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PIED PIPER PROJECTS

PROCEDURES FOR THE SAFEGUARDING OF CHILDREN AND YOUNG PEOPLE

Written following NSPCC Guidelines

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Procedures for the Safeguarding of Children and Young People

1. Introduction

These procedures have been drawn up to ensure the safety and protection of all children and young people involved in Pied Piper Project activities through adherence to the guidelines outlined in this document. They fit with the basic principles outlined in the *Pied Piper Policy for the Safeguarding of Children and Young People*.

These procedures apply to all those who work for Pied Piper, in paid or unpaid roles, and are intended to ensure that all Pied Piper 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 young people with whom we work.

2. CRB Policy

All musicians working for Pied Piper are required to produce evidence of having had a CRB/Disclosure Scotland/Access Ireland check carried out within the last three years OR must undergo one of these checks to ensure that they are suitable and appropriate people to be working with children.

As of July 2010 a new scheme will come into force which will require all Pied Piper staff, musicians, volunteers and Trustees to be registered with the Independent Safeguarding Authority (ISA).

This scheme is currently being finalised with a number of deadlines for registration depending on the current status of employees and voluntary committee members. Pied Piper will keep up to date with these developments and will support all current staff, musicians, volunteers and Trustees to register with the ISA prior to this new legislation to ensure that there is no disruption to the service offered by Pied Piper or to the employment opportunities for our musicians or staff.

From November 2010 registration with the ISA will become mandatory for anyone working with children and vulnerable adults and all new Pied Piper staff, musicians, volunteers and Trustees will only be able to commence work for Pied Piper once confirmation has been received that they do not appear on either of the lists which bar them from working with children or vulnerable adults.

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3. Definitions of Abuse

It is generally accepted that there are four main forms of abuse. The following definitions are based on those from *Working Together to Safeguard Children* (HM Government 2005 and National Assembly for Wales 2000); *Protecting Children – A Shared Responsibility* (Scottish Executive 1998).

3.1. Physical Abuse

Physical Abuse 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.

Physical abuse, as well as being a result of an act of commission can also be caused through omission or the failure to act to protect.

3.2. Emotional Abuse

Emotional abuse is the persistent emotional ill-treatment of a child such as to cause severe and persistent adverse effects on the child's emotional development. It may involve conveying to children that they are worthless or unloved, inadequate or valued only insofar as they meet the needs of another person. It may feature age or developmentally inappropriate expectations being imposed on children. These may include interactions that are beyond the 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 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 ill-treatment of a child, though it may occur alone.

3.3. Sexual Abuse

Sexual abuse involves forcing or enticing a child or young person to take part in sexual activities, including prostitution, whether or not the child is aware of what is happening. The activities may involve physical contact, including penetrative (eg, rape, buggery or oral sex) or non-penetrative acts (oral sex). They may include non-contact activities, such as involving children in looking at, or in the production or, pornographic material or watching sexual activities, or encouraging children to behave in sexually inappropriate ways.

Boys and girls can be sexually abused by males and/or females, by adults and by other young people. This includes people from all different walks of life.

3.4. Neglect

Neglect is 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 and clothing, shelter including exclusion from home or danger, failure to ensure adequate supervision including the use of adequate care-takers, or the failure to

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ensure access to appropriate medical care or treatment. It may also include neglect of, or unresponsiveness to, a child'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.

3.5. Other forms of harm

Chapter 10 of *Working Together to Safeguard Children* (HM Government 2006) and other inter-agency guidance draws attention to other sources of stress or harm for children and families such as social exclusion, domestic violence, the untreated mental illness of a parent or carer, drug or alcohol misuse. All these areas may have a negative impact on a child's health and development and may be noticed by someone caring for a child. If it is felt that a child's well-being is adversely affected by any of these circumstances, the same procedure for reporting concerns should be followed. For example, children who are involved in prostitution and other forms of commercial sexual exploitation should also be treated primarily as victims of abuse and their circumstances require careful assessment by the statutory agencies.

4. Recognising Child Abuse

The following information is to assist Pied Piper staff, musicians, volunteers and Trustees to be more alert to the possible signs of abuse.

This list is not a definitive guide, but is to assist Pied Piper staff, musicians, volunteers and Trustees. It is important to be aware that many children and young people 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.

4.1. Physical Abuse

Most children 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, 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 a child when it is obviously necessary is also a cause for concern. Bruising may be more or less noticeable on children with different skin tones or from different racial groups and specialist advice may need to be taken.

4.1.1. Patterns of bruising that are suggestive of physical child abuse include:

- Bruising in children 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 who has unexplained signs of pain or illness should be seen promptly by a doctor.

4.1.2. Other signs of abuse may include:

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

4.1.3. 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

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4.2. 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.

4.2.1. 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

4.2.2. 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

4.3. Sexual Abuse

Adults who use children to meet their own sexual needs abuse both girls and boys of all ages, including infants and toddlers.

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.

4.3.1. 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

4.3.2. 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

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- 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)
- Acting in a sexually explicit way towards adults

4.4. Neglect

Neglect can be a difficult form of abuse to recognise, yet has some of the most lasting and damaging effects on children.

4.4.1. The physical signs of neglect may include:

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

4.4.2. 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 their being left alone or unsupervised

4.5. 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 concerned, via another child or young person, or via a member of staff or concern adult. For guidance on how to respond to disclosure of possible abuse please refer to section 4 of this document and the *Code of Conduct* document issued to all Pied Piper staff, musicians, volunteers and Trustees.

5. Responding to signs or suspicions 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.

5.1. Reporting allegations or suspicions of abuse

Any concerns that Pied Piper staff, musicians, volunteers and Trustees have about a child should be reported as soon as possible to Pied Piper's designated safeguarding officer (See Appendix D for detailed description and roles and responsibilities of this person), Lucy Galliard on 01653 669410 (during office hours) or 07793 009700 (outside office hours)

In the absence of the designated safeguarding officer concerns should be reported to Pied Piper's Co-Director, Sarah Derbyshire on 01653 68551 (during office hours) or 07711 693281

Should the concerns involve both the designated safeguarding officer and the Co-Director, the report should be made directly to the Children's Social Care Unit in the local authority where the alleged abuse took place

Suspicions 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 *Pied Piper Child Protection Procedures Record of Concerns 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.)

Pied Piper'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 Co-Director 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

5.2. Referring the concerns to the relevant agencies

The designated safeguarding officer making the referral to Children's Social Care 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, the age and date of birth of the child, ethnicity, religion, any specific communication needs, any disability issues, the parents/carers names, the child's current address and any known previous addresses

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State what has prompted the concerns, including details of any specific incidents or disclosure by the child

State any physical, behavioural or indirect signs which support the concern and suggest that the child is at risk of, or suffering significant harm

Give details of any conversations with the child relating to the concern

Give details of any contact and conversations with the child's parents/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 *Pied Piper Child Protection Procedures Record of Concerns Form* (See Appendix A)

Follow up the referral in writing to the Children's Social Care Unit within 48 hours

Maintain the record of the concern with information on the development of the investigation and ultimate outcome

Contact Details

Pied Piper Designated Safeguarding Officer

Lucy Galliard, LMN Yorkshire & Lincolnshire Branch Director
Tel: 01653 669 410 Mobile: 07793 009 700

Pied Piper Co-Director

Sarah Derbyshire
Tel: 01653 668 551 Mobile: 07711 693 281

North Yorkshire County Council Children's Social Care

Telephone (office hours): 0845 034 9410
Emergency Telephone (outside office hours): 0845 034 9417
Address for written referrals: NYCC, County Hall, Northallerton, DL7 8AD

North Yorkshire Safeguarding Children Board

Telephone (Monday-Friday 8.30am – 6.00pm & Saturday 9.00am - 12.00pm): 0845 872 7374
Emergency Telephone (outside these hours): 0845 034 9417
Address for written referrals: North Yorkshire Safeguarding Children Board, Jesmond House, 31/33 Victoria Avenue, Harrogate, HG1 5QE

NSPCC Child Protection Helpline

Tel: 0800 800 5000

6. Responding to allegations of abuse against a member of Pied Piper staff, musicians, volunteers and Trustees

This includes anyone working with children in a paid or voluntary capacity (e.g. Pied Piper staff, musicians, volunteers and Trustees). Child abuse can and does occur outside the family setting. Although it is a sensitive and difficult issue, child abuse 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 Pied Piper 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 arising from abuse or harassment by a member of staff or volunteer is reported immediately.

6.1. Support for the Reporter of suspected abuse

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

Pied Piper 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 may be being abused.

6.2. Types of investigation

Where there is a complaint of abuse against a member of Pied Piper staff, musician, volunteer or Trustee 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 about whether a child 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 Pied Piper disciplinary investigation.

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

6.3. 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:

6.3.1. Poor Practice

- If, following consideration, the allegation is clearly about poor practice, the Safeguarding Officer and Co-Director will deal with it as a misconduct issue.
- If the allegation is about poor practice by the Safeguarding Officer or Co-Director, or the matter has been handled inadequately and

the concerns remain, it should be referred to Pied Piper's Board of Trustees. They will decide how to deal with the allegation and whether or not to initiate disciplinary proceedings.

6.3.2. Suspected Abuse

- Any suspicion that a child has been abused by a member of Pied Piper staff, musician, volunteer or Trustee should be reported to the Safeguarding Officer at the earliest opportunity
- The Safeguarding Officer will refer the allegation to the social services department 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 or carers of the child will be contacted as soon as possible following advice from the social services department
- If the Safeguarding Officer is the subject of the suspicion/allegation, the report must be made directly to the Executive Director who is then responsible for taking the action outlined above

6.4. Confidentiality

The legal principle that the welfare of the child 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 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 Safeguarding Officer
- The Co-Director
- The parents 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 (and parents if the alleged abuser is a child)

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).

6.5. Internal Enquiries and Suspension

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

Irrespective of these findings, Pied Piper will assess all individual cases under the appropriate misconduct/disciplinary procedure to decide whether a member of staff or project management team member, a musician, a voluntary committee member or Trustee can be reinstated and how this can be sensitively handled with other staff and voluntary committee members.

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This may be a difficult decision; particularly where there is insufficient evidence to uphold any action by the police. In such cases Pied Piper must reach a decision based on the available information that could suggest, on balance of probability, it is more likely than not that the allegation is true. The welfare of the children and young people with whom Pied Piper works will always remain the paramount concern.

6.6. Support following the inquiry

Consideration should be given to what support may be appropriate to children, parents and members of staff. Use of help lines, support groups and open meetings with maintain an open culture and help the healing process. Pied Piper will support the children, parents and Pied Piper 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.

7. Responding to a child making an allegation of abuse

The following guidelines are to support Pied Piper staff, musicians, volunteers or Trustees if a child makes a disclosure to them. All Pied Piper staff, musicians, volunteers or Trustees will receive training in this area and details are also provided in Pied Piper's *Code of Conduct* documentation for staff (See Appendix C for copies of this document). Any allegations of abuse should be referred to the Safeguarding Officer at the earliest opportunity.

- 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 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 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's own words as soon as possible – note date, time, any names mentioned, to whom the information was given and ensure that the record is signed and dated
- Contact Pied Piper's designated person

7.1. Barriers to reporting abuse

Pied Piper recognises that there are a number of significant barriers that can prevent children and young people reporting their concerns, and that Pied Piper staff, musicians, volunteers or Trustees may have a disclosure made to them may face barriers in reporting or sharing their concerns with the Safeguarding Officer.

7.2. Barriers which may prevent children and young people 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

Pied Piper recognises that the children and young people 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

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- 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

7.3. 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

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

7.4. Other possible barriers to reporting abuse

7.4.1. Barriers to reporting concerns to the 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 child protection agencies following a referral to them of concern about a child.

8. Recording Information

8.1. 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 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 Pied Piper staff, musicians, volunteers or Trustees 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

- a. **Be Specific** – what is the exact nature of the concern and which category of abuse does it suggest in your opinion
- b. **Show the evidence** – what did you see, hear? Who said what, when, how?
- c. **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.

8.2. Information Sharing - the Safeguarding Officer's responsibility

- The Safeguarding Officer should always explain to children, young people 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 to do so would put that children, young person 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 serious crime including where seeking consent might lead to interference with any potential investigation.
- The Safeguarding Officer will always consider the safety and welfare of a child or young person when making decisions on whether to share information about them. Where there is concern that the child may be suffering or is at risk of suffering significant harm, the child's safety and welfare must be the overriding consideration.
- The Safeguarding Officer will, where possible, respect the wishes of children, young people or families who do not consent to share confidential information. The Safeguarding Officer may still share information, if in their judgement on the facts of the case, there is sufficient need to override that lack of consent
- The Safeguarding Officer will always seek advice when in doubt, especially when the doubt relates to a concern about possible significant harm to a child or serious harm to others.

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- The Safeguarding Officer will 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
- The Safeguarding Officer will always record the reasons for their decision – whether it is to share information or not.

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

APPENDIX A

**Sample forms for reporting allegations or
suspicions of abuse**

REPORTING ALLEGATIONS OR SUSPICIONS OF ABUSE

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

Name: Lucy Galliard
Job/Role/Title: Administrator, Pied Piper Projects
Address: Mill Houses, Great Habton, Malton, YO17 6TZ
Telephone: 01653 669410
Mobile: 07793 009700

If the Safeguarding Officer is unavailable then the Co-Director should be informed using the following contact details:

Name: Sarah Derbyshire
Job/Role/Title: Co-Director, Pied Piper Projects
Address: Mill Houses, Great Habton, Malton, YO17 6TZ
Telephone: 01653 668551
Mobile: 07711 693281

Relevant local contacts:

Children's Services office/health board

Address

Telephone No:

Emergency No:

Police station

Address

Telephone No:

NSPCC Child Protection Helpline 0808 800 5000

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CHECKLIST FOR REPORTING SUSPECTED ABUSE

Name of child _____

Age & Date of Birth _____ Ethnicity _____

Religion _____ First Language _____

Disability _____ Any special factors _____

Parent's/carer's name(s) _____

Home address (& phone no. if available) _____

Are you reporting your own concerns or passing on those of somebody else? Give details _____

Brief description of what has prompted the concerns: include dates, times etc. of any specific incidents. _____

Any physical signs? Behavioural signs? Indirect signs? _____

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Have you spoken to the child? If so, what was said?

Have you spoken to the parent(s)? If so, what was said?

Has anybody been alleged to be the abuser? If so, give details

Have you consulted anybody else? Give details

Your name and position

To whom reported & date of reporting

Signature

Today's date

APPENDIX B

**Summary of the procedures for managing
allegations against people who work with children**

Summary of the procedures for managing allegations against people who work with children (England)

1. Introduction

This summary document has been produced by the NSPCC to assist organisations in the Third Sector to develop their child protection policy and procedures. Pied Piper is committed to ensuring that all children and young people who participate in our activities are able to do so in a safe environment and will adopt the following approach when managing allegations against a member of Pied Piper staff, musician, volunteer or Trustee.

1.1 “Children can be subjected to abuse by those who work with them in any and every setting. All allegations of abuse or maltreatment of children by a professional, staff member, foster carer or volunteer must therefore be taken seriously and treated in accordance with consistent procedures”.²

HM Government (2006) *Working Together to Safeguard Children* introduced a new framework for managing allegations and concerns against people who work with children. All organisations that provide services for children, or provide staff or volunteers to work with or care for children, should operate a procedure for handling such allegations that is consistent with the guidance within *Working Together to Safeguard Children* and the local safeguarding children board (LSCB) child protection procedures.

1.2 *Working Together to Safeguard Children* outlines the framework for managing allegations that should be used in respect of **all** cases in which it is alleged that a person who works with children has:

- Behaved in a way that has harmed, or may have harmed, a child;
- Possibly committed a criminal offence against, or related to, a child; or
- Behaved towards a child or children in a way that indicates s/he is unsuitable to work with children.

1.3 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 about whether a child is in need of protection or in need of services
- Consideration by an employer of disciplinary action in respect of the individual

2. Summary of the process for managing allegations against people who work with children

2.1 Allegation made to the employer

The allegation should be reported to the Safeguarding Officer identified in Pied Piper’s *Child Protection Procedure* immediately, if the Safeguarding Officer is unavailable or is the subject of the allegation, it should be reported to the Co-Director. If the allegation meets any of the criteria in paragraph 1.2 Pied Piper will report it to the Local Authority Designated Officer (LADO) within one working day.

² HM Government, *Working Together To Safeguard Children (2006)*

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The police and other relevant agencies will always be consulted before informing the person who is the subject of an allegation that may possibly require a criminal investigation.

2.2 Initial consideration

The LADO will discuss the matter with Pied Piper and, where necessary, obtain further details of the allegation and the circumstances in which it was made.

If the allegation is not patently false and there is cause to suspect that a child is suffering, or likely to suffer, significant harm, the LADO will immediately refer to children's social care and ask for a strategy discussion to be convened straight away. In these circumstances, the strategy discussion should include the LADO and a representative of Pied Piper, most likely the Safeguarding Officer.

If there is no cause to suspect that 'significant harm' is an issue, but a criminal offence might have been committed, the LADO should immediately inform the police and convene a similar discussion to decide whether a police investigation is needed. That discussion should also involve Pied Piper.

2.3 Action following initial consideration

There are three possible course of action that might follow the initial consideration and non, one, or a combination of these may be necessary:

- Disciplinary action
- Police investigation
- Referral on to a list of persons considered unsuitable to work with children

Each of these possibilities is explained in more detail:

2.3.1 Disciplinary Action

Where the initial evaluation decides that the allegation does **not** involve a possible criminal offence, it is dealt with by Pied Piper. In such cases, if the nature of the allegation does not require formal disciplinary action, appropriate action should be taken within **3 working days**

If a disciplinary hearing is required and can be held without further investigation, the hearing should be held within **15 working days**

Where further investigation is required to inform consideration of disciplinary action, Pied Piper should discuss who will undertake that with the LADO. The investigating officer should aim to provide a report to LMN within **10 working days**

On receipt of the report of the disciplinary investigation, Pied Piper should decide whether a disciplinary hearing is needed within **2 working days**, and if a hearing is needed it should be held within **15 working days**

In any case in which children's social care has undertaken enquiries to determine whether the child or children are in need of protection, Pied Piper should take account of any relevant information obtained in the course of those enquiries when considering disciplinary action

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Note: *Working Together To Safeguard Children* states that ‘the timescales given are not performance indicators but they provide useful targets to aim for that are achievable in many cases’.

2.3.2 Case Subject to Police Investigation

If a criminal investigation is required, the police will aim to complete their enquiries as quickly as possible. They should, at the outset, set a target date for reviewing the progress of the investigation and consulting with the Crown Prosecution Service (CPS) about whether to proceed with the investigation, charge the individual with an offence, or close the case.

If the police and/or CPS decide not to charge the individual with an offence, or decide to administer a caution, or a court acquits the person, the police should pass all information they have which may be relevant to a disciplinary case to the employer without delay.

If the person is convicted of an offence, the police should also inform the employer straightaway so that appropriate action can be taken.

2.3.3 Referral to the Protection of Children Act List (PoCA List) or DfES List 99 or to a regulatory body

If the allegation is substantiated, and on conclusion of the case Pied Piper dismisses the person or ceases to use the person’s services, or the person ceases to provide his/her services, the employer should consult the LADO about whether a referral to the PoCA List and/or to a professional regulatory body is required. If a referral is appropriate the report should be made within **one month**

3. Additional Considerations

3.1 Supporting those involved

There are two issues to consider here – support for any child or children, parents or carers involved and support for the person who is the subject of the allegation:

3.1.1 Parents/carers of a child or children involved should be told about the allegation as soon as possible if they do not know about it already. They should be kept informed about the progress of a case, and told the outcomes where there is not a criminal prosecution. That includes the outcome of any disciplinary procedures.

3.1.2 Pied Piper should also keep the person who is the subject of the allegation informed of the progress of the case, and arrange to provide appropriate support to the individual while the case is ongoing. If the person is suspended, Pied Piper should also make arrangements to keep the individual informed about developments in the workplace.

3.2 Confidentiality

Every effort will be made to maintain confidentiality and guard against publicity while an allegation is being investigated/considered.

3.3 Resignations and ‘Compromise Agreements’

The fact that a person tenders his/her resignation, or ceases to provide their services, must not prevent an allegation being followed up in accordance with these

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procedures. It is important that every effort is made to reach a conclusion in all cases of allegations bearing on the safety of welfare of children, including any in which the person concerned refuses to co-operate with the process.

‘Compromise agreements’ – whereby a person agrees to resign, the employer agrees not to pursue disciplinary action, and both parties agree a form of words to be used in any future reference – must not be used in these cases.

3.4 Record keeping

Pied Piper will keep a clear and comprehensive summary of:

- Any allegations made
- Details of how allegations were followed up and resolved
- Any action taken
- Decisions reached

These details will be kept in a confidential file relating to that person and a copy should be given to the individual. Such information will be retained on file, including for people who have left Pied Piper, at least until the person reaches normal retirement age, or for 10 years if that is longer.

3.5 Oversight and monitoring

Pied Piper has identified Lucy Galliard, Administrator, as the person to whom allegations or concerns should be reported. Staff and volunteers will be made aware of this person and who else to report to in the absence of this person. If the alternative person is also unavailable all Pied Piper staff, musicians, volunteers or Trustees will know that they can go directly to the LADO to report their concerns.

3.6 Serious case review

If an allegation is substantiated, the managers and Trustees of Pied Piper must think widely about the lessons of the case and how they should be acted on. This should include whether there are features of Pied Piper that may have contributed to, or failed to prevent, the abuse occurring. In some cases a serious case review may be appropriate – this is where the LSCB undertakes a review of a serious case in order to consider whether there are any lessons to be learnt and actions to be taken which should be shared more widely in order to improve safeguarding practice.

3.7 Code of conduct/professional boundaries

This document has so far outlined what Pied Piper would do in respect of managing allegations, but wherever possible preventative measures are in place so that allegations are less likely to occur. All adults who come into contact with children and young people in their work have a duty of care³ to safeguard and promote their welfare. It is important that all Pied Piper staff, musicians, volunteers and Trustees are aware of Pied Piper’s expectations from the outset. This signifies that Pied Piper is taking its duty of care towards children and young people seriously and it clarifies for staff and volunteers what is appropriate behaviour in order to reduce the likelihood of misinterpretation.

³ The duty which rests upon an individual to ensure that all reasonable steps are taken to ensure the safety of a child or young person involved in any activity, or interaction for which that individual is responsible. Any person in charge of, or working with children and young people in any capacity is considered, both legally and morally, to owe them a duty of care.

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APPENDIX C

Code of Conduct & Good Practice

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

Pied Piper believes that children should be given every opportunity to learn that no-one has the right to do anything to them that makes them feel uncomfortable. Children should be taught and encouraged not to put up with any behaviour from adults or other children involved in Pied Piper activities.

All Pied Piper staff, musicians, volunteers or Trustees must:

- Treat all children and young people with respect
- Provide an example of good conduct you wish others to follow
- Ensure that there is at least one adult who is not affiliated with Pied Piper present during activities with children and young people
- Respect a young person's right to personal privacy/encourage young people and adults to feel comfortable and caring enough to point out attitudes or behaviour they do not like
- Remember that someone else might misinterpret your actions, no matter how well intentioned
- Be aware that any physical contact with a child or young person may be misinterpreted
- Recognise that special caution is required when you are discussing sensitive issues with children or young people
- 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 staff who is not affiliated with Pied Piper if a private conversation with a young person is absolutely necessary and tell them where you will be and how long you will be with the young person

All Pied Piper staff, musicians, volunteers or Trustees must not:

- Have inappropriate physical or verbal contact with children or young people
- Engage in sexually provocative or rough physical games, including horse-play
- 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 Pied Piper 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 or young people outside 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

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APPENDIX D

Safeguarding Officer role and responsibilities

The designated Safeguarding Officer

General

Pied Piper's designated Safeguarding Officer is Lucy Galliard, Pied Piper's Administrator. The Safeguarding Officer is responsible for dealing with any concerns about the protection of children. In the absence of Lucy Galliard, Pied Piper's Co-Director, Sarah Derbyshire, will act as the Deputy Safeguarding Officer.

The Safeguarding Officer attended the NSPCC training course: 'Designated Safeguarding Children Officer' in October 2008 to ensure that they are aware of the roles and responsibilities of this job and the procedures and policies required by Pied Piper to ensure all children, young people and vulnerable adults with whom we work are adequately protected from harm.

Role

The role of the designated person is to:

- Provide information and advice on child protection within Pied Piper
- Ensure that Pied Piper'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 Pied Piper, particularly the Directors and board of Pied Piper, information about any action taken and any further action required, for example, disciplinary action against a member of Pied Piper staff, musicians, volunteers or Trustees
- Ensure that an individual case record is maintained of the action taken by Pied Piper, the liaison with other agencies and the outcome
- Advise Pied Piper of child protection training needs
- Deal with the aftermath of an incident in Pied Piper

Responsibility

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