

# **THE ESSEX YEOMANRY BAND - SAFEGUARDING & CHILD PROTECTION**

## **POLICY AND PROCEDURES**

### **1. Introduction**

#### **1.1 Child Protection & Safeguarding**

The introduction of this Child Protection policy should be seen as a clear signal by The Essex Yeomanry Band that it is determined to ensure all necessary steps are taken to protect from harm, those children and young people who participate in military music making at all levels.

The policy establishes The Essex Yeomanry Band position, role and responsibilities and, together with the procedures section clarifies what is expected of other organisations, military bands and individuals involved in military music making and associated activities.

It very clearly highlights the importance placed by The Essex Yeomanry Band on the protection of children, young people and vulnerable adults. It also safeguards and protects all personnel from the risk of false allegations of abuse or poor practice.

Everyone who participates in military music making is entitled to do so in an enjoyable and safe environment. To ensure this, The Essex Yeomanry Band has developed principles that all its personnel and member bands should follow.

These principles apply to all participants, but young people in particular are entitled to a higher duty of care and to be protected from poor practice or abuse. Abuse can occur within many situations including the home, school and the military band environment.

Some individuals will actively seek employment or voluntary work with children in order to harm them. The Essex Yeomanry Band is committed to devising and implementing policies so that everyone in military music making accepts their responsibilities to safeguard children from harm and abuse. This means following procedures to protect children and to report any concerns about their welfare to appropriate authorities.

Everyone working in military music making either in a paid or a voluntary capacity, together with those working in affiliated organisations, has a role to play in safeguarding the welfare of children and preventing their abuse. Anyone who may have regular contact with children will be a very important link in identifying cases where a child needs protection.

All policies and procedures discussed below refer to vulnerable adults as well as to children.

#### **1.2 Policy Statement**

**The Essex Yeomanry Band is committed to the following:**

- Making the welfare of young and vulnerable people paramount
- Ensuring opportunities for all young people, whatever their age, culture, disability, gender, language, racial origin, religious belief and/or sexual identity should be able to participate in military band music in a enjoyable and safe environment.
- Taking all reasonable steps to protect young people from harm, discrimination and degrading treatment and to respect their rights, wishes and feelings.
- Taking action swiftly and appropriately to all suspicions and allegations of poor practice or abuse.

#### **1.3 Terms & Abbreviations**

## **The following terms and abbreviations are used in this document:**

- Anyone under the age of 18 is considered to be a child/young person.
- 'Band' is used in this document to mean The Essex Yeomanry Band.
- 'Parent' is used as a generic term to include parents, carers and guardians.
- 'Personnel' includes officers and/or employees of the The Essex Yeomanry Band as well as volunteers and all participants in the art of military band music making.
- 'Safeguarding Officer' is the individual within a band whose responsibilities are explained in section 3.4 below.
- 'Teacher' is any individual giving musical instruction to an individual for and/or on behalf of The Essex Yeomanry Band.

## **2. Good Practice, Poor Practice and Abuse**

### **2.1 Introduction**

To provide young people with the best possible experience and opportunities in military music everyone must operate within an accepted ethical framework and demonstrate exemplary behaviour. Not only will this allow military music to make a positive contribution to the development of young people and safeguards their welfare, but it also protects all personnel from the risk of false allegations of abuse or poor practice.

It is not always easy to distinguish poor practice from abuse, whether intentional or accidental. It is **not** therefore the responsibility of employees or participants in military music to make judgements about whether or not abuse is taking place. It is, however, their responsibility to identify poor practice and possible abuse and to act if they have concerns about the welfare of a child, as explained in section 4. This section (2) will help you identify what is meant by good practice, poor practice and abuse.

### **2.2 Good practice**

#### **All personnel should adhere to the following principles and actions:**

- Before undertaking any activities involving young people, conduct a risk assessment to identify possible sources of danger and take appropriate action to minimise these risks
- Make the experience of military music making fun and enjoyable; promote fairness, confront and deal with bullying and do not condone rule violations or the use of prohibited or illegal substances. **Insist on adherence to Safeguarding & Child Protection procedures.**
- Treat all young people equally; this means giving both the more and less talented members of a group similar attention, time, respect and preserving their dignity.
- Respect the developmental stage of each young person and do not risk sacrificing their welfare in a desire for personal achievements. This means ensuring that the practice intensity is appropriate to the physical, social and emotional stage of the development of the student. Concerts, competitions, etc., must be suited primarily to the needs and the interests of the child, not those of the parents, teacher or band.
- Build relationships based on mutual trust and respect, in which young people are encouraged to take responsibility for their own development and decision-making. Avoid situations where the teacher, conductor or any other member of the band uses their position and power to decide what the child should or should not do without consideration of the young person's needs and capabilities.
- Always be publicly open when working with children. Avoid teaching sessions or meetings where a teacher and an individual student are completely unobserved.
- Where children need to be supervised in the changing rooms, teachers and band helpers should work in pairs, and involve parents if possible. Maintain an appropriate and open environment, with no secrets.
- Avoid unnecessary physical contact with young people. Where any form of physical guidance is required in teaching technique, this should be provided openly and with the consent of the student. It is important to educate parents of what is and is not acceptable in the context of music instruction and playing. Physical contact (touching) can be appropriate so long as it is neither intrusive nor disturbing and the students permission has been given.

- Maintain a safe and appropriate relationship with students. It is inappropriate for teachers and others in positions of authority to have an intimate relationship with a young person, even if they are over 16, the normal age of legal consent (This could also be a criminal offence 'abuse of trust' in certain circumstances defined by the Sexual Offences (Amendment) Act 2000).
- Maintain appropriate standards of behaviour at social events that young people attend.
- Be an excellent role model, for example by not smoking or drinking alcohol while working with young people.
- Communicate regularly with parents and involve them in decision-making. Gain their consent in writing to act *in loco parentis* to give permission for the administration of emergency first aid or other medical treatment if the need arises.
- Be aware of any medical conditions, existing injuries and medicines being taken. Keep a written record of any injury or accident that occurs, together with details of any treatment given. Arrange that someone with knowledge of first aid is readily available.
- Gain written parental consent for any significant travel arrangements, especially if an overnight stay is involved.

## 2.3 Poor practice

**The following are regarded as poor practice and should be avoided by all personnel:**

- Unnecessarily spending excessive amounts of time alone with children away from others.
- Taking children alone in a car on journeys, however short.
- Taking children to your home where they will be alone with you.
- Sharing a room with a child.
- Engaging in rough, physical or sexually provocative games, including horseplay.
- Allowing or engaging in inappropriate touching of any form.
- Allowing children to use inappropriate language unchallenged.
- Making sexually suggestive comments to a child, even in fun.
- Reducing a child to tears as a form of control.
- Letting allegations a child makes go unchallenged, unrecorded, or not acted upon.
- Doing things of a personal nature that children can do for themselves.
- Having children stay at your home with you unsupervised.

Where cases arise where it is impractical to avoid any of the situations mentioned in this section, they should only occur with the full knowledge and consent of someone in charge in the organisation and the children's parents.

If during your care of a child you accidentally hurt them, the child seems distressed in any manner, appears to be sexually aroused by your actions, or misunderstands or misinterprets something you have done, report any such incidents as soon as possible to another colleague and make a brief written note of it. Parents should also be informed of the incident.

## 2.4 Abuse

Abuse in all its forms can affect a child at any age. The effects can be so damaging that if not treated, they may follow an individual into adulthood.

Children with disabilities may be at increased risk of abuse through various factors such as stereotyping, prejudice, discrimination, isolation, and a powerlessness to protect themselves, or adequately to communicate that abuse has occurred. Children from ethnic minorities, who may also be experiencing racial discrimination, may be, or feel, doubly powerless in these respects.

Abuse may take a number of forms, and may be classified under the following headings:

### Neglect

This is where adults fail to meet a child's basic needs like food, shelter, warm clothing or medical care, or to protect them from physical harm. Children might also be constantly left alone or unsupervised.

Neglect in a military band situation could include a conductor or band manager not keeping children safe, or exposing them to unnecessary risk of injury.

### **Physical Abuse**

This is where someone physically hurts or injures children, for example by hitting, shaking, throwing, squeezing, burning, suffocating and biting or otherwise causing physical harm to a child. Giving children alcohol or inappropriate drugs would also constitute physical abuse.

### **Sexual Abuse**

Girls and boys can be abused by adults or other children, both male and female, who use children to meet their own sexual needs. This could include full sexual intercourse, masturbation, or fondling. Showing children pornographic material is also a form of sexual abuse.

In military music activities which might involve physical contact with children could potentially create situations where sexual abuse may go unnoticed. Also the power of the teacher over young students if misused, may lead to abusive situations developing.

### **Emotional Abuse**

Persistent lack of love and affection, where children may be led to believe that they are worthless or unloved, inadequate or valued only insofar as they meet the needs of another person. It may involve the child being constantly shouted at, threatened or taunted which may make the child very nervous and withdrawn. It may also feature age or developmentally inappropriate expectations being imposed on children. Emotional abuse also occurs when there is constant overprotection, which prevents children from socialising.

Emotional abuse in military music might include situations where children are subjected by a parent or teacher to constant criticism, name-calling, sarcasm, bullying, racism or unrealistic pressure in order to perform to high expectations.

### **Bullying**

This may be bullying of a child by an adult or another child. Bullying is defined as deliberate hurtful behaviour, usually repeated over a period of time, where it is difficult for those bullied to defend themselves. It may be physical (e.g. hitting, kicking, theft), verbal (e.g. racist or homophobic remarks, threats, name-calling, graffiti, abusive text messages transmitted by telephone or on the internet), emotional (e.g. tormenting, ridiculing, humiliating, ignoring, isolating from the group), or sexual (e.g. unwanted physical contact or abusive comments).

In military music making, bullying may arise when a parent pushes a child too hard to succeed, a teacher adopts a win-at-all-costs philosophy, or an official at a competition/festival uses bullying behaviour.

## **2.5 Indicators of Abuse**

Even for those experienced in working with child abuse, it is not always easy to recognise a situation where abuse may occur or has already taken place. The Essex Yeomanry Band acknowledges that most people involved in military music making are not experts in such recognition, but indications that a child is being abused may include one or more of the following:

- Unexplained or suspicious injuries such as bruising, cuts or burns, particularly if situated on a part of the body not normally prone to such injuries.
- An injury for which an explanation seems inconsistent.
- The child describes what appears to be an abusive act involving him/her.
- Someone else – a child or adult, expresses concern about the welfare of a child.

- Unexplained changes in a child's behaviour – e.g., becoming very quiet, withdrawn, or displaying sudden outbursts of temper - or behaviour changing over time.
- Inappropriate sexual awareness.
- Engaging in sexually explicit behaviour in games.
- Distrust of adults, particularly those with whom a close relationship would normally be expected.
- Difficulty in making friends.
- Being prevented from socialising with other children.
- Displaying variations in eating patterns including overeating or loss of appetite.
- Losing weight for no apparent reason.
- Becoming increasingly dirty or unkempt.

It must be recognised that the above list is not exhaustive, but also that the presence of one or more of the indicators is not proof that abuse is actually taking place. It is **not** the responsibility of those working in military music making to decide that child abuse is occurring, but it is their responsibility to act on any concerns.

Signs of bullying may include:

- Behavioural changes such as reduced concentration or becoming withdrawn, clingy, depressed, tearful, emotionally up and down, reluctant to go to band rehearsals or to competitions.
- An unexplained drop-off in standard of performance.
- Physical signs such as stomach-aches, headaches, difficulty in sleeping, bed-wetting, scratching and bruising, damaged clothes and bingeing on food, cigarettes or alcohol.
- A shortage of money or frequent loss of possessions.

### **3. Recruiting and selecting personnel to work with children**

#### **3.1 Introduction**

Anyone may have the potential to abuse children in some way and it is important that all reasonable steps are taken to prevent unsuitable people from working with children. This applies equally to volunteers as well as paid staff. The procedures set out below is expressed in terms that apply to paid staff, but equivalent procedures should be used in respect of volunteers. The particular circumstances of individual cases need to be taken into account, but the fundamental principle is that those in charge of activities involving young people must take all reasonable steps to satisfy themselves as to the suitability of those who are given access to the children in their care.

#### **3.2 Controlling access to children**

Applicants for positions that involve significant access to young people should first complete procedures designed to elicit information about their past career (including any gaps), and to disclose any criminal record or other matter that has a bearing on their suitability to work with children e.g., previous investigations with police or social services or disciplinary investigations in relation to work with children. It should be made clear that failure to disclose relevant information will result in disciplinary action and possible dismissal or exclusion.

Consent should be obtained from applicants for checks to be conducted to determine whether the Disclosure & Barring Service holds any relevant information on them.

At least two references should be taken up in relation to professional staff, including at least one regarding previous work with children. Similar procedures should be applied for volunteers; for example where a teacher or adult helper transfers from one band to another, it would be appropriate to contact the previous band to see whether there is any reason that they should not be given access to young people. All information received in relation to applicants must be kept secure and treated with strict confidentiality and be made available to the applicant upon their written request.

#### **3.3 Vetting**

All personnel who will have significant access to young people must first be vetted to establish whether they have any criminal convictions or other past behaviour that suggests they are unsuitable to work with children. This applies equally to paid staff and volunteers. This is achieved by obtaining an Enhanced Disclosure about the individual from the Disclosure & Barring Service.

It is important to emphasise that the absence of any relevant disclosure emerging from this vetting process does not guarantee that the individual is safe to work with children, so it should not be relied on excessively. It is only one of a number of factors in the initial assessment of the person's suitability for such responsibilities.

It is of note that an Enhanced Disclosure should be considered valid for a period of two years maximum, after which a repeat of the disclosure should be made. **Disclosures obtained from the DBS/CRB for another position should NOT be accepted as part of the vetting process.**

### 3.4 The Safeguarding Officer

A Safeguarding Officer (or Officers) will be appointed by The Essex Yeomanry Band to advise the Committee on compliance with all the procedures described in this protection policy and to act as a focal point for reporting any concerns. The Officer(s) will have the primary responsibility to check that everyone who has significant access to young people within the band is suitable for that role and has been vetted as described above. The person(s) appointed should be identifiable to the junior members of the Band and their parents. The Safeguarding Officer(s) should undergo the vetting procedure described in 3.3 above.

### 3.5 Training

The effectiveness of the policies described will depend on **everyone** who is involved with military music making being aware of what is good practice. This applies particularly to those working directly with young people, such as Bandmaster(s) and Safeguarding Officers, but an awareness of child protection issues is also needed by others who may be involved more indirectly, such as committee members or occasional parent helpers. Training courses on Child Protection are available and are recommended for those groups identified above.

Formal training in child protection will help people to:

- Compare their own practice against what is regarded as good practice in military music making and check that their practice is likely to protect them from false allegations.
- Recognise their responsibilities and report any concerns about suspected poor practice or abuse.
- Deal with the vetting procedures described in 3.3 above.
- Work safely and effectively with children.

## 4. Responding to suspicions and allegations

### 4.1 Introduction

Many cases of child abuse in fact take place within the family setting. However, abuse can and does occur in other situations as well, which may include military music making or other social activities, and is rarely a one-off event when it occurs within such a setting. It is crucial that those involved in military music making are aware of this possibility and that all allegations are taken seriously and appropriate action taken.

It is **not** the responsibility of anyone in a military band whether in a paid or a voluntary capacity, to decide whether or not child abuse is taking place. However, there is a responsibility to inform appropriate agencies of possible abuse so that they can then make inquiries and take any necessary action to protect the child. This applies both to suspicions of abuse occurring within the context of music making activities and to allegations that abuse is taking place elsewhere. This section explains how you should respond to such concerns.

### 4.2 Receiving evidence of possible abuse

We may become aware of possible abuse in various ways. We may see it happening ourselves; we may suspect that it is occurring because of signs such as those listed in 2.5 above; it may be reported to us by someone else, or directly by the child affected.

In the last of these cases, it is particularly important to respond appropriately. If a child says or indicates that he or she is being abused, or information is obtained which gives you concern that a child is being abused, you should:

- React calmly so as not to frighten the child.
- Tell the child they are not to blame and that it was right to tell.
- Take what the child says seriously, recognising the difficulties inherent in interpreting what is said by a child who has a speech disability and/or differences in language.
- **Keep questions to the absolute minimum** necessary so that there is a clear and accurate understanding of what has been said, and be careful not to ask leading questions.
- Reassure the child, **but do not promise to keep the matter secret** – explain that to resolve the problem it will be necessary to inform other people as appropriate.

### 4.3 Recording information

As with other forms of information arising in relation to child protection, information of this kind is highly sensitive and confidential. Accordingly, it should be held under secure conditions and only made available to those who have a definite need for it.

You should make a note as soon as possible of whatever information you obtain, both for your own future reference and possibly for passing on to others, appropriate agencies such as the social services department or the police. In writing such a note, you should confine yourself to the facts, and distinguish between what is your own personal knowledge and what you have been told by other people. You should not include your own opinions on the matter, to avoid the possibility of libel. Information should include the following:

- The nature of the allegation, in as much detail as possible, including times, dates, locations and other relevant information.
- Details of the child involved, including name, age, address and other contact details, and identifying who has parental responsibility for the child.
- Details of the person against whom the allegation is made, including name, relationship with the child, age and contact details (if known).
- The identity and contact details of any informants or other witnesses.
- The child's account, if he or she can give one, of what has happened.
- A description of any visible bruising or other injuries.
- Details of who else has been informed of the alleged incident.
- Any other relevant information.

### 4.4 Reporting Concerns

The Essex Yeomanry Band expects its members and staff to discuss any concern they may have about the welfare of a child immediately with the Safeguarding Officer, and subsequently to check that appropriate action has been taken. The particular route you might follow in various circumstances is suggested below.

#### ***Working within a band***

If you are working within a military band, you should inform the Safeguarding Officer.

#### ***Working with or in schools***

If you are working with schoolchildren as part of the school curriculum or extra-curricular activities you should inform the Head Teacher of the school or the School's appointed Safeguarding/Child Protection Officer.

#### ***Working with students away from home***

If you are working with students away from home (for example on band training camps or at competitions, contests or festivals), then you should inform the person in charge of the Band or the Band Sergeant.

Circumstances in which other people might then need to be informed are discussed below:

### ***Parents or carers***

There is always a commitment to work in partnership with parents or carers where there are concerns about their children. Therefore, in most situations, it would be important to talk to parents or carers to help clarify any initial concerns. For example, if a child seems withdrawn, they may have experienced bereavement in the family. However, there are circumstances in which a child might be placed at even greater risk were such concerns to be shared, e.g., where a parent or carer may be responsible for the abuse or not able to respond to the situation appropriately. In these situations, or where concerns still exist, any suspicion, allegation, or incident of abuse must be reported to appropriate agencies as soon as possible.

### ***The NSPCC or other agencies***

The first consideration at this point is to minimise the danger of further abuse to the child or to other children. The person in charge should seek advice from the local police or social services department or the NSPCC. (You can obtain advice by telephoning the NSPCC freephone helpline – the number is 0808 800 5000 and is a 24 hour service. You do not have to give your name but it is helpful if you can.) The allegation should be referred to the police and social services department in any case involving physical or sexual abuse or where the child's safety is otherwise at risk. If the person in charge is not available, or the concern is about the person in charge, the person in receipt of the information or with the concern should contact these agencies direct. Reporting the matter to the police or social services department should not be delayed by attempts to obtain more information.

### ***Social Services***

The social services department has a statutory duty under the Children Act 1989 for the welfare of a child. When a child protection referral is made its staff have a legal responsibility to investigate. This may involve talking to the child and family and gathering information from other people who know the child. The telephone number is in the local phone book. Wherever possible, referrals telephoned to the social services department should be confirmed in writing within 24 hours. A record should also be made of the name and designation of the social services member of staff to whom the concerns were passed, together with the time and date of the call, in case any follow-up is needed.

### ***Police***

Where the apparent abuse is of a criminal nature; it will be appropriate to inform the police. A record should be made of the crime reference number provided by the police, together with the time and date of the call, in case any follow-up is needed. The police and social services department may also carry out a joint enquiry.

The person in charge may be unsure about whether the allegation constitutes abuse or not, and unclear about what action to take. There may be circumstances where allegations are about poor practice (which need not be referred to the social services or police) rather than abuse, but those responsible should consult with the bands Safeguarding Officer who will obtain further advice where there is any doubt. **Notifying the Child Protection Officer is also important because this matter may be just one of a series of other instances which together cause concern.**

## **4.5 Disciplinary procedures**

The discovery that a member of staff or volunteer may be abusing a child will raise feelings and concerns among other staff or volunteers, and it can be inherently difficult to report such matters. However, it is important that any concerns for the welfare of the child arising from abuse or harassment by a member of staff or volunteer should be reported immediately. As indicated above an allegation of abuse may give rise to a child protection investigation by the social services department and/or a criminal investigation involving the police. In addition, if the abuse is alleged to have been committed in the course of a person's employment, he or she will be subject to whatever disciplinary procedures and sanctions are provided for within the employment contract.

However, for both volunteers and paid staff, if the abuse is alleged to have occurred within the context of military music making it may also require disciplinary action by the Band.

If the matter is being investigated by the police and/or social services, the band may decide to await the outcome of these investigations, which may well influence a disciplinary investigation, although not necessarily so. In appropriate cases, the band will suspend the individual concerned while an investigation is taking place. This is not intended to prejudge the outcome of the investigation, but simply to remove the individual from contact with children until the investigation is concluded.

The disciplinary sanctions available include suspension or exclusion from membership of the individual concerned, and such other sanctions which are provided for within the band's constitution.

Every effort will be made to maintain confidentiality for all concerned, and consideration will be given to what support may be appropriate to children, parents, members of staff and volunteers.

#### **4.6 Allegations of previous abuse**

An adult who was abused as a child by a member of staff who is still working with children sometimes makes allegations of abuse some time after the event. Where such an allegation is made, you should follow the procedures given above and have the matter reported to the police and/or social services department. This is because other children, either within music making or outside it, may be at risk from this person. Anyone who has a previous criminal conviction for offences related to abuse is automatically excluded from working with children.

### **5. Conclusion**

The Essex Yeomanry Band, by accepting this policy document, has indicated its determination to ensure that children and young people can participate in all forms of music making, and do so, with their safety being of paramount importance.

It is essential that this document is representative of a process of continual improvement in the area of child protection within military music making. It is for **all** adults engaged in military music making activities to promote good practice and procedures, whilst being ever vigilant and aware of their responsibilities towards the children and young people in their care.