable adults by:

1. Adopting child protection procedures
2. Reporting concerns to the authorities
3. Carefully following procedures for recruitment and selection of staff and volunteers
4. Delivering effective management for staff and volunteers via relevant support and guidance

Definitions

NYJO uses the word 'child' to refer to anyone under the age of 18, as defined by the Children Act 1989. In this context, 'vulnerable adult' refers to anyone who is aged 18 or over who is defined as vulnerable according to the Care Act 2014. This includes, but is not limited to, adults who are in detention or is living in residential care.

'NYJO staff' applies to any members of staff, freelance musicians and workshop leaders, employed by NYJO who work on a NYJO project however long or short, as well as permanent members of staff, volunteers and board members.

Principles

1. On all NYJO projects, children and adults have the right to be safe from harm or abuse.
2. We respect the rights and dignity of every child and adult with whom we work.
3. All children and adults will be treated with equal respect, regardless of age, gender identity, ethnicity, cultural background, disability, sexual orientation, or religion.
4. All NYJO staff working with children and vulnerable adults have a responsibility to prevent the physical, sexual and emotional abuse of these people, and to take seriously and act upon any allegations or suspicions of abuse or neglect.
5. The feelings and concerns of any child or vulnerable adult, and/or their parent or carer, will be listened to and acted upon.



Roles and Responsibilities

The designated Safeguarding Officer at NYJO is Claire Furlong, Learning & Participation Manager, 020 7494 1733 claire@nyjo.org.uk

In addition, the NYJO Board Member with responsibility for Safeguarding is Linda J. Laszewski Hill (a solicitor), contactable via 07817 431 418 lindahill3@aol.com

The role of the designated person(s) is to:

- Provide information and advice on safeguarding and child protection within NYJO, including recommending training
- Know which outside child protection agency to contact in the event of a child protection concern coming to the notice of NYJO
- Ensure that appropriate information is available at the time of a referral and that the referral is confirmed in writing and in strict confidence
- To keep relevant people within NYJO informed with regard to action taken and any future action required such as any disciplinary action taken against a member of staff
- Make sure that an accurate record is kept of any referral and any action taken and that it is kept and stored confidentially and in accordance with GDPR
- Advise NYJO of Safeguarding and Child Protection needs.
- Liaise with the NSPCC to review the operation of the Child Protection Policy regularly and make sure the procedures are working and that it complies with current best practice.

Processes

Disclosure and Barring Service (DBS) Checks

NYJO Staff

All NYJO staff who regularly work with young people, or have access to sensitive information, are required to hold a current DBS check. All relevant employed NYJO staff and board members will need to undergo an enhanced check prior to starting work for the organisation, or undertake a new role in the organisation that is an additional or alternative workforce role, in line with DBS regulatory checking requirements. They are advised to register for the update service, which is renewed on an annual basis.

NYJO Freelance Musicians and Workshop Leaders

Some freelance workshop leaders and musicians employed by NYJO will need an enhanced DBS check, dated within three years or less, depending on the nature and regularity of the work, to be determined by the safeguarding officer. NYJO will accept DBS checks from other organisations provided that such check conforms to the same workforce AND that it is obtained within the relevant timeframe of three years or less



Risk Assessments

NYJO will liaise with any external venues to ensure that proper risk assessments have been carried out for activities involving children and vulnerable adults, or undertake to carry out risk assessments itself where appropriate.

Media Permissions

NYJO will seek consent from schools, parents or carers before taking and/or using any images of children or vulnerable adults in press or publicity material.

Training

NYJO provides online training in Child Protection and Safeguarding via educare.co.uk who take responsibility for ensuring all training provided reflects current best practice. The designated Safeguarding Officer will recommend appropriate training for members of staff and monitor progress.

Distribution & Review

This policy will be distributed to all new staff, accompanied by an explanatory note or meeting, by the Safeguarding Officer. Following every review, it will also be distributed to all current staff.

This policy will be formally reviewed and updated annually.



Code of Conduct

It is important that all members of staff are aware of safe and appropriate working practices. Even if you are not leading a workshop, your presence in a school or other setting over time will mean that children and/or vulnerable adults may grow to trust you. The purpose of this guidance is to advise you on appropriate behaviours with children or vulnerable adults, firstly so that you know what to do if an individual reports concerns to you, or you observe suspicious or worrying behaviours and secondly so that you can protect yourself against unfounded suspicions or allegations. Although it is unlikely that you will ever have to use the guidance given here, it is good practice to be aware of it and know where you can go for further information and advice.

1. No member of staff shall engage in physical contact or in any relationship with a child other than a properly conducted staff-to-young person relationship, unless it is part of a planned activity which has been endorsed by the Safeguarding Officer. This condition applies regardless of the age of the child and also when the child is over the age of consent. (It should be noted that a physical relationship between an adult teacher and any student is in breach of professional teaching guidelines. In certain circumstances it may also constitute a criminal offence).
2. No member of staff shall engage in conduct towards a child that is intended to be oppressive, threatening and manipulative or in any way improper or with a view to causing the child physical or emotional harm or sexual harm.
3. It is unrealistic and inappropriate for NYJO to prohibit physical contact between its staff and children. Touch is an essential part of the creative interpretation of roles as well as a means of directing movement, encouraging performance and providing comfort and reassurance. Where physical contact is necessary the responsible adult should be able to explain the reason. However, staff must bear in mind that even innocent actions can be misconstrued. It is important for staff to be sensitive to a child's reaction to physical contact and to act appropriately. NO child should ever be touched on a part of their body in a way that is indecent. Touch must also be related to the needs of the child rather than to those of the member of staff.
4. It is the primary duty of every member of staff to ensure the safety and well-being of every child in their care. Each member of staff must ensure that all reasonable steps are taken to minimize risk of harm or injury to any child and must abide by the policies, procedures and guidelines set out in this document.
5. Where there is any reason to believe that a child has been abused, is being abused or is at risk or being abused, in any way arising as a result of that child's association with NYJO, it shall be the duty of any member of staff to whom that information is made known to notify the Safeguarding Officer immediately.
6. Staff should be aware of precursors that may signal that children are at risk from, or involved with, serious violent crime. This includes but is not limited to; unexplained new possessions/gifts, increased absence, changes in friendships and relationships, decline in performance, and signs of assault. It is their duty to notify the Safeguarding Officer immediately.
7. All members of staff should work in an open environment as much as possible (e.g avoiding private or unobserved situations and encouraging open communication). A member of staff who finds themselves alone with a child must exercise particular care. There should be no



apprehensiveness in the mind of either person if such as situation arises, by physical contact should be avoided and the presence of an additional person sought as soon as is reasonably practicable.

8. Children must at all times be treated with respect in attitude, language and behaviours. Sexual innuendo whether by word or gesture is prohibited.
9. No person under the age of 18 years shall have ultimate responsibility for supervising any other child.
10. Staff should not accept children below 18 years of age who they have met through their work with NYJO as 'friends' on social networking sites. Neither should they divulge private email addresses or telephone numbers to these children. Staff should not be posting any photos where individual children can be identified on their personal social media except with the express permission of those young people/their guardian. They are able to share images that NYJO have already shared.
11. Staff should never accept disclosures in confidence. You should listen, note and report back to the Safeguarding Officer (Record of Disclosure Form attached as appendix i.)
12. The arrangements contained herein will apply to vulnerable adults as appropriate.

Recruitment and Selection Procedures

Recruitment and selection procedures for staff in the context of child protection have been adopted by NYJO and include the following:

- Collection of personal details to confirm applicant's identity
- Documentary evidence of qualifications are collected
- Use of selection techniques such as interview, and references taken up to make the best use of secure recruitment
- Declarations of previous convictions and a surrender to a DBS check, in conjunction with the issue of the Safeguarding Policy to appropriate candidates, as identified by the Safeguarding Officer.
- It is guaranteed that all disclosed information will be treated in confidence and will not be used against any applicant in an unfair manner, including adherence to the Disclosure and Barring Service Code of Practice.
- Attitudes towards working with children and vulnerable adults are closely explored with every applicant.
- References are expected and taken up.



Procedure for Reporting Concerns

Definition and signs of abuse

In your work with children and vulnerable adults, you may find yourself concerned about an individual. Abuse can be any form of physical, emotional or sexual mistreatment, or lack of care that leads to injury or harm. Indications that an individual is being abused may include one or more of the following (this list is not exhaustive):

- Direct description of abuse by the individual
- Witnessing of abuse
- Expression of concern by another connected individual
- Unexplained or suspicious injuries such as bruising, cuts or burns
- Unexplained changes in an individual's behaviour or performance
- Difficulty in socializing or being prevented from socializing
- Becoming dirty or unkempt

It is **not** your responsibility to decide whether or not abuse is occurring, or to investigate in any way, but simply to report concerns to the Safeguarding Officer.

Peer on Peer Abuse

All staff should be aware that children can abuse other children (often referred to as peer on peer abuse). The different forms peer on peer abuse can take include:

- Sexual violence and sexual harassment
- Physical abuse such as hitting, kicking, shaking, biting, hair pulling or otherwise causing physical harm
- Sexting (also known as youth produced sexual imagery)
- Upskirting

At NYJO all staff should recognise that abuse is abuse and should never be tolerated or passed off as 'banter', 'just having a laugh' or part of 'growing up'. When allegations of this nature are made staff will record the incident and inform the Safeguarding Lead.

The safeguarding procedures will be followed to protect all parties involved however important considerations will include:

- The wishes of the victim. This is important in the context of sexual violence and sexual harassment. Victims will be given as much control as is reasonably possible over decisions regarding how any investigation will be progressed and any support they will be offered.
- The nature of the alleged incident/s, including whether a crime may have been committed
- The ages of the children
- Any power balance between the children. (is the alleged perpetrator older, more mature / confident, have SEN needs?)
- If the alleged incident is a one-off or a sustained pattern of abuse

Responding appropriately to safeguarding issues

If a young person or vulnerable adult reports allegations of abuse to you, you should follow these steps:

- Listen carefully and stay calm.



- 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.
- Ensure the reporter understands that the matter will only be disclosed to those who need to know about it.
- Allow the person making the disclosure to continue at their own pace
- Ask questions for clarification only, and avoid leading questions
- Reassure the person 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.
- Recording writing what was said, using the person's own words, as soon as possible. Attached to this policy is a form to record details.
- It is important to remember that the person who first encounters a case of alleged abuse is not responsible for deciding whether abuse has occurred. That is a task for the professional child protections agencies.

Reporting concerns

All suspicions and allegations must be reported to the Safeguarding Officer – contact details on page 3.

The following action may then be taken:

- Discussion with Safeguarding Officer at the school or other formal setting in which the suspicion or allegation arose
- Referral to Social Services
- Referral to Police
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Allegations against staff

Any concerns about NYJO staff should be reported to the Board member with responsibility for Safeguarding, Linda Laszewski Hill or, if for any reason you feel this is inappropriate, to the Executive Chair, Nigel Tully on nigeltully@darkblues.co.uk 07802 918385.

They will then consider the matter and decide whether to report to the authorities as above or, after taking appropriate advice (which may include discussing the circumstances on a confidential basis with professional advisers) to deal with the matter internally or not to take any further actions. They have the right to suspend from duties without prejudice with immediate effect the member of staff against whom the allegation has been made.

Further information/guidance

NSPCC Child Protection Helpline for adults on 0808 800 5000 helpline@nspcc.org.uk

Keeping Arts Safe www.artscouncil.org.uk

Disclosure & Barring Service line: 0870 90 90 811

Your local police station (for the area in which the alleged abuse took place) and asked to be put through to the 'Child Protection Team' where officers will be on hand 24/7

Children's Legal Centre 01206 873 820 www.childrenslegalcentre.com

Childline 0800 1111 www.childline.org.uk



Record of Disclosure Form

About the Recorder:			
Name:		Position:	
Address:			
Phone:		Email:	
About the Child/Vulnerable Adult:			
Name:		D.O.B	
Address:			
Phone:		Email:	
Any other relevant information (eg. gender, ethnicity, disability):			
About the Disclosure			
Date:		Time:	
Place of disclosure:			
What the child said: (continue on a separate sheet if necessary which must be signed and dated)			
Your own observations:			
Any actions or advice given that you have decided to take: (parent*/police/social services/local authority) *unless named as alleged abuser			
Signature:			